

Topics Tentatively Scheduled for Study Session Discussion and

Topics Requested for Action at Future Business Meetings of the Twenty-Ninth Town Council of Highland

This meeting will be convened as an electronic meeting, pursuant to Governor Holcomb's Executive Orders 20-04, 20-09 and 20-25 and now extended by Executive Order 21-18 through August 30, 2021 allowing such meetings, pursuant to IC 5-14-1.5-3.7 for the duration of the emergency.

People may observe and record the meeting for live streaming by joining the meeting on the following link:

<https://us06web.zoom.us/j/89796891810?pwd=UUNqbEFuc3M2OXVQNjQ3NERQUDFOUT09>

Further, persons wishing to offer comment in the meeting may access the electronic meeting by using the preceding and adding the password for Meeting ID: 897 9689 1810 password (code): 694377

Immediately following the special meeting of the Town Council convened at 6:30 p.m.

Monday August 16, 2021

Study Session 6:40 p.m. (immediately following special meeting)

Virtual/Electronic meeting /Hybrid in person

This meeting contributes to Agenda building for the plenary meeting. Please, also be aware of the running enrolled list of matters that are likely for the plenary meeting, subject to review by the municipal executive. By practice and local ordinance, study sessions are distinguished from plenary (regular business) meetings of the Town Council "as they shall be conducted with less formality and with no votes or final actions of a dispositive nature unless provided otherwise by proper notice, pursuant to IC [5-14-1.5](#) et seq." (Confer HMC Section 2.05.130(3))

- X. **Discussion:** Bonuses to be paid from surplus above reserves. Amount and purposes of the bonuses.
- X. **Discussion:** Highland Athletic Department Ad for the athletic book.
- X. **Discussion:** Establishing a policy providing a one year waiving of worker health insurance premium when that worker converts from the PPO plan to the high deductible plan.
- X. **Discussion:** Review the current levels of employer contributions to the Health Savings Accounts of workers in the high deductible plan.
- X. **Discussion:** Proposed Ordinance for Town Manager.

II.

• **Plenary Business Meeting of Monday August 23, 2021 Likely matters**

- X. Accounts payable vouchers Docket for the period of August 10, 2021 to August 23, 2021 in the amount \$_____.
- X. Ratify Payroll Vouchers Dockets for payday of August , 2021 in the amount of \$_____.
- X. Minutes of the Meeting of Monday, August 9, 2021 and Special meeting of August 16, 2021.
- X. **Introduced Enactment No. 2021-35:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq. *(At its meeting of August 9, the Town Council acted on the motion to consider the enactment at the same meeting of its introduction. Having not obtained the needed unanimous vote of those present, the enactment is now being considered. Only three affirmative votes are needed for adoption.)*
- X. Commissioning Ceremony for Police Dog Bane.

GENERAL FUND CASH POSITION AT JULY 31 2021

| | | |
|-------------------------------------------------|------------------------|-------------|
| Jan 1 Cash after Encum | \$ 5,797,913.39 | |
| Dec 31 Cash Balance (Not adjusted) | \$ 5,508,722.52 | |
| | | |
| Transfer for Rainy Day | \$ - | |
| Adjusted collections | \$ 211,296.12 | |
| Adjusted by Circuit Breaker | \$ 422,592.24 | |
| Real Ending Cash Balance 12.31.202 | \$ 4,874,834.16 | 133% |
| Restricted Q3/Helios Funds | \$ 39,000.00 | |
| Unreserved Fund Balance | \$ 1,160,909.63 | |
| RESERVED Fund Balance | \$ 3,674,924.53 | |
| Change in balance | | |
| before adjustments | \$ (289,190.87) | |
| | | |
| Change in cash | | |
| Balance | \$ (923,079.23) | |
| | | |
| Required | | |
| Reserve Balance: | \$ 3,674,924.53 | |
| Adjusted to allow for the 5 months with changes | | |
| from additional appropriations. | | |

Some of that unreserved balance is used for loans to the debt service funds

It will likely be needed to reinforce the Rainy Day Fund to make sure that the Park General Fund makes it required reserve balance under our code.

