TOWN OF OAK CREEK

ORDINANCE NO. 668

AN ORDINANCE AMENDING THE TOWN OF OAK CREEK PERSONNEL POLICIES AND PROCEDURES ENACTED PURSUANT TO CHAPTER 2.26 OF THE OAK CREEK MUNICIPAL CODE

WHEREAS, Section 2.26 of the Oak Creek Municipal Code provides for the adoption, maintenance and amendment of the Town of Oak Creek Personnel Policies and Procedures (Personnel Policies); and

WHEREAS, the Personnel Policies contain information concerning the policies and procedures of the Town which govern employment with the Town; and

WHEREAS, the Board considered these amendments at a public meeting held on January 11, 2024; and

WHEREAS, the Board considered this Ordinance amending the Personnel Policies at a public meeting held on February 8, 2024; and

WHEREAS, the Board has determined it is necessary to amend certain provisions contained in the Personnel Policies; and

WHEREAS, Trustee _____ made a motion to approve the amendments to the Personnel Policies as proposed. Trustee _____ seconded the motion. The motion passed _____.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Town of Oak Creek as follows:

Section 1. The Town of Oak Creek Personnel Policies and Procedures are hereby amended as follows (additions are underlined, deletions are struck-through):

5.2 NEPOTISM/EMPLOYMENT OF RELATIVES

5.2.1 Only with an affirmative recommendation by the Town Administrator/Clerk and approval by the Town Board may the employment of any Department Manager's immediate family, as defined by these Personnel Policies, be allowed.

~~5.2.1~~5.2.2 Not withstanding Section 5.2.1 herein, neither the Town Administrator/Clerk, nor a Department Manager, nor any member of the Board of Trustees may employ or request the employment of any person who is related to him or her as spouse, parent, step-parent, foster parent, guardian, child, step-child, foster child, grandparent, grandchild, brother, sister or an "in-law" of the same degree as those listed above. As used in this section, the term "spouse" shall include a person who is a cohabitant in a quasi-marital relationship. ~~Neither~~ Except as allowed per Section 5.2.1 neither the Town Administrator/Clerk, nor a

Department Manager, nor a Supervisor may have a relative, as defined above, accountable to him or her for supervision whether the supervisory relationship is direct or indirect through intermediate Supervisors.

~~5.2.2~~5.2.3 In the event that, as a result of a change in the personal relationship between an employee and a direct or indirect supervisor of that employee (such as marriage or adoption), this policy would otherwise become applicable to that employee, this policy shall not be applicable to that employee for the first six (6) months after the occurrence of the event which causes this policy to become applicable. Following the expiration of this six (6) month period, the supervised employee shall be discharged from Town employ unless the policy is no longer applicable as a result of promotion, transfer or termination of the personal relationship, or approval by the Town Board per Section 5.2.1, resulting in the application of this policy.

SECTION 2. **SEVERABILITY, CONFLICTING ORDINANCES REPEALED**. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. **EFFECTIVE DATE**. This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-205.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED this ____ day of February, 2024.

_____
Nikki Knoebel, Mayor

ATTEST:

_____
David Torgler
Town Administrator/Clerk