



**CITY OF NEWPORT  
REGULAR COUNCIL MEETING  
NEWPORT CITY HALL  
DECEMBER 3, 2015 – 5:30 P.M.**

MAYOR: Tim Geraghty  
COUNCIL: Tom Ingemann  
Bill Sumner  
Tracy Rahm  
Dan Lund

City Administrator: Deb Hill  
Supt. of Public Works: Bruce Hanson  
Interim Chief of Police: Sheriff Hutton  
Fire Chief: Steven Wiley  
Executive Analyst: Renee Eisenbeisz

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. ADOPT CONSENT AGENDA – All items listed under this section are considered routine and non-controversial by the Council and will be approved by a single motion. An item may be removed from the consent agenda and discussed if a Council member, staff member, or citizen so requests.
  - A. Minutes of the November 19, 2015 Regular City Council Meeting
  - B. Minutes of the November 19, 2015 City Council Workshop Meeting
  - C. List of Bills in the Amount of \$114,546.67
  - D. Gambling Permits
  - E. Kennel Permit
6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE
7. MAYOR'S REPORT
8. COUNCIL REPORTS
9. ADMINISTRATOR'S REPORT
  - A. Employee Recognition
  - B. **Resolution No. 2015-43** - Directing the City Administrator to Certify Unpaid Water, Sanitary Sewer, Storm Sewer, and Street Lighting Charges to the County to be Collected with Other Taxes
  - C. 2016 Budget Proposal
    1. Truth in Taxation Public Hearing at 6:00 p.m.
    2. **Resolution No. 2015-44** - Approving Levy Certification for Levy Year 2015, Payable 2016, and Adopting the 2016 General Fund Operating Budget, the 2016 Water, Sewer, Storm Water, and Street Light Enterprise Funds, the 2016 NEDA Budget, and the 2016-2020 CIP
  - D. Police Update
  - E. **Resolution No. 2015-45** - Adopting the 2016 Annual Fee Schedule
  - F. Personnel Policy Amendments
  - G. **Resolution No. 2015-46** - Accepting Donations for the Period of November 16 - November 30, 2015





**City of Newport  
City Council Minutes  
November 19, 2015**

**1. CALL TO ORDER**

Mayor Pro Tem Ingemann called the meeting to order at 5:30 P.M.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL -**

**Council Present** –Tom Ingemann; Bill Sumner; Tracy Rahm; Dan Lund

**Council Absent** – Tim Geraghty;

**Staff Present** – Deb Hill, City Administrator; Matt Yokiell, Asst. Supt. of Public Works; Renee Eisenbeisz, Executive Analyst; Jon Herdegen, City Engineer; Fritz Knaak, City Attorney;

**Staff Absent** – Bruce Hanson, Supt. of Public Works; Steve Wiley, Fire Chief;

**4. ADOPT AGENDA**

**Mayor Pro Tem Ingemann** - I would like to move item 15.A under the Council Reports.

**Motion by Sumner, seconded by Rahm, to adopt the Agenda as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.**

**5. ADOPT CONSENT AGENDA**

**Motion by Rahm, seconded by Sumner, to approve the Consent Agenda as presented, which includes the following items:**

- A. Minutes of the October 29, 2015 City Council Workshop Meeting
- B. Minutes of the November 5, 2015 Regular City Council Meeting
- C. List of Bills in the Amount of \$240,216.56
- D. Chicken Permit Renewals
- E. **Resolution No. 2015-40** - Authorizing Cottage Grove Athletic Association to Continue Lawful Gambling at Cloverleaf Bar and Grill and Opinion Brewing Company
- F. **Resolution No. 2015-41** - Accepting Donations for October 13 - November 15, 2015

**With 4 Ayes, 0 Nays, 1 Absent, the motion carried.**

**6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE**

**Pauline Schottmuller, 97 10th Street** - I know you'll be discussing this later but I'm not able to stay long so I'll make my comments brief. I want to address the three newspaper articles that came out concerning the problems in our evidence room. When I read the Pioneer Press article, I and the social media, all assumed the same thing, that this is Deb Hill and Tim Geraghty leaked this. We have come to expect that kind of malicious behavior from those two individuals.

**Attorney Knaak** - Mr. Mayor...

**Mayor Pro Tem Ingemann** - Try to keep it down please.

**Councilman Sumner** - Those are attacks.

**Mrs. Schottmuller** - It was evident from South Washington County Bulletin...

**Attorney Knaak** - Mr. Mayor, I apologize for interrupting something like this but when accusations are made in respect to individuals, especially in a public forum like this, it could constitute libel or actionable conduct, I don't believe that's the form of your open forum and would strongly encourage Councilmember Schottmuller from restraining from personal attacks, which those are. If you want to assert that you have a defense of truth and have the evidence, there's another forum for that but it's not here ma'am. I would discourage the use of this forum for that purpose. I would not want the City to be the broadcaster of those comments. Mayor Geraghty is a public official...

**Mrs. Schottmuller** - He's a public official and has to take it like a big boy.

**Attorney Knaak** - That's a fact but I would caution against that. There are employees of the City that are not public officials.

**Councilman Lund** - In public forums, we have asked people to address the Council as a whole and refrain from personal attacks and I would assume we would continue that sentiment now.

**Mrs. Schottmuller** - Ok. When the South Washington County Bulletin article was delivered yesterday and reading the Star Tribune article this morning, it was apparent that Sheriff Hutton spoke freely to the press and provided photos. We hired the County to come in and give us a helping hand and help solve some of the problems and are paying them a considerable amount of money to do so. I'm glad they're looking at straightening some situations out but I find it quite distressing that they have decided to go public with the problems. I don't see where throwing mud at our police officers, this criticism in public, I consider to be a disgraceful violation of professional ethics.

**Councilman Lund** - They received an opinion from the County Attorney that it was public data and were required to release it when they received a request.

**Mrs. Schottmuller** - Who requested it?

**Councilman Rahm** - The Bulletin.

**Mrs. Schottmuller** - How did the Bulletin know to request it as a memo?

**Councilman Lund** - That's a good question.

**Councilman Rahm** - No one knows.

**Mrs. Schottmuller** - It's very distressing to read that in the paper, it's totally unhelpful to the situation, makes Newport look rinky-dink, makes our cops look bad. I wish it was handled in a different way. You praise in public, criticize privately. We all work for organizations that have had difficulties, we don't want to see it on the front pages of three newspapers. What distresses me even more is that now we need a third investigation and will spend money on a third investigation. The feeling in the community is that we don't need an investigation, we all know what's wrong. We need a police chief, our officer positions filled, the County out of here and a professional administrator. I'm hoping soon that there's enough grownups here to start solving the problems and taking the appropriate steps and stop prolonging the agony in the City.

**Dan Flood, 1660 3rd Avenue** - The reason I'm here tonight is in regards to the most recent articles. The thing I

find most disturbing is that no one in our City, staff or Council, have stood up and said we have a leadership problem. They blame the outgoing chief for a lack of leadership, we blame the department as a whole and we all know that it's not the officers that are left but the one that retired. The concern I have is the Council is responsible for the leadership in the City, the Council is responsible to make sure the staff do their jobs and hold them responsible. Just like in big business, the leaders have to make sure audits are done, the policies, ordinances, laws are enforced. It's up to you to make that happen. Please remember that.

**Paul Hansen, 1925 10th Avenue** - I have all the faith and confidence in Bill Hutton that is necessary. We need his department, his direction, guidance, expertise, professionalism, and his training. I know most of you have read the two articles in the Pioneer Press and Bulletin but haven't read the article in the Strib today. I would encourage you to read that. My parting word is that all of those that booed us at a previous meeting, how does crow taste?

## 7. MAYOR'S REPORT –

**Mayor Pro Tem Ingemann** - The City Council closed the meeting to the public at 6:57 p.m. The meeting was closed to discuss materials designated by the Sheriff's office as security data contained in a report to the City pursuant to Minn. Stat. 13.D.05, subdivision 3 (d). No action was taken. The City Council opened the meeting to the public at 7:20 p.m.

## 8. COUNCIL REPORTS –

**Councilman Lund** - Nothing to report.

**Councilman Sumner** - We will later be getting information from the Engineer on a wellhead protection plan. It's extremely important for Newport to keep our groundwater safe. There's a comprehensive report that's available on the City's website. I took some time going over it with the Engineer and his assistant. The keeping of our groundwater safe is extremely important. There was an article in my mailbox this morning about keeping drinking water safe, wellheads and groundwater clean. It is an important issue. I hope you'll take the time to read it. We need all citizens to be aware of our responsibility to keep the water safe. I have a brief comment, recently, a limited report on the evidence room was released, it raised numerous questions. In order to provide transparency, I support the investigation into these findings. It would not be appropriate for me to comment further until the investigation is complete.

**Mayor Pro Tem Ingemann** - I have some good news. The Fire Department, in cooperation with the Cloverleaf and North Pole, we have barrels and will be collecting food and toys for the holidays. The Fire Department will be at Newport Center on December 6th between 10 and 1 collecting toy donations. Anyone that wants to contribute, please do so.

Good evening, this is my opinion and I'd like to keep it that way. I would like to take a few moments to comment on the various articles that have appeared in the newspapers during the past few days concerning the police department. When we received information that the evidence room was a total mess, all of us on the Council were very surprised and disappointed. Some of us have jumped to one conclusion, and yet others have come to yet a different conclusion. I for one have realized that this is yet another sign of what has been going on in the cop shop for a long time. Something that has been sending us signals for a long time, and no one has seen the signs, much less did anything about it. I am talking about the total lack of leadership, and that starts at the top with the City Council. There was only one person that was in charge of the evidence room, and obviously he did not do his job correctly according to the Sheriff. There was an incident last year that created a total mess, and nothing was really done about it. The matter should have been taken care of internally, instead it got blown way out of shape and became a very big problem for the city. When the supervisory position was filled, obviously the candidate was not vetted very well, and this dates back years to a different Council. At the time, it was just easier to promote within, yet it appears now that was this was a wrong move. There were other signs, various employees complained to staff about the lack of training and leadership, yet nothing was done. Training was not in the budget is what they were told. Some officers went to training on their own and paid for it on their own. This is

wrong, yet we did nothing about it. Our officers have done an excellent job of policing, and deserve a lot of credit for what they do and have done under these stressful conditions. It is quite obvious as to why one of our officers have tried to improve himself by going to a different department, and I do not blame him. There has been no support what so ever from this City, much less from their own department. In conclusion, I really hope that this council has the guts to clean this mess up, get a new parent, this is called a new Chief of Police for our police department, and by not throwing out the children with the bath water and then letting them try to swim without any support at all, and start doing the things that we were elected to do, and not just what we think would make us look good. Come next election, the citizens of Newport will clean out what they do not want by electing those that think along the same lines that they do. That is called democracy. P.S. I do not sit by the telephone waiting for the press to call asking for dirt, I have a life other than this. Thank You.

**Councilman Rahm** - Dear Residents of Newport, Most of the concerned citizens of our city have probably seen the recent news reports on the memorandum issued by the Washington County Sheriff's Office regarding their findings on the internal operations of our Newport Police Department. This 30 day findings report was requested by Council as part of the police staff augmentation services agreement with Washington County. I am not going into the details of the report as there is a pending resolution tonight to initiate an independent 3rd party investigation into this matter.

However, I do want to express to our residents that I am not happy with the internal operational issues raised by the report and believe there is a concerted effort by some members in our City to slant reporting of such findings as to paint our police force in the most unfavorable light. In reality, the reason you periodically audit the operations of any organization is to better assess the effectiveness and compliance to internal control procedures. In this case, if just basic and simple administrative audits of our internal police department procedures and practices would have been regularly conducted by our City Administration staff, they would have uncovered almost every single issue identified in the Sheriff's Findings report. As Council, we should ask ourselves serious questions on why our current and past City Administrations didn't internally uncover these issues sooner, some of which are alleged to go back to 2009 or earlier.

I want you all to know that I both expect and demand better leadership and operational performance accountability from all of us, including our officers, our staff, our Council and myself. Issues such as this give us all a black eye. As your elected Council, we, including myself, share ultimate leadership responsibility for setting goals and strategic direction, for policy implementation, and confirming the achievement of administrative controls compliance for our city.

I can only speak for myself and this is my second term, but I take my share of responsibility for the lack of internal governance policies or that internal audit controls were not more firmly in place regarding our public safety operations. My main concern now is to take appropriate and timely action to fully address and remedy any and all identified deficiencies regarding the operation of our public safety department. I think we can all do much better jobs.

In addition, due to these recent events, I have become increasingly concerned about the objectivity of information provided by City Administration on basic cost/performance comparisons, the status inter-City communications, and the overall effectiveness of our City's operations. Therefore, I plan to take more of an active leadership role in the review of day-to-day core City activities during the upcoming months. I have already started setting up weekly review meetings with our City Administrator as well as establishing individual meetings with our Attorney, Fire Chief, Public Works Director, Sheriff and our City Engineer on an appropriate and yet to be determined basis, until such time that I can be more personally assured of proper operational performance of our City. Micromanagement is not my intention here or my general leadership style, but given the seriousness of the recent report, I think it's both reasonable and prudent action that I take. I encourage other members on Council to take whatever appropriate oversight actions as they see fit, so we can all have a clearer picture of what's truly going on in the Administration of the City of Newport.

I am deeply and truly sorry for the embarrassment and poor public perception that this report has generated on our community, but I am also willing to take all the necessary actions that I can to resolve and remedy the situation.

I thank all the residents for the opportunity and the public trust that you have given me to serve you on city council Respectfully submitted, Nov. 19, 2015.

**A. Resolution No. 2015-42- Directing the Initiation and Completion of an Independent, Third-Party Investigation into the City's Police Department Procedures for Evidence Retention and Objects Placed with the Department for Safekeeping**

**Councilman Lund** - I worked with Attorney Fritz on this and he sent a draft but I revised it today, which is why you have a red-lined version today. The one in the packet from Fritz addressed all of the issues identified by the Sheriff including procedures and it looked like it was more instructions to staff to secure an outside consultant to review policies and procedures. In my view, the Sheriff is doing an excellent job of that in the short-term. More immediately, I want to establish accountability for unaccounted inventory of the evidence room. The revisions I made were intended to more narrowly focus this resolution to ask for an outside law enforcement agency to review the unaccounted for inventory. It came together quick. That's a proposed amendment to the original one.

**Attorney Knaak** - It's not an amendment, it's the resolution. I have no issue with it.

**Councilman Lund** - In my view, the purpose of an outside investigation is to look into whether it was just recordkeeping or something else. It's a significant volume.

**Mayor Pro Tem Ingemann** - On some of the stuff that was in there, that was up at Public Works, the Police Department did ask the County and they were going to come and get it and never did.

**Councilman Rahm** - On having a third-party investigation, we hear things on both sides and it's a way of getting to the facts. I don't think it's a waste of money. I think it's prudent that we understand what happened to this property.

**Councilman Lund** - If the plan going forward is to have accountability, this is where it starts.

**Motion by Sumner, seconded by Rahm, to approve Resolution No. 2015-42 as presented in the attached document. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.**

**Admin. Hill** - Is there an amount limit? I did send an email to the person that was involved with the assessment.

**Councilman Lund** - The new resolution asks you to get a law enforcement agency.

**Admin. Hill** - It will be hard to get someone to do it for free again. Is there some direction?

**Councilman Rahm** - I think you should come back to us with what you think it'll cost.

**Admin. Hill** - I'll write up some parameters for you to view via email and we'll go from there.

**Councilman Sumner** - Can we ask questions?

**Admin. Hill** - That would be part of the parameters.

**Councilman Lund** - If we're asking an outside law enforcement agency to do an investigation, I don't think it's our place to tell them how to do it.

**Admin. Hill** - Is it just the missing items?

**Councilman Lund** - The narrowed resolution is just for the missing items. We're relying on the County's leadership to set up procedures.

**Councilman Sumner** - Do we want them to go back a certain number of years?

**Admin. Hill** - There are 1,100 cases.

**Mayor Pro Tem Ingemann** - If they went back 5 years.

**Councilman Rahm** - They had 2009 mentioned in Mr. Hutton's report, I think we should go back at least that far.

**Councilman Sumner** - Unless they find a reason to go back further.,

**Attorney Knaak** - These kind of requests are not unusual, it's often done on a chief-to-chief basis. My recommendation is that you appraise the chief of what the situation is and let them define the parameters.

**Councilman Lund** - The resolution we passed isn't specific in that regard, it leaves it open-ended.

## **9. ENGINEER'S REPORT - A. Wellhead Protection Plan**

Engineer Herdegen presented on this item as outlined in the November 19, 2015 City Council packet.

**Motion by Rahm, seconded by Ingemann, to approve the Wellhead Protection Plan Part II as presented. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.**

**Engineer Herdegen** - At the next Council meeting, we'll be bringing a proposal to the Council to begin a facility plan for the I&I reduction. If you recall, the Council put in a bonding bill appropriate and the State revolving loan application, both of those require us to get a facility plan together. That way, if those funds become available in spring 2016, we can start to collect them with a completed facility plan.

**Mayor Pro Tem Ingemann** - We'll be shovel ready?

**Engineer Herdegen** - Yes. We'll lay out a proposal for the Council at the next meeting.

**Councilman Lund** - Did we apply for the Met Council grants as well?

**Engineer Herdegen** - Yes, the most recent one was in 2014 and that goes through 2016.

**Councilman Lund** - We should be at the front of the line because we have this worse than anyone. If anyone from the Met Council is watching, I challenge you to show why we aren't at the front of the line for fixing this because with the number of residents and amount of problems we have we are the lowest laying fruit for fixing this. Why our application has been denied I have no idea.

**Engineer Herdegen** - There was a certain amount set aside on a pro-rated basis for any community that exceeded their threshold and we've submitted our application for that. We'll continue to push that.

**Councilman Lund** - If the point of the Met Council is to distribute money where it's needed, it's no cheaper to come to Newport and stop ours first.

**Engineer Herdegen** - Absolutely, I appreciate your support. I think the City Council and our local reps need to help to make that happen.

**Mayor Pro Tem Ingemann** - The local rep for the Met Council is in South St. Paul right?

**Admin. Hill** - I believe so.

**Mayor Pro Tem Ingemann** - It might not be a bad idea to find out who it is and invite them here.

## **10. ADMINISTRATOR'S REPORT –**

### **A. Update on Law Enforcement Services Discussion**

Admin. Hill discussed the following updates on law enforcement services:

- **Evidence Room** - The City has been ordering items for the evidence room including lockers and scanners. When the lockers arrive, the evidence that is currently be processed and brought to the County will be returned to Newport. The City will also be painting the room to kill the mold and installing a cage on the ceiling to prevent access from the ceiling.
- **Laptops** - The City ordered two laptops for squads. These were scheduled to be replaced in 2016 but the new communication system with the County starts in early January so they need to be running before the first of the year.
- **Records Retention Schedule** - The last records retention schedule for the Police Department was approved in 1992. The records room has several items that need to be disposed of. The County will be providing the City with an updated Records Retention schedule for Council to approve at a future meeting.
- **Study** - Admin. Hill has contacted Cottage Grove and St. Paul Park regarding a study. Neither city is interested in a merger but would provide contracted services. Interest in a study has decreased a little due to the investigation. Cottage Grove would like to wait on a study until the investigation is complete. Admin. Hill has contacted two firms for a study, one is through ICMA and the other is the same firm that conducted the Mound/Minitrista study. A study is estimated to cost between \$30,000-\$40,000. It's anticipated that a study would take about four to five months.
- **Interim Agreement with Washington County** - Admin. Hill is talking with Washington County to extend the interim agreement. The cost to have the County provide services is similar to what it would have cost to pay former Chief Montgomery and the officer that left. The County has provided some work for free. The extension will most likely be through March 2016. Councilman Rahm noted that a decision needs to be made before the end of the first quarter if not sooner on which direction the City will go.

**Councilman Lund** - On a best case scenario, a study would be done by 2017?

**Councilman Rahm** - Another thing is that people probably won't want to work with us while we're conducting an investigation either.

**Admin. Hill** - Councilman Lund's prediction is closest to the best case scenario.

### **B. Ramsey/Washington Recycling and Energy Board Ex-Officio Member**

Admin. Hill presented on this item as outlined in the November 19, 2015 City Council packet.

**Mayor Pro Tem Ingemann** - We already have someone assigned.

**Admin. Hill** - This is a new board.

**Mayor Pro Tem Ingemann** - Yes, we appointed myself in January.

**Councilman Lund** - There are some issues over there. We took a tour and they are already at the power plant's capacity. We also learned that the reason it stinks so much on the weekend is that they process garbage on a rate

that it's consumed but the haulers only come in during the working days so the garbage usually sits there on the weekends. There's no good way to fix that other than seal on the building.

**Mayor Pro Tem Ingemann** - There were supposed to be measures in place to keep the smell down.

**Councilman Lund** - They have dust control but nothing to keep the smell down. It'll take some money.

**Motion by Lund, seconded by Sumner, to appoint Councilman Ingemann as an ex-officio member to the Ramsey/Washington Recycling and Energy Board. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.**

### **C. Water Conservation Grant with Washington County**

**Admin. Hill** - Met Council has a new rebate program for water conservation and it's a 75%/25% program. Washington County has offered money to pay for the City's 25% portion. They offered us \$9,000. We sent in an application to Met Council. This is to replace older toilets, washing machines, and irrigation systems. It doesn't cost us anything, just paperwork. Deb put together the forms for individuals to fill out.

**Mayor Pro Tem Ingemann** - This is for people that haven't already converted correct?

**Admin. Hill** - Yes, it's not retroactive and will start after the first of the year. It'll be first come, first served.

**Councilman Sumner** - They just need to bring in a receipt?

**Admin. Hill** - Yes and it gives the City the right to make sure it's been installed. It just covers the equipment, not installation.

**Motion by Ingemann, seconded by Rahm, to approve the Water Conservation Grant with Washington County. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.**

### **D. Special Animal Permit for 1850 10th Avenue**

Executive Analyst Eisenbeisz presented on this item as outlined in the November 19, 2015 City Council packet. This permit is for keeping 25 pigeons.

**Councilman Sumner** - Are they racing pigeons?

**Executive Analyst Eisenbeisz** - I don't know.

**Councilman Sumner** - This isn't per pigeon price?

**Executive Analyst Eisenbeisz** - No.

**Councilman Rahm** - I guess it's none of our business but why do they want so many? When you start getting animals in that close of a proximity and you get a flu, it could wipe them out.

**Councilman Sumner** - It's common to have this many pigeons.

**Motion by Sumner, seconded by Ingemann, to approve the Special Animal Permit for 1850 10th Avenue through 2016. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.**

**Admin. Hill** - One more thing, going through the records room, the County came across a lot of items that we don't need and can go up for auction. We have several bikes at Public Works as well. I was wondering if I could get approval for that.

**Mayor Pro Tem Ingemann** - I thought they did that on an annual basis.

**Admin. Hill** - I guess they haven't done it in a while.

**Councilman Sumner** - How many bikes? Are they in nice shape?

**Asst. Supt. Yokiell** - I would say about 15, it varies greatly.

**Councilman Rahm** - Can we donate them too?

**Admin. Hill** - We also have 100's of shirts that we thought we would give to the local shelf. They do shrink.

**Motion by Ingemann, seconded by Lund, to place unneeded items up for auction and to donate clothes. With 4 Ayes, - Nays, 1 Absent, the motion carried.**

**Admin. Hill** - Also, there have been three deer taken during the controlled hunt.

#### **11. ATTORNEY'S REPORT -**

**Attorney Knaak** - You are having the prosecution report sent separately to you. Our office at any time is handling 100-150 cases. On rare occasions, we have some significant matters. One of which was a hearing a few weeks ago where issues were raised on the procedures that were followed by the Officer when someone asked for an alternative test. It's a fine point of law, we had a full-blown omnibus hearing where Officer Martin testified and did a very good job. There was positive feedback from other attorneys. The other thing is that you all now have received the arbitration reward for the matter in the Police Department. That was resolved and the City's position was upheld.

**Councilman Sumner** - That's public?

**Attorney Knaak** - Once it reaches the arbitration stage, that award is public.

**Councilman Lund** - Do the legal restrictions that were in place before it became public continue in any way?

**Attorney Knaak** - I would encourage you not to discuss it but it is now public data.

#### **12. POLICE CHIEF'S REPORT -**

**Councilman Rahm** - Are we getting any data from the Sheriff's office because we used to get data?

**Admin. Hill** - I'll ask for some.

**Executive Analyst Eisenbeisz** - Do you want that in the Council reports because they haven't been in the packet for a while.