See Sections HMC 3.45.210 and 3.45.230 regarding the reserve requirement.

Allowing for that, there is unreserved undesignated fund balance that could be appropriated for bonuses only subject to the usual rules for compensation.

Compensation Guidance:

“The town legislative body shall, by ordinance, fix the compensation of its own members, the town clerk-treasurer, and the town marshal.The legislative body shall provide reasonable compensation for other town officers and employees.” Excerpt IC 36-5-3-2(b)

“The board (Town Board of Metropolitan Police Commissioners) may recommend and the town legislative body shall determine the compensation to be paid to members of the police department in amounts that are just and reasonable.” From IC 36-8-9-4(b).

All Departments Full Time employees + Part time FireFighters

| \$5,000.00 example | Number of FT +FF Employees | D*E | Social Security 6.2% | Medicare 1.45% | PERF 14.2% | Department Total |
|---------------------------|-------------------------------|----------|----------------------|----------------|------------|----------------------|
| Clerk-Treasurer's Office | 7 \$ | 5,000.00 | 35,000.00 | 507.50 | 4,970.00 | 42,647.50 |
| Building & Inspection | 3 \$ | 5,000.00 | 15,000.00 | 217.50 | 2,130.00 | 18,277.50 |
| Police Clerical | 7 \$ | 5,000.00 | 35,000.00 | 507.50 | 3,550.00 | 41,227.50 |
| Police Sworn | 39 \$ | 5,000.00 | 195,000.00 | 2,827.50 | - | 197,827.50 |
| Police Dept Total | | | | | | 239,055.00 |
| Public Works | 33 \$ | 5,000.00 | 165,000.00 | 2,392.50 | 23,430.00 | 201,052.50 |
| Park | 16 \$ | 5,000.00 | 80,000.00 | 1,160.00 | 11,360.00 | 97,480.00 |
| Fire | 1 \$ | 5,000.00 | 5,000.00 | 72.50 | 710.00 | 6,092.50 |
| FireFighters PT | 31 \$ | 5,000.00 | 155,000.00 | 2,247.50 | - | 166,857.50 |
| Fire Dept Total | | | | | | 172,950.00 |
| Redevelopment | 2 \$ | 5,000.00 | 10,000.00 | 145.00 | 1,420.00 | 12,185.00 |
| Total | 139 | | 695,000.00 | 10,077.50 | 47,570.00 | \$ 783,647.50 |

| \$2,500 Example | Number of FT +FF Employees | D*E | Social Security 6.2% | Medicare 1.45% | PERF 14.2% | Department Total |
|--------------------------|-------------------------------|----------|----------------------|----------------|------------|----------------------|
| Clerk-Treasurer's Office | 7 \$ | 2,500.00 | 17,500.00 | 253.75 | 2,485.00 | 21,323.75 |
| Building & Inspection | 3 \$ | 2,500.00 | 7,500.00 | 108.75 | 1,065.00 | 9,138.75 |
| Police Clerical | 7 \$ | 2,500.00 | 17,500.00 | 253.75 | 1,775.00 | 20,613.75 |
| Police Sworn | 39 \$ | 2,500.00 | 97,500.00 | 1,413.75 | - | 98,913.75 |
| Police Dept Total | | | | | | 119,527.50 |
| Public Works | 33 \$ | 2,500.00 | 82,500.00 | 1,196.25 | 11,715.00 | 100,526.25 |
| Park | 16 \$ | 2,500.00 | 40,000.00 | 580.00 | 5,680.00 | 48,740.00 |
| Fire | 1 \$ | 2,500.00 | 2,500.00 | 36.25 | 355.00 | 3,046.25 |
| FireFighters PT | 31 \$ | 2,500.00 | 77,500.00 | 1,123.75 | - | 83,428.75 |
| Fire Dept Total | | | | | | 88,913.75 |
| Redevelopment | 2 \$ | 2,500.00 | 5,000.00 | 72.50 | 710.00 | 6,092.50 |
| Total | 139 | | 347,500.00 | 5,038.75 | 23,785.00 | \$ 391,823.75 |

