

ORDINANCE NO. 2025-10

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN,
INDIANA, AMENDING ORDINANCE NO. 2024-21 (2025 SALARY ORDINANCE)**

WHEREAS, the Town of Whitestown, Indiana (“Town”) is a municipality duly organized and existing under the provisions of Ind. Code § 36-5-1; and

WHEREAS, pursuant to Ind. Code § 36-5-2-2, the Town Council (“Town Council”) of the Town is the legislative body of the Town;

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the Town Council may adopt ordinances and resolutions for the performance of the functions of the Town; and

WHEREAS, on November 13, 2024, the Town Council adopted Ordinance 2024-21 Establishing Wages and Salaries for 2025 for the elected officials, officers, and employees of the Town (“2025 Salary Ordinance”); and

WHEREAS, the Town Council now desires to further amend the 2025 Salary Ordinance to offer a 457(b) Nonelective Contribution fringe benefit to certain eligible participants as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Town Council for the Town of Whitestown, Indiana, as follows:

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. The 2025 Salary Ordinance is hereby further amended as set forth below:

“ Section 11. Benefits. All full time employees and elected officials are eligible to participate in the Town’s Health Care Benefit Plan, Retirement Plans, and any other benefits set forth in this Ordinance, other ordinances or policies, applicable employment agreements, or the Town Employee Handbook, as may be amended from time to time.

Section 11(b). 457(b) Nonelective Contribution. At the discretion of the Fire Chief, the Fire Department may elect to make a Nonelective Contribution to any sworn firefighter who is not currently participating in a Town sponsored retirement fund and who otherwise would qualify under the terms of the Town’s 457 Plan. Any Nonelective Contribution made by the Town under this provision is not eligible to receive a match under the terms of the current contract between the Town and the Fire Union.”

Section 3. All other provisions of the 2025 Salary Ordinance shall remain in full force and effect. However, the repeal or amendment of this Ordinance by any subsequent ordinance or resolution does not affect any rights or liabilities accrued, penalties incurred or proceedings begun prior to the effective date of this Ordinance. Those rights, liabilities, and proceedings are continued and penalties shall be imposed and enforced under such repealed or amended ordinance as if this Ordinance had not been adopted.

Section 4. If any section, provision, or part of this Ordinance is for any reason declared to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

Section 5. This Ordinance shall be in full force and effect from and after its passage and signing by the Town Council.

(Signature Page to follow)

PASSED by the Town Council of the Town of Whitestown, Indiana, this ____ day of _____, 2025, by a vote of ____ in favor and ____ against.

THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN, INDIANA

Dan Patterson, President

Eric Nichols, Vice President

Cheryl Hancock

Tobe Thomas

Courtenay Smock

ATTEST:

Matt Sumner, Clerk-Treasurer