

ORDINANCE 2006-01 OF THE TOWN COUNCIL OF
LEO-CEDARVILLE, INDIANA

- A. Pursuant to the authority vested by IC 36-1-4-14, the Town Council for the Town of Leo-Cedarville, Indiana hereby establishes the position of Town Maintenance Person.
- B. The Town Maintenance Person Position shall be staffed by an individual hired by the Town Executive upon approval of a majority of the Town Council.
- C. The Town Administrator shall have direct day-to-day supervisory authority over the Town Maintenance Person subject to any instructions given by the Town Executive. The Town Executive shall have the right to establish and publish employment policies governing the Maintenance Person, subject to the approval of the Town Council.
- D. The Town Executive shall issue all discipline the Town Maintenance Person, but may not terminate the employment of the Maintenance Person without the approval of a majority of the Town Council. IC 36-5-2-13. In the event that the Town Executive believes that an employee holding the Maintenance Person position has engaged in conduct warranting immediate dismissal or poses a risk to the health and safety of himself/herself, the Town, or others the Town Executive may suspend the Maintenance Person immediately without pay pending approval of the Town Council at its next regular meeting or at a special meeting.
- E. Pursuant to IC 5-12-1.5-6.1, the Town Council may hold meetings in executive session in order to interview prospective employees for the Maintenance Person Position; to receive and discuss information concerning alleged misconduct by an employee holding such position; to review and/or discuss any records concerning such an employee if such records are classified as confidential by state or federal statute (this includes and medical records received from such individual in a manner compliant with the Americans with Disabilities Act (“ADA”) or the Health Insurance Portability Act (“HIPA”)); or to discuss a job performance evaluation prepared by the Town Administrator and Town Executive before such evaluation is given to the employee. No final decisions shall be made during executive sessions, and all executive sessions shall be properly noticed in accordance with IC 5-14-1.5-6.1.
- F. Subject to the day to day instructions of the Town Administrator or the Town Executive, the Town Maintenance Person shall be responsible for the maintenance and upkeep of all buildings and equipment of the Town of Leo-Cedarville. This includes maintaining the buildings and keeping electrical, heat, plumbing, sewage, and drainage in good working order; maintaining the lawns, bushes and landscaping of the Town property; maintaining and repairing as necessary any town vehicles; removal of debris, trash, rubbish or dead animals from the town rights of way and town property; removal of ice and snow or other hazards from walkways on town property and such other duties as may be assigned by the Town Administrator or the Town Executive.

G. Upon the approval of the Town Executive, the Town Maintenance Person will deal directly with vendors or independent contractors hired by the Town to supply materials or services to the Town relating to the maintenance of Town property. The Town Maintenance Person shall not have the express or implied authority to bind the Town to contracts. All contracts must be approved by the Town Council and signed by the Town Executive. Minor purchases may be made by the Town Clerk-Treasurer or Town Administrator pursuant to the Town's Petty Cash Ordinance. However, if the Town Council amends the Petty Cash Ordinance to provide for minor expenditure by the Maintenance Person, the Maintenance Person shall be authorized to make expenditures consistent with that ordinance.

H. The Maintenance Person Position is created, hereby, as a part-time position and it is expected that the Maintenance person shall work no more than 1,200 hours per calendar year. However, the position may be converted to a full time position by a Resolution of the Town Council passed by majority vote.

I. The Maintenance Person shall work a schedule based on a work week beginning on Monday and ending on Sunday. The work schedule shall be provided or approved by the Town Administrator or Town Executive. All time off shall be approved in advance by the Town Administrator and Town Executive.

J. The hourly rate of the Maintenance Person shall be established in the Town's general salary ordinance and appropriated in the Town's annual budget. Except in the event of emergencies, the Town Maintenance Person must obtain approval from the Town Executive before working more than 40 hours in any one week.

K. The Maintenance Person shall be entitled to all benefits for Part-Time or Full-Time (whichever may apply) employees of the Town as are established by the Town's ordinances.

L. The Maintenance Person shall be classified as a non-exempt, hourly employee for purposes of the Fair Labor Standards Act and Indiana Wage and Hour Laws.

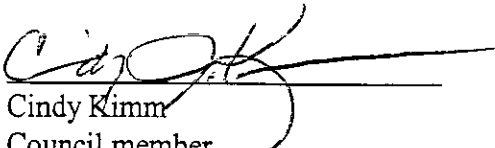
M. The Town Clerk-Treasurer shall be responsible for obtaining necessary Workers Compensation Insurance, making Unemployment Compensation payments to the State, and processing the Maintenance Person's payroll checks.

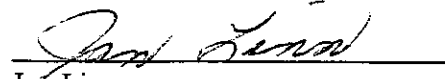
N. The Maintenance Person position shall be an at-will employment position. Nothing in this ordinance or in any other ordinance or policy of the Town shall constitute the granting of a property interest in employment to any person. Any promises or representations to the contrary by any person or persons are without authority and unenforceable.

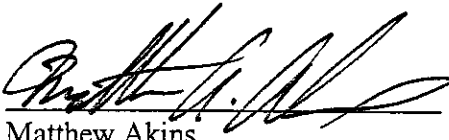
O. This ordinance shall repeal any prior ordinance inconsistent with its terms.

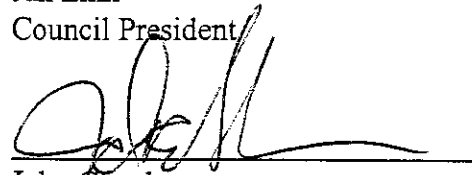
P. This ordinance shall become effective upon its passage and upon its execution by the Town Executive (i.e. Town Council President) as attested by the Clerk-Treasurer.

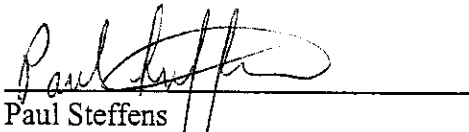
Passed and adopted by the Town Council of the Town of Leo-Cedarville, Indiana on this 21 day of FEBRUARY, 2006.


Cindy Kimm
Council member


Jan Linn
Council President


Matthew Akins
Council Member


John Clendenen
Council Member


Paul Steffens
Council Member

Attestation of Clerk-Treasurer

I, Pamela Spannuth, the Clerk-Treasurer for the Town of Leo-Cedarville, Indiana, hereby attest that the ordinance set forth above was adopted by the legislative body of the Town of Leo-Cedarville on February 21, 2006 and signed by the Executive for the Town of Leo-Cedarville, and properly executed in my presence on February 21, 2006.


Pamela Spannuth
Clerk-Treasurer