Office of Clerk-Treasurer
prepared by Associate Clerk T for Payroll and Personnel

POSSIBLE BONUSES and COSTS

FISCAL RECOVERY FUNDS CONSTRAINTS

39 x 5000 195,000.00 x 7.65% 14,917.50 \$ 209,917.50

Only Fire Fighters & Chief, does NOT include part time office staff some have only worked 1 or 2 calls in a quarter

| | |
|-----------------|----------|
| Aggregate Hours | 16,147.5 |
| \$ | 5,000.00 |
| Hours | 384.6 |
| Days | 48.08 |
| Weeks | 9.6 |

\$ 13.00 Hour

- Make sure that the individual pay for each does not exceed the greater of:
 BLS 150% because of the premium pay \$ 72,975.00
 All of Indiana AVG MEAN WAGE \$ 48,650.00
 All of LAKE COUNTY \$ 50,798.00

- Can be paid in lump sum
- Must be for essential to the maintenance of critical infrastructure and responsive to worker
- Premium Pay

\$ 4,992.00 384 Hours
 \$ 5,018.00 385 Hours
 Interim Final RULE from US TREASURY

**RELEVANT EXCERPTS from the COMPENSATION and BENEFITS ORDINANCE
commonly called MUNICIPAL HANDBOOK**

§ 6.03 Group Health Insurance

The Town will provide a health insurance plan for all eligible employees of the town hereinafter defined. The Town reserves the right to change alter, modify or cancel the insurance plan coverage with or without notification. The Town provides **eligible employees of the town hereinafter defined** with a group insurance plan **in which the** coverage begins on the first day of employment. For specific details on the type and extent of coverage, please refer to the plan document, which will be provided at the time of enrollment.

§ 6.03.03 Health Savings Accounts (HSA Accounts)

The Town of Highland will provide a HIGH DEDUCTIBLE option in its group health insurance to support worker establishment of a *Health Savings Account* pursuant to and as outlined in the relevant sections of the Internal Revenue Code. The plan option will only be available to **eligible employees of the town hereinafter defined** who may elect the higher deductible option for the group health insurance plan. The Town of Highland as employer will make a financial contribution to the individual health saving account of the **eligible employees of the town hereinafter defined** that elect to participate. The **eligible employees of the town hereinafter defined** must not be covered by any other group health insurance plan. Details of the plan shall be maintained as a plan document and retained on file. The financial contribution will be paid in **two semi-annual** installments **scheduled by the Clerk-Treasurer** and be based upon the high deductible group health plan elected by the participating **eligible employees of the town hereinafter defined** as follows:

EMPLOYER CONTRIBUTION to High Deductible (HSA) Plan

| | Employer Semi Annual Contribution | Annualized |
|------------------------------------------|------------------------------------------------|-------------------|
| Employee Single Coverage | \$490.50 | \$ 981.00 |
| Employee With Children | \$948.00 | \$1,896.00 |
| Employee With Spouse | \$998.00 | \$,1996.00 |
| Family Coverage with Spouse and Children | \$1,446.00 | \$2,892.00 |

§ 6.03.04 Employee Contribution for Certain Group Insurance Premiums

Worker Group Premium in the PPO or NON HIGH DEDUCTABLE PLAN

Employee Share of Health Insurance Premium

| | |
|------------------------------------------|----------------|
| Employee Single Coverage | 1% of Base Pay |
| Employee With Children | 2% of Base Pay |
| Employee With Spouse | 2% of Base Pay |
| Family Coverage with Spouse and Children | 3% of Base Pay |

Worker Group Premium in the HIGH DEDUCTABLE PLAN

Employee Share of Health Insurance Premium

| | |
|------------------------------------------|------------------|
| Employee Single Coverage | .5% of Base Pay |
| Employee With Children | 1% of Base Pay |
| Employee With Spouse | 1% of Base Pay |
| Family Coverage with Spouse and Children | 1.5% of Base Pay |