**Attorney Knaak** - I prosecute for Afton and the County provides services to them and does a report at each meeting.

#### **13. FIRE CHIEF'S REPORT -**

**Mayor Pro Tem Ingemann** - He just wanted to thank Public Works for maintaining the equipment.

#### **14. SUPERINTENDENT OF PUBLIC WORKS REPORT -**

##### **A. Tree Plantings throughout the City**

Asst. Supt. Yokiel presented on this item as outlined in the November 19, 2015 City Council packet. If the Council approves the quote, the contractor will be able to plant 56 trees this fall. There will be a 3% increase for the trees that are planted in the spring for an adjusted price of \$57,301.

**Councilman Sumner** - Do we approve the list of trees in each location?

**Admin. Hill** - Susan Lindoo did an inventory for us and took that all into consideration with her recommendations.

**Councilman Lund** - We have two bids in front of us, the lower one includes a warranty and the other one doesn't.

**Motion by Sumner, seconded by Ingemann, to approve the adjusted price from Hoffman and McNamara. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.**

## 15. NEW/OLD BUSINESS

### **A. Resolution No. 2015-42- Directing the Initiation and Completion of an Independent, Third-Party Investigation into the City's Police Department Procedures for Evidence Retention and Objects Placed with the Department for Safekeeping**

This item was moved to the Council reports.

**Mayor Pro Tem Ingemann** - I would like to know what the plan is for when Renee goes on maternity leave. We need to hire a temp to assist the office staff as there are too many important things going on. They need to be hired and trained before she leaves. Have you thought about this?

**Admin. Hill** - It's actually in our budget discussion at the workshop. We spoke with one temp agency but I think we'll look for more of an intern. We've planned to some degree to have some training. Renee will be gone about three months. We've planned for about 20 hours per week.

**Councilman Ingemann** - I don't want to screw up anything else in the City.

**Councilman Lund** - I would have expected we needed someone full-time.

**Mayor Pro Tem Ingemann** - We need someone to help cover.

**Admin. Hill** - We figured about six hours per day.

## 16. ADJOURNMENT

**Motion by Rahm, seconded by Sumner, to adjourn the regular Council Meeting at 6:43 P.M. With 4Ayes, 0 Nays, 1 Absent, the motion carried.**

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Eisenbeisz  
Executive Analyst

## **RESOLUTION NO. 2015-42**

### **A RESOLUTION OF THE CITY OF NEWPORT, MINNESOTA, DIRECTING THE INITIATION AND COMPLETION OF AN INDEPENDENT, THIRD-PARTY INVESTIGATION INTO UNACCOUNTED INVENTORY, SUCH AS EVIDENCE AND OTHER OBJECTS, IN THE CARE OF THE SAME DEPARTMENT**

WHEREAS, the City of Newport, Minnesota, has employed its own Police Department since it first became a City; and

WHEREAS, the City, through its City Council, is charged with the responsibility of managing the affairs of the Police Department, including its personnel and policies; and

WHEREAS, in the past year, the Police Department became short-staffed because of the resignation and retirement of the Chief of Police, as well as the departure of a full-time officer, and

WHEREAS, the City hired on a limited-time basis the Washington County Sheriff's Department to provide a full-time officer handling the responsibilities of the Chief, as well as conducting ongoing investigations; and

WHEREAS, as part of the routine provisions of those contracted services, the Washington County Sheriff's Department discovered what it determined were significant deficiencies in the procedures of the Newport Police Department in the manner in which its evidence room was managed, as well as accounting for items in the care of the Police Department, including evidence and other objects ; and

WHEREAS, the Washington County Sheriff's Department reported these observations to the Council as part of a contract service review designated by that Department as security data; and

WHEREAS, the City Council has determined through the City Attorney that there are no pending criminal matters which will be adversely affected by procedural deficiencies indicated by the Washington County Sheriff's Department in its report; and

WHEREAS, the Washington County Sheriff's Department has implemented evidence handling and evidence room procedures for the Police Department to ensure that the Police Department's practices comply with the relevant legal and professional standards going forward; and

WHEREAS, the City Council wishes to immediately address additional issues raised by the Washington County's Sheriff's Department by having a complete and thorough investigation and analysis of unaccounted inventory, such as evidence and other objects, in the care of the Police Department; and

WHEREAS, the City Council finds that the utilization of an independent, third-party agency or individual fully qualified to conduct such an investigation and analysis is in the best interest of the City in order to assure it will be conducted in a thorough and complete manner, uninfluenced (or even appearing to be influenced) by any direct connection to parties currently involved with public safety in the City of Newport.

NOW, THEREFORE BE IT RESOLVED:

1. That the City Administrator is directed to secure a third-party investigator, either an individual or organization, to investigate all matters related to the unaccounted inventory, such as evidence and other objects, in the care of the Police Department.
2. The City Administrator shall seek to secure a law enforcement agency based outside Washington County to be the third-party investigator. The City requests that such a third-party investigator complete the investigation in a timely manner and provide to the City Attorney a written report of its findings at a time deemed appropriate by the third-party investigator and no later than the conclusion of the investigation.
3. In the event the City Administrator unable to secure a law enforcement agency based outside Washington County to be the third-party investigator, the City Administrator shall procure another third-party investigator, and such investigator shall complete an investigation within three months, at the end of which the investigator shall provide to the City Attorney a written report of its findings.

4. Upon receipt of the findings from the third-party investigator, the City Attorney shall discuss the findings with the City Council in a manner deemed appropriate by the City Attorney such that the City Council may address the findings if warranted.

Adopted this 19th day of November, 2015, by the Newport City Council.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE: Geraghty \_\_\_\_\_  
Ingemann \_\_\_\_\_  
Sumner \_\_\_\_\_  
Rahm \_\_\_\_\_  
Lund \_\_\_\_\_

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator

DRAFT



**City of Newport  
City Council Workshop Meeting Minutes  
November 19, 2015**

**1. ROLL CALL -**

**Council Present** – Tom Ingemann, Bill Sumner, Tracy Rahm, Dan Lund

**Council Absent** – Tim Geraghty,

**Staff Present** – Deb Hill, City Administrator; Matt Yokiell, Asst. Superintendent of Public Works; Renee Eisenbeisz, Executive Analyst; Fritz Knaak, City Attorney;

**Staff Absent** - Bruce Hanson, Superintendent of Public Works; Steve Wiley, Fire Chief;

**2. DISCUSSION REGARDING THE CLASSIFICATION AND COMPENSATION STUDY**

Julie Urell, Springsted, presented on this item as outlined in the attached documents. Below are the summaries and questions for each attachment.

**Attachment A** - This attachment describes the components of the SAFE Job Evaluation System.

**Councilman Rahm** - You're saying the SAFE System is proprietary right? So, when it comes down to it, you don't come down how they're weighted correct?

**Ms. Urell** - Yes, not in these materials.

**Councilman Rahm** - I like the wording of it. I'm just trying to figure out how do we know what's really going on here? How do we evaluate that? How it's being done?

**Ms. Urell** - If it's helpful at all, the SAFE System has been evaluated in Federal Court and has been found to be a compliant method of evaluating jobs. It has been tested.

**Councilman Rahm** - I would market that fact somewhere.

**Attachment B** - This attachment shows the cities that Springsted sent the survey to. The cities in black responded to Springsted's survey, the cities in blue did not respond but had information on the League's survey to use, and the cities in green did not respond and did not have any information on the League's survey.

**Councilman Sumner** - So the cities that responded weren't on the League's website?

**Ms. Urell** - They were but the survey goes into more detail than the League survey.

**Councilman Sumner** - By how much?

**Ms. Urell** - I'd say twice as much. We send out narratives for job descriptions, request information on benefits like insurance, time off accruals, etc. All in the context of it being customized to the positions in Newport.

**Councilman Sumner** - Why did you include the ones that didn't respond?

**Ms. Urell** - We wanted to show all of the cities that we sent the survey to.

**Attachment C** - This attachment shows the link between the SAFE System scoring to the survey results. This is a linear regression trend line and compares the midpoint to each position on the survey (shown as dots) to the SAFE System scoring. Three of the 14 positions did not return valid market data for this chart, those are: Seasonal Park Maintenance, Library and Community Center Coordinator, and the Community Service Officer.

**Attachment D** - This attachment is the recommended pay scale for 20 different grades for full-time positions. It's a nine step structure, which is similar to what the survey cities had. The part-time pay scale has a starting midpoint of 75% of the full-time scale. The variables used on the pay scale reflect what's used in the market and considered best practice.

**Attachment E** - This attachment is the title and grade summary and shows a proposed grade for each position. It shows the minimum, midpoint, and maximum for each grade and comparison data for the current salaries and market. The minimum, midpoint, and maximum numbers came from the proposed pay scale, survey results, and current salaries.

**Councilman Rahm** - So the whole thing is comparing the proposed and current rates to market rates correct?

**Ms. Urell** - Yes and the internal job evaluation comes into play too.

**Councilman Rahm** - It looks like the proposed salaries are more than what the market is showing correct?

**Ms. Urell** - Yes.

**Councilman Lund** - There must be an error in the current vs. proposed for the Accountant and Assistant to the City Administrator because it should be linear between the minimum, midpoint, and maximum. You're saying our proposed minimum is 14% higher than the proposed and the proposed midpoint is 13% higher which doesn't make any sense because we only have one employee. The minimum should be the smaller percentage.

**Ms. Urell** - What might help is once we move on to Attachment F, we can look more in depth for those two positions.

**Attachment F** - This attachment shows a summary of the salary survey and compares it to the current salaries.

**Ms. Urell** - You can see for the Accountant in Attachment F, the average min, mid, and max for the market was higher than the current rates for that position, significantly higher.

**Councilman Lund** - We have a range?

**Ms. Urell** - Yes, for those positions. Not all positions have a range.

**Councilman Rahm** - You're telling me that we're paying below market for the Accountant and Assistant but we're paying more for other ones like the maintenance/mechanic operator?

**Councilman Lund** - The actual numbers in that third section are the current numbers? It might be a little less confusing if we had a dollar number for current and proposed instead of a percentage. It's important to be competitive among our peers.

**Councilman Rahm** - Is there anywhere on this table that shows the current salaries per position?

**Ms. Urell** - Not on F.

**Admin. Hill** - The actual is on Attachment E.

**Councilman Lund** - If we follow this recommendation, the key part is on Attachment E. For the three big ones on the bottom, we only have an exact salary and that's within the range of the proposal for all three employees.

**Ms. Urell** - We did find overall that your current pay levels are consistent with current pay rates in the market. The majority of the positions are within the proposed range of their proposed pay scale.

**Councilman Lund** - Do other cities get off Fridays like we do? There's some intangibles about having three day weekends.

**Councilman Ingemann** - They're working 40 hours.

**Councilman Lund** - I do consider that a benefit.

**Councilman Rahm** - If there's one complaint I've heard is that we're not open on Friday.

**Councilman Ingemann** - Before they changed, everyone was complaining because they closed at 4:00 p.m.

**Councilman Lund** - It does appear that our current office employees are making less than the survey but the proposed is higher than the survey. We can bump people up but can't bump people down. There's no savings in here even if we're overpaying.

**Attachment G** - This attachment shows the implementation options and the impact. Option 1 is for part-time positions (Library and Community Coordinator and Community Service Officer). This option moves the two employees to the minimum step of their assigned grade, that would be a \$4,375 increase. Option 2 is for all full-time positions. There are 14 positions whose current salary falls within the proposed range. Option 2 would move them to the next step in their pay scale. Option 3 is for all full-time positions and looks at the same 14 positions and moves them to the appropriate step based on years of service.

**Councilman Lund** - So looking at the Accountant and Assistant To, we're told that they are below the proposal but when we get to the impacts we don't talk about those, just part-time?

**Ms. Urell** - Those two are included in Option 2 and Option 3.

**Councilman Lund** - But they cost more than the \$3,600.

**Councilman Rahm** - Attachment G shows that we have no employees below min, 14 employees within range, and 3 above max. If we have all of these people within range and above max, why are we giving them increases?

**Councilman Lund** - We don't need to increase them just to get them on a step. Getting back to Attachment E, we're paying our Accountant and Assistant To, are they within this amount?

**Executive Analyst Eisenbeisz** - I'm at the max and I believe Deb is at \$53,000.

**Councilman Lund** - So you both would be at the minimum?

**Executive Analyst Eisenbeisz** - Yes.

**Admin. Hill** - What would you like to do going forward?

**Councilman Lund** - I'm not concerned about the part-timers. We haven't had any problem filling those.

**Councilman Sumner** - Do I understand that the Accountant and Assistant are in an appropriate range?

**Councilman Lund** - Yes, they would move from the top of the current range to the bottom of the proposed range.

**Admin. Hill** - Or we could move them to the next step closest to their current salary.

**Councilman Lund** - I don't immediately prescribe to the theory that just because the step has an exact number that we have to be pigeon-holed to it. If someone is within the range of the proposal but don't fit on a specific step, we shouldn't increase them to the closest step.

**Councilman Rahm** - What we've done in the past is give the unions and non-union the same raise percentage.

**Admin. Hill** - We don't have steps for everyone so it's difficult to plan to replace when we don't know where we are. For instance, with the Police Chief, we don't have a range.

**Councilman Ingemann** - It depends on their education and experience.

**Executive Analyst Eisenbeisz** - Typically you have a range though and would start them on Step X of 10. I think the steps that were created for when Deb and I started were pulled out of thin air.

**Councilman Lund** - Do we have steps in addition to the across the board raises?

**Admin. Hill** - Not for everyone.

**Executive Analyst Eisenbeisz** - Deb is at the top starting in 2016 and I've been at the top for two years now.

**Councilman Sumner** - Would the annual raise be replaced by these steps or in addition to?

**Ms. Urell** - In addition to. The whole idea is to get people placed on a step so you have uniformity and a structure to your pay plan. Any decisions that are made are based on this so it removes any potential claims.

**Councilman Lund** - Do the union contracts have steps in addition to the cost of living?

**Admin. Hill** - No and the minimum keeps increasing.

**Executive Analyst Eisenbeisz** - The union contracts have it so that a new person starts at 85% or 90% of the hourly rate and increase 5% each year.

**Councilman Sumner** - These ranges are appropriate within the other cities right?

**Ms. Urell** - Yes, it's all based on market and the job evaluation. The grade placement that we have the positions in is reflective of the job evaluation and pay equity.

**Councilman Sumner** - Do I understand that this does not consider benefits?

**Ms. Urell** - This is just salaries but our survey did ask for benefits so we can give you a summary of that.

**Councilman Lund** - That's an important point because I know we're paying more than the County.

**Councilman Ingemann** - So you have more information?

**Ms. Urell** - This is essentially all of the information to consider to decide if you're going to move forward with the proposal. I can draft a summary that'll provide more narrative information and the benefit information.

**Councilman Sumner** - We have to have that, I'm surprised you came without it.

**Admin. Hill** - Looking at the increase for next year's budget, we don't have a CSO so that cuts Option 1 in half and if we did just the non-union adjustments, it would be about \$5,700.

**Councilman Lund** - I would like the proposal to match the survey.

**Ann Antonsen, Springsted** - One thing when you're looking at those comparisons, you will have some fluctuations between your position and the survey position so you'll have some positions that will fall above or below the market because their positions aren't an exact match and that's where the job evaluation piece comes in so you have positions lined up in regards to their requirements, qualifications and responsibilities. For instance, an Accountant or Assistant To, can vary greatly across different organizations based on your services and needs.

**Admin. Hill** - For instance, there used to be five people in the front office and now we have three. There is a lot of cross-training between Deb and Renee.

**Councilman Lund** - But the survey is for cities of our size.

**Ms. Antonsen** - Yes but every city is organized differently.

**Councilman Rahm** - We have a small staff and have a higher risk if someone leaves. I don't think we can afford to pay everyone high but should take accountability and make sure they're compensated fairly.

**Councilman Lund** - It would be interesting to see how many office staff these other cities have.

**Admin. Hill** - What information do you want?

**Councilman Sumner** - Staff counts.

**Councilman Ingemann** - And benefits.

**Councilman Rahm** - I'm more interested in how Cottage Grove and St. Paul Park pays. This came out in the press that it was a pay equity study because we had equity problems.

**Admin. Hill** - This pay study came out during contract negotiations with the Police because they said they were underpaid and we've never had a study. The pay equity report had tendencies from the previous reports showing that we might be in trouble if we added one more position.

**Councilman Lund** - They didn't take into years of service though.

**Admin. Hill** - Yes you do. The main reason we started it was due to contract negotiations.

**Councilman Lund** - That wasn't Springsted's formula though.

**Executive Analyst Eisenbeisz** - That was the State's formula.

**Councilman Lund** - No, we've always complied with the State. That's where my issue was from. I'll look it up.

**Councilman Sumner** - Let's look at the Police.

**Councilman Rahm** - It looks like we pay higher on the lower end but lower at the higher range. It would benefit us to implement a step system for every position.

**Councilman Lund** - The step system makes sense but for non-union, I would prefer to give administration more control over the steps.

**Ms. Antonsen** - You can have a step system with a performance component that would give administration more flexibility. You can have a policy that if they don't meet performance standards, they won't move to the next step and if they do meet performance standards, they would move one or two steps, etc.

**Councilman Rahm** - There's no perfect system but we can improve things.

**Councilman Ingemann** - I think we need more information, benefits, number of staff...

**Councilman Sumner** - I thought we were going to look at City Council salaries.

**Admin. Hill** - You took yourself out of the running. When would you like this brought back?

**Ms. Urell** - I can get it in at least two weeks.

**Councilman Ingemann** - Email it to us as soon as you get it.

**Admin. Hill** - Yes. I've already built something into the budget.

### **3. DISCUSSION REGARDING THE 2016 BUDGET**

Admin. Hill presented on this item as outlined in the November 19, 2015 City Council workshop packet. The proposed increase from 2015 is 0.15% or \$3,760. This includes money for a temporary employee while Executive Analyst Eisenbeisz is on leave and money if the Council approves any increases for salaries. City Council directed staff to bring it back with a 0% increase for the December 3, 2015 Truth in Taxation hearing at 6:00 p.m.

**Councilman Rahm** - We are getting some new buildings in Newport.

**Admin. Hill** - Yes, I just spoke with the developer that purchased the Swanlund property. He'll start building next year. I also spoke with the broker for Raceway to Fun and they have a deal for a 144,000 square foot office/warehouse building and 80,000 square foot building. We're also going to come forward in regards to Catherine Drive and whether you want water and sewer up there. I had Stacie run the numbers. The proposal for non-sewered was 30 lots at \$600,000 each or 75 lots at \$400,000 for water and sewer. The tax difference is \$78,000 per year for having water and sewer.

**Councilman Lund** - 75 lots isn't enough.

**Admin. Hill** - Jon Herdegen was challenging them.

**Councilman Lund** - When that retirement community was there, they were doing land swaps.

**Admin. Hill** - That was a national developer.

**Councilman Lund** - If they want our \$2 million, we can hold out for that. We can demand the best possible rate of return. Just because they have a deal doesn't mean we have to fork over \$2 million. We don't have to let them build 30 homes either. Have we talked about a moratorium?

**Admin. Hill** - You can do that if you'd like to bring that up. We are talking with Woodbury about them bringing

in the water. It's a difference of half a million.

**Councilman Lund** - We don't have to take a deal just because it's a good deal for them. We can hold off for a bigger project and we do that through a moratorium on building permits. These guys seem excited to build 30 homes if they can't get water and sewer. This is a more unique opportunity than they are used to.

**Councilman Rahm** - I don't want to chase people away but I do want to get the most for it.

**Admin. Hill** - I was talking with Stacie and we would assess this to the properties. She didn't recommend a general obligation bond. Maybe our negotiation is to reduce the cost of the 20 acres to make it nicer. There are ways to entice them.

**Councilman Lund** - If our money can be protected by liens, it's not going to be a huge drain on City resources to have nice homes up on the hill. We can kick in some of that property tax money but we need to make sure we get it back and can do that through a lien.

**Admin. Hill** - We're going to have Stacie come in and meet with them next.

**Councilman Lund** - Does anyone else want to be aggressive enough to do a moratorium?

**Mayor Pro Tem Ingemann** - We need more information.

**Councilman Lund** - We can get it on the agenda and not approve it or pull it back.

**Admin. Hill** - Do you want to discuss it and then declare a public hearing?

**Executive Analyst Eisenbeisz** - If you do that, it'll be January 7th, otherwise if we post now, we can do it December 17th.

**Councilman Lund** - Let's do the 17th.

**Executive Analyst Eisenbeisz** - Ok. I was just going to mention that we'll start working on the temp position and get it posted in the beginning of December to have someone in place by mid-February. We're going to post it as an intern.

#### 4. ADJOURNMENT

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Eisenbeisz  
Executive Analyst

## Components of the SAFE® Job Evaluation System

The Systematic Analysis and Factor Evaluation (SAFE®) System ensures a consistent and equitable method of evaluating jobs. The basis for the system is an arrangement of job groupings predicated on Characteristics of Work. A series of job factors are then applied to the work characteristics in order to determine a numerical value for each position. The system ensures that each element of job responsibility and each work characteristic is given proper consideration. The total of the points assigned represents the rank of the position in relation to all other positions within the organization.

### Characteristics of Work

Characteristics of work can be defined as the general character of the scope of the work performed by a position or class of positions that distinguishes it from other positions. There are 16 work characteristics that are grouped by skill level that, when used in conjunction with job factors, determine the value of a position as it relates to other positions within the organization. There are 6 skill levels. Following are the sixteen work characteristics (grouped by characteristic not skill level):

Manual	Human Support	Administrative Support
Semiskilled	Skilled Human Support	Skilled Administrative Support
Skilled Trades	Advanced Human Support	Administrative
Technical	Protective Services	Professional
Skilled Technical	Advanced Protective Services	Executive
Advanced Technical		

### Job Factors

There are 9 job factors which detail components of work that are present in most job classes. These factors are:

Training and Ability:	includes education and specialized training, licenses, certifications, and registrations which are required of the position.
Experience:	the time usually required for a person with the required training and ability to develop the necessary skills and abilities to perform the job.
Level of Work:	is the position entry level of the type of work performed, intermediate level, advanced/supervisory level, or a mastery/managerial level.
Human Relations:	the responsibility of working with or through other people, and the extent, frequency, and purpose of the contacts.
Physical Demands:	the job requirements which induce physical fatigue through exertion or strain.
Working Conditions and Hazards:	the extent of disagreeable or hazardous environmental or physical conditions or mental effort and/or stress and the frequency and duration of the undesirable conditions.
Independence of Actions:	how much freedom or independence is allowed or required of the position.
Impact of End Results:	the extent to which the job directly influences and affects actions impacting the end results, i.e. how much do the decisions or actions of the employee impact the organization and what are the consequences.
Supervision:	the responsibility for oversight or supervision over other employees.

