

TOWN OF PLAINFIELD, INDIANA

ORDINANCE NUMBER: 34-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, INDIANA, AMENDING CHAPTER 31, SECTION 21; CHAPTER 32, SECTIONS 001 AND 018; CHAPTER 36, SECTIONS 002 AND 003 AND CHAPTER 37, SECTIONS 01 AND 02 OF THE PLAINFIELD TOWN CODE.

WHEREAS, The Town Council has adopted Ordinance Number 53-2022 establishing the Office of the Town of Plainfield Town Controller, the Town of Plainfield Department of Finance and the Office of the Town Clerk; and

WHEREAS, The adoption of Ordinance Number 53-2022 requires the amendment of the Plainfield Town Code regarding the Office of Town Controller and the Office of Town Clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, INDIANA, AS FOLLOWS:

Section I. Chapter 31, Section 21 of the Plainfield Town Code, is hereby amended to read as follows:

§ 31.21 DUTIES AND RESPONSIBILITIES OF TOWN MANAGER.

Except as otherwise provided by applicable law, and unless directed otherwise by the Town Council, the Town Manager:

(A) Shall attend meetings of the Town Council, Board of Zoning Appeals, Plan Commission, and other such meetings as requested by the Town Council; shall advise the Town Council of all events, proposals, or inquiries that may have an impact on the town; shall receive complaints and assemble available facts and information to aid the Town Council in responding to significant complaints and issues; and shall recommend actions he deems necessary or desirable;

(B) Shall serve as Secretary of the Plainfield Plan Commission and Board of Zoning Appeals;

(C) Shall hire town employees, other than those in the Town Police Department, Town Court, and Town Clerk's office, to fill positions authorized by the Town Council in accordance with pay schedules and standards fixed by the Town Council or applicable law;

(D) Shall assist in the management of all town departments, and shall receive reports from department heads with respect to day-to-day operations and administrative matters;

(E) Shall supervise all town personnel, may impose discipline, and, subject to the approval of a majority of members of the Town Council, may discharge or remove town employees, except for members of the Plainfield Police Department, Town Court, and Town Clerk's office.

(F) Shall administer the execution and enforcement of all resolutions, orders, and ordinances of the Town Council and shall see that all state laws required to be administered by the Town Council, or other town officer subject to the control of the Town Council, are faithfully administered;

(G) Shall direct the Town Controller to prepare and present the town budget and shall keep the Town Council apprised of all budgetary expenditures and requirements as they occur;

(H) May, subject to all applicable state laws and town ordinances, policies, and procedures, execute contracts and make purchases on behalf of the town;

(I) May delegate any of his or her powers to employees responsible to him or her;

(J) May receive service of summons on behalf of the town; and

(K) Perform such other legally permissible and appropriate duties and functions as may be required by the Town Council from time to time.

(1991 Draft Code, § 2-24) (Ord. 1-75, passed 3-10-1975; Ord. 14-2017, passed 7-24-2017)

Statutory reference:

Duties of the Town Manager, see I.C. 36-5-5-1 through I.C. 36-5-5-8

Section II. Chapter 32, Section 001 of the Plainfield Town Code, is hereby amended to read as follows:

§ 32.001 TOWN DEPARTMENTS.

(A) The following departments are recognized:

(1) Department of Administrative Services:

- (a) Office of the Town Manager;
- (b) Information Technology;
- (c) Communications and Marketing;
- (d) Human Resources; and
- (e) Asset and Project Management.

(2) Department of Development Services:

- (a) Transportation;
- (b) Building and Engineering;
- (c) Planning and Zoning; and
- (d) Economic Development.

(3) Department of Community Services:

- (a) Department of Public Works;
- (b) Stormwater Management;
- (b) Utilities; and
- (c) Department of Parks and Recreation

(4) Department of Public Safety:

- (a) Emergency Management;
- (b) Police Department;
- (c) Fire Territory; and
- (d) Hendricks County Communications Center.

(5) Department of Finance:

- (a) Controller's Office.

(B) Each department shall carry out such duties assigned to it by applicable state law and duties assigned to it by the Town Council to effectively carry out the needs and services of the town.

(1991 Draft Code, § 2-17) (Ord. 45-2021, passed 12-13-2021)

Section III. Chapter 32, Section 018 of the Plainfield Town Code, is hereby amended to read as follows:

§ 32.018 OPERATION AND FUNCTIONS.

In addition to having the powers and duties set forth in I.C. 36-8-9-4, and the statutory disciplinary powers set forth in I.C. 36-8-3-4 and 36-8-4-4.1, all of which are incorporated herein by reference, the Board shall:

(A) Keep records and make reports concerning the activity of the department as may be required by the Town Council or applicable law;

(B) Consult with the Town Manager, prior to making general and special rules for the government and discipline of the department and prior to making general and special orders to the department, concerning any issue other than disciplinary charges against a member of the department;

(C) Cause the Police Chief to consult with the Director of Public Safety and Town Manager on a monthly or more frequent basis, as may be required by the Town Council, concerning day-to-day operations, fiscal matters, and other administrative issues affecting the department; and

(D) Have all other powers and duties as provided by applicable law, policy, or procedure.

