

TOWN OF MUNSTER  
RESOLUTION 2126  
A RESOLUTION AUTHORIZING AN INTERIM TOWN MANAGER

WHEREAS, The Munster Town Council approved a separation agreement with its Town Manager on February 5, 2024. The Council is in the process of selecting an executive search firm to find a permanent replacement for the position. It is estimated that the replacement will be in place by early August 2024.

WHEREAS, The Town Manager is the chief administrator working directly under the Town Council to implement their policies. The Town Manager directs, manages, and coordinates all Town departments, projects, and programs. With the position estimated to be vacant for a period of at least six months, the Council and Staff recognize the need to maintain continuity in operations for its residents and employees. To achieve this goal, Council seeks to appoint Controller Patricia Abbott (Controller) to serve as an Interim Town Manager until a permanent replacement is onboarded. The purpose of this document is to define the terms, expectations, responsibilities, authorities, and compensation 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 Employees

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 the responsibilities, authority, 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

This agreement is effective February 5, 2024, through August 5, 2024, or until a permanent Town Manager is in place, whichever comes first. If a permanent Town Manager is not in place by August 5, 2024, an extension of this agreement will be negotiated.

At any time prior to August 5, 2024, either the Council or Ms. Abbott may end this arrangement. If the arrangement ends prior to August 5, 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 ITM duties, responsibilities, and authorities under this agreement will cease.

SECTION THREE: Responsibilities and Authorities of ITM

1. With the exception of Section Three Item 2 below, the ITM will have authority to perform the duties listed under "Essential Duties and Responsibilities" in the Town Manager job description dated February 2001 and within the current ordinances and adopted policies of the Town of Munster.

2. The ITM 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 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 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 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 at Grades 17 and 18 will be hired or terminated only with prior consultation and explicit authorization 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 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. The ITM has authority to implement regulations and laws applying to the Town of Munster as well as contracts and policies that have been approved by the Council.
4. The ITM has authority to coordinate work between and among departments, residents, outside contractors and the like in order to maintain continuous operations.
5. If a permanent replacement is not hired by the end of the term of this agreement, the ITM and Clerk-Treasurer will 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 get proper authorization from the Council for approval of any contract or agreement for such services.
6. 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. 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 fifty hours/week, additional PTO will be granted on an hour-for-hour basis for anything over fifty hours in a week.

#### 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. In recognition of the additional workload that will be put on certain employees while the Controller is serving in a dual role, employees designated as Deputy Clerk II, Deputy Clerk III, Accounting Analyst, and Administrative Secretary assigned to the Town Manager's Office will receive 6.15 hours of PTO each pay period during the term of this agreement. This PTO does not expire and can be rolled forward.

RESOLVED, that the Munster Town Council hereby authorizes Controller Patricia Abbott to function and serve retroactive to February 5, 2024, as Interim Town Manager.

Adopted and Resolved by the Town Council of the Town of Munster this 19<sup>th</sup> day of February 2024, by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

TOWN COUNCIL OF THE TOWN OF  
MUNSTER INDIANA, LAKE COUNTY, INDIANA  
By

\_\_\_\_\_  
David B. Nellans

Attest: \_\_\_\_\_

Wendy Mis  
Clerk-Treasurer, Town of Munster