The following factors are **not** considered in evaluating positions:

- Job performance
- Length of service
- Education or Degree unless it is a requirement of the job
- Current job
- Current rate of pay
- Market rates

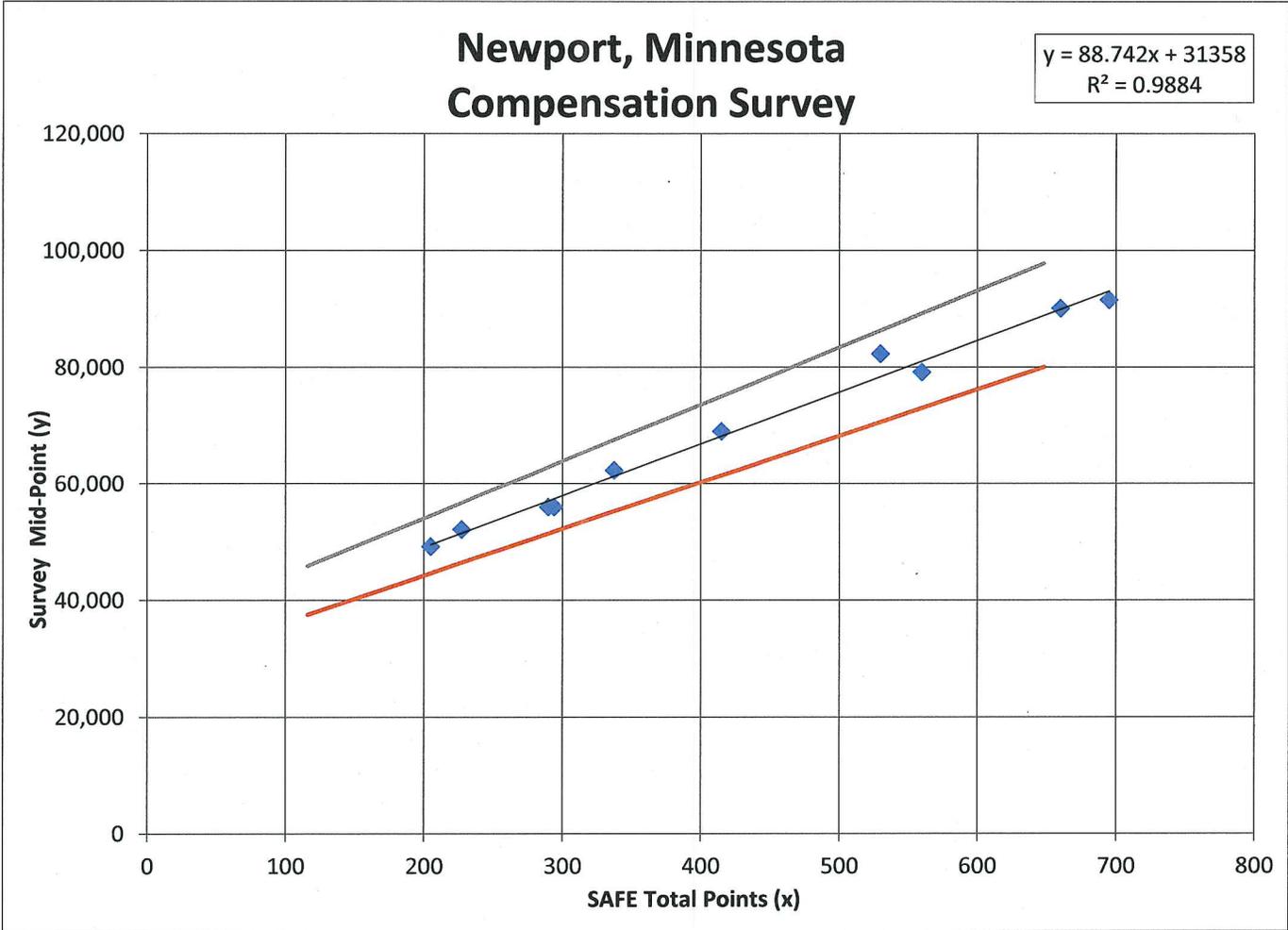
### Survey Recipients

<u>City</u>	<u>Population</u>
Afton, MN	2,927
<b>Bayport, MN</b>	3,597
Carver, MN	3,024
Centerville, MN	3,881
<b>Circle Pines, MN</b>	5,014
Columbus, MN	3,971
<b>Elko New Market, MN</b>	4,478
Falcon Heights, MN	5,762
Independence, MN	3,645
Lexington, MN	2,017
Norwood Young America, MN	3,637
Nowthen, MN	4,433
Oak Park Heights, MN	4,788
Osseo, MN	2,476
Rockford, MN	4,349
<b>Scandia, MN</b>	3,934
<b>Watertown, MN</b>	4,226
<b>St. Paul Park, MN</b>	5,314
<b>Cottage Grove, MN</b>	35,399
South St. Paul, MN	20,180
<b>Inver Grove Heights, MN</b>	34,000
<i>Average (ex. Outliers)</i>	3,971
Newport, MN	3,461

**Direct survey response**

LMC data

No response/no LMC data available



**City of Newport, MN  
Proposed Pay Scale**

Full Time

% Between Grades:	6%	Range: 24.24%
% Between Steps:	2.75%	
Starting midpoint:	35,000	

Grade	Step								
	1	2	3	4	5	6	7	8	9
1	31,400.80	32,264.32	33,151.59	34,063.26	35,000.00	35,962.50	36,951.47	37,967.63	39,011.74
2	33,284.85	34,200.18	35,140.69	36,107.06	37,100.00	38,120.25	39,168.56	40,245.69	41,352.45
3	35,281.94	36,252.19	37,249.13	38,273.48	39,326.00	40,407.47	41,518.67	42,660.43	43,833.60
4	37,398.86	38,427.32	39,484.08	40,569.89	41,685.56	42,831.91	44,009.79	45,220.06	46,463.61
5	39,642.79	40,732.96	41,853.12	43,004.08	44,186.69	45,401.83	46,650.38	47,933.26	49,251.43
6	42,021.35	43,176.94	44,364.31	45,584.33	46,837.90	48,125.94	49,449.40	50,809.26	52,206.51
7	44,542.64	45,767.56	47,026.17	48,319.39	49,648.17	51,013.49	52,416.36	53,857.81	55,338.90
8	47,215.19	48,513.61	49,847.74	51,218.55	52,627.06	54,074.30	55,561.35	57,089.28	58,659.24
9	50,048.11	51,424.43	52,838.60	54,291.66	55,784.68	57,318.76	58,895.03	60,514.64	62,178.79
10	53,050.99	54,509.89	56,008.92	57,549.16	59,131.76	60,757.89	62,428.73	64,145.52	65,909.52
11	56,234.05	57,780.49	59,369.45	61,002.11	62,679.67	64,403.36	66,174.45	67,994.25	69,864.09
12	59,608.09	61,247.32	62,931.62	64,662.24	66,440.45	68,267.56	70,144.92	72,073.91	74,055.94
13	63,184.58	64,922.16	66,707.52	68,541.97	70,426.88	72,363.62	74,353.62	76,398.34	78,499.29
14	66,975.66	68,817.49	70,709.97	72,654.49	74,652.49	76,705.43	78,814.83	80,982.24	83,209.25
15	70,994.19	72,946.53	74,952.56	77,013.76	79,131.64	81,307.76	83,543.72	85,841.17	88,201.81
16	75,253.85	77,323.33	79,449.72	81,634.59	83,879.54	86,186.22	88,556.35	90,991.64	93,493.91
17	79,769.08	81,962.73	84,216.70	86,532.66	88,912.31	91,357.40	93,869.73	96,451.14	99,103.55
18	84,555.22	86,880.49	89,269.70	91,724.62	94,247.05	96,838.84	99,501.91	102,238.21	105,049.76
19	89,628.53	92,093.32	94,625.89	97,228.10	99,901.87	102,649.17	105,472.02	108,372.50	111,352.75
20	95,006.25	97,618.92	100,303.44	103,061.78	105,895.98	108,808.12	111,800.35	114,874.85	118,033.91

**City of Newport, MN  
Proposed Pay Scale**

Part Time

% Between Grades:	6%	
% Between Steps:	2.75%	Range: 24.24%
Starting midpoint:	26,250	

	Step								
Grade	1	2	3	4	5	6	7	8	9
1	23,550.60	24,198.24	24,863.69	25,547.45	26,250.00	26,971.88	27,713.60	28,475.73	29,258.81
2	24,963.64	25,650.14	26,355.52	27,080.29	27,825.00	28,590.19	29,376.42	30,184.27	31,014.34
3	26,461.45	27,189.14	27,936.85	28,705.11	29,494.50	30,305.60	31,139.00	31,995.33	32,875.20
4	28,049.14	28,820.49	29,613.06	30,427.42	31,264.17	32,123.93	33,007.34	33,915.04	34,847.71
5	29,732.09	30,549.72	31,389.84	32,253.06	33,140.02	34,051.37	34,987.78	35,949.95	36,938.57
6	31,516.02	32,382.71	33,273.23	34,188.24	35,128.42	36,094.45	37,087.05	38,106.94	39,154.89

City of Newport, MN  
Title and Grade

Full Time

Department	Division	Title	Proposed				Salary Survey vs Proposed						Current vs Proposed					
			Grade	1	5	9	Min	% Diff	Mid	% Diff	Max	% Diff	Min	% Diff	Mid	% Diff	Max	% Diff
Public Works	N/A	Maintenance Operator	7	44,542.64	49,648.17	55,338.90	43,510.60	2.37%	49,185.06	2.33%	54,645.26	1.27%	50,750.00	-13.94%	53,569.50	-10.87%	56,389.00	-1.90%
Public Works	N/A	Maintenance Mechanic/Operator	8	47,215.19	52,627.06	58,659.24	46,878.92	0.72%	52,103.06	2.39%	57,220.35	2.51%	50,750.00	-7.49%	53,569.50	-4.59%	56,389.00	4.03%
Administration	N/A	Accountant	10	53,050.99	59,131.76	65,909.52	50,236.64	5.60%	55,975.37	7.09%	61,945.55	6.40%	46,367.00	14.42%	50,822.00	13.24%	55,277.00	19.23%
Administration	N/A	Assistant to the City Administrator	10	53,050.99	59,131.76	65,909.52	48,125.25	10.24%	55,964.75	7.11%	63,804.25	3.30%	46,367.00	14.42%	50,822.00	13.24%	55,277.00	19.23%
Police	N/A	Police Officer	11	56,234.05	62,679.67	69,864.09	53,934.04	4.26%	62,274.62	2.03%	70,615.20	-1.08%	58,061.00	-3.25%	63,184.00	-3.58%	68,307.00	2.28%
Public Works	N/A	Assistant Superintendent - Public Works	13	63,184.58	70,426.88	78,499.29	60,589.00	4.28%	68,994.33	3.48%	77,399.67	1.42%	61,618.00	2.54%	67,023.50	2.27%	72,429.00	8.38%
Police	N/A	Police Sergeant	15	70,994.19	79,131.64	88,201.81	79,674.71	-12.23%	82,298.61	-0.65%	84,800.81	4.01%						
Public Works	N/A	Superintendent - Public Works	16	75,253.85	83,879.54	93,493.91	69,861.21	7.72%	79,169.16	7.41%	88,477.11	5.67%	88,094.00	-17.06%			88,094.00	6.13%
Police	N/A	Police Chief	17	79,769.08	88,912.31	99,103.55	79,414.00	0.45%	90,056.98	0.09%	100,987.20	-1.90%	88,094.00	-10.44%			88,094.00	12.50%
Administration	N/A	City Administrator	18	84,555.22	94,247.05	105,049.76	79,844.10	5.90%	91,517.80	4.40%	103,191.50	1.80%	88,990.00	-5.24%			88,990.00	18.05%

Part Time

Department	Title	Proposed			
		Grade	1	5	9
Police	Community Service Officer	3	13,230.73	14,747.25	16,437.60
Library	Library and Community Center Coordinator	4	14,024.57	15,632.09	17,423.85

## City of Newport, Minnesota Salary Survey Summary

Attachment F

Position Surveyed	Number of Respondents	Average FTES	Average YOS	Average Midpoint	Minimum Salary			Midpoint Salary		Maximum Salary			Newport, MN Information								
					Lowest	Highest	Average	Lowest	Highest	Lowest	Highest	Average	Min	Diff	%	Mid	Diff	%	Max	Diff	%
Accountant	9	1.11	13.50	55,975.37	41,600.00	59,925.00	50,236.64	48,173.00	64,937.50	54,746.00	69,950.00	61,945.55	46,367.00	(3,869.64)	-8.35%	50,822.00	(5,153.37)	-10.14%	55,277.00	(6,668.55)	-12.06%
Assistant Superintendent - Public Works	6	1.00	12.33	68,994.33	54,180.00	72,785.00	60,589.00	62,370.00	81,883.00	69,700.00	90,981.00	77,399.67	61,618.00			67,023.50			72,429.00		
Assistant to the City Administrator	4	1.00	12.00	55,964.75	41,226.00	59,519.00	48,125.25	46,384.00	71,943.00	51,542.00	84,367.00	63,804.25	46,367.00	(1,758.25)	-3.79%	50,822.00	(5,142.75)	-10.12%	55,277.00	(8,527.25)	-15.43%
City Administrator	11	1.00	8.29	91,517.80	65,664.00	91,332.00	79,844.10	79,536.50	102,117.50	87,542.00	116,043.00	103,191.50	88,990.00	9,145.90	10.28%				88,990.00	(14,201.50)	-15.96%
DNU - Community Service Officer													22,400.00						22,400.00		
DNU - Library and Community Center Coordinator													24,960.00						24,960.00		
Maintenance Mechanical/Operator	7	1.71	33.00	52,103.06	45,136.00	55,473.00	46,878.92	50,378.00	58,291.50	54,852.00	61,110.00	57,220.35	50,750.00	3,871.08	7.63%	53,569.50	1,466.44	2.74%	56,389.00	(831.35)	-1.47%
Maintenance Operator	12	3.33	8.80	49,185.06	32,410.00	47,964.00	43,510.60	46,384.00	52,426.00	51,396.00	58,011.00	54,645.26	50,750.00	7,239.40	14.26%	53,569.50	4,384.44	8.18%	56,389.00	1,743.74	3.09%
Police Chief	5	1.00	13.00	90,056.98	64,292.00	89,970.00	79,414.00	74,006.00	104,176.00	83,720.00	118,382.00	100,987.20	88,094.00	8,680.00	9.85%				88,094.00	(12,893.20)	-14.64%
Police Investigator	4	2.50	13.50	65,259.93	52,531.00	60,611.00	57,332.75	62,750.50	67,069.50	69,456.00	73,964.00	73,002.84	71,880.00	14,547.25	20.24%				71,880.00	(1,122.84)	-1.56%
Police Officer	7	9.57	15.67	62,274.62	47,216.00	58,822.00	53,934.04	54,943.00	65,280.50	62,670.00	72,993.00	70,615.20	58,061.00	4,126.96	7.11%	63,184.00	909.38	1.44%	68,307.00	(2,308.20)	-3.38%
Police Sergeant	4	3.50	16.00	82,298.61	65,873.00	84,651.00	79,674.71	73,111.50	87,875.00	78,666.00	91,099.00	84,800.81									
DNU - Seasonal Park Maintenance Worker													20,800.00						20,800.00		
Superintendent - Public Works	6	1.17	9.17	79,169.16	59,519.00	79,000.00	69,861.21	71,943.00	88,900.00	80,828.00	98,800.00	88,477.11	88,094.00	18,232.79	20.70%				88,094.00	(383.11)	-0.43%
<b>Averages</b>	<b>6.82</b>	<b>2.45</b>	<b>14.11</b>											<b>6,690.61</b>	<b>8.66%</b>			<b>(707.17)</b>	<b>-1.58%</b>	<b>(5,021.36)</b>	<b>-6.87%</b>
DNU - did not use survey information																					

City of Newport, MN  
Impact

Part time

Option 1 - Move to Min

	# of Staff	Current Salary	Proposed Salary	Difference	% Increase
Totals	2	\$ 22,880.00	\$ 27,255.30	\$ 4,375.30	19.12%
Employee Below Min	2	\$ 22,880.00	\$ 27,255.30	\$ 4,375.30	19.12%
Employee Within Range	0	\$ -	\$ -	\$ -	
Employee Above Max	0	\$ -	\$ -	\$ -	

City of Newport, MN  
Impact

**Full time – All**  
**Option 2 - Next Step**

	# of Staff	Current Salary	Proposed Salary	Difference	% Increase
Totals	17	\$ 1,113,840.00	\$ 1,127,293.10	\$ 13,453.10	1.21%
Employee Below Min	0	\$ -	\$ -	\$ -	
Employee Within Range	14	\$ 944,673.60	\$ 958,126.70	\$ 13,453.10	1.42%
Employee Above Max	3	\$ 169,166.40	\$ 169,166.40	\$ -	

**Full time - Non Union**  
**Option 2 - Next Step**

	# of Staff	Current Salary	Proposed Salary	Difference	% Increase
Totals	6	\$ 438,526.40	\$ 442,179.32	\$ 3,652.92	0.83%
Employee Below Min	0	\$ -	\$ -	\$ -	
Employee Within Range	6	\$ 438,526.40	\$ 442,179.32	\$ 3,652.92	0.83%
Employee Above Max	0	\$ -	\$ -	\$ -	

**Full time - Union**  
**Option 2 - Next Step**

	# of Staff	Current Salary	Proposed Salary	Difference	% Increase
Totals	11	\$ 675,313.60	\$ 685,113.77	\$ 9,800.17	1.45%
Employee Below Min	0	\$ -	\$ -	\$ -	
Employee Within Range	8	\$ 506,147.20	\$ 515,947.37	\$ 9,800.17	1.94%
Employee Above Max	3	\$ 169,166.40	\$ 169,166.40	\$ -	

City of Newport, MN  
Impact

**Full time – All**  
**Option 3 - Yrs of Svc**

	# of Staff	Current Salary	Proposed Salary	Difference	% Increase
Totals	17	\$ 1,113,840.00	\$ 1,133,770.91	\$ 19,930.91	1.79%
Employee Below Min	0	\$ -	\$ -	\$ -	
Employee Within Range	14	\$ 944,673.60	\$ 964,604.51	\$ 19,930.91	2.11%
Employee Above Max	3	\$ 169,166.40	\$ 169,166.40	\$ -	

**Full time – Non Union**  
**Option 3 - Yrs of Svc**

	# of Staff	Current Salary	Proposed Salary	Difference	% Increase
Totals	6	\$ 438,526.40	\$ 448,657.14	\$ 10,130.74	2.31%
Employee Below Min	0	\$ -	\$ -	\$ -	
Employee Within Range	6	\$ 438,526.40	\$ 448,657.14	\$ 10,130.74	2.31%
Employee Above Max	0	\$ -	\$ -	\$ -	

**Full time – Union**  
**Option 3 - Yrs of Svc**

	# of Staff	Current Salary	Proposed Salary	Difference	% Increase
Totals	11	\$ 675,313.60	\$ 685,113.77	\$ 9,800.17	1.45%
Employee Below Min	0	\$ -	\$ -	\$ -	
Employee Within Range	8	\$ 506,147.20	\$ 515,947.37	\$ 9,800.17	1.94%
Employee Above Max	3	\$ 169,166.40	\$ 169,166.40	\$ -	

**Recurring**

Paid Chk# 000540E	FEDERAL TAXES	11/12/2015	\$7,145.00 SS, Federal & Medicare
Paid Chk# 000541E	MN REVENUE	11/12/2015	\$1,344.79 State taxes
Paid Chk# 000542E	MSRS	11/12/2015	\$3,267.64 HCSP & Vol. Retirement
Paid Chk# 000543E	PAY.GOV	11/12/2015	\$1,452.00 2015 ACA Transitional Reinsura
Paid Chk# 000544E	SELECTACCOUNT	11/12/2015	\$1,029.07 HSPA
Paid Chk# 000546E	FEDERAL TAXES	11/25/2015	\$7,142.50 SS, Federal & Medicare
Paid Chk# 000547E	MN REVENUE	11/25/2015	\$1,390.64 State taxes
Paid Chk# 000548E	MSRS	11/25/2015	\$3,267.64 HCSP & Vol. Retirement
Paid Chk# 000549E	SELECTACCOUNT	11/25/2015	\$1,491.26 HSPA
Paid Chk# 018053	ATOMIC DATA, LLC	11/12/2015	\$2,152.47
Paid Chk# 018054	DEBORA HILL	11/12/2015	\$55.09 Mileage reimbursement
Paid Chk# 018055	ING LIFE INSURANCE & ANNUITY	11/12/2015	\$100.00
Paid Chk# 018056	INTERNATIONAL UNION OF OP. ENG	11/12/2015	\$167.50
Paid Chk# 018057	PERA	11/12/2015	\$7,194.45
Paid Chk# 018058	VERIZON	11/12/2015	\$157.07
Paid Chk# 018059	XCEL ENERGY	11/12/2015	\$7,648.16
Paid Chk# 018060	ASSURANT EMPLOYEE BENEFITS	11/25/2015	\$498.93
Paid Chk# 018061	ING LIFE INSURANCE & ANNUITY	11/25/2015	\$100.00
Paid Chk# 018062	LAW ENFORCEMENT LABOR SERVICES	11/25/2015	\$235.00
Paid Chk# 018063	NCPERS MINNESOTA	11/25/2015	\$48.00
Paid Chk# 018064	PERA	11/25/2015	\$7,476.28
Paid Chk# 018065	VERIZON	11/25/2015	\$410.88
Paid Chk# 018066	XCEL ENERGY	11/25/2015	\$146.91
	Staff		\$24,186.03

**Non-recurring**

Paid Chk# 018068	ATOMIC DATA, LLC	12/3/2015	\$487.50
Paid Chk# 018069	SYNDEE BERKE	12/3/2015	\$20.00 Community garden deposit retur
Paid Chk# 018070	CENTURY COLLEGE	12/3/2015	\$643.00 Car Fire Training
Paid Chk# 018071	DIETRICH ELECTRIC, INC	12/3/2015	\$507.38 Electrical inspections
Paid Chk# 018072	EHLERS	12/3/2015	\$840.00 Financial planning
Paid Chk# 018073	FIRST IMPRESSION GROUP	12/3/2015	\$650.00 Winter newsletter
Paid Chk# 018074	GERLACH OUTDOOR POWER EQUIP.	12/3/2015	\$13.50 Equipment repair
Paid Chk# 018075	GLOBE PRINTING & OFFICE SUPPLY	12/3/2015	\$94.10 Police business cards
Paid Chk# 018076	HOFFMAN & MACNAMARA	12/3/2015	\$16,238.00 Tree replacement for Highway
Paid Chk# 018077	INVER GROVE FORD	12/3/2015	\$23.72 PD 1350 Repair
Paid Chk# 018078	JOHN BARTL HARDWARE	12/3/2015	\$310.66 Supplies
Paid Chk# 018079	JOHN J. O'DONNELL	12/3/2015	\$1,750.00 Legal Services for officer arb
Paid Chk# 018080	LEAF	12/3/2015	\$580.49 Copier/printer monthly fee
Paid Chk# 018081	MENARDS - COTTAGE GROVE	12/3/2015	\$501.52 Hocky rink repairs
Paid Chk# 018082	MINNESOTA DEPARTMENT OF HEALTH	12/3/2015	\$1,508.00 Water connection fee
Paid Chk# 018083	MSA PROFESSIONAL SERVICES, INC	12/3/2015	\$9,888.75 City Engineering
Paid Chk# 018084	NORTHERN SAFETY TECH. INC.	12/3/2015	\$105.99 Supplies
Paid Chk# 018085	RESCUEPAX.COM	12/3/2015	\$1,200.00 Advanced FAO training
Paid Chk# 018086	SAFE-FAST, INC.	12/3/2015	\$143.45 Uniforms
Paid Chk# 018087	SAFETY SIGNS	12/3/2015	\$864.80 LP gas
Paid Chk# 018088	SOUTH SUBURBAN RENTAL, INC.	12/3/2015	\$18.50 LP Gas
Paid Chk# 018089	WAKOTA CHIEFS ASSOCIATION	12/3/2015	\$50.00 2015 Dues

**\$114,546.67**

**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: St. Thomas Aquinas Catholic Church Previous Gambling Permit Number: X82018

Minnesota Tax ID Number, if any: \_\_\_\_\_ Federal Employer ID Number (FEIN), if any: 41--0747178

Mailing Address: 920 Holley Avenue

City: St. Paul Park State: MN Zip: 55071 County: Washington

Name of Chief Executive Officer (CEO): Fr. J. Anthony Andrade

Daytime Phone: 651-459-2131 Email: sanderson1@st-thomas-aquinas.com

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

Fraternal  Religious  Veterans  Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

**A current calendar year Certificate of Good Standing**  
 Don't have a copy? Obtain this certificate from:  
 MN Secretary of State, Business Services Division Secretary of State website, phone numbers:  
 60 Empire Drive, Suite 100 [www.sos.state.mn.us](http://www.sos.state.mn.us)  
 St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767

**IRS income tax exemption (501(c)) letter in your organization's name**  
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

**IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**  
 If your organization falls under a parent organization, attach copies of both of the following:  
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and  
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Tinucci's Restaurant

Address (do not use P.O. box): 382 21st Street

City or Township: Newport Zip: 55055 County: Washington

Date(s) of activity (for raffles, indicate the date of the drawing): January 17, 2016

Check each type of gambling activity that your organization will conduct:

Bingo\*  Paddlewheels\*  Pull-Tabs\*  Tipboards\*

Raffle (total value of raffle prizes awarded for the calendar year: \$2100)

\* Gambling equipment for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [www.mn.gov/gcb](http://www.mn.gov/gcb) and click on **Distributors** under **LIST OF LICENSEES**, or call 651-539-1900.

**LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)**

**CITY APPROVAL  
for a gambling premises  
located within city limits**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- The application is denied.