IF A WORKER PARTICIPATES IN THE WELLNESS PROGRAM THE PREMIUM IS ADJUSTED AS FOLLOWS:

Worker Group Premium in the PPO or NON HIGH DEDUCTABLE PLAN if doing WELLNESS

| | |
|------------------------------------------|------------------|
| Employee Single Coverage | .5% of Base Pay |
| Employee With Children | 1.5% of Base Pay |
| Employee With Spouse | 1.5% of Base Pay |
| Family Coverage with Spouse and Children | 2.5% of Base Pay |

Worker Group Premium in the HIGH DEDUCTABLE PLAN if doing WELLNESS

| | |
|------------------------------------------|------------------|
| Employee Single Coverage | 0 % of Base Pay |
| Employee With Children | .5% of Base Pay |
| Employee With Spouse | .5% of Base Pay |
| Family Coverage with Spouse and Children | 1.0% of Base Pay |

Non-Participants in the Town of Highland Wellness Program.

**Employee Share of Health Insurance Premium
for Non-Participants in the Wellness Program**

| | |
|------------------------------------------|----------------|
| Employee Single Coverage | 2% of Base Pay |
| Employee With Children | 4% of Base Pay |
| Employee With Spouse | 4% of Base Pay |
| Family Coverage with Spouse and Children | 6% of Base Pay |

Health Savings Accounts
Our original ratio was 70/30 meaning we shared 70% of savings with employee

It had eroded over time with increases in premiums

FY 2019

| GROUP MEDICAL/HEALTH INSURANCE | Employer Quarterly Contribution | Annualized amount | PPO Plan regular deductible Monthly Premium | FY 2019 | | Annualized amount | Savings Between the Plans | Percentage returned to the workers |
|--------------------------------|---------------------------------|-------------------|---------------------------------------------|-------------------|--------------------------------------|-------------------|---------------------------|------------------------------------|
| | | | | Annualized amount | HIGH DEDUCTIBLE PLAN Monthly premium | | | |
| Employee only | \$ 225.00 | \$ 900.00 | \$ 694.74 | \$ 8,336.88 | \$ 585.35 | \$ 7,024.20 | \$ 1,312.68 | 68.6% |
| Employee with Child(ren) | \$ 429.50 | \$ 1,718.00 | \$ 1,319.98 | \$ 15,839.76 | \$ 1,112.16 | \$ 13,345.92 | \$ 2,493.84 | 68.9% |
| Employee with Spouse | \$ 452.25 | \$ 1,809.00 | \$ 1,389.43 | \$ 16,673.16 | \$ 1,170.68 | \$ 14,048.16 | \$ 2,625.00 | 68.9% |
| Family Coverage | \$ 655.75 | \$ 2,623.00 | \$ 2,014.69 | \$ 24,176.28 | \$ 1,697.52 | \$ 20,370.24 | \$ 3,806.04 | 68.9% |

FY 2020

| GROUP MEDICAL/HEALTH INSURANCE | Employer Semi Annual Contribution | Annualized amount | PPO Plan regular deductible Monthly Premium | FY 2020 | | Annualized amount | Savings Between the Plans | Percentage returned to the workers |
|--------------------------------|-----------------------------------|-------------------|---------------------------------------------|-------------------|--------------------------------------|-------------------|---------------------------|------------------------------------|
| | | | | Annualized amount | HIGH DEDUCTIBLE PLAN Monthly premium | | | |
| Employee only | \$ 490.50 | \$ 981.00 | \$ 946.04 | \$ 11,352.48 | \$ 797.08 | \$ 9,564.96 | \$ 1,787.52 | 54.9% |
| Employee with Child(ren) | \$ 948.00 | \$ 1,896.00 | \$ 1,797.43 | \$ 21,569.16 | \$ 1,514.45 | \$ 18,173.40 | \$ 3,395.76 | 55.8% |
| Employee with Spouse | \$ 998.00 | \$ 1,996.00 | \$ 1,892.01 | \$ 22,704.12 | \$ 1,594.13 | \$ 19,129.56 | \$ 3,574.56 | 55.8% |
| Family Coverage | \$ 1,446.00 | \$ 2,892.00 | \$ 2,743.43 | \$ 32,921.16 | \$ 2,311.55 | \$ 27,738.60 | \$ 5,182.56 | 55.8% |

