

TOWN OF MUNSTER
RESOLUTION 2135
A RESOLUTION AUTHORIZING AN INTERIM TOWN MANAGER

WHEREAS, The Munster Town Council approved Resolutions 2126 and 2127 on February 6, 2024, and February 20, 2024, respectively, naming Patricia Abbott as the Interim Town Manager, and this arrangement is set to terminate on August 6, 2024, with a permanent Town Manager not yet selected, and

WHEREAS, While Council is conducting its search for a Town Manager, Council seeks to have Controller Patricia Abbott (Controller) continue serving as the Interim Town Manager until the permanent replacement is onboarded, and

WHEREAS, The purpose of this document is to define the terms, expectations, and authorities of the Interim Town Manager (ITM).

Now, therefore be it, Resolved by the Town Council of the Town of Munster, Lake County, Indiana, as follows:

SECTION ONE: Authority Over Employee

Ms. Abbott will remain in her role as the Controller under the purview of the Clerk-Treasurer. During the term of this agreement, she will be serving in a dual role. In her role as ITM, she will report to the Council according to the current practices and as outlined under Section Three of this agreement.

When Ms. Abbott ceases to serve as the ITM, for any reason, she will return full-time to her Controller role with all of the responsibilities, authorities, rights, compensation, and benefits of the position. Nothing in this agreement allows for her termination by the Town Council as the Controller; that authority remains with the Clerk-Treasurer as provided in IC 36-5-6-7.

SECTION TWO: Term of Agreement

Provided Council has engaged an executive search firm by August 5, 2024, this agreement is effective August 6, 2024, through November 9, 2024, or until a permanent Town Manager is in place, whichever comes first. A transition period can be negotiated once the permanent Town Manager is hired. If a permanent Town Manager is not in place by October 21, 2024, an extension of this agreement can be considered. If an executive search firm is not engaged by August 5, 2024, this agreement will not go into effect.

At any time prior to November 9, 2024, either the Council or Ms. Abbott may end this agreement. If the agreement ends prior to November 9, 2024, for any reason, Ms. Abbott will return to the sole role as Controller under the Clerk-Treasurer as provided in Section One, and all other duties, responsibilities, and authorities under this agreement will cease.

SECTION THREE: Authorities

In order to establish stability and continuity of operations, the focus of the last six months has been on the duties of the Town Manager. While this need remains, the next few months must be focused more on the creation and submittal of the 2025 budget. There are statutory deadlines that must be met. As a result, Council acknowledges that while she has the authorities listed below, Ms. Abbott's focus will be increasingly dominated by the Controller duties in the coming months.

1. With the exception of Section Three Item 2 below, the ITM will have the authority to perform the duties listed in the Town Manager job description dated February 2001 and within the current ordinances and adopted policies of the Town of Munster.
2. For the period set out in Section Two of this agreement, Ms. Abbott will have the authorities outlined in the Personnel Rules as adopted April 16, 2018, in all aspects with the following restrictions on hiring and terminating employees.
 - a. Employees classified as Seasonal Employees as described under Sections VII and VIII under Ordinance 1926: The 2024 Salary Ordinance, and its amendments, will be hired and terminated with the Council President being informed after such action is taken.
 - b. Employees on Exhibit A of Ordinance 1926: The 2024 Salary Ordinance, and its amendments, at Grades 6 through 10 will be hired and terminated with the Council President being informed after such action is taken.
 - c. Employees on Exhibit A of Ordinance 1926: The 2024 Salary Ordinance, and its amendments, at Grades 11 through 16 will be hired and terminated only with prior consultation with the Council President.
 - d. Employees on Exhibit A of Ordinance 1926: The 2024 Salary Ordinance, and its amendments, at Grades 17 and 18 will be hired or terminated only with prior consultation and explicit permission from the Council President.
 - e. Employees at any Grade on Exhibit B (Sworn Police Officers) or described under Section VI (Fire Department) of Ordinance 1926: The 2024 Salary Ordinance, and its amendments, will be hired or terminated only as allowed under the rules and laws governing the Board of Safety and with explicit authorization from the Council President.
3. To achieve the balance between the creation and submittal of the 2025 budget and the maintenance of basic operations, for the period set out in Section Two of this agreement, Ms. Abbott will
 - a. manage human resources/employee matters.
 - b. manage the agenda for the regular and special meetings of the Munster Town Council and the Munster Redevelopment Commission. This will include presenting information at the Agenda Review sessions as well as the meetings of the respective bodies.

- c. continue to serve as the Employee in Responsible Charge (ERC) for the Main Street Project, the Bridges over Ditches Project, and the RAISE grant. An ERC is a requirement for the Town to keep these funds. It is understood that Ms. Abbott will complete the required quarterly reports and attend the required meetings as the ERC. Ms. Abbott is not the project manager for these projects. Ms. Abbott will not handle the day-to-day needs of these projects nor act as the liaison with the various contractors and service providers of these projects. In consultation with the Council President, other Town staff will be assigned to handle the day-to-day needs of these projects.
 - d. see to completion the following projects currently in progress
 - i. Cell tower lease agreements
 - ii. Cell tower coordination for water tank rehabilitation
 - iii. IT services
 - iv. Issuance of 2024 Water BAN
 - v. Issuance of 2024 GO Bond
 - vi. Rate increases for water, sewer maintenance and solid waste collection
 - vii. Search committee for permanent Town Manager and Director of Operations
 - e. manage day-to-day liability and workers' compensation insurance matters
 - f. reassign other duties in consultation with the Council President.
4. If needed, the Controller/ITM and Clerk-Treasurer have the authority to hire additional staff to assist with the 2025 budget preparation or to seek an outside contractor to assist with these tasks. If an outside contractor is sought, the ITM will inform the Council President of the search and obtain proper authorization from the Council for approval of any contract or agreement for such services.

SECTION FOUR: Compensation

1. Bi-weekly stipend of \$1,018.21, a bi-weekly contribution to the deferred compensation plan of \$600.00, and a bi-weekly contribution to a retirement health savings plan of \$600.00.
2. The ITM will accrue PTO over the term of this agreement at the two-week annual rate (e.g. 6.15 hours per pay period.) This PTO does not expire and can be rolled over.
3. While it is recognized that during the term of this agreement, Ms. Abbott will be working beyond forty hours per week, Council will provide Ms. Abbott with sufficient time during normal working hours (8:00 a.m. to 5:00 p.m.) to do the job being asked of her. With the exception of an emergency, if an hour or more of time is needed with a Councilor, that time will be pre-arranged. In addition, unless there is an emergency and with the exception of official meetings of the Town Council, Ms. Abbott will not be expected to work past 6:00 p.m. or before 7:00 a.m. Monday through Friday. On Saturday and Sunday, Ms. Abbott will not be expected to work past 5:00 p.m. or before 11:00 a.m. If at the end of the term of

this agreement, Ms. Abbott has averaged more than forty-five hours/week, additional PTO will be granted on an hour-for-hour basis for anything over forty-five hours in a week. This PTO does not expire and can be rolled over.

RESOLVED, that the Munster Town Council hereby authorizes Controller Patricia Abbott to continue to function and serve as Interim Town Manager as outlined.

Adopted and Resolved by the Town Council of the Town of Munster this ____ day of ____ 2024, by a vote of ____ in favor and ____ opposed.

Town Council of the Town of
Munster, Indiana, Lake County, Indiana

David B. Nellans, President

ATTEST:

Wendy Mis,
Clerk-Treasurer, Town of Munster