Print City Name: \_\_\_\_\_

Signature of City Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**The city or county must sign before submitting application to the Gambling Control Board.**

**COUNTY APPROVAL  
for a gambling premises  
located in a township**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print County Name: \_\_\_\_\_

Signature of County Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**TOWNSHIP (if required by the county)**  
On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: \_\_\_\_\_

Signature of Township Officer: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)**

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Fr. Joseph Anthony Andrade Date: 11-19-2015  
(Signature must be CEO's signature; designee may not sign)

Print Name: Fr. J. Anthony Andrade

**REQUIREMENTS**

**Complete a separate application for:**

- all gambling conducted on two or more consecutive days, or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

**Financial report to be completed within 30 days after the gambling activity is done:**  
A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

**MAIL APPLICATION AND ATTACHMENTS**

**Mail application with:**

- a copy of your proof of nonprofit status, and
- application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

**To:** Gambling Control Board  
1711 West County Road B, Suite 300 South  
Roseville, MN 55113

**Questions?**  
Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

MINNESOTA LAWFUL GAMBLING  
**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**  
 Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.  
 Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: Cottage Grove Lions Club Previous Gambling Permit Number: \_\_\_\_\_

Minnesota Tax ID Number, if any: 51-0169093 Federal Employer ID Number (FEIN), if any: 2384583

Mailing Address: PO Box 002

City: Cottage Grove State: MN Zip: 55016 County: Washington

Name of Chief Executive Officer (CEO): Erik Witt

Daytime Phone: 6513343434 Email: werwitts@gmail.com

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

Fraternal       Religious       Veterans       Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

**A current calendar year Certificate of Good Standing**  
 Don't have a copy? Obtain this certificate from:  
 MN Secretary of State, Business Services Division      Secretary of State website, phone numbers:  
 60 Empire Drive, Suite 100      [www.sos.state.mn.us](http://www.sos.state.mn.us)  
 St. Paul, MN 55103      651-296-2803, or toll free 1-877-551-6767

**IRS income tax exemption (501(c)) letter in your organization's name**  
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

**IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**  
 If your organization falls under a parent organization, attach copies of both of the following:  
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and  
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Tinuuccis

Address (do not use P.O. box): 396 21st Street

City or Township: Newport Zip: 55055 County: Washington

Date(s) of activity (for raffles, indicate the date of the drawing): January 30th 2016

Check each type of gambling activity that your organization will conduct:

Bingo\*       Paddlewheels\*       Pull-Tabs\*       Tipboards\*

Raffle (total value of raffle prizes awarded for the calendar year: \$ 10,000.00)

\* **Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [www.mn.gov/gcb](http://www.mn.gov/gcb) and click on **Distributors** under **List of Licensees**, or call 651-539-1900.

**LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)**

**CITY APPROVAL  
for a gambling premises  
located within city limits**

The application is acknowledged with no waiting period.  
 The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).  
 The application is denied.

Print City Name: \_\_\_\_\_

Signature of City Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**The city or county must sign before submitting application to the Gambling Control Board.**

**COUNTY APPROVAL  
for a gambling premises  
located in a township**

The application is acknowledged with no waiting period.  
 The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.  
 The application is denied.

Print County Name: Washinton

Signature of County Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**TOWNSHIP (if required by the county)**

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

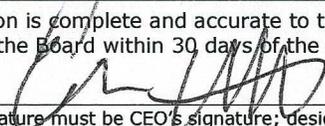
Print Township Name: \_\_\_\_\_

Signature of Township Officer: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)**

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: 11/23/15  
(Signature must be CEO's signature; designee may not sign)

Print Name: Erik Witt

**REQUIREMENTS**

**Complete a separate application for:**

- all gambling conducted on two or more consecutive days, or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

**Financial report to be completed within 30 days after the gambling activity is done:**

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

**MAIL APPLICATION AND ATTACHMENTS**

**Mail application with:**

a copy of your proof of nonprofit status, and  
 application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

**To:** Minnesota Gambling Control Board  
 1711 West County Road B, Suite 300 South  
 Roseville, MN 55113

**Questions?**

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

# Lions Clubs International

We make a difference.

300 W 22ND STREET · OAK BROOK ILLINOIS 60523-8542 USA · 630.571.5466



February 14, 2012

To Whom It May Concern:

Please be advised that the Cottage Grove Lions Club, Minnesota, chartered on December 1, 1970, is a club in good standing with The International Association of Lions Clubs. In addition, all Lions clubs are a 501c4 with the IRS.

Very truly yours,

A handwritten signature in cursive script that reads "Amy J. Peña".

Amy J. Peña  
Senior Attorney

AJP: tjt

cc: Patrick Forsythe, Cottage Grove Lions Club

[www.lionsclubs.org](http://www.lionsclubs.org)

Department of the Treasury

Internal Revenue Service  
Washington, DC 20224

Date:

AUG 24 1972

In reply refer to:  
Form M-3444  
T:MS:EO:R



RECEIVED  
ROY SCHAETZEL

AUG 24 1972

General Counsel  
LIONS INTERNATIONAL

Gentlemen:

► The International Association of  
Lions Clubs  
c/o Roy Schaezel  
York and Cermak Roads  
Oak Brook, Illinois 60521  
EIN 36-1263962 DO 36

Date of original group exemption letter: December 4, 1940  
I.R. Code: Section 501(c)(4)

Based on the information supplied, we rule that the new subordinates you recently submitted for addition to your group exemption roster are exempt from Federal income tax under the section of the Internal Revenue Code shown above. This ruling supplements your original group exemption letter.

Each subordinate is required to file Form 990, Return of Organization Exempt From Income Tax, if its annual gross receipts are normally more than \$5,000. If filing is required, and if you do not include the subordinates in a group return, each must file the Form 990 by the 15th day of the fifth month after the end of its annual accounting period.

The new subordinates are not required to file a Form 1120 income tax return. However, if they are subject to tax on unrelated business income under section 511 of the Code, they must file Form 990-T.

The new subordinates are liable for social security taxes under the Federal Insurance Contributions Act and, if they employ four or more individuals, for the tax under the Federal Unemployment Tax Act.

Next year, within 45 days after your annual accounting period closes, please send us two copies of the following information about your subordinates:

1. A statement describing all changes during the year in the purposes, character, or method of operation of your subordinates.

2. A list showing the name, employer identification number (if the subordinate is required to file Form 990), and mailing address, including ZIP Code, of each subordinate on your group exemption roster that during the year:
  - a. changed its name or address;
  - b. was deleted from the roster; or
  - c. was added to the roster.

A directory of subordinates may be substituted for this list if it includes the required information and identifies the affected subordinates according to the three categories above.

3. For subordinates added to the roster, a letter signed by one of your principal officers containing or attaching:
  - a. a statement that the information upon which your present group exemption letter is based applies to the new subordinates;
  - b. a statement that each has given you written authorization to add its name to the roster; and
  - c. a list of those to which the Service previously issued separate rulings or determination letters relating to exemption.
4. If applicable, a statement that your group exemption roster did not change during the year.

Please be sure to enter your employer identification number on all your tax returns and in your correspondence with the Internal Revenue Service.

Thank you for your cooperation.

Sincerely yours,

Acting

  
Chief, Rulings Section  
Exempt Organizations Branch



No. 100

Name:

Phone:

2016 Lions Drink, Feed & Spend Event



Cottage Grove Lions Club Present



# 2016 Lions Drink, Feed & Spend Event

January 30, 2016 – Tinucci's - Newport, MN 10am – 2pm

\$80 per Couple

*Includes: Tinucci's Famous All You Can Eat Buffet, All You Can Drink Bloodies, Screw Drivers, Rail Drinks, Beer & Single Entry for Great Prizes*

Chance at Thousands of Dollars in cash & prizes!

Beer Dolly – Wine Wagon – Liquor Ladder and much, much more!

Fun with Tip boards, Paddle wheel and Friends!

Community – Service – Family – Fun

No. 100



**City of Newport, Minnesota  
ANNUAL KENNEL LICENSE**

Name: Jennifer Lessard

Address: 1698 Kolff Street

Phone: [REDACTED]

Total Lot Size (Sq Ft): 1.9 acres

Size of Kennel (Sq Ft): Ø Kennel

Type of Animal to be Keneled: Ø Keneled animals, just 4 dogs - inside home

Breed(s): Ginger - codies mix, Sophie - Yorkie, Emmy - Yorkie,

Maximum Adult Animals to be Keneled: Ø Keneled animals White - Yorkie

Applicants Signature: [Signature]

Fee: \$50

Receipt #: 3932 Date: 11/29/15 Cash: \_\_\_\_\_ Check #: ✓

Approved by the Newport City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

This license is valid until December 31, 20\_\_.

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Mayor



# MEMO

TO: Mayor and City Council  
Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Executive Analyst

DATE: November 30, 2015

SUBJECT: Employee Recognition

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The following employees are being recognized at the December 3, 2015 City Council meeting for their years in service to the City of Newport:

- Fire Department
  - Jeremy Brodin - 5 Years
  - Jason Joa - 10 Years
  
- Police Department
  - Tyler Martin - 5 Years
  
- Public Works Department
  - Jeff Luedke - 10 Years

## RESOLUTION NO. 2015-43

**A RESOLUTION DIRECTING CITY ADMINISTRATOR TO CERTIFY UNPAID WATER, SANITARY SEWER, STORM SEWER, AND STREET LIGHTING CHARGES TO THE COUNTY TREASURER/AUDITOR TO BE COLLECTED WITH OTHER TAXES ON SAID PROPERTY IN THE CITY OF NEWPORT, COUNTY OF WASHINGTON, MN**

**WHEREAS**, the City of Newport ordinances establishes rules, rates and charges for water, sanitary sewer, storm sewer, and street lighting services, and

**WHEREAS**, Minnesota Statutes, Section 444.075, Subd. 3, provides that all delinquent water, sanitary sewer, storm sewer and street lighting charges not paid may be certified to the County Treasurer/Auditor with the taxes on such property; and

**WHEREAS**, the City Council of the City of Newport has determined that all delinquent Utility Charges shall be certified to the County Treasurer/Auditor with the taxes on such property; and

**WHEREAS**, an Assessment Roll has been prepared specifying the property and delinquent amount including all penalties to be certified against each particular property; and

**WHEREAS**, the City Council has elected to charge a service charge of \$25, \$5 of which goes to the County, and an annual interest rate charge of 18% to all delinquent accounts.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Newport, Minnesota hereby ordains:

1. Special Assessment No. 2015-01 in the amount of \$52,270.02 relating to the certification of delinquent utility bills is calculated as follows:

Sewer and Water Amount Delinquent	\$49,893.12
<u>Storm Water Amount Delinquent</u>	<u>\$ 2,376.90</u>
Total Certified	\$52,270.02

A copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute a special assessment against the lands named therein.

Adopted by this council this 3rd day of December, 2015 by the Newport City Council.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Rahm	_____
	Lund	_____

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator

STATE OF MINNESOTA  
COUNTY OF WASHINGTON

I hereby certify that the foregoing Resolution is a true and correct copy of the Resolution presented to and adopted by the City of Newport at a duly authorized meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2015, as shown by the minutes of said meeting in my possession.

\_\_\_\_\_  
City Administrator

Notary Public  
My Commission expires:

**2015  
City of Newport  
Delinquent Utility Bills**

Account Number	Service Address	Owner		Parcel ID	Utility Bill	Certified Balance
04-00001261-00-6		NANCY J	WAHLIN	36.028.22.33.0094	\$ 25.00	\$ 54.50
04-00000821-00-7		JOHN	MONDRY	25.028.22.11.0006	\$ 25.00	\$ 54.50
04-00001041-00-6	9070 PARKSIDE DR	STEPHEN	SANCHEZ	36.028.22.11.0035	\$ 25.00	\$ 54.50
04-00001051-00-9	1872 3RD AVENUE	RONALD	SCHWAN	26.028.22.44.0135	\$ 25.00	\$ 54.50
04-00001391-00-2	2560 BAILEY CT	THOMAS	VERBOUT	30.028.21.22.0008	\$ 31.96	\$ 62.71
04-00001231-00-7		MARK	GERGEN	26.028.22.44.0143	\$ 50.00	\$ 84.00
04-00001251-00-3	1395 MILITARY RD	MICHAEL	WAGNER	25.028.22.14.0010	\$ 60.16	\$ 95.99
04-00001311-00-8	2857 STERLING AVE S	KURT & CATHLEEN	WEISER	25.028.22.21.0003	\$ 60.16	\$ 95.99
04-00000031-00-4	39 OAKRIDGE DR	BRIAN, MICHAELA	ANDERSEN	01.027.22.41.0004	\$ 60.16	\$ 95.99
04-00000141-00-4	1635 CENTURY AVE	FEDERAL HOME LOAN MO	RTGAGE CORP.	36.028.22.11.0028	\$ 60.16	\$ 95.99
04-00000201-00-9	1385 MILITARY RD	BRENT & JACQUEL	BOYER	25.028.22.14.0011	\$ 60.16	\$ 95.99
04-00000261-00-7	1010 BAILEY RD	Neil and Susan	Raisanen	25.028.22.21.0005	\$ 60.16	\$ 95.99
04-00000451-00-8	2855 STERLING AVE S	RAYMOND & VERO	FRANEK	25.028.22.21.0008	\$ 60.16	\$ 95.99
04-00000891-00-8	1365 MILITARY ROAD	CHARLES	LEVAKE	25.028.22.14.0007	\$ 60.16	\$ 95.99
04-00001191-00-8	18 OAKRIDGE DR	JOHN	THOMPSON	01.027.22.41.0014	\$ 62.66	\$ 98.94
02-00203104-00-8	396 9TH STREET	LUKE & ADRIANA	BERTHIAUME	36.028.22.33.0092	\$ 77.62	\$ 116.59
01-00117662-00-8	1210 9TH AVENUE	JENNIFER	O'TOOL	36.028.22.31.0095	\$ 89.38	\$ 130.47
01-00117251-00-6	1345 10TH AVENUE	AMANDA	SWANSON	36.028.22.31.0027	\$ 90.68	\$ 132.00
02-00209902-00-6	638 6TH AVENUE	JILL	SCHMIDT	01.027.22.22.0076	\$ 91.06	\$ 132.45
03-00017961-00-1	1635 4TH AVENUE	LYNNEA	SANDEEN	35.028.22.11.0016	\$ 92.36	\$ 133.98
02-00214612-00-6	1159 5TH AVENUE	Ryan	Horneck	36.028.22.32.0112	\$ 92.72	\$ 134.41
02-00215652-00-7	398 4TH AVENUE	Abel and Delores	Alsides	01.027.22.22.0016	\$ 94.79	\$ 136.85
03-00015801-00-8	2193 2ND AVENUE	GERALD	STANGELAND	26.028.22.41.0006	\$ 95.08	\$ 137.19
01-00130601-00-2	2178 CIRCLE DRIVE	JAMES	LIVINGSTON	25.028.22.31.0044	\$ 95.89	\$ 138.15
02-00208702-00-3	562 7TH AVENUE	DUSTIN	RAMBERG	01.027.22.21.0008	\$ 97.57	\$ 140.13
02-00208809-00-7	481 7TH AVENUE	DAVID	ERICKSON	01.027.22.22.0066	\$ 98.42	\$ 141.14
02-00214153-00-4	635 5TH AVENUE	ELSADIG	ABOH	36.028.22.33.0001	\$ 98.53	\$ 141.27
03-00021302-00-1	1597 CEDAR LANE	JAMES	WALSH	35.028.22.14.0065	\$ 99.39	\$ 142.28
03-00019302-00-0	1293 5TH AVENUE	BRITTNEY	LEE	36.028.22.32.0102	\$ 100.10	\$ 143.12
03-00011501-00-1	1544 2ND AVENUE	RICK & HEATHER	DEGREE	35.028.22.14.0034	\$ 101.29	\$ 144.52
01-00116543-00-7	1569 10TH AVENUE	ALICIA	ANDERSON	36.028.22.24.0080	\$ 101.81	\$ 145.14
02-00210003-00-6	639 6TH AVENUE	ALEXANDRA	HANSEN	01.027.22.22.0036	\$ 104.70	\$ 148.55
03-00014501-00-8	1867 2ND AVENUE	TERRENCE	RUMPZA	26.028.22.44.0076	\$ 104.97	\$ 148.86
01-00106203-00-1	2080 8TH AVENUE	SHIRLENE	VITULLO	25.028.22.34.0029	\$ 107.07	\$ 151.34
01-00116552-00-9	1570 10TH AVENUE	TOM	LONG	36.028.22.24.0094	\$ 107.42	\$ 151.76
02-00214502-00-6	1155 5TH AVENUE	BELLA	HANSON	36.028.22.32.0063	\$ 107.50	\$ 151.85
01-00120301-00-8	943 12TH STREET	GLEN	KADERLIK	36.028.22.31.0035	\$ 111.13	\$ 156.13
03-00009505-00-4	2055 1ST AVENUE	VANESSA	HOLLINGSWORTH	26.028.22.44.0062	\$ 112.88	\$ 158.20
01-00112403-00-2	1322 GLEN ROAD	JUDY	POFERL	36.028.22.13.0003	\$ 113.87	\$ 159.37
02-00203001-00-8	675 10TH STREET	CHARLES	TESSIER	36.028.22.33.0006	\$ 114.29	\$ 159.86
02-00216431-00-5	1168 4TH AVENUE	THOMAS	ALLEN	36.028.22.32.0070	\$ 116.03	\$ 161.92
01-00116622-00-7	1540 10TH AVENUE	JEREMY	SKALICKY	36.028.22.24.0085	\$ 116.52	\$ 162.49
03-00011333-00-8	1530 2ND AVENUE	SAMRITHY, CHIN	KEO, YOU	35.028.22.14.0031	\$ 116.75	\$ 162.77
01-00110781-00-7	1003 TERRACE ROAD	NATHAN	STROECK	25.028.22.34.0042	\$ 118.04	\$ 164.29
01-00105602-00-9	786 21ST STREET	KW REALTY INVESTORS	LLC.	25.028.22.33.0031	\$ 119.50	\$ 166.01
03-00010602-00-0	1410 2ND AVENUE	DEAN	HANSON	35.028.22.14.0022	\$ 121.48	\$ 168.35
01-00102902-00-3	2030 HASTINGS AVENUE	NEWPORT ENTERPRISE L	LC.	25.028.22.33.0041	\$ 122.38	\$ 169.41
01-00104651-00-4	2230 LARRY LANE	JACKIE	LANGE	25.028.22.31.0026	\$ 122.90	\$ 170.02
01-00119202-00-0	1194 11TH AVENUE	CARRIE	KAHL	36.028.22.42.0011	\$ 124.99	\$ 172.49
03-00021951-00-7	1651 CEDAR LANE	JAMES	WALSH	35.028.22.12.0006	\$ 126.99	\$ 174.85
03-00011302-00-8	1523 2ND AVENUE	DAVID & MARGARET	BARRETT	35.028.22.14.0045	\$ 127.69	\$ 175.67
02-00210802-00-1	780 6TH AVENUE	LAURA	BORNDALE	36.028.22.23.0026	\$ 129.04	\$ 177.27
03-00001881-00-3	1579 3RD AVENUE	BILLE JO	STADLER	35.028.22.14.0084	\$ 129.15	\$ 177.40
01-00113903-00-6	1300 WOODBURY ROAD	ROBERT	SIERAKOWSKI	36.028.22.12.0006	\$ 131.12	\$ 179.72
02-00207703-00-5	673 7TH AVENUE	REMAX PROFESSIONALS		36.028.22.33.0079	\$ 131.59	\$ 180.28
03-00013501-00-9	1723 2ND AVENUE	JIM	SMITH	26.028.22.44.0083	\$ 133.25	\$ 182.24
01-00102203-00-5	1788 HASTINGS AVENUE	MARK	TINUCCI	25.028.22.33.0076	\$ 133.90	\$ 183.00
03-00009051-00-0	1911 1ST AVENUE	JP MORGAN CHASE BAN	K NATL ASSOC.	26.028.22.44.0053	\$ 136.44	\$ 186.00
02-00215564-00-5	391 4TH AVENUE	ABEL	ALSIDES	01.027.22.22.0010	\$ 138.02	\$ 187.86

02-00201201-00-4	269 11TH STREET	Michael	Dobozenski	35.028.22.41.0023	\$ 138.40	\$ 188.31
03-00023502-00-3	627 12TH STREET	Jamie	Dewane	36.028.22.32.0029	\$ 138.66	\$ 188.62
01-00110753-00-0	1959 BARRY DRIVE	DAVID	LOVELL	25.028.22.34.0012	\$ 142.90	\$ 193.62
02-00200701-00-0	346 12TH STREET	BRADLEY	SELLNER	35.028.22.41.0019	\$ 143.10	\$ 193.86
01-00110742-00-6	2080 BARRY DRIVE	DAWN	ALMEN	25.028.22.34.0003	\$ 143.17	\$ 193.94
01-00115002-00-0	1905 10TH AVENUE	LYNN	JACKSON	25.028.22.34.0068	\$ 144.69	\$ 195.73
03-00019411-00-9	1320 5TH AVENUE	MARK	ENGFER	36.028.22.32.0045	\$ 145.27	\$ 196.42
01-00107201-00-8	794 HIGH STREET	WILLIAM	VOJE	36.028.22.22.0003	\$ 145.29	\$ 196.44
02-00202452-00-3	477 10TH STREET	DOUG	LUND	36.028.22.33.0050	\$ 147.45	\$ 198.99
01-00117291-00-8	1325 10TH AVENUE	R	KONISZCZUK	36.028.22.31.0026	\$ 147.78	\$ 199.38
02-00216502-00-4	1058 4TH AVENUE	TODD	PITTMAN	36.028.22.33.0055	\$ 151.03	\$ 203.22
01-00118303-00-9	1361 12TH AVENUE	ZAN-TAINE PROPERTIES	LLC	36.028.22.42.0018	\$ 151.53	\$ 203.81
02-00201452-00-4	310 11TH STREET	DEBRA	McKEEHEN	35.028.22.44.0054	\$ 156.49	\$ 209.66
03-00015852-00-4	1251 4TH AVENUE	MAYFIELD	FAYOSE	36.028.22.32.0085	\$ 157.08	\$ 210.35
03-00004701-00-9	1834 3RD AVENUE	AMERICAN MEDICAL RES	EARCH INC.	26.028.22.44.0132	\$ 159.00	\$ 212.62
03-00010202-00-2	1362 2ND AVENUE	JOHN & KELLIE	WIEDERHOLT	35.028.22.41.0047	\$ 164.19	\$ 218.74
03-00004401-00-8	1762 3RD AVENUE	JENNIFER	SCHMIDT	26.028.22.44.0128	\$ 166.17	\$ 221.08
02-00216001-00-8	692 4TH AVENUE	GARY	LUECK	36.028.22.33.0077	\$ 166.48	\$ 221.45
03-00013102-00-2	1685 2ND AVENUE	NICHOLAS	ZELLMER	35.028.22.11.0050	\$ 167.58	\$ 222.74
01-00136401-00-2	1537 BLUESTEM LANE	MOHAMED/HALIMO	JALDO/ABDI	36.028.22.24.0107	\$ 171.30	\$ 227.13
02-00205904-00-2	1057 7TH AVENUE	CHANTELLE	KNISK	36.028.22.33.0008	\$ 173.85	\$ 230.14
01-00130751-00-4	2185 CIRCLE DRIVE	JOE & KATHY	WEIBUSCH	25.028.22.31.0038	\$ 174.75	\$ 231.21
03-00004002-00-1	1720 3RD AVENUE	ROBERT	STADLER	26.028.22.44.0126	\$ 178.50	\$ 235.63
02-00205702-00-6	1092 7TH AVENUE	CURRENT	RESIDENT	36.028.22.33.0045	\$ 179.26	\$ 236.53
01-00110732-00-3	2079 BARRY DRIVE	MARK	TINUCCI	25.028.22.34.0008	\$ 180.62	\$ 238.13
01-00104553-00-9	1125 FORD ROAD	SCOTT	ELLINGBOE	25.028.22.31.0016	\$ 180.63	\$ 238.14
01-00110463-00-2	1830 BARRY DRIVE	Randy	Hopkins	25.028.22.34.0036	\$ 181.92	\$ 239.67
02-00217302-00-9	309 3RD AVENUE	ROBERT	SANFORD	02.027.22.11.0032	\$ 181.99	\$ 239.75
03-00003552-00-2	1683 3RD AVENUE	DOUGLAS	DONATELL	35.028.22.11.0041	\$ 185.47	\$ 243.85
03-00014832-00-9	1980 2ND AVENUE	CHRIS & STEVE	BROBERG	26.028.22.44.0032	\$ 189.19	\$ 248.24
01-00118152-00-9	1280 12TH AVENUE	CHRIS	WHITEBECK	36.028.22.42.0008	\$ 190.19	\$ 249.42
02-00207603-00-8	695 7TH AVENUE		KISS'S AUTO BODY & F	36.028.22.33.0078	\$ 191.08	\$ 250.47
02-00217101-00-4	891 3RD AVENUE	Allen	Stettner	35.028.22.44.0045	\$ 198.95	\$ 259.76
01-00103763-00-7	790 FORD ROAD	TOM	RICHARD	25.028.22.32.0022	\$ 200.03	\$ 261.04
01-00106102-00-3	2090 8TH AVENUE	JASON	MARS	25.028.22.34.0005	\$ 200.58	\$ 261.68
03-00001302-00-5	1532 3RD AVENUE	RICHARD	HERNANDEZ	35.028.22.14.0008	\$ 205.52	\$ 267.51
01-00135301-00-6	1503 BLUESTEM LANE	FATOUMA	JAMA	36.028.22.24.0118	\$ 209.94	\$ 272.73
03-00011003-00-8	1495 2ND AVENUE	TODD	ANDERSON	35.028.22.14.0050	\$ 210.08	\$ 272.89
01-00102105-00-0	1778 HASTINGS AVENUE	MARK	TINUCCI	25.028.22.33.0078	\$ 211.84	\$ 274.97
02-00204402-00-6	615 6TH STREET	RANDY	STROM	01.027.22.22.0077	\$ 211.85	\$ 274.98
02-00210404-00-5	684 6TH AVENUE	MARIA	ORENDAIN	36.028.22.33.0085	\$ 212.38	\$ 275.61
03-00022901-00-1	345 12TH STREET	RICK	BLECHINGER	35.028.22.41.0007	\$ 215.61	\$ 279.42
01-00100806-00-2	1480 HASTINGS AVENUE	ROBERT	HOWARD	36.028.22.24.0071	\$ 217.95	\$ 282.18
01-00109902-00-6	780 19TH STREET	MEVMAR LLC.		25.028.22.33.0061	\$ 226.65	\$ 292.45
03-00000804-00-3	1434 3RD AVENUE	SILVER ACRES ADDITIO	NS LLC	35.028.22.14.0016	\$ 230.72	\$ 297.25
03-00009041-00-7	1890 1ST AVENUE	TEKESTE	DIRAR	26.028.22.44.0095	\$ 232.69	\$ 299.57
03-00017936-00-7	1629 4TH AVENUE	NANCY	SCHULTZ	35.028.2211.0015	\$ 235.81	\$ 303.26
03-00005402-00-8	1933 3RD AVENUE	JAMES	RUBEN	26.028.22.44.0036	\$ 239.69	\$ 307.83
01-00117851-00-8	1190 12TH AVENUE	TRAVIS	RUMPCA	36.028.22.42.0003	\$ 241.70	\$ 310.21
02-00200403-00-1	496 12TH STREET	DONNA	YOUNG RDH, BA	36.028.22.32.0111	\$ 242.15	\$ 310.74
03-00012351-00-1	1650 2ND AVENUE	KEN	KOPREN	35.028.22.11.0073	\$ 242.47	\$ 311.11
01-00110982-00-2	831 GLEN TERRACE	JILL	KNAUFF	36.028.22.21.0070	\$ 245.50	\$ 314.69
02-00214003-00-2	503 5TH AVENUE	LEONARD	CLAYTON	01.027.22.22.0027	\$ 245.74	\$ 314.97
01-00116772-00-9	1494 10TH AVENUE	BRIAN & BOBBI	DUNCAN	36.028.22.24.0037	\$ 255.23	\$ 326.17
01-00102607-00-7	1894 HASTINGS AVENUE	TINUCCI BROS. REST.	HOLDINGS	25.028.22.33.0064	\$ 257.01	\$ 328.27
01-00104802-00-4	820 21ST STREET	ROBERT	KNAUFF	25.028.22.34.0006	\$ 259.03	\$ 330.66
01-00117552-00-8	1089 13TH STREET	NICK	KOWALENKO	36.028.22.31.0019	\$ 262.84	\$ 335.15
03-00015953-00-2	1282 4TH AVENUE	DANIEL	WELDON	36.028.22.32.0057	\$ 270.80	\$ 344.54
03-00000031-00-3	340 15TH STREET	NICHOLAS	GOEBEL	35.028.22.14.0013	\$ 272.51	\$ 346.56
01-00108104-00-3	812 17TH STREET	SCOTT	FISHER	36.028.22.21.0030	\$ 273.09	\$ 347.25
01-00119561-00-8	1425 11TH AVENUE	BRUCE	LUNDQUIST	36.028.22.24.0029	\$ 274.07	\$ 348.40
03-00003201-00-5	1672 3RD AVENUE	ANTHONY	LARSON	35.028.22.11.0007	\$ 280.10	\$ 355.52