FY 2021

| GROUP MEDICAL/HEALTH INSURANCE | Employer Semi Annual Contribution | Annualized amount | PPO Plan regular deductible Monthly Premium | FY 2021 | | Annualized amount | Savings Between the Plans | Percentage returned to the workers | Annual Employer Contribution Likely could be |
|--------------------------------|-----------------------------------|-------------------|---------------------------------------------|-------------------|--------------------------------------|-------------------|---------------------------|------------------------------------|----------------------------------------------|
| | | | | Annualized amount | HIGH DEDUCTIBLE PLAN Monthly premium | | | | |
| Employee only | \$ 490.50 | \$ 981.00 | \$ 1,043.48 | \$ 12,521.76 | \$ 879.18 | \$ 10,550.16 | \$ 1,971.60 | 49.8% | \$ 1,163.24 |
| Employee with Child(ren) | \$ 948.00 | \$ 1,896.00 | \$ 1,982.57 | \$ 23,790.84 | \$ 1,670.44 | \$ 20,045.28 | \$ 3,745.56 | 50.6% | \$ 2,247.34 |
| Employee with Spouse | \$ 998.00 | \$ 1,996.00 | \$ 2,086.89 | \$ 25,042.68 | \$ 1,758.33 | \$ 21,099.96 | \$ 3,942.72 | 50.6% | \$ 2,365.63 |
| Family Coverage | \$ 1,446.00 | \$ 2,892.00 | \$ 3,026.00 | \$ 36,312.00 | \$ 2,549.64 | \$ 30,595.68 | \$ 5,716.32 | 50.6% | \$ 3,429.79 |

Note: IRS increased the minimum out of pocket to qualify for High Deductible from \$2,700 for individual to \$2,800

| NET OUT OF POCKET HIGH DEDUCTIBLE PLAN | Net |
|----------------------------------------|-------------|
| Employee only | \$ 981.00 |
| Employee with Child(ren) | \$ 1,896.00 |
| Employee with Spouse | \$ 1,996.00 |
| Family Coverage | \$ 2,892.00 |

ORDINANCE No. _____
of the
TOWN of HIGHLAND, INDIANA

An Ordinance to Amend the Highland Municipal Code by Adding a New Chapter 2.17 Establishing the new position of Town Manager all pursuant to IC 36-1-5 and IC 36-5-5 et sequitur.

Whereas, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

Whereas, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

Whereas, The Town of Highland, is a Municipal Government which may pass and codify ordinances for the operation of the government, all pursuant to IC 36-1-4 and IC 36-1-5;

Whereas, The Town of Highland, is a municipality located in Lake County which operates as a Town under the laws of Indiana; and,

Whereas, IC 36-5-5 provides for Towns that choose to adopt its provisions, to establish the position of Town Manager, to serve as administrative head of the Town; and,

Whereas, The Town Council of the Town of Highland believes that it would be of great public benefit, in the interest of greater administrative efficiency and salubrious to the provision of public services for the people of Highland to professionalize the public management of municipal resources to establish the position of Town Manager for the Town of Highland;

Whereas, The Town of Highland, through its Town Council, now wishes to further perfect its own organization as well as to increase its effectiveness in providing quality public services and governance to the people of Highland and toward that end make certain technical modifications to the Highland Municipal Code;

Now, Therefore, Be it hereby ordained by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Highland Municipal Code be hereby amended by adding a new chapter, Chapter 2.17, shall be styled as Town Manager and which shall read as follows:

Town Manager

2.17.010 Establishment of the Office of Town Manager

- 1
2 (A) There is established the position of Town Manager for the Town of
3 Highland who shall be the administrative head of the town government.
4
5 (B) The Town Council shall fix the compensation and terms of employment for
6 the Town Manager pursuant to IC 36-5-2 and IC 36-5-5-2.
7
8 (C) The manager may be employed to serve: (1) at the pleasure of the legislative
9 body; or (2) for a definite tenure not to exceed the longest remaining term
10 in office of a member of the legislative body, in which case he may be
11 dismissed only for cause.
12
13 (D) The town legislative body may not employ one of its members as the
14 manager.
15
16 (E) The manager must, in the manner prescribed by IC 5-4-1, execute a bond
17 for the faithful performance of his duties, which shall be fixed at the
18 minimum amount of fifteen thousand dollars (\$15,000) as authorized in IC
19 5-4-1-18(c).
20
21 (F) The town manager, before entering his or her official duties, shall take and
22 subscribe to an oath to support the Constitution of the United States and
23 the Constitution of the State of Indiana, and to faithfully discharge the
24 duties of the office of town manager. The oath required by this subsection
25 shall be deposited in the manner prescribed in IC 5-4-1 not later than thirty
26 (30) days after the initial appointment. However, failure to take, subscribe
27 or deposit this oath will not cause a vacancy in the position of town
28 manager, but could render any compensation received in consequence of
29 the appointment as improper and voidable.
30
31 (G) The town legislative body may appoint a qualified person to perform the
32 duties of the manager whenever he is absent or unable to perform his
33 duties.
34
35 (H) The town legislative body may not authorize the manager to issue or
36 execute bonds, notes, or warrants of the town.
37

38 **2.17.22 Qualifications of the Town Manager**

- 39
40 (A) The Town Manager shall be a person of good character who is at least
41 twenty-one (21) years of age and a citizen of the United States of
42 America;
43
44 (B) The Town Manager shall possess sufficient experience, training and or
45 education in the management of public organizations to coordinate the
46 overall administration of the municipality in an effective and cost
47 efficient manner.
48

- 1 (C) The Town manager should possess the equivalent to a Bachelor's Degree
2 in Public Administration or a closely related field and five years of
3 increasingly responsible municipal management experience. A Master's
4 Degree in Public Administration or a related field is highly desirable.
5
- 6 (D) The Town manager should possess a comprehensive *knowledge* of the
7 town's municipal code and policies, relevant titles of the Indiana Code
8 including the Access to Public Records Act and the Open Meeting Act;
9
- 10 (E) The Town manager shall understand the following:
11
- 12 (1) Administrative principles, methods, and practices including
13 goal setting, program and budget development, program
14 implementation, and personnel management;
15
 - 16 (2) Techniques utilized in administrative analysis, fiscal
17 planning and management, and program development;
18
 - 19 (3) Principles and practice of budget development and
20 administration;
21
 - 22 (4) Funding sources impacting program and service
23 development; social, political, and environmental issues
24 influencing program administration;
25
 - 26 (5) Principles and practices of contract administration,
27 evaluation, and administration.
28
- 29 (F) The town manager should possess a general *knowledge* of legal and
30 management principles and requirements dealing with employer-
31 employee relations issues.
32
- 33 (G) The town manager must possess the following abilities:
34
- 35 (1) The ability to plan, organize, administer, and coordinate a
36 large variety of complex municipal services and
37 programs;
38
 - 39 (2) The ability to develop and implement goals, objectives,
40 policies, procedures, work standards, and internal
41 controls;
42
 - 43 (3) The ability to provide advice and consultation to the town
44 council on the development of ordinances, regulations,
45 programs, and policies;
46
 - 47 (4) The ability to analyze a variety of complex program and
48 service delivery issues and formulate effective strategies
49 and policies to address these issues;

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- (5) The ability to direct the work of managers, supervisors, and staff in a manner that best utilizes their abilities to provide service to the public efficiently and at the lowest possible cost;
- (6) The ability to analyze, prepare, and administer a municipal budget;
- (7) In concert with the town’s fiscal officer, the ability to implement and monitor fiscal controls to assure the town’s financial health;
- (8) The ability to prepare concise and comprehensive reports;
- (9) In cooperation with the clerk-treasurer, the ability to coordinate the preparation of town council agendas;
- (10) The ability to exercise leadership, authority, and supervision tactfully and effectively;
- (11) The ability to communicate well with all sectors of the community and make effective public presentations;
- (12) The ability to effectively represent the municipality and the town council with individual citizens, community groups, and other governmental agencies;
- (13) The ability to establish and maintain cooperative working relationships.

2.17.020 Town Manager Prohibited from partisan political activities

~~A town manager may not campaign for or against a candidate for elected town office and may not participate in partisan political activities that would impair the manager's performance as a professional administrator.~~

A town manager may not campaign for or against a candidate for elected town office and may not participate in partisan political activities that would impair the town manager’s performance as a professional administrator. This Section shall not prohibit the A town manager from voting in a primary election or any other election where it is necessary for a voter to declare membership in a political party.

2.17.030 Duties and Responsibilities of the Town Manager

- (A) The manager, under the direction of the town legislative body, is responsible for the administrative duties of the legislative body.

1 (B) Unless a written order or ordinance of the legislative body provides
2 otherwise, the manager shall:

- 3
4 (1) attend the meetings of the legislative body and recommend
5 actions he considers advisable;
6
7 (2) hire town employees according to the pay schedules and
8 standards fixed by the legislative body or by statute, except
9 where state law otherwise provides;
10
11 (3) suspend, ~~discharge, remove,~~ or transfer town employees,
12 **and recommend the discharge or removal**, if necessary for
13 the welfare of the town;
14
15 (4) administer and enforce all ordinances, orders, and
16 resolutions of the legislative body;
17
18 (5) see that all statutes that are required to be administered by
19 the legislative body or a town officer subject to the control of
20 the legislative body are faithfully administered;
21
22 (6) execute contracts on behalf of the town for materials,
23 supplies, services, or improvements, after the completion of
24 the appropriations, notice, and competitive bidding required
25 by statute and in compliance with the ordinances and policies
26 of the Town;

27
28 (C) Unless a written order or ordinance of the legislative body provides
29 otherwise, the manager may:

- 30
31 (1) delegate any of his powers to an employee responsible to
32 him;
33
34 (2) may receive service of summons on behalf of the town
35

36 (D) The manager may not serve as a member of any body that hears
37 disciplinary charges against a member of the town police department.
38

39 (E) The Town Manager shall prepare and formulate budget estimates and
40 submit them to the legislative body as follows:

- 41
42 (1) Before the publication of notice of budget estimates required
43 by IC 6-1.1-17-3, each department head shall prepare for his
44 or her department an estimate of the amount of money
45 required for the ensuing budget year, stating in detail each
46 category and item of expenditure he anticipates.
47
48 (2) The town fiscal officer shall prepare an itemized estimate of
49 revenues available for the ensuing budget year, and shall

1 prepare an itemized estimate of expenditures for other
2 purposes above the money proposed to be used by the
3 departments.
4

5 (3) The town manager shall meet with the department heads
6 and the fiscal officer to review and revise their various
7 estimates.
8

9 (4) After the manager's review and revision, the fiscal officer
10 and the town manager shall prepare for the legislative
11 body a report of the estimated department budgets,
12 miscellaneous expenses, and revenues necessary or
13 available to finance the estimates.
14

15 (5) The town fiscal officer shall present the report of budget
16 estimates to the town manager and the town legislative
17 body under IC 6-1.1-17. After reviewing the report, the
18 legislative body shall cause to be prepared an ordinance
19 fixing the rate of taxation for the ensuing budget year and
20 an ordinance making appropriations for the estimated
21 department budgets and other town purposes during the
22 ensuing budget year.
23

24 **2.17.040 Additional Duties and Responsibilities of the Town Manager**

25

26 (A) The town manager, shall be responsible for the administrative duties
27 of the several executive departments of the municipality whenever there is a
28 vacancy in the regular head of department position for the department, by serving
29 as acting department head, until such time as the vacancy is filled according to
30 law.
31

32 (B) Subject to the following and where not expressly prohibited by law,
33 the town manager shall assist in and make recommendations to the following
34 boards and commissions of the municipality regarding certain positions, officers
35 or employees as follows:
36

37 (1) whenever the Town Board of Metropolitan Police
38 Commissioners may act to appoint, select or evaluate the
39 position of Chief pursuant to IC 36-8-9-4, provided that the
40 manager may not serve as a member of any body that hears
41 disciplinary charges against a member of the town police
42 department;
43

44 (2) whenever the Municipal Plan Commission may act to
45 appoint, select, evaluate or discipline the position of executive
46 director or otherwise named department head, pursuant to IC
47 36-7-4-402(a);
48

- 1 (3) whenever the Redevelopment Commission may act to
2 appoint, select, evaluate or discipline the position of executive
3 director, pursuant to IC 36-7-14-12.2(a)(12);
4
5 (4) whenever the Board of Sanitary Commissioners may act to
6 appoint, select, evaluate or discipline the position of
7 superintendent or otherwise named department head,
8 pursuant to IC 36-9-25-10(15);
9
10 (5) whenever the Park and Recreation Board may act to appoint,
11 select, evaluate or discipline the position of superintendent,
12 or otherwise named department head, pursuant to IC 36-10-
13 3-13 or IC 36-10-3-10(a)(4);
14
15 (6) whenever the Board of Waterworks Directors may act to
16 appoint, select, evaluate or discipline the position of
17 superintendent, or otherwise named department head,
18 pursuant to IC 8-1.5-4-4 and IC 8-1.5-3-4;
19
20 (7) whenever the Works Board which is the Town Council may
21 act to appoint, select, evaluate or discipline a position of
22 director, commissioner, chief inspector, fire chief or otherwise
23 named department head, pursuant to IC 36-1-3, IC 36-1-4 or
24 IC 36-8;
25
26 (8) whenever any other board or commission, which may come
27 into existence by lawful action of the proper body, may act to
28 appoint, select, evaluate or discipline as position that may act
29 as head of department or key administrative actor;
30

31 **2.17.050 Relationship of Heads of Departments to the Town Manager**
32

33 (A) All heads of departments as set forth and described in section
34 2.17.040 of this code are to faithfully respond and be accountable to the town
35 manager in the day to day operations of their respective departments.
36

37 (B) All heads of departments as set forth and described in section
38 2.17.040 of this code are to carry out all lawful instructions, directives and orders
39 of the town manager.
40

41 (C) All heads of departments as set forth and described in section
42 2.17.040 of this code who fail to faithfully comply with the provisions of this
43 section, or to faithfully and well execute their duties according to law, may be
44 subject to discipline, which may include termination from employment with the
45 municipality, **as may be recommended by the town manager to the board of**
46 **jurisdiction.**
47

48 **Section 2.** The provisions of this Ordinance shall become and be in full

1 force and effect from and after the date of its passage and adoption upon its
2 signature by the executive in the manner prescribed by IC 36-5-2-10(a) and its
3 publication in the manner provided by IC 36-1-5 and IC 5-3-1, if applicable.

4
5 Introduced and Filed on _____ day of _____ 20____. Consideration on
6 same day or at same meeting of introduction was not considered, pursuant to IC
7 36-5-2-9.8.

8
9 **DULY ORDAINED and ADOPTED** this _____ Day of _____ 20____ by the
10 Town Council of the Town of Highland, Lake County, Indiana, having been
11 passed by a vote of _____ in favor and _____ opposed.

12
13 **TOWN COUNCIL of the TOWN of**
14 **HIGHLAND, INDIANA**

15
16
17
18 _____
19 Roger Sheeman, President (IC 36-5-2-10)

20 Attest:

21
22
23 _____
24 Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
25 Clerk-Treasurer (IC 33-43-4-1;IC 36-5-6-5)

26 Based upon the ordinance as adopted 02.28.2005.
27 Repealed by Ordinance No. 1377 12.10.2007