(1991 Draft Code, § 2-11) (Ord. 7, passed 12-13-1954; Ord. 18-2017, passed 8-14-2017)

Statutory reference:

Powers and duties of the Board as well as residency, see I.C. 36-8-9-4

Section IV. Chapter 36, Section 002 of the Plainfield Town Code, is hereby amended to read as follows:

§ 36.002 OFFICES OR POSITIONS AFFECTED.

The Clerk of the Town, Clerk of the Town Court, Police Chief, the Town Manager, Human Resources and other departments as legally required, shall keep in their offices, or in the building in which their offices are located, at all times, all records that they are required to create and prepare as public officials or employees and agents of the town and shall deliver them to their successors.

(1991 Draft Code, § 2-159) (Ord. 14-90, passed 9-10-1990) Penalty, see § 36.999

Section V. Chapter 36, Section 003 of the Plainfield Town Code, is hereby amended to read as follows:

§ 36.003 FINANCIAL RECORD REQUIREMENTS.

All official records of the town in any way relating to financial transactions of the town or funds of any kind received or spent by the town or any of its departments prepared in longhand and required to be kept by any person named in § 36.002 shall be prepared and maintained by the use of permanent jet-black, nonfading ink or in accordance with legally accepted or authorized electronic documentation.

(1991 Draft Code, § 2-160) (Ord. 14-90, passed 9-10-1990)

Section VI. Chapter 37, Section 01 of the Plainfield Town Code, is hereby amended to read as follows:

§ 37.01 PERSONNEL POLICIES INCORPORATED BY REFERENCE.

The Plainfield Personnel Policy Guide, as it may be amended from time to time, is incorporated herein by reference, copies of the same being maintained in the office of the Clerk.

(1991 Draft Code, § 2-60)

Editor's note:

The Plainfield Personnel Policy Guide was adopted by the Town Council on June 28, 1976, effective July 1, 1976. It applies to all employees of the town except when those policies are in conflict with general orders within the Police Department or Fire Territory, therefore Police or Fire general orders prevail. Updated 2023, with subsequent amendments being made thereafter.

Statutory reference:

Payment of compensation procedures prior to a vacation leave, see I.C. 36-5-4-7

Setting of salaries or compensation for employees and officers, see I.C. 36-5-3-2

State established mileage reimbursement rate, see I.C. 36-2-7-7

Section VII. Chapter 37, Section 02 of the Plainfield Town Code, is hereby amended to read as follows:

§ 37.02 PARTICIPATION IN PUBLIC EMPLOYEES' RETIREMENT FUND.

(A) (1) It is the desire of the Town Council to pick-up all mandatory contributions by the employees who are members of PERF through a payroll reduction.

(2) It is the desire of the Town Council to pick-up 3% of employee contributions by employees who are members of the 1977 Police and Fire Fund through a payroll reduction.

(3) No contributions prior to the Town Council's action shall be picked-up.

(B) Said contributions even though designated as employee contributions for state law purposes, are being paid by the town in lieu of said contributions by the employee.

(C) Said contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from PERF.

(D) Said contributions will be included in the gross income of the employees for employment tax purposes, as the contributions are made to PERF.

(E) Said employees shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the town to PERF.

(F) (1) The town elects to enlarge its participation in the Public Employees' Retirement Fund by including additional classes of employees as stated below in the coverage under Chapter 340 of the Acts of 1945, all Acts amendatory and supplemental thereto. This agreement supplements the original dated November 28, 1977.

(2) The town agrees to make the required contributions under the Public Employees' Retirement Fund Act, which is the Act of 1945, Chapter 340, and all Acts amendatory thereof and supplemental thereto, including specifically the Acts of 1955, Chapter 329, commonly designated as "The Indiana Public Employees' Social Security Integration and Supplemental Retirement Benefit Act".

(3) These positions are declared to be covered by the Fund:

- (a) All full-time positions.
- (b) Elected Town Clerk
- (c) Elected Town Judge

(G) (1) The town hereby amends and restates the deferred compensation plan (the "Plan") in the form of the 457 Governmental Deferred Compensation Plan and Trust, to include the associated Roth amendment and employee matching program per policy.

(2) The assets of the Plan shall be held in trust, with the Town Controller serving as trustee ("trustee"), for the exclusive benefit of Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The trustee's beneficial ownership of Plan assets held in Vantage Trust shall be held for the further exclusive benefit of the Plan participants and their beneficiaries.

(3) The town hereby agrees to serve as trustee under the Plan.

(Res. 2005-46, passed 12-28-2005; Res. 2007-10, passed 4-9-2007; Res. passed 3-24-2008; Res. 2007-22, passed 9-28-2007; Res. 2013-10, passed 2-25-2013; Ord. 47-2021, passed 12-21-2021).


Section VIII. All prior Ordinances or parts thereof inconsistent with any provisions of this Ordinance are hereby repealed.

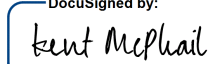
Section IX. PASSED and ADOPTED by the Town Council of the Town of Plainfield, Indiana, this 27th day of November, 2023.

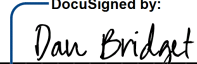
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HENDRICKS COUNTY, INDIANA

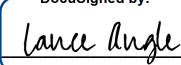
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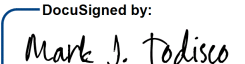
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 Robin G. Brandgard, President

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 Mark J. Todisco, Clerk-Treasurer
 of the Town of Plainfield