03-00017202-00-5	1492 4TH AVENUE	CHRISTOPHER	CLEMENS	36.028.22.23.0027	\$ 282.21	\$ 358.01
02-00220304-00-1	323 PARK PLACE	WILLIAM	SCHINDELDECKER	35.028.22.44.0064	\$ 282.29	\$ 358.10
01-00120752-00-2	1060 12TH STREET	BRENDA	MURPHY	36.028.22.31.0003	\$ 288.00	\$ 364.84
03-00009202-00-0	1971 1ST AVENUE	DONNA	WIERSGALLA	26.028.22.44.0056	\$ 291.11	\$ 368.51
02-00220001-00-7	1174 2ND AVENUE	DARYL	SCHOWALTER	35.028.22.41.0014	\$ 298.48	\$ 377.21
01-00110561-00-7	1970 BARRY DRIVE	SCOTT	BERG	25.028.22.34.0031	\$ 298.90	\$ 377.70
03-00011901-00-9	1594 2ND AVENUE	Rich	Evazich	35.028.22.14.0038	\$ 302.23	\$ 381.63
01-00110824-00-9	833 GLEN TERRACE		BLEW HOLDINGS, LLC	36.028.22.21.0071	\$ 304.60	\$ 384.43
01-00107801-00-0	850 HIGH STREET	MICHELLE	ESTRADA	36.028.22.21.0007	\$ 304.85	\$ 384.72
01-00117311-00-1	1080 10TH AVENUE	TAMI	FUELLING	36.028.22.31.0118	\$ 308.65	\$ 389.21
03-00012152-00-8	1626 2ND AVENUE	LISA N	BLAISDELL	35.028.22.11.0070	\$ 310.36	\$ 391.22
01-00103101-00-5	2104 HASTINGS AVENUE	CENTRAL BANK		25.028.22.32.0018	\$ 312.31	\$ 393.53
01-00106901-00-8	1791 8TH AVENUE	PATRICIA	BERG	25.028.22.33.0072	\$ 313.35	\$ 394.75
02-00213201-00-5	273 5TH AVENUE	CHRIS	CAVALLARO	01.027.22.23.0013	\$ 315.36	\$ 397.12
01-00113971-00-5	1921 KOLFF STREET	ANDREA	MIRENDA	25.028.22.43.0005	\$ 317.06	\$ 399.13
03-00007905-00-4	92 20TH STREET	RICHARD	SAUNDERS	26.028.22.44.0063	\$ 318.78	\$ 401.16
02-00219803-00-3	1125 2ND AVENUE	STEVEN	LUTZWICK	35.028.22.41.0027	\$ 318.80	\$ 401.18
03-00023602-00-0	649 12TH STREET	C	NELSON	36.028.22.32.0028	\$ 325.96	\$ 409.63
02-00206102-00-3	1002 7TH AVENUE	KERI	LANE	36.028.22.33.0048	\$ 332.50	\$ 417.35
03-00019812-00-8	1400 CEDAR LANE	BOB & NANCY	STEWART	35.028.22.14.0054	\$ 333.30	\$ 418.29
01-00108802-00-0	945 17TH STREET	CARRIE, DANIEL	WELLER, MILLIGA	25.028.22.34.0098	\$ 335.56	\$ 420.96
01-00120652-00-5	1040 12TH STREET	PATRICK	McADOO	36.028.22.31.0006	\$ 338.53	\$ 424.47
03-00005102-00-7	1872 3RD AVENUE	RONALD	SCHWAN, ETAL	26.028.22.44.0134	\$ 347.96	\$ 435.59
03-00016601-00-3	1420 4TH AVENUE	DALE & JAN	WESTON	36.028.22.23.0032	\$ 349.04	\$ 436.87
01-00112251-00-1	1315 GLEN ROAD	BRIAN & ANGELA	SYDNES	36.028.22.12.0024	\$ 352.99	\$ 441.53
02-00204301-00-8	577 6TH STREET	RA	KONG	01.027.22.22.0040	\$ 357.46	\$ 446.80
01-00119302-00-7	1207 11TH AVENUE	FERNANDO / YESENIA	RAMIREZ / RUELAS	36.028.22.31.0010	\$ 359.59	\$ 449.32
03-00017871-00-7	1609 4TH AVENUE	Sarah	Eisen	35.028.22.11.0022	\$ 367.91	\$ 459.13
03-00022804-00-7	317 12TH STREET	CORY	THOEMKE	35.028.22.41.0008	\$ 368.54	\$ 459.88
03-00016801-00-7	1430 4TH AVENUE	JAMES	SWANSON JR	36.028.22.23.0031	\$ 369.85	\$ 461.42
03-00016883-00-3	1441 4TH AVENUE	ERIK	HETHERINGTON	35.028.22.14.0017	\$ 370.76	\$ 462.50
03-00004302-00-2	1740 3RD AVENUE	SHERE	YOUNG	26.028.22.44.0127	\$ 371.02	\$ 462.80
02-00220603-00-1	261 PARK PLACE	ELAINE	NELSON	35.028.22.44.0036	\$ 375.04	\$ 467.55
02-00215906-00-7	630 4TH AVENUE	STEVE	JISKRA	01.027.22.22.0032	\$ 377.64	\$ 470.62
02-00204205-00-5	516 6TH STREET	JOHN	STEENLAGE	01.027.22.22.0043	\$ 396.28	\$ 492.61
01-00115402-00-8	1870 10TH AVENUE	NATHAN	GROEN	25.028.22.34.0060	\$ 397.07	\$ 493.54
01-00110962-00-6	829 GLEN TERRACE	JULIE & DAVID	BORGAN	36.058.22.21.0069	\$ 406.35	\$ 504.49
04-00001141-00-3	1811 CENTURY AVE	DAVID & SUSAN	STEWART	25.028.22.14.0015	\$ 407.73	\$ 506.12
01-00118774-00-9	1420 12TH AVENUE	ANDREW	PATTON	36.028.22.13.0034	\$ 409.24	\$ 507.90
01-00116702-00-8	1505 10TH AVENUE	TAMMY	RANDLE	36.028.22.24.0100	\$ 412.43	\$ 511.67
02-00206703-00-6	882 7TH AVENUE	ROBERT	VANZEE	36.028.22.33.0018	\$ 422.60	\$ 523.67
03-00011201-00-0	1482 2ND AVENUE	LAURIE	PAVEK	35.028.22.14.0027	\$ 428.19	\$ 530.26
02-00209202-00-7	311 7TH AVENUE	ELIZABETH	BENEPE	01.027.22.22.0064	\$ 430.26	\$ 532.71
01-00109302-00-4	760 18TH STREET	MARK	TINUCCI	25.028.22.33.0074	\$ 433.78	\$ 536.86
03-00015302-00-4	2148 2ND AVENUE	DANIEL	LOISELLE	26.028.22.41.0019	\$ 446.61	\$ 552.00
01-00104851-00-8	905 ELLEN COURT	TONY L.	VANDERBILT	25.028.22.31.0011	\$ 453.25	\$ 559.84
01-00109351-00-8	785 18TH STREET	WILLIAM	MELBY	25.028.22.33.0071	\$ 455.33	\$ 562.29
03-00017002-00-1	1460 4TH AVENUE	JOHN	GERULLI	36.028.22.23.0029	\$ 461.44	\$ 569.50
01-00100901-00-4	1490 HASTINGS AVENUE	KLEIN ESTATES, LLC		36.028.22.24.0069	\$ 464.22	\$ 572.78
02-00206601-00-7	898 7TH AVENUE	RAUL	CAMPOS	36.028.22.33.0004	\$ 474.76	\$ 585.22
03-00008203-00-2	245 21ST STREET	MARK	TINUCCI	26.028.22.41.0016	\$ 484.86	\$ 597.13
04-00001431-00-1	1156 HASTINGS AVENUE	TIMOTHY	MURPHY	36.028.22.31.0071	\$ 520.52	\$ 639.21
02-00201701-00-9	539 11TH STREET	ALAN	GEAR	36.028.22.32.0005	\$ 604.26	\$ 738.03
01-00102401-00-7	1806 HASTINGS AVENUE	GENE	RECHTZIGEL	25.028.22.33.0067	\$ 644.16	\$ 785.11
02-00207101-00-1	795 7TH AVENUE	DEBRA	SANCHEZ	36.028.22.33.0032	\$ 725.74	\$ 881.37
02-00209801-00-8	627 6TH AVENUE	Phillip	Franke	01.027.22.22.0038	\$ 732.61	\$ 889.48
01-00135801-00-1	1525 BLUESTEM LANE	SHEILA	HARRELL	36.028.22.24.0113	\$ 773.02	\$ 937.16
<b>Total Amount Delinquent</b>					<b>\$</b>	<b>\$ 52,270.02</b>



# MEMO

TO: Newport City Council  
FROM: Deb Hill, City Administrator  
DATE: December 3, 2015  
SUBJECT: 2016 Proposed Budget

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## General Increases:

- 2.5% wage increase
- 15% health increase (city portion increases 7.2%)
- 4.25% dental increase

## Revenue

- Ad valorem taxes down \$247,362
- LGA up \$1906
- Fire relief contribution - \$56,833
- Fiscal Disparities - \$358,965 – down \$4743
- **Total General Fund revenue down \$251,063**

## Expenses

### General Government

- Administration up \$14,367 – up \$10,000 (Renee's replacement)
- Elections up \$3550
- Professional Services down \$15,500
- Planning and Zoning up \$6000 (comp plan)
- Total Government up \$319

### Public Safety

- Police – up \$10,535
- Fire – up \$18,168
- Total Public Safety up \$28,703

Total PW up \$13,195

Total Park and Recreation – down \$1,220

Contingency – up \$12,500 (pay study, police investigations, study)

**Total expenses up \$67,297**

Transfers down \$317,000

Debt Service up – \$252,969

2015 Levy - \$2,430,416

Initial 2016 Levy - \$2,491,176 (Increase of \$60,760 – 2.5%)

Proposed 2016 Levy - \$2,434,176

Proposed 2016 Levy Increase - \$0

**Proposed levy – 0.0%**

Debt Service:

	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
2010A	\$128,361	\$126,127	\$128,962	\$ 0
2011A	\$ 89,723	\$ 87,518	\$ 85,313	\$ 88,358
2013A	\$ 68,707	\$ 69,151	\$ 68,364	\$ 72,616
2014A	\$ 0	\$ 33,323	\$286,449	\$148,795
Total	\$286,791	\$316,119	\$569,088	\$309,769

Market Value estimate was up 4.7% - Currently 6.1%

For an average home the estimated tax increase is \$21.51

# Proposed Pay 2016 Property Tax Impact Worksheet

Taxing District:

1200 Newport

## STEP 1 - Calculate the Taxing District's Tax Rate:

Item	Actual Pay 2015 (A)	Proposed Pay 2016 (B)	% Change (C)
1. Levy before reduction for state aids	\$2,430,416	\$2,430,416	0.0%
2. State Aids	\$0	\$0	0.0%
3. <b>Certified Property Tax Levy</b>	\$2,430,416	\$2,430,416	0.0%
4. Fiscal Disparity Portion of Levy	\$358,965	\$354,222	-1.3%
5. Local Portion of Levy	\$2,071,451	\$2,076,194	0.2%
6. Local Taxable Value <span style="float: right; font-size: small;">2016 is an ESTIMATE</span>	2,960,345	3,124,517	5.5%
7. <b>Local Tax Rate</b>	69.973%	66.448%	-5.0%
8. Market Value Referenda Levy	\$0	\$0	0.0%
9. Fiscal Disparity Portion of Levy (SD only)	\$0	\$0	0.0%
10. Local Portion of Levy	\$0	\$0	0.0%
11. Referenda Market Value <span style="float: right; font-size: small;">2016 is an ESTIMATE</span>	282,108,800	295,479,500	4.7%
12. <b>Market Value Referenda Rate</b>	0.00000%	0.00000%	0.0%

## STEP 2 - Calculate the Impact of the Taxing District's Rate on Residential Homestead Taxes:

13. Assumes a 6.1% change in market value from 2015 to 2016, which is the city median change.

(D) Market Value Before Exclusion	(E) Homestead Market Value Exclusion	(F) Taxable Market Value	(G) Tax Capacity	(H) Taxing District Portion of Tax
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Actual Pay 2015				
Pay 2015 MV	76,000 @40% - rem @ 9%	(D) - (E)	500,000@1.0% rem @ 1.25%	(A7 x G) + (A12 X D)
14. 149,400	23,800	125,600	1,256	\$878.86
15. 94,300	28,800	65,500	655	\$458.32
16. 141,400	24,500	116,900	1,169	\$817.98
17. 235,600	16,000	219,600	2,196	\$1,536.61
18. 377,000	3,300	373,700	3,737	\$2,614.89

Proposed Pay 2016				
Pay 2016 MV X 1.061	76,000 @40% - rem @ 9%	(D) - (E)	500,000@1.0% rem @ 1.25%	(B7 x G) + (B12 x D)
19. 158,500	23,000	135,500	1,355	\$900.37
20. 100,000	28,200	71,800	718	\$477.10
21. 150,000	23,700	126,300	1,263	\$839.24
22. 250,000	14,700	235,300	2,353	\$1,563.52
23. 400,000	1,200	398,800	3,988	\$2,649.95

Percentage Change from 2015 to 2016				
24. 6.1%	-3.4%	7.9%	7.9%	2.4%
25. 6.0%	-2.1%	9.6%	9.6%	4.1%
26. 6.1%	-3.3%	8.0%	8.0%	2.6%
27. 6.1%	-8.1%	7.1%	7.1%	1.8%
28. 6.1%	-63.6%	6.7%	6.7%	1.3%

**GENERAL FUND BUDGET  
2016 DRAFT BUDGET**

REVENUE	2011 ACTUAL BUDGET	2012 ACTUAL BUDGET	2013 ACTUAL BUDGET	2014 ACTUAL BUDGET	2015 BUDGET	2016 DRAFT BUDGET	2017 DRAFT BUDGET
<b>Property Taxes</b>							
Current ad valorem	\$ 1,634,410	\$ 1,825,793	1,798,043	\$ 1,780,332	1,698,499	1,451,137	1,580,200
Fiscal disparities	310,234	286,461	254,961	288,232	358,965	354,222	354,222
Delinquent	4,908	0	0				
Fire relief	65,000	1,000	65,000	63,897	56,833	55,969	56,000
Special Assessments/debt ser	0	0					
Total Property Taxes	<u>2,014,552</u>	<u>2,113,254</u>	<u>2,118,004</u>	<u>2,132,461</u>	<u>2,114,297</u>	<u>1,861,328</u>	<u>1,990,422</u>
<b>Intergovernmental Revenue</b>							
Local governmental aid	588,876	589,106	589,360	627,489	632,974	634,880	632,974
Market Value & other tax cred	131	0	0		0		
Police town aid	46,565	45,308	47,653	53,312	45,000	45,000	45,000
Police training reimbursement	2,651	2,325	2,771	2,314	2,300	2,300	2,300
State fire relief aid	13,091	12,577	13,776	17,656	12,500	12,500	12,500
Other/miscellaneous grants	63,166	42,820	21,262	18,625	30,000	30,000	30,000
Total Intergovernmental R	<u>714,480</u>	<u>692,136</u>	<u>674,822</u>	<u>719,396</u>	<u>722,774</u>	<u>724,680</u>	<u>722,774</u>
<b>Licenses and Permits</b>							
Conditional use permits	0	2,100	2,050	2,950	0	-	-
Licenses and permits	1,740	1,180	1,650	1,450	11,750	11,750	11,750
Liquor licenses	8,330	8,430	10,690	8,660	8,600	8,600	8,600
Cigarette licenses	800	250	1,250	500	500	500	500
Building permit fees	66,218	58,387	70,217	60,321	50,000	50,000	50,000
Animal licenses/citations	1,970	2,305	1,810	2,255	2,000	2,000	2,000
Recycling/sanitation	4,200	3,000	2,100	1,500	2,400	2,400	2,400
Total Licenses and Permit:	<u>83,258</u>	<u>75,652</u>	<u>89,767</u>	<u>77,636</u>	<u>75,250</u>	<u>75,250</u>	<u>75,250</u>
<b>Charges for Services</b>							
Planning and zoning	1,050	0	0	0	1,000	1,000	1,000
Special assessment search	0	0	0	0	0	-	-
Accident reports	206	153	150	197	100	100	100
Antenna franchise fees	69,132	80,591	81,904	80,869	83,000	83,000	83,000
Miscellaneous	9,344	12,595	16,875	11,839	250	250	250
Total Charges for Services	<u>79,732</u>	<u>93,339</u>	<u>98,929</u>	<u>92,905</u>	<u>84,350</u>	<u>84,350</u>	<u>84,350</u>
<b>Other Revenue</b>							
Fines and forfeits	70,006	58,234	68,193	66,381	52,000	52,000	52,000
Interest earned on investment	8,401	7,937	5,598	24,376	8,000	8,000	8,000
Rent or sale of property	2,477	2,138	5,279	5,611	0	-	-
Donations	52,055	48,884	6,045	4,757	8,000	8,000	8,000
Other	63,938	135,116	69,286	45,511	14,000	14,000	14,000
Total Other Revenue	<u>196,877</u>	<u>252,309</u>	<u>154,401</u>	<u>146,636</u>	<u>82,000</u>	<u>82,000</u>	<u>82,000</u>
<b>TOTAL REVENUE</b>	<b><u>3,088,899</u></b>	<b><u>3,226,690</u></b>	<b><u>3,135,923</u></b>	<b><u>3,169,034</u></b>	<b><u>3,078,671</u></b>	<b><u>2,827,608</u></b>	<b><u>2,954,796</u></b>

GENERAL FUND BUDGET  
2016 DRAFT BUDGET

EXPENDITURES: GENERAL C	2011 ACTUAL BUDGET	2012 ACTUAL BUDGET	2013 ACTUAL BUDGET	2014 ACTUAL BUDGET	2015 DRAFT BUDGET	2016 DRAFT BUDGET	2017 DRAFT BUDGET
<b>Mayor and Council</b>							
Personnel services	\$ 23,545	\$ 20,481	\$ 19,550	\$ 19,550	19,550	19,550	19,550
PERA	0	228	218	218	326	326	326
FICA/Medicare	0	1,567	1,495	1,508	1,496	1,496	1,496
Workers Comp	0	42	75	91	50	50	50
Travel/conferences	0	492	0	312	300	300	300
Memberships	0	65	15	75	100	100	100
Education	80	194	95	325	1,000	1,000	1,000
Miscellaneous	133	0	0	0	0	0	0
Total Mayor and Council	23,758	23,069	21,448	22,079	22,822	22,822	22,822
<b>Administration</b>							
Personnel services (2.3)	280,207	170,150	152,859	157,206	160,350	174,472	168,581
PERA	0	10,312	9,637	11,350	12,025	12,415	12,644
FICA/Medicare	0	11,970	11,815	12,701	12,270	13,415	12,897
Health Insurance	66,112	52,235	21,280 *	24,335	30,185	27,395	29,700
Workers Comp	0	1,443	2,449	2,113	2,400	2,400	2,400
Office supplies	6,153	4,655	6,247	4,933	7,500	8,000	8,000
Computer & phone services	949	761	2,394	1,167	2,000	2,500	2,500
Equipment repairs & mainten	24,978	0	0	0	14,000	14,000	14,000
Travel & mileage	486	1,344	1,281	2,297	2,000	3,000	2,000
Printing and publishing	5,626	9,176	6,200	7,657	9,000	9,000	9,000
Postage	3,341	4,309	4,795	3,648	4,400	4,400	4,400
Dues and subscriptions	6,464	6,597	7,619	6,988	6,600	6,600	6,600
Education	2,149	2,791	2,718	2,521	4,000	3,500	4,000
Contractual services	14,194	3,368	7,365	1,833	10,000	10,000	10,000
Capital outlay	1,686	9,474	0	0	2,000	2,000	2,000
Miscellaneous	5,082	9,063	12,055 *	7,209	5,000	5,000	5,000
Total Administration	417,427	297,648	248,714	245,958	283,730	298,097	293,722
<b>Elections</b>							
Temporary employees	732	2,884	960	2,774	1,150	3,250	1,210
Operating supplies	0	612	0	474	100	800	100
Travel and conferences	0	0	0	0	0	250	-
Printing and publishing	0	0	0	0	0	500	-
Miscellaneous	940	1,045	564	563	500	500	500
Total Elections	1,672	4,541	1,524	3,811	1,750	5,300	1,810

GENERAL FUND BUDGET  
2016 DRAFT BUDGET

EXPENDITURES: GENERAL C	2011 ACTUAL BUDGET	2012 ACTUAL BUDGET	2013 ACTUAL BUDGET	2015 ACTUAL BUDGET	2015 DRAFT BUDGET	2016 DRAFT BUDGET	2017 DRAFT BUDGET
<b>Professional services</b>							
Accounting/audit	42,930	40,925	40,721	33,377	33,000	33,000	33,000
Engineering	26,390	19,959	17,534	2,888	28,000	28,000	28,000
Legal	72,670	62,626	66,790	65,414	72,000	72,000	72,000
IT, phone support & hardware	26,253	44,949	34,349	34,710	40,000	40,000	40,000
Financial/Assessment service	33,498	26,240	23,533	28,183	28,000	28,000	28,000
Building inspection	17,929	12,315	27,352	19,254	15,500	16,000	16,000
Insurance	50,152	62,956	70,963	70,937	71,000	71,000	71,000
Misc. contracted services	5,608	12,663	12,973	11,722	28,000	12,000	12,000
<b>Total Professional Service</b>	<b>275,430</b>	<b>282,633</b>	<b>294,215</b>	<b>266,485</b>	<b>315,500</b>	<b>300,000</b>	<b>300,000</b>
<b>Planning and Zoning</b>							
Personnel services	2,086	25,257	26,165	(735)	0	0	0
Part time - planning com.			1,050	1,170	1,800	1,800	1,800
PERA	0	1,805	1,892	(53)	0	0	0
FICA/Medicare	0	1,967	2,114	33	138	138	138
Health Insurance	0	4,017	3,532	249	0	0	0
Workers Comp	0	139	278	0	0	0	0
Operating supplies	0	0	412	18	500	500	500
Professional services	61,930	30,906	21,133	37,447	32,000	38,000	43,000
Travel and conferences	0	0	0	0	1,000	1,000	1,000
Printing and publishing	0	0	0	0	0	0	0
Education	0	0	0	0	0	0	0
Miscellaneous	4,020	2,103	1,265	316	0	0	0
<b>Total Planning &amp; Zoning</b>	<b>68,036</b>	<b>66,194</b>	<b>57,841</b>	<b>38,445</b>	<b>35,438</b>	<b>41,438</b>	<b>46,438</b>
<b>Government Buildings</b>							
<b>City Hall</b>							
Operating supplies	676	659	318	165	500	500	500
Repairs and maintenance	1,409	1,491	2,014	156	4,100	4,100	4,100
Utilities	9,478	6,987	8,269	8,333	8,750	9,100	9,100
Capital outlay	4,737	4,161	1,301	670	4,000	4,000	4,000
<b>Total City Hall</b>	<b>16,300</b>	<b>13,298</b>	<b>11,902</b>	<b>9,324</b>	<b>17,350</b>	<b>17,700</b>	<b>17,700</b>
<b>Library</b>							
Personnel	0	13,253	15,477	10,976	12,480	13,000	13,000
FICA				680	775	805	805
Medicare				159	210	190	190
PERA				630	935	957	957
Supplies			808	717	750	750	750
Computer and phones			1,374	1,619	1,600	1,600	1,600
Repairs and maintenance	455	727	903	26	750	750	750
Utilities	3,009	3,425	2,605	2,330	3,200	3,200	3,200
Capital outlay	0	11,378	4,051	519	3,500	3,500	3,500
<b>Total Library</b>	<b>3,464</b>	<b>28,783</b>	<b>25,218</b>	<b>17,656</b>	<b>24,200</b>	<b>24,752</b>	<b>24,752</b>
<b>Railroad Tower</b>							
Repairs and maintenance	0	33	0	0	200	200	200
Utilities	489	579	573	380	600	600	600
<b>Total Railroad Tower</b>	<b>489</b>	<b>612</b>	<b>573</b>	<b>380</b>	<b>800</b>	<b>800</b>	<b>800</b>
<b>Total Government Building</b>	<b>20,253</b>	<b>42,693</b>	<b>37,693</b>	<b>27,360</b>	<b>42,350</b>	<b>43,252</b>	<b>43,252</b>
<b>Total General Government</b>	<b>806,576</b>	<b>716,778</b>	<b>661,435</b>	<b>604,138</b>	<b>701,590</b>	<b>710,909</b>	<b>708,044</b>

GENERAL FUND BUDGET  
2016 DRAFT BUDGET

EXPENDITURES: PUBLIC SAF	2011 ACTUAL BUDGET	2012 ACTUAL BUDGET	2013 ACTUAL BUDGET	2014 ACTUAL BUDGET	2015 DRAFT BUDGET	2016 DRAFT BUDGET	2017 DRAFT BUDGET
Police Department							
Personnel services (7)	596,916	516,562	493,574	508,890	497,545	505,285	520,120
PERA	0	71,139	70,300	81,538	84,875	85,700	88,686
FICA/Medicare	0	7,782	3,189 *	8,244	8,330	8,450	8,660
Workers' Compensation	0	15,927	26,762	26,189	23,000	23,000	23,000
Health insurance	86,682	94,173	74,688 *	86,940	81,850	82,000	88,970
Overtime	0	0	13,033	22,325	28,000	29,000	29,000
CSO	0	0	12,020	11,055	11,200	11,200	11,200
Animal control	0	0	0	778	1,100	1,100	1,100
Office supplies	2,025	4,141	5,250	3,243	3,000	3,000	3,000
Cell phones and pagers	1,717	3,387	3,374	4,070	3,400	3,500	3,500
Vehicle supplies	3,721	1,864	5,876	3,040	6,000	6,000	6,000
Tools and equipment	433	820	807	941	1,000	1,000	1,000
Fuel (8000 gal. per year)	27,219	26,738	26,818	26,155	28,000	28,000	28,000
Uniforms	6,111	6,060	7,501	6,156	8,500	9,000	9,000
Travel	0	30	0	264	0	-	-
Departmental services	8,351	258	7,257	7,348	7,500	7,500	7,500
Memberships & conferences	242	445	207	275	400	400	400
Education	3,916	2,621	5,203	5,811	5,000	5,000	5,000
Vehicle repair and maintenance	470	2,142	5,080	2,976	4,000	4,000	4,000
Dispatch	19,811	38,720	32,042	32,640	34,000	34,000	34,000
MDC lease – Wash. Co.	9,085	3,375	5,625	6,000	6,000	6,000	6,000
Radios 800 MHz - 15 radios @	0	0	0	7,501	6,200	6,300	6,300
Capital outlay	7,892	0	0	7,598	7,500	7,500	7,500
Total Police Department	774,591	796,184	798,606	859,977	856,400	866,935	891,936

GENERAL FUND BUDGET  
2016 DRAFT BUDGET

EXPENDITURES: PUBLIC SAF	2011 ACTUAL BUDGET	2012 ACTUAL BUDGET	2013 ACTUAL BUDGET	2014 ACTUAL BUDGET	2015 DRAFT BUDGET	2016 DRAFT BUDGET	2017 DRAFT BUDGET
Fire Protection							
Personnel services (28)	27,059	36,393	30,461	28,597	37,000	58,275	61,200
Fica/Medicare			2,260	2,101	2,903	4,460	4,685
Workers' comp. insurance	4,421	3,693	8,309	8,068	7,000	7,000	7,000
Office supplies	7,210	1,739	826	173	2,500	2,000	2,000
Vehicle supplies	6,728	8,499	1,375	771	4,000	2,000	2,000
Tools and equipment	172	4,055	1,588	3,258	4,200	4,200	4,200
Fuel	3,130	1,722	5,656	3,236	3,000	3,000	3,000
Uniforms	54,351	1,026	0	195	1,200	2,000	2,100
Computers & phones (1-cell)	1,449	1,524	1,507	1,596	1,650	1,250	1,250
Radios - 800 MHz (27) * \$400	0	0	12,383	9,302	12,200	12,600	12,600
Travel and conferences	1,093	758	587	389	800	800	800
Memberships & subscriptions	3,318	753	809	534	800	800	800
Education	9,278	5,262	6,691	2,280	8,000	8,900	8,900
Repairs & maintenance	759	265	315	25	850	850	850
Contractual	8,904	11,425	2,869	8,060	7,000	7,000	7,000
Fire Relief	71,816	65,438	69,213	63,897	56,833	55,969	56,000
State Fire Relief Aid	13,091	12,577	19,687	20,656	13,000	13,000	13,000
Fire Marshall	23	0	0	0	3,000		
Civil Defence	678	4,622	0	0	300	300	300
Capital outlay	6,200	10,000	21,172	14,808	15,000	15,000	15,000
Total Fire Protection	219,680	169,751	185,708	167,946	181,236	199,404	202,685
Fire Station No. 1							
Operating supplies		0	0	0	500	500	500
Repairs and maintenance	444	187	1,251	971	1,000	1,000	1,000
Utilities	6,602	6,359	8,167	8,391	7,500	7,500	7,500
Capital outlay	817	0	6,539	0	1,200	1,200	1,200
Total Fire Station No. 1	7,863	6,546	15,957	9,362	10,200	10,200	10,200
Fire Station No. 2							
Operating supplies	0	0	63	0	100	500	500
Repairs and maintenance	0	0	0	0	400	0	0
Utilities	2,142	1,946	2,489	2,542	2,500	2500	2500
Capital outlay	0	0	0	185	0	0	0
Total Fire Station No. 2	2,142	1,946	2,552	2,727	3,000	3,000	3,000
Total Public Safety	1,004,276	974,427	1,002,823	1,040,012	1,050,836	1,079,539	1,107,821

GENERAL FUND BUDGET  
2016 DRAFT BUDGET

EXPENDITURES: OPERATION	2011 ACTUAL BUDGET	2012 ACTUAL BUDGET	2013 ACTUAL BUDGET	2014 ACTUAL BUDGET	2015 DRAFT BUDGET	2016 DRAFT BUDGET	2017 DRAFT BUDGET
<b>Streets</b>							
Personnel services (1.94)	197,906	245,250	113,612	113,405	107,325	112,140	114,650
PERA	0	17,933	8,585	8,371	8,400	9,200	9,400
FICA/Medicare	0	18,841	9,296	9,145	9,000	9,250	9,600
Workers' compensation	0	18,880	18,192	23,933	19,000	19,000	19,000
Health insurance	37,338	31,962	26,757 *	32,067	29,370	32,100	34,925
Full-time overtime	0	0	3,205	9,035	4,400	4,500	4,600
Part-time personnel	0	0	4,394	4,330	6,000	6,000	6,000
Education			1,074	836	500	500	500
Operations and supplies	68,063	26,980	52,545	46,904	50,000	50,000	50,000
Vehicle supplies	17,779	14,094	10,805	13,450	15,000	15,500	15,500
Small tools and equipment	280	459	1,114	2,752	2,000	2,000	2,000
Fuel	16,909	14,547	17,745	14,010	16,000	17,000	17,000
Uniforms	3,817	2,414	1,496	1,014	4,000	4,000	4,000
Computer (2) & phone (5) ser	5,966	4,861	1,385	1,551	6,000	6,000	6,000
Travel and milage			0	0	500	500	500
Street maintenance	61,056	80,818	96,731	79,379	80,000	82,000	82,000
Repairs & maint.-vehicles	3,956	3,734	231	3,942	5,000	5,200	5,200
Rentals			51	0	3,000	3,000	3,000
Dues & Subscriptions			297	0	400	400	400
Contracted services			6,213	9,233	10,000	10,000	10,000
Capital Outlay		202	11,060	0	2,000	2,000	2,000
Miscellaneous	19,321	9,399	1,672	19	3,000	3,500	3,500
Total Streets	<u>432,391</u>	<u>490,374</u>	<u>386,460</u>	<u>373,376</u>	<u>380,895</u>	<u>393,790</u>	<u>399,775</u>
<b>Composting</b>							
Personnel services	0	4,528	4,364	3,900	4,290	4,290	4,290
FICA				383	280	280	280
Medicare				90	75	75	75
PERA					325	325	325
Operating supplies	210	685	30	80	50	50	50
Contracted Services	0	0	0	0	600	600	600
Miscellaneous contractual	500	513	4,483	473	0	-	-
Total Composting	<u>710</u>	<u>5,726</u>	<u>8,877</u>	<u>4,926</u>	<u>5,620</u>	<u>5,620</u>	<u>5,620</u>
<b>Public Works Garage</b>							
Operating supplies	125	374	4,046	2,076	1,000	1,200	1,200
Repairs and maintenance	5,595	1,930	1,702	1,399	1,500	1,500	1,500
Utilities	11,422	10,578	19,140	18,475	12,700	12,800	12,800
Capital outlay	0	636	0	10,776	2,000	2,000	2,000
Total Public Works Garage	<u>17,142</u>	<u>13,518</u>	<u>24,888</u>	<u>32,726</u>	<u>17,200</u>	<u>17,500</u>	<u>17,500</u>
Total Public Works	450,243	509,618	420,225	411,028	403,715	416,910	422,895

**GENERAL FUND BUDGET  
2016 DRAFT BUDGET**

<u>EXPENDITURES: OPERATION</u>	<u>2011 ACTUAL BUDGET</u>	<u>2012 ACTUAL BUDGET</u>	<u>2013 ACTUAL BUDGET</u>	<u>2014 ACTUAL BUDGET</u>	<u>2015 DRAFT BUDGET</u>	<u>2016 DRAFT BUDGET</u>	<u>2017 DRAFT BUDGET</u>
<b>Parks</b>							
Personnel services (2.6)	256,856	144,470	226,392	179,060	187,370	181,900	187,205
Overtime			1,242	4,929	2,200	2,300	2,400
PERA	0	10,247	15,764	13,339	14,220	14,000	14,500
FICA/Medicare	0	12,114	30,814	15,094	16,000	15,600	16,000
Health insurance	46,157	33,357	31,104 *	30,203	33,510	30,580	33,160
Workers' compensation	0	11,027	13,474	12,208	11,000	11,000	11,000
Part-time personnel services	0	10,695	23,349 *	18,029	19,000	19,000	19,000
Education				1,253			
Operating supplies	10,555	7,968	4,415	5,454	10,000	10,000	10,000
Vehicle supplies	2,733	2,925	4,731	4,088	5,000	5,200	5,200
Tools and minor equipment	138	1,880	0	1,636	3,000	3,000	3,000
Fuels	71	8,601	5,586	7,906	8,000	8,500	8,500
Uniforms	1,397	1,231	2,690	1,205	1,500	1,500	1,500
Rental	554	34	0	0	1,500	1,500	1,500
Phones (2) - warming houses	1,258	1,370	743	572	1,500	1,500	1,500
Miscellaneous contractual	10,853	8,199	8,790	9,681	10,000	10,000	10,000
Capital outlay	3,783	15,167	8,018	3,609	10,000	17,000	17,000
Miscellaneous	388	0	1,525	464	500	500	500
<b>Total Parks</b>	<b>334,743</b>	<b>269,285</b>	<b>378,637</b>	<b>308,730</b>	<b>334,300</b>	<b>333,080</b>	<b>341,965</b>
<b>Recreation</b>							
Personnel services	2,241	2,062	2,733	2,486	2,700	2,700	2,700
Supplies	256	392	342	311	500	500	500
Capital outlay	0	0	0	0	0	0	0
<b>Total Recreation</b>	<b>2,497</b>	<b>2,454</b>	<b>3,075</b>	<b>2,797</b>	<b>3,200</b>	<b>3,200</b>	<b>3,200</b>
<b>Parks Buildings - Warming Houses</b>							
Part time employees			1,220	6,755	7,500	7,500	7,500
Fica			76	419	465	465	465
Medicare			18	98	110	110	110
PERA				0	205	205	205
Operating supplies	0	0	0	0	500	500	500
Repairs and maintenance	432	0	1,871	467	500	500	500
Utilities	2,684	3,542	4,963	5,636	5,000	5,000	5,000
Capital outlay	1,815	0	0	0	0	0	0
<b>Total Parks Buildings</b>	<b>4,931</b>	<b>3,542</b>	<b>8,147</b>	<b>13,375</b>	<b>14,280</b>	<b>14,280</b>	<b>14,280</b>
<b>Special Contributions</b>							
Athletic Association	7,237	2,913	1,621	309	750	750	750
<b>Total Special Projects</b>	<b>7,237</b>	<b>2,913</b>	<b>1,621</b>	<b>309</b>	<b>750</b>	<b>750</b>	<b>750</b>
<b>Total Parks and Recreation</b>	<b>349,408</b>	<b>278,194</b>	<b>391,480</b>	<b>325,211</b>	<b>352,530</b>	<b>351,310</b>	<b>360,195</b>
<b>Miscellaneous</b>							
Contingency	1,000	0	4,200	9,150	10,000	22,500	10,000
<b>TOTAL EXPENDITURES</b>	<b>2,611,503</b>	<b>2,479,017</b>	<b>2,480,163</b>	<b>2,389,539</b>	<b>2,518,671</b>	<b>2,581,168</b>	<b>2,608,955</b>

GENERAL FUND BUDGET  
2016 DRAFT BUDGET

EXPENDITURES: OPERATIO	2011 ACTUAL BUDGET	2012 ACTUAL BUDGET	2,013 ACTUAL BUDGET	2014 ACTUAL BUDGET	2015 DRAFT BUDGET	2016 DRAFT BUDGET	2017 DRAFT BUDGET
Excess (Deficiency) of Revenue over Expenditures	477,396	747,673	655,760	779,495	560,000	246,440	345,841
<b>Other Financing Sources (us</b>							
Economic Dev. Authority	(70,000)	(150,000)	(246,250)	(218,500)	(361,000)	(25,000)	(75,000)
Heritage Preservation Fund	(7,200)	(7,200)	(7,200)	(7,200)	(9,000)	(9,000)	(9,000)
Parks Fund	(11,800)	(11,800)	(57,000)	(32,000)	(40,000)	(50,000)	(50,000)
Public Works Building Fund	0			0			
Buy Forfeiture Fund	(288)			0			
Fire Engine Fund	(64,032)			0			
Equipment Fund	0	(50,000)	(75,000)	(278,000)	(65,000)	(74,000)	(24,000)
Buildings Fund	0		(40,000)	(70,000)	(85,000)	(85,000)	(102,000)
Streetlight Enterprise Fund	(12,000)			0			
Total Other Financing Sou	<u>(165,320)</u>	<u>(219,000)</u>	<u>(425,450)</u>	<u>(605,700)</u>	<u>(560,000)</u>	<u>(243,000)</u>	<u>(260,000)</u>
Other Financing Sources (uses)	(165,320)	(219,000)	(425,450)	(605,700)	(560,000)	(243,000)	(260,000)
Net change in fund balance	312,076	528,673	230,310	173,795	0	3,440	85,841
Fund Balance: Beginning of Yea	848,026	1,160,102	1,688,775	1,919,091	2,092,886	2,092,886	2,096,326
Fund Balance: End of Year	<u>\$ 1,160,102</u>	<u>\$ 1,688,775</u>	<u>\$ 1,919,085</u>	<u>\$ 2,092,886</u>	<u>2,092,886</u>	<u>2,096,326</u>	<u>2,182,167</u>
Ratio: Fund balance to expendit	41.8%	62.6%	66.0%	69.9%	68.0%	74.2%	76.1%

**CITY OF NEWPORT, MINNESOTA**

**WATER ENTERPRISE FUND  
2016 DRAFT BUDGET**

	2011	2012	2013	2014	2015	2016	2017
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	DRAFT BUDGET	DRAFT BUDGET
Operating revenue	15%	15%					
Water sales	\$ 183,372	\$ 228,980	240,952	266,575	\$ 247,265	\$ 263,956	\$ 281,773
Trunk connection fees	0	0	4,500	0	120	120	120
Permits and licenses	3,420	0	1,620	315	3,000	3,000	3,000
Total operating revenue	186,792	228,980	247,072	266,890	250,385	267,076	284,893
Operating expenses							
Personnel	50,167	20,806	75,888	85,675	85,150	86,100	88,150
Overtime			1,271	5,904	2,266	2,300	2,350
PERA			4,916	6,513	6,560	6,460	6,615
FICA/Medicare			5,185	6,844	6,690	6,585	6,745
Employee benefits	8,551	5,651	9,663	11,970	11,565	12,125	13,100
Workers Comp			5,867	5,300	5,300	5,300	5,300
Education			706	861	1,500	1,500	1,500
Fuel			2,000	1,604	1,500	2,000	2,500
Insurance	6,373	7,032	2,933	2,570	2,570	2,647	2,727
Supplies	22,462	10,235	11,400	15,955	15,955	16,434	16,927
Vehicle supplies			386	3,352	3,000	3,000	3,000
Tools & minor equip.			1,641	4,711	2,000	2,000	2,000
Repair & maint. supply			2,402	3,491	3,000	3,000	3,000
Professional services			2,275	19,074	7,500	7,500	7,500
Engineering fees				337	2,500	2,500	2,500
Connection fee			6,107	6,032	6,000	6,000	6,000
Telephone			583	586	700	700	700
Postage			750	788	750	750	750
Utilities (Xcel)	25,985	27,967	32,684	29,032	29,032	29,903	30,800
Gopher State			627	680	1,000	1,000	1,000
Contracted services			22,643	14,759	25,000	25,000	25,000
Vehicle repair & maint.			3,485	15,870	5,000	5,000	5,000
Depreciation	74,699	74,999	74,999	65,851	70,001	70,002	70,003
Uniforms			695	777	1,000	1,000	1,000
Capital Expenses			8,821	7,987	10,000	10,000	10,000
Refunds & Reimbursements							
Other	28,821	26,051	1,474	11,868	11,868	12,224	12,591
Total operating expenses	217,058	172,741	279,401	328,391	317,407	321,030	326,757
Operating income (loss)	(30,266)	56,239	(32,329)	(61,501)	(67,022)	(53,954)	(41,864)
Cash flows							
Operating income (loss)	(30,266)	56,239	(32,329)	(61,501)	(67,022)	(53,954)	(41,864)
Depreciation	74,699	74,999	74,999	65,851	70,001	70,002	70,003
Change in assets and liabilities	(12,465)	(6,673)	727	(3,569)	(6,671)	(6,671)	(6,671)
Acquisition of capital assets	116,610	0	0	0	0	0	0
Net cash provided (used) by noncapital financing activities			0	0			
Water meter changout	0	(12,655)	(14,832)	(16,673)	(16,673)	(16,673)	(16,673)
Telemetry controls	0	0	0		(99,000)		
2013 Street			0	(2,748)	(2,748)	(2,748)	(2,748)
2014 Street Bond					(4,918)	(21,001)	(20,636)
Interest received	2,921	1,831	416	591	300	300	300

Well #1 rehab	0		0		0	0	0
250,000 Tower Inspection/M	0	0			0	0	0
500,000 Tower Inspecton/Maint							
Capital Equipment Replacer	0	0			0	0	0
Net change in net position	151,499	113,741	28,981	(25,177)	(126,731)	(30,745)	(18,289)
Cash and cash equivalents							
Beginning of year	204,421	355,920	469,661	498,642	473,465	346,734	315,989
End of year	<u>\$ 355,920</u>	<u>\$ 469,661</u>	<u>\$ 498,642</u>	<u>\$ 473,465</u>	<u>\$ 346,734</u>	<u>\$ 315,989</u>	<u>\$ 297,700</u>

**CITY OF NEWPORT, MINNESOTA**

**SEWER ENTERPRISE FUND  
2016 DRAFT BUDGET**

	2011	2012	2013	2014	2015	2016 DRAFT BUDGET	2017 DRAFT BUDGET
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET	BUDGET
Operating revenue	3%	3%					
Sewer charges	\$ 330,254	\$ 367,409	376,223	\$ 375,115	\$ 401,478	\$ 413,522	\$ 425,928
Trunk connection fees	0	0	3,000		0	0	0
Permits and licenses	21,965	210	315	315	3,000	3,000	3,000
Total operating revenue	352,219	367,619	379,538	375,430	404,478	416,522	428,928
Operating expenses							
Salaries	47,382	24,667	75,694	85,508	85,150	86,100	88,150
Overtime			2,530	6,032	2,266	2,300	2,350
PERA			4,993	6,510	6,560	6,460	6,615
FICA/Medicare			5,267	6,807	6,690	6,585	6,745
Employee benefits	8,161	5,655	10,485	12,965	12,625	13,235	14,265
Work Comp			6,079	5,368	5,450	5,450	5,500
Education			621	418	1,500	1,500	1,500
Supplies	9,562	8,464	727	1,168	10,000	10,300	10,609
Fuel			2,000	1,604	1,500	2,000	2,500
Vehicle supplies			0	0	3,000	3,000	3,000
Repair & maint. supplies			120	3,178	5,000	5,000	5,000
Tools & minor equipment			0	655	1,500	1,500	1,500
Professional services			2,275	12,487	2,500	2,500	2,500
Engineering fee				670	2,500		
Telephone			1,208	1,250	1,500	1,500	1,500
Postage			724	775	750	750	750
Insurance	6,313	9,035	5,011	5,760	5,800	5,974	6,153
Utilities	5,749	8,248	9,017	11,004	11,004	11,334	11,674
Gopher State			627	680	750	750	750
MCES sewer charges/contract	171,392	221,122	155,795	247,014	206,103	207,845	209,000
Contractual services (jetting, lift repairs)			543	2,550	30,000	30,000	30,000
Uniforms			545	707	1,500	1,500	1,500
Dues and subscriptions			0		500	500	500
Depreciation	31,134	33,011	33,014	95,525	40,000	40,000	40,000
Capital Outlay			1,184				
Refunds & Reimbursements							
Other	9,228	4,737	0	90	90	93	95
Total operating expenses	288,921	314,939	318,459	508,725	444,238	446,176	452,157
Operating income (loss)	63,298	52,680	61,079	(133,295)	(39,760)	(29,654)	(23,229)
Cash flows							
Operating income (loss)	63,298	52,680	61,079	(133,295)	(39,760)	(29,654)	(23,229)
Depreciation	31,134	33,011	33,014	95,525	40,000	40,000	40,000
Change in assets and liabilities	(19,287)	2,000	(6,455)	53,949	2,001	2,002	2,003
Cash flows from noncapital financing activities							
I/I project financing	9,573	(24,064)	(18,878)	(24,064)	(24,064)	(24,064)	(24,064)
I/I project	276,903	(355,152)			0	0	0
2013 Street				(16,731)	(16,731)	(16,731)	(16,731)
2014 Street Bond				(8,169)	(8,169)	(35,002)	(34,393)
Interest received	4,643	(8,967)	598	911	3,210	2,377	2,084
State grant and aid			1,500	7,450			
Telemetry System financing	0	0			(99,000)		

Lift station rehab		(54,000)			(75,000)		
Capital Equipment Replace	0					0	0
Change in net position	366,264	(354,492)	70,858	(24,424)	(217,513)	(61,072)	(54,330)
Cash and cash equivalents							
Beginning of year	654,534	1,020,798	666,306	737,164	712,740	495,227	434,156
End of year/Cash	<u>\$ 1,020,798</u>	<u>\$ 666,306</u>	<u>\$ 737,164</u>	<u>\$ 712,740</u>	<u>\$ 495,227</u>	<u>\$ 434,156</u>	<u>\$ 379,826</u>

**CITY OF NEWPORT, MINNESOTA**

**STORM SEWER ENTERPRISE FUND  
2016 DRAFT BUDGET**

	2011	2012	2013	2014	2015	2016	2017
	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>DRAFT BUDGET</u>	<u>DRAFT BUDGET</u>
Operating revenue							
Storm sewer charges	<u>\$ 12,123</u>	<u>\$ 26,949</u>	<u>\$ 22,547</u>	<u>\$ 41,739</u>	<u>\$ 62,175</u>	<u>\$ 82,000</u>	<u>\$ 101,900</u>
Total operating revenue	<u>12,123</u>	<u>26,949</u>	<u>22,547</u>	<u>41,739</u>	<u>62,175</u>	<u>82,000</u>	<u>101,900</u>
Operating expenses							
Salaries	0	0		6,349	10,105	10,550	10,787
PERA				460	760	790	808
FICA/Medicar	0	0		484	775	805	823
Insurance	0	0		1,083	2,055	2,270	2,465
Vehicle Supplies	0	0			3,000	3,000	3,000
Utilities	0	0			0	0	0
Depreciation	0	0			0	1	2
Engineering fees				2,457			
Contracted Services					2,000		
Other/Street Sweeping	2,111	740	6,933	4,524	2,000	2,060	2,122
Total operating expenses	<u>2,111</u>	<u>740</u>	<u>6,933</u>	<u>15,357</u>	<u>20,695</u>	<u>19,476</u>	<u>20,007</u>
Operating income (loss)	10,012	26,209	15,614	26,382	41,480	62,524	81,893
Cash flows							
Operating income (loss)	10,012	26,209	15,614	26,382	41,480	62,524	81,893
Depreciation	0	0	0	0	0	0	0
Change in assets and liabilities	(337)	(6,123)	21,172	(20,325)	0	0	0
Interest received	41	177	18	32	20	22	24
2013 Street				(2,903)	(2,903)	(2,903)	(2,903)
2014 Street Bond					(3,279)	(14,001)	(13,757)
North Ravine Debt Service 20	0	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
Change in net position	9,716	263	16,804	(16,814)	15,318	25,642	45,257
Cash and cash equivalents							
Beginning of year	<u>4,736</u>	<u>14,789</u>	<u>15,052</u>	<u>31,856</u>	<u>15,042</u>	<u>30,360</u>	<u>56,002</u>
End of year	<u>\$ 14,452</u>	<u>\$ 15,052</u>	<u>\$ 31,856</u>	<u>\$ 15,042</u>	<u>\$ 30,360</u>	<u>\$ 56,002</u>	<u>\$ 101,259</u>

**CITY OF NEWPORT, MINNESOTA**

**STREET LIGHT ENTERPRISE FUND  
2016 DRAFT BUDGET**

	2011	2012	2013	2014	2015	2016	2017
	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>DRAFT BUDGET</u>	<u>DRAFT BUDGET</u>
Operating revenue							
Street light charges	46,267	50,655	57,468	65,440	72,765	76,402	80,224
Total operating revenue	<u>46,267</u>	<u>50,655</u>	<u>57,468</u>	<u>65,440</u>	<u>72,765</u>	<u>76,402</u>	<u>80,224</u>
Operating expenses							
Salaries	0	0	0	6,349	6,720	7,085	7,244
PERA	0	0	0	460	505	535	545
FICA/Medicare				484	515	545	555
Insurance	0	0	5	1,083	1,155	1,285	1,390
Supplies	0	0	0		0	0	0
Utilities	49,115	43,544	48,400	43,458	47,582	49,009	50,480
Depreciation	0	0	0		0	0	0
Other	0	0	0	16	0	0	0
Total operating expenses	<u>49,115</u>	<u>43,544</u>	<u>48,405</u>	<u>51,850</u>	<u>56,477</u>	<u>58,459</u>	<u>60,214</u>
Operating income (loss)	(2,848)	7,111	9,063	13,590	16,288	17,943	20,010
Cash flows							
Operating income (loss)	(2,848)	7,111	9,063	13,590	16,288	17,943	20,010
Depreciation	0	0	0		0	0	0
Change in assets & liabilities	12,000	(735)	(13,521)	2,570	0	0	0
Interest received	65	49	12	39	51	52	53
Net change in cash and cas	<u>9,217</u>	<u>6,425</u>	<u>(4,446)</u>	<u>16,199</u>	<u>16,339</u>	<u>17,995</u>	<u>20,062</u>
Cash and cash equivalents							
Beginning of year	<u>168</u>	<u>9,385</u>	<u>15,810</u>	<u>11,364</u>	<u>27,563</u>	<u>43,902</u>	<u>61,897</u>
End of year	<u>\$ 9,385</u>	<u>\$ 15,810</u>	<u>\$ 11,364</u>	<u>\$ 27,563</u>	<u>\$ 43,902</u>	<u>\$ 61,897</u>	<u>\$ 81,959</u>

**CITY OF NEWPORT, MINNESOTA**

**NEWPORT ECONOMIC DEVELOPMENT AUTHORITY  
2016 DRAFT BUDGET**

	2009	2010	2011	2012	2013	2014	2015	2016
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	DRAFT BUDGET
<b>Revenue</b>								
Intergovernmental	\$ -	\$ -	\$ 305,806	\$ 24,405	\$ 109,590	\$ 23,858	\$ -	
Investment earnings	79	1,000	1,119	2,226	472	561	1,500	750
Land Sales								75,000
Lodging Tax	0	0	0	5,320	5,199	6,681	5,200	-
Miscellaneous	0	0	0	14,051	13,412	5,663	0	-
<b>Total Revenue</b>	<b>79</b>	<b>1,000</b>	<b>306,925</b>	<b>46,002</b>	<b>128,673</b>	<b>36,763</b>	<b>6,700</b>	<b>75,750</b>
<b>Expenditures</b>								
General Government	0	17,642	750	151,698	0		0	-
Professional consulting services	0	0	0	0	129,572	39,511		40,000
<b>Special projects</b>								
Red Rock Gateway properties	0	0	0	0	0		100,000	150,000
Business Incentive Program	0	0	0	0				
Façade Improvement Program	0	0	0	0			20,000	10,000
Lions Park extension								11,000
Matching Grant for Cleanup	0	0	0	0				
Property purchase behind City Hall	0	0	0	0			36,000	35,000
Property purchases on the Levee	0	0	0	0	211,964		100,000	100,000
Property purchases by Mill Pond	0	0	0	0		139,201		
Knauff clean-up						216,659	50,000	
Miscellaneous costs	0	0	0	0			15,000	15,000
<b>Total Expenditures</b>	<b>0</b>	<b>17,642</b>	<b>750</b>	<b>151,698</b>	<b>341,536</b>	<b>395,371</b>	<b>321,000</b>	<b>361,000</b>
<b>Excess (deficiency) of revenue over expenditures</b>	<b>79</b>	<b>(16,642)</b>	<b>306,175</b>	<b>(105,696)</b>	<b>(212,863)</b>	<b>(358,608)</b>	<b>(314,300)</b>	<b>(285,250)</b>
<b>Other financing sources</b>								
Transfers in	19,937	108,393	70,000	150,000	246,250	218,500	361,000	25,000
Transfers out	0	0	0	18,750	0		0	
<b>Net change in fund balances</b>	<b>20,016</b>	<b>91,751</b>	<b>376,175</b>	<b>25,554</b>	<b>33,387</b>	<b>(140,108)</b>	<b>46,700</b>	<b>(260,250)</b>
<b>Fund balances (deficit)</b>								
Beginning of year	49,207	69,223	160,974	537,149	562,703	596,090	455,982	455,982
<b>End of year</b>	<b>\$ 69,223</b>	<b>\$ 160,974</b>	<b>\$ 537,149</b>	<b>\$ 562,703</b>	<b>\$ 596,090</b>	<b>\$ 455,982</b>	<b>\$ 502,682</b>	<b>195,732</b>

**2014-2023 EQUIPMENT CIP  
2016 DRAFT BUDGET**

**Fund 401**

REVENUE	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Transfer from General Fund	\$ 278,000	\$ 65,000	\$ 74,000	\$ 24,000	\$ 23,000	\$ 32,000	\$ -	\$ 40,000	\$ 40,000	\$ 40,000
Investment Earnings	\$ 197									
<b>TOTAL REVENUE</b>	<b>\$ 278,197</b>	<b>\$ 65,000</b>	<b>\$ 74,000</b>	<b>\$ 24,000</b>	<b>\$ 23,000</b>	<b>\$ 32,000</b>	<b>\$ -</b>	<b>\$ 40,000</b>	<b>\$ 40,000</b>	<b>\$ 40,000</b>

**EXPENDITURES**

General											
11	I-Pad replacement				5,500						
	Administration computers	Life span			1,000		1500	750			

Public Works											
12	GMC Canyon - Bruce	10									30,000
00	Wacker asphalt roller one-ton	20									25,000
03	Ford 550 Utility Truck w&s	15									
99	S-10 Chev Pickup (parks)	15				35,000					
99	Chev 2500 3/4 ton (parks)	15			35,000						
05	Chev 2500 3/4 ton	15					35,000				
09	Chev 2500 Pickup	15									
82	Ford 555 Backhoe	40									
68	Cat 12 Motor Grader	50									
98	John Deere Front End Loader	20									200,000
81	Elgin Pelican Sweeper	20	65,000								
66	Layton Pull Type Paver	30					26,000				
91	Vermeer Chipper	30						25,000			
13	Bob Cat Skid Steer	15									
13	Tool Cat 5600 Bobcat	15									
12	Mower - Farris	10									
04	Mower - Farris Mower	10		15,000							
07	Mower - John Deere	10				35,000					
08	JD 1565 Front Mount Mower	15					23,000				
80	Allis Chalmers Tractor	40									
71	Ford 2000 Tractor	50									
14	International Dump Truck	20									
11	International Dump Truck	20									
01	Dump Truck - Sterling	20									
00	Chev HD Dump Truck	15				45,000					
87	Sreco Sewer Rodder	40									
09	Towmaster tandem trailer	20									
95	24' Tandem Trailer	25									
90	Stepp asphalt trailer	30									
93	Leroi Diesel air compressor	30									

Police Department											
13	Ford Explorer squad	5				44,500				44,500	
09	Ford CV squad	5			43,500						44,500
14	Ford Explorer squad	5	42,629				44,500				
09	Ford Explorer Investigator	5						44,500			
03	Chevey Tahoe					44,500					
15	Ford Explorer squad	5		43,000				44,500			
	Squad computers				8,000						
	Portable Radios								60,000		

Fire Department											
70	F-1 GMC 4x4 Grass Rig										
82	F-2 Ford 8000 Tanker/Tender						150,000				
13	F- , Emax Typhoon Pumper										
88	F-2 Ford L9000 Pumper										
88	F-1 Ford Crew Grass Rig					40,000					
04	F-1 Sterling Pumper										
05	F-1 Crown VicChief's Vehicle										
67	F-1 10Kw Generator						30,000				
	Portable Radios	10							75,000		
	Structural Firefighting Gear	10			17,300	23000		4,000	10,000	22,000	

**TOTAL EXPENDITURES**      **\$ 107,629**    **\$ 58,000**    **\$ 110,300**    **\$ 147,500**    **\$ 121,000**    **\$ 255,250**    **\$ 112,500**    **\$ 226,500**    **\$ 44,500**    **\$ 299,500**

Excess (Deficiency) of Revenue over Expenditures      \$ 170,568    \$ 7,000    \$ (36,300)    \$ (123,500)    \$ (98,000)    \$ (223,250)    \$ (112,500)    \$ (186,500)    \$ (4,500)    \$ (259,500)

Fund Balance: Beginning of Year      87,794    258,362    265,362    229,062    105,562    7,562    (215,688)    (328,188)    (514,688)    (519,188)  
Fund Balance: End of Year      \$ 258,362    \$ 265,362    \$ 229,062    \$ 105,562    \$ 7,562    \$ (215,688)    \$ (328,188)    \$ (514,688)    \$ (519,188)    \$ (778,688)

**2014-2023 PARKS CIP  
2016 DRAFT BUDGET**

REVENUE	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Transfer from General Fund	\$ 32,000	\$ 40,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000		\$ 23,300	\$ 21,300	\$ 24,000
Investments	\$ 41									
Donations	\$ 4,528									
<b>TOTAL REVENUE</b>	<b>\$ 36,568</b>	<b>\$ 40,000</b>	<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ 23,300</b>	<b>\$ 21,300</b>	<b>\$ 24,000</b>
<b>EXPENDITURES</b>										
Bailey School Forest										
Install 45' gazebo										
Parkinglot and trail maintenance							5,000			
Busy Beaver Park										
Build shelter with table				15,000						
Fencing										
6,000			6,000							
Lions Park										
New lighting for skating						30,000				
Asphalt hockey rink							30,000			
Parkinglot overlay							10,000			
Rink Repair					20,000					
Install new play structure							50,000			
Loveland Park										
Repair warming house	2,817									
Lighting of the skating rink			30,000							
Finish tennis courts										
Parkinglot overlay										
Replace 2 ADA drinking fountains					7,500					
New fencing for backstops		16,000								
Springler system on ball fields								15,000		
Pioneer Park										
Veteran's Memorial	2,702									
Install class 5 parking with bituminous				8,500						
Install ADA swing & hard surface					5,000					
Upgrade park lighting										
Run water to large pavilion				5,000						
<b>TOTAL EXPENDITURES</b>	<b>\$ 5,519</b>	<b>\$ 16,000</b>	<b>\$ 36,000</b>	<b>\$ 28,500</b>	<b>\$ 32,500</b>	<b>\$ 30,000</b>	<b>\$ 95,000</b>	<b>\$ 15,000</b>	<b>\$ -</b>	<b>\$ -</b>
Excess (Deficiency) of Revenue over Expenditures	\$ 31,049	\$ 24,000	\$ 14,000	\$ 21,500	\$ 17,500	\$ 20,000	\$ (95,000)	\$ 8,300	\$ 21,300	\$ 24,000
Fund Balance: Beginning of Year	11,408	42,457	66,457	80,457	101,957	119,457	139,457	44,457	52,757	74,057
Fund Balance: End of Year	<u>\$ 42,457</u>	<u>\$ 66,457</u>	<u>\$ 80,457</u>	<u>\$ 101,957</u>	<u>\$ 119,457</u>	<u>\$ 139,457</u>	<u>\$ 44,457</u>	<u>\$ 52,757</u>	<u>\$ 74,057</u>	<u>\$ 98,057</u>

**2014-2023 BUILDINGS CIP  
2016 DRAFT BUDGET**

REVENUE	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Transfer from General Fund	\$ 70,000	\$ 85,000	\$ 85,000	\$ 102,000	\$ 100,000	\$ 50,000	\$ 35,000	\$ 75,000	\$ 28,000	\$ -
Investment earnings										
<b>TOTAL REVENUE</b>	<b>\$ 70,000</b>	<b>\$ 85,000</b>	<b>\$ 85,000</b>	<b>\$ 102,000</b>	<b>\$ 100,000</b>	<b>\$ 50,000</b>	<b>\$ 35,000</b>	<b>\$ 75,000</b>	<b>\$ 28,000</b>	<b>\$ -</b>
<b>EXPENDITURES</b>										
City Hall										
Upgrade HVAC in Police Department										
Carpet Council Chambers/Offices		17,000								
Paint interior and exterior			5,000							
Replace roof									100,000	
Reconstruct parking lot										23,000
Fire Hall No.1										
Replace HVAC throughout building										
Tuck point all brink on building			20,000							
Paint exterior of building		7,500								
Paint interior of building		4,000								
Upgrade lighting throughout building		5,500								
Carpet upstairs level										
Reconstruct all driving surfaces						30,000				
Upgrade garage doors & openers							10,000			
Concrete work for aprons & sidewalk							15,000			
Replace roof on east site								50,000		
Replace roof on west side										
Fire Hall No.2										
Renovate exterior of building					12,000					
Replace HVAC throughout building (2013)										
Upgrade lighting & garage doors					6,000					
Upgrade insulation, interior, and roof					11,000					
Reconstruct all driving surfaces						16,000				
Library & Community Center										
Upgrade entry doors										
Foundation repair		8,000								
Install new roof		7,000								
Paint exterior		5,000								
Upgrade lighting					5,000					
Carpeting					5,000					
Public Works										
Paint interior of maint. Shop & exterior						16,500				
Tiling of floor repair	4,630									
Security system				6,000						
Upgrade garage doors & openers								8,000		
New floor hoists for heavy equipment								55,000		
Reroof building									85,000	
Update HVAC for office area								10,000		
Upgrade garage HVAC to radiant heat								20,000		
Reconstruct all asphalt driving surfaces										
Railroad Club										
Exterior upgrades to siding										
Install new roof		7,000								
Upgrade windows and doors										
Upgrade electrical system & lighting			6,000							
Upgrade HVAC								8,000		
Railroad Tower - roof										
		4,000								
<b>TOTAL EXPENDITURES</b>	<b>\$ 4,630</b>	<b>\$ 65,000</b>	<b>\$ 31,000</b>	<b>\$ 16,000</b>	<b>\$ 29,000</b>	<b>\$ 62,500</b>	<b>\$ 25,000</b>	<b>\$ 151,000</b>	<b>\$ 185,000</b>	<b>\$ 23,000</b>
Excess (Deficiency) of Revenue over Expenditures	\$ 65,370	\$ 20,000	\$ 54,000	\$ 86,000	\$ 71,000	\$ (12,500)	\$ 10,000	\$ (76,000)	\$ (157,000)	\$ (23,000)
Fund Balance: Beginning of Year	40,010	105,380	125,380	179,380	265,380	336,380	323,880	333,880	257,880	100,880
Fund Balance: End of Year	\$ 105,380	\$ 125,380	\$ 179,380	\$ 265,380	\$ 336,380	\$ 323,880	\$ 333,880	\$ 257,880	\$ 100,880	\$ 77,880

## City of Newport



### Proposed 2016 Property Tax Levy & Budget

#### Truth in Taxation Hearing

December 3, 2015

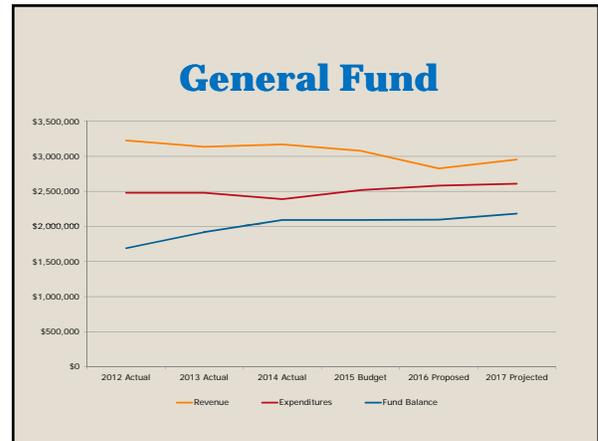
## Local Government Aid

Local aid cuts from the state budget have had an impact on municipal budgets. Newport's history of LGA funding for the past seven years:

• 2009 unallotment	\$ 77,748
• 2010 unallotment	\$ 289,351
• 2011 reduction	\$ 289,351
• 2012 no change	\$ 0
• 2013 no change	\$ 0
• 2014 increase	\$ 38,462
• 2015 increase	\$ 5,636
• 2016 increase	<u>\$ 1,906</u>
<b>TOTAL CHANGE since 2009</b>	<b>-\$610,446</b>

## Budget Issues

- Newport continues to provide for essential services. The current General Fund Budget is:
  - 42%-police and fire
  - 16%-streets
  - 14%-parks and recreation
  - 28%-general government
- Fiscal disparities have decreased \$4,753 from \$358,965 in 2015 to \$354,222 in 2016.
- Newport's Bond Rating from Standard & Poor's is AA Stable.



## 2015 General Fund

	2012	2013	2014	2015	2016	2017
	Actual	Actual	Actual	Budget	Proposed	Projected
Revenue	3,226,900	3,135,923	3,169,034	3,078,671	2,827,608	2,954,796
Expenditures	2,479,017	2,481,164	2,389,539	2,518,671	2,581,168	2,608,955
Transfers	219,000	425,450	605,700	560,000	243,000	260,000
Total Exp.	2,698,017	2,914,883	2,995,239	3,078,671	2,824,168	2,868,955
Fund Balance	1,688,775	1,919,084	2,092,886	2,092,886	2,096,326	2,182,167
FB as % of Exp.	62.6%	66.0%	69.9%	68.0%	74.2%	76.1%

## Other Financing Sources (uses)

	2013	2014	2015	2016	2017
	Budget	Budget	Budget	Proposed	Projected
Economic Development Fund	245,000	218,500	361,000	25,000	75,000
Heritage Preservation Fund	7,200	7,200	9,000	9,000	9,000
Parks Fund	57,000	32,000	40,000	50,000	50,000
Equipment Fund	75,000	278,000	65,000	74,000	24,000
Building Fund	40,000	70,000	85,000	85,000	102,000
<b>Total</b>	<b>424,200</b>	<b>605,700</b>	<b>560,000</b>	<b>243,000</b>	<b>260,200</b>

## Proposed Levy Certification

	2014	2015	2016	2017
General Fund	\$2,128,900	\$2,114,297	\$1,861,328	1,990,422
Equipment Cert. of Ind.	89,723	87,518	85,313	88,358
Bonded Indebtedness	128,361	126,127	128,962	0
2013 General Obligation Bond	68,707	69,151	68,364	72,616
2014 General Obligation Bond		33,323	286,449	148,765
<b>Total Levy Certification</b>	<b>\$2,415,691</b>	<b>\$2,430,416</b>	<b>\$2,430,416</b>	<b>\$2,300,161</b>

## Summary

➤ For 2016, the tax impact on a median value home of \$149,000 in Newport will increase \$21.51.

➤ The change in market value from 2015 to 2016 is 6.1%.

➤ Although not a direct reflection of the tax impact, the local tax rate goes up as market value goes down and vice versa.

## Questions

City Administration Office: 651-459-5677

County Tax Department: 651-430-6175

# RESOLUTION NO. 2015-44

## A RESOLUTION APPROVING LEVY CERTIFICATION FOR LEVY YEAR 2015, PAYABLE 2016, AND ADOPTING THE 2016 GENERAL FUND OPERATING BUDGET, THE 2016 WATER, SEWER, STORM WATER, AND STREETLIGHT ENTERPRISE FUNDS, THE 2016 ECONOMIC DEVELOPMENT AUTHORITY BUDGET, AND THE 2016-2020 CIP.

**WHEREAS**, The City Council of Newport annually establishes and adopts a General Fund Operating Budget; and

**WHEREAS**, The City Council of Newport did certify a proposed Preliminary Tax Levy to Washington County on September 3, 2015 in the amount of \$2,491,176 for levy year 2015; and

**WHEREAS**, The median residential property value increased 6.1% from 2015 to 2016 or from \$149,400 to \$158,500; and

**WHEREAS**, The median residential property is projected to increase \$21.51 in the City portion of their taxes payable 2016 under the Total Proposed Levy Certification Levy amount; and

**WHEREAS**, The City Council of Newport did hold a "Truth In Taxation" Hearing on Thursday, December 3, 2015; and

**WHEREAS**, The City Council of Newport did present the 2016 Proposed Final Levy, 2016 Proposed General Fund Operating Budget, 2016 Water, Sewer, Storm Water, and Streetlight Enterprise Funds, the 2016 Economic Development Authority Budget, and the 2016-2020 CIP at the December 3, 2015 City Council meeting.

**NOW, THEREFORE, BE IT RESOLVED**, That the Newport City Council, County of Washington, Minnesota hereby certifies the following sums of money be levied for Payable 2016 Final Levy Certification upon the taxable property in the City of Newport:

General Fund:	\$1,861,328
Equipment Certificate of Indebtedness:	85,313
Bonded Indebtedness:	128,962
2013 General Obligation Bond	68,364
<u>2014 General Obligation Bond</u>	<u>286,449</u>
<b>Total Levy Certification:</b>	<b>\$2,430,416</b>

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, That the City Clerk/Administrator is hereby instructed to transmit a certified copy of this resolution to the County Auditor, Washington County, Minnesota.

Adopted by this council this XX day of December, 2015 by the Newport City Council.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE: Geraghty \_\_\_\_\_  
Ingemann \_\_\_\_\_  
Sumner \_\_\_\_\_  
Rahm \_\_\_\_\_  
Lund \_\_\_\_\_

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator



# MEMO

TO: Mayor and City Council  
Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Executive Analyst

DATE: November 23, 2015

SUBJECT: 2016 Fee Schedule

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## DISCUSSION

The City Council approves an annual fee schedule each year. Attached for your review is a draft 2016 Fee Schedule. The draft outlines any revisions in red. Below is a summary of the revisions per section.

### Building Permit:

- **Storage Sheds** - In 2015, Section 1320.0120 of the MN Building Code was amended to increase the square footage for storage sheds not requiring a building permit from 120 square feet to 200 square feet. The City has always required a permit for sheds of any size to ensure that zoning requirements are met. The fee schedule is being amended to reflect the change in square footage from the MN Building Code.
- **Engineering Fees for Certificate of Survey Review** - Currently, the City does not charge for time that the Engineer takes to review certificate of surveys or as-builts for new construction. In recent years, the Engineer has reviewed submittals containing insufficient information, which leads to multiple rounds of review, confusion, and delays in the issuance of Certificate of Occupancies. As such, the Engineer is proposing that the City revise its process for certificate of surveys when the City issues a building permit for a new building. The Engineer is recommending that the City continue to require a certificate of survey with the building permit submittal but instead of requiring an as-built at the end of construction, the Engineer would conduct a top of block inspection and grading inspection during construction. He is recommending that the City charge \$300 per inspection (\$600 total) on the building permit plus \$300 for any reinspection.

Staff reviewed what other cities in the area do and Hastings is the only city that charges engineering fees. They charge:

- \$185 for Final Grade Survey
  - \$100 for Top of Block Survey
  - \$185 for Grading Plan Review
  - \$250 for Erosion Control Inspection
- **Rental Reinspection Fee** - The City currently charges a \$50 reinspection fee when a rental property fails its inspection. As such, staff is recommending that this be added to the fee schedule.

**Right-of-Way Permits** - In the past, the City has charged \$240 per 1000 feet for underground work and \$120 per 1000 feet for overhead work. However, right-of-way permits don't always include underground or overhead work. As such, City staff reviewed the right-of-way permits that the City has issued in the last couple years to determine how much staff time it takes to review an average right-of-way permit and an appropriate fee. It takes about one and a half hours of staff review time (Engineer, Public Works Supt. and Executive Analyst) for an average right-of-way permit (a couple poles or less than 100 feet) which amounts to about \$100. As such, staff is recommending that the City charge \$100 for the General Right-of-Way Permit (up to 100 feet) and \$30 per additional 100 feet.

**Utility Fees** - Storm Water and Street Light fees were amended per Resolution No. 2013-36 and Utility Rates were amended per Resolution No. 2014-48.

The City Council will need to discuss these proposed amendments to the fee schedule.

**RECOMMENDATION**

It is recommended that the City Council approve Resolution No. 2015-45 approving the 2016 Fee Schedule with the above changes.

**CITY OF NEWPORT  
2016 DRAFT FEE SCHEDULE**

	2015 FEE AMOUNT	2016 FEE AMOUNT
<b>1. LIQUOR</b>		
On-sale	\$ 2,500.00	
Off-sale	240.00	
Sunday on-sale	200.00	
On-sale wine	1,250.00	
3.2 On-sale	100.00	
3.2 One Day	25.00	
3.2 Off-sale	30.00	
Brewer Taproom	200.00	
On-Sale Brew Pub	200.00	
Off-Sale Brew Pub	200.00	
Park Permit (Non-intoxicating)	50.00	
Park Maintenance Deposit Less than 25 People Attending	100.00	
Park Maintenance Deposit More than 25 People Attending	150.00	
1 - 4 Day Temporary On-sale	200.00	
Investigation Fee for In-State	Actual Cost, Not to Exceed \$500	
Investigation Fee for Out-State	Actual Cost, Not to Exceed \$10,000	
<b>2. BUSINESS</b>		
Rubbish Haulers	\$ 300.00	
Commercial Contractors - not licensed with the State	50.00	
Seasonal		
Farmer's Market	75.00	
Christmas Trees	75.00	
Fireworks	350.00	
Incidental Fireworks	50.00	
Billboard	100.00	
Tobacco	250.00	
Games of Skill	50.00 /game	
Solicitors (per day)	50.00	
Solicitors (per year)	300.00	
Transient Merchant (per day)	100.00	
Transient Merchant (per year)	300.00	
Peddler / Hawker (per day)	50.00	
Peddler / Hawker (per year)	250.00	
Investigation Fee for Solicitors, Transient Merchants, Peddlers, Hawkers, and Message Therapists	50.00	
Whether or not permit is issued, this fee is not refundable.		
Pawn Shop License	10,000.00	
Investigation Fee for Pawn Shop	750.00	
\$500 will be refunded if total investigation is within MN.		
Monthly Transaction Fee for Pawn Shops	1.50	per transaction
Reporting Failure Penalty for Pawn Shops	2.50	per transaction
Message Therapy Businesses		
Application Fee	300.00	
Investigation Fee	300.00	
Additional Owner/New Officer	300.00	
Change in On-Site Manager	100.00	
Amendment to License	75.00	
Message Therapists		
New Application Fee	100.00	
Renewal Application Fee	75.00	
<b>3. ANIMAL CONTROL</b>		
Dog License	\$ 10.00	
Dog License after Jan. 31st	20.00	
Domestic Impound		
2nd Occurrence	50.00	
3rd Occurrence	75.00	
4th Occurrence	100.00	
Chicken Permit	25.00	
Farm Animal Permit	25.00	
Special Animal Permit	25.00	
Kennel Permit (4 or more dogs / cats)	50.00	
Domestic Boarding	actual cost	
Domestic Disposal	actual cost	
Farm Animal Impound	actual cost	
Farm Animal Boarding	actual cost	
Farm Animal Disposal	actual cost	
<b>4. BUILDING PERMIT</b>		
Business Sign (Temporary Banner, etc.)	\$ 10.00 /sign request	
Business Sign (Permanent)	based on value	
Fireplace (Wood Burning)	based on value	
Fireplace (Gas)	50.00	
Swimming Pool	based on value	
Storage Shed Under 200 Square Feet	75.00	
Storage Shed Over 200 Square Feet	based on value	

Residing (Residential)	50.00		
Reroofing (Residential)	50.00		
Commercial Fencing	based on value		
Commercial Slab	based on value		
Demolition (Residential)	100.00		
Demolition (Commercial)	150.00		
Commercial Roofing	based on value minus the plan review		
Commercial Siding	based on value minus the plan review		
Retaining Wall Over 4' (Residential)	based on value		
Retaining Wall Over 4' (Commercial)	based on value		
Replacing Windows (Residential)	50.00		
Replacing Windows (Commercial)	based on value minus the plan review		
New Windows (Residential and Commercial)	based on value		
Moving House / Building	300.00		
Residential Driveway	15.00		
Commercial Paving / Parking Lot Repair	based on value		
State Surcharge for Fixed Fee Permits	1.00		
State Surcharge for Value Based Permits	based on value		
Building Without Permit	double fee		
Fire Inspection Permit	50.00		
Engineering Fee for Survey Review		\$	600.00
Engineering Reinspection		\$	300.00
Rental Registration Fee	50.00 /building		
Each Additional Unit	12.00 /unit		
Rental Reinspection		\$	50.00
Certificate of Occupancy	50.00		
Vacant Building Registration			
Residential - First Year	1,000.00		
Residential - Second Year	2,000.00		
Commercial - First Year	1,500.00		
Commercial - Second Year	3,000.00		

**5. MECHANICAL**

Air to Air Exchanger	\$	75.00	
Air Conditioner		75.00	
Furnace		75.00	
Residential:			
Up to 400,000 BTU's		75.00	
Each additional 100,000 BTU's		15.00	
Commercial:			
Per Heating Unit		based on value minus the plan review	
Ceiling Unit		based on value minus the plan review	
Extra Piping Inspection Per Foot		based on value minus the plan review	
State Surcharge for Fixed Fee Permits		1.00	
State Surcharge for Value Based Permits		based on value	

**6. PLUMBING**

Residential:			
Permit	\$	50.00	
Per Opening		15.00	
Commercial:			
Minimum or as set by City Administrator		based on value	
Per Opening		based on value	
Water Heater Replacement or New		15.00	
Water Softener Replacement or New		15.00	
Sprinkling System		based on value	
Must be reviewed by State Fire Marshal			
State Surcharge for Fixed Fee Permits		1.00	
State Surcharge for Value Based Permits		based on value	

**7. ELECTRICAL - SEE ATTACHED FEE SCHEDULE FOR RATES**

**8. UTILITY - SEE ATTACHED FEE SCHEDULE FOR RATES**

Late Fee for Utility Bill		10%	
Certification of Delinquent Utilities Fee		25.00 plus 18% interest	
Normal Working Hours			
Water On	\$	50.00	
Water Off		50.00	
After Normal Working Hours (OT)			
Water On		120.00	
Water Off		120.00	
Final Meter Read		25.00	
Fire Flow Test		100.00	

<b>9. WATER PERMIT</b>			
Hook-Up	\$	100.00	
Water Disconnect		100.00	
State Surcharge for Fixed Fee Permits		1.00	
<b>10. WATER TAPPING</b>			
1" - 1 1/2" line	\$	400.00	
2" line and over		time & material	
<b>11. SEWER PERMIT</b>			
4" line hook-up	\$	100.00	
Sewer Disconnect		100.00	
State Surcharge for Fixed Fee Permits		1.00	
<b>12. HYDRANT USE / HOOK-UP</b>		\$	50.00
Plus water usage at \$.01 / gal			
<b>13. WATER METER TESTING</b>			
2" or less	\$	75.00	
2" or more		75.00	
<b>14. WATER METER RENTAL PER DAY</b>		\$	10.00
1" with hydrant adapter (deposit)		350.00	
2 1/2" with hydrant adapter (deposit)		550.00	
<b>15. WATER SALES TAX</b>			7.1250 %
<b>16. SEWER AND WATER MAIN TRUNK</b>		\$	3,000.00
<b>17. CITY ACCESS FEE (WAC)</b>		\$	750.00
<b>18. CITY SEWER ACCESS FEE (SAC)</b>		\$	750.00
<b>19. RIGHT-OF-WAY PERMITS</b>			
General ROW Permit (up to 100 feet)		\$	100.00
Fee per Additional 100 feet		\$	30.00
Work without Permit			Double Fee
<b>20. PUBLIC WORKS MAINTENANCE DEPARTMENT</b>			
Truck use per hour (pick-up)	\$	40.00	
Other vehicle use per hour		75.00	
Single axle dump truck		150.00	
Tandem axle dump truck		200.00	
Front end loader		150.00	
Back hoe		150.00	
Materials used		125%	
Labor		150%	
<b>21. ADMINISTRATION</b>			
Election Filing	\$	2.00	
Assessment Search		25.00	
Searches may be requested in writing or oral. A fee is established 336A.09 MN Statutes 2008			
Comprehensive Land Use Plan		50.00	
City Code of Ordinances		100.00	
Zoning Ordinance		50.00	
Large Zoning Map		5.00	
Ortho Photomap		City cost at 125%	
Copies per page		0.25	
Public Data Requests Less Than 100 Pages		0.25	
Based on cost of			
Public Data Requests 100 Pages or More		staff's time	
Fax Transmissions		3.00	
Each additional page		1.00	
Compost brush per cubic yard		5.00	
Leaves and grass clippings per load		5.00	
Rental of Railroad Building per day		1.00	
Non-Sufficient Funds (NSF) Checks		30.00	
<b>22. USE OF CITY HALL (capacity of 75)</b>			
Commercial	\$	150.00	
Special Council Meeting		200.00	
<b>23. USE OF LIBRARY AND COMMUNITY CENTER</b>		\$	35.00
<b>24. LIBRARY AND COMMUNITY CENTER</b>			
Copies/Printing	\$	0.25 per page	
Fax Transmissions		3.00 first page	
Each additional page		1.00	
Headphones		Actual Cost	
Paperback Books for Sale		0.50	
Hardcover Books for Sale		1.00	
VHS/DVDs/Cds for Sale		2.00	

**25. POLICE DEPARTMENT**

Accident Report	\$	10.00
Driver's License Record		5.00
Police Report		0.25 /page
Permit to carry a firearm		10.00
Photographs		actual cost
DVD's		actual cost
CD's		actual cost
Vehicle Towing		actual cost
Vehicle Impounding		actual cost
Commercial lot per day		actual cost

**26. PLANNING & ZONING**

Rezoning	\$	500.00 plus escrow
Street / Alley Vacation		350.00 plus escrow
Variance		300.00 plus escrow
Building Without Variance		double fee
Conditional Use/Interim Use Permit		
Residential		300.00 plus escrow
Commercial		450.00 plus escrow
Special Meeting		200.00 plus escrow
Certificate of Compliance (Home Occupation)		150.00
Home Occupation annual renewal		25.00
Comprehensive Guide Plan		500.00 plus escrow
Minor Subdivision		300.00 plus escrow
Major Subdivision Preliminary Plat		500.00 plus escrow
Plus per lot		50.00
Final Plat		200.00
Park Dedication Fees		
Residential Single Family Land Dedication		10% of land
Residential Multi-Family Land Dedication (5-9 Units per Acre)		13% of land
Residential Multi-Family Land Dedication (10-19 Units per Acre)		15% of land
Residential Multi-Family Land Dedication (Over 20 Units per Acre)		18% of land
Residential Single Family (in lieu of land dedication)		2,000.00 per dwelling unit
Residential Multi-Family (in lieu of land dedication)		1,500.00 per dwelling unit
Commercial / Industrial (in lieu of land dedication)		5% of land
Escrow Fees		
Rezoning		500.00
Street/Alley Vacation		1,000.00
Residential Variance		500.00
Commercial Variance		1,000.00
Residential Conditional Use/Interim Use Permit		750.00
Commercial Conditional Use/Interim Use Permit		1,000.00
Preliminary Plat Under 10 Acres		3,500.00
Preliminary Plat Over 10 Acres		6,500.00
Fees for Residential Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat and Planned Unit Development		
8 Units or Less		2,000.00
9 to 40 Units		3,200.00
41 Units or More		4,500.00
Fees for Commercial Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat and Planned Unit Development		
0 to 5,000 sq ft building		2,000.00
5,001 to 10,000 sq ft building		3,000.00
10,001 to 50,000 sq ft building		3,750.00
50,000 plus sq ft building		4,500.00

**CITY OF NEWPORT  
2016 DRAFT UTILITY FEE SCHEDULE**

<b>WATER</b>	<b>2015</b>	<b>2016</b>
<b>Flat Rates</b>	<b>Amount</b>	<b>Amount</b>
Residential	\$17.66	\$19.16
Senior	\$13.25	\$14.37
Multi-Family	\$13.25 per unit	\$14.37 per unit
Commercial	\$28.96	\$31.42
<b>Usage Rates</b>		
<b>Residential and Multi-Family</b>		
0-8,000 Gallons	\$1.45 per 1,000 gallons used	\$1.57 per 1,000 gallons used
8,001-20,000 Gallons	\$1.81 per 1,000 gallons used	\$1.96 per 1,000 gallons used
Over 20,000 Gallons	\$2.53 per 1,000 gallons used	\$2.75 per 1,000 gallons used
<b>Senior</b>		
0-8,000 Gallons	\$0.00 per 1,000 gallons used	\$0.00 per 1,000 gallons used
8,001-20,000 Gallons	\$1.81 per 1,000 gallons used	\$1.96 per 1,000 gallons used
Over 20,000 Gallons	\$2.53 per 1,000 gallons used	\$2.75 per 1,000 gallons used
<b>Commercial</b>		
0-30,000 Gallons	\$1.45 per 1,000 gallons used	\$1.57 per 1,000 gallons used
30,001-70,000 Gallons	\$1.81 per 1,000 gallons used	\$1.96 per 1,000 gallons used
Over 70,000 Gallons	\$2.44 per 1,000 gallons used	\$2.65 per 1,000 gallons used
<b>SEWER AND MWCC</b>		
<b>Flat Rates</b>		
Residential	\$15.12	\$16.60
Senior	\$11.35	\$12.45
Multi-Family	\$11.35 per unit	\$12.45 per unit
Commercial	\$16.67	\$18.30
<b>Usage Rates</b>		
Sewer Only	\$3.95 per 1,000 gallons used	\$4.34 per 1,000 gallons used
Residential, Multi-Family and Commercial	\$3.95 per 1,000 gallons used	\$4.34 per 1,000 gallons used
Senior	\$2.96 per 1,000 gallons used	\$3.25 per 1,000 gallons used
<b>STORM WATER</b>	\$6.25 per REU per quarter	\$8.25 per REU per quarter
<b>RESIDENTIAL STREET LIGHT</b>	\$7.99 per quarter	\$8.39 per quarter
<b>MULTI-FAMILY STREET LIGHT</b>	\$57.96 per quarter	\$60.86 per quarter
<b>COMMERCIAL STREET LIGHT</b>	\$96.55 per quarter	\$101.37 per quarter

**CITY OF NEWPORT  
2016 ELECTRICAL PERMIT FEE SCHEDULE**

<b>Residential</b>	<b>Fee Amount</b>
Minimum Fee	\$ 38.50
Single Family Dwelling and Multi Family Dwelling with Individual Service	148.50
Multi-Family Dwelling with Common Service	77.00 each
Swimming Pool, Spa, Fountain	84.00
Finish Basement, Rough-In- and Final Inspection	77.00
Amperes Service, Generators, and Other Power Supplies and Feeders to Separate Structures	
0-400 Amperes	38.50
401-800 Amperes	66.00
> 800 Amperes	110.00
Circuits	
0-200 Amperes	6.60
> 200 Amperes	16.50
Street, Parking, and Outdoor Lighting Standard	5.50
Traffic Signals	5.50
Transformers for Light, Heat, and Power (0-10 KVA)	16.50
Transformers for Light, Heat, and Power (> 10 KVA)	33.00
Transformers for Electronic Power Supplies, Signs, and Outline Lighting	5.50
Alarm Communication, Remote Control and Signal Circuits less than 50 Volts	0.83 each
Electrical Reinspection Fee	38.50
Investigation Fee for Electrical Work Started Without a Permit	Permit Fee
Residential Service Change Fuses to Breakers	75.00
State Surcharge	1.00
<b>Commercial</b>	
Minimum Commercial Electric Fee	\$ 77.00
Electrical Reinspection Fee	38.50
Services	
0-400 Amperes	38.50 each
401-800 Amperes	66.00 each
> 800 Amperes	110.00 each
Circuits and Feeders	
0-200 Amperes	6.60 each
> 200 Amperes	16.50 each
Street, Parking and Outdoor Lighting Standards	5.50 each
Traffic Signals	5.50 each
Transformers for Light, Heat, and Power (0-10 KVA)	16.50 each
Transformers for Light, Heat, and Power (> 10 KVA)	33.00 each
Transformers for Electronic Power Supplies, Signs and Outline	5.50 each
State Surcharge	1.00

**CITY OF NEWPORT  
2016 Based on Value Fees**

**Permit Cost**

<b>Project Valuation</b>	<b>Fee Amount</b>
\$1-\$500	\$25
\$501-\$2,000	\$25 + \$3.25/each additional \$100
\$2,001 - \$25,000	\$73.50 + 14.75/additional \$1,000
\$25,001 - \$50,000	\$415.75 + \$10.75/additional \$1,000
\$50,001 - \$100,000	\$682.50 + \$7.50/additional \$1,000
\$100,001 - \$500,000	\$1,053.50 + \$6/additional \$1,000
\$500,001 - \$1,000,000	\$3,427.75 + \$5/additional \$1,000
\$1,000,001 and up	\$5,945.25 + \$4/additional \$1,000

**Plan Review Cost**

Up to 65% of Permit Cost

**State Surcharge Cost**

<b>Project Valuation</b>	<b>Fee Amount</b>
\$1,000,000 or less	\$0 + 0.0005 x Project Valuation
\$1,000,001 - \$2,000,000	\$500 + 0.0004 x Project Valuation - \$1,000,000
\$2,000,001 - \$3,000,000	\$900 + 0.0003 x Project Valuation - \$2,000,000
\$3,000,001 - \$4,000,000	\$1,200 + 0.0002 x Project Valuation - \$3,000,000
\$4,000,001 - \$5,000,000	\$1,400 + 0.0001 x Project Valuation - \$4,000,000
\$5,000,001 and up	\$1,500 + 0.00005 x Project Valuation - \$5,000,000

**CITY OF NEWPORT  
2016 Construction Valuation Costs**

Unfinished Standard Basement	\$ 16.94 /sf
Basement	40.00 /sf
Frost Footings (5 Courses)	20.00 /lf
Main Floor (Unfinished)	49.08 /sf
Main Floor (Base)	98.16 /sf
2nd Floor (Finished)	98.16 /sf
Bay Windows	1,500.00 each
Garage	37.81 /sf
Extra Baths (Full or 3/4)	3,000.00 each
Rough-In Baths	200.00 each
Whirlpool Bath	3,000.00 each
Fireplace (Masonry)	7,000.00 each
Fireplace (Zero Clearance)	3,000.00 each
Wood Decks	30.00 /sf
Front Stoop with Roof	25.00 /sf
Concrete Patio	3.00 /sf
Concrete Driveways and Floor Slabs	3.00 /sf
Asphalt Driveways	2.00 /sf
Cement Sidewalk	3.00 /sf
Brick or Stone Veneer	7.00 /sf
Patio Doors (6/0 x 6/8)	2,000.00 each
Patio Doors (8/0 x 6/8)	3,000.00 each
Porch Enclosed/Finished Interior	40.00 /sf
Screen Porch	30.00 /sf
Lawn Irrigation System	3,000.00 each
Accessory Buildings Less Than 160 Sq Ft	20.00 /sf
Pole Barn	25.00 /sf

# RESOLUTION NO. 2015-45

## A RESOLUTION ADOPTING THE 2016 ANNUAL FEE SCHEDULE

**WHEREAS**, the City Council of Newport annually establishes and approves a fee schedule for services rendered by the City Attorney, City Engineer, City Planner and other City personnel; and

**WHEREAS**, the 2016 Fee Schedule includes changes to the Utility Fees; and

**WHEREAS**, fees for Engineer Fee for Survey Review, Engineering Reinspection, Rental Reinspection, and Right-of-Way Permits are being added to the 2015 Fee Schedule; and

**WHEREAS**, the City Council did present the 2016 Fee Schedule at the December 3, 2015 City Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, That the Newport City Council hereby approves the 2016 Fee Schedule.

Adopted by this council this 3rd day of December, 2015 by the Newport City Council.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Rahm	_____
	Lund	_____

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator



## MEMO

TO: Mayor and City Council  
Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Executive Analyst

DATE: November 25, 2015

SUBJECT: Employee Personnel Policy Amendments

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### BACKGROUND

Recently, staff had Marylee Abrams, Labor Relations Attorney with Abrams & Schmidt, review the City's personnel policy. After reviewing the Policy, Ms. Abrams and staff are recommending several amendments. Please find attached a red-lined version of the Policy and a clean version with the proposed changes.

### DISCUSSION

Below is a summary of the main changes that Ms. Abrams and staff are recommending:

- **Hours of Work** - Language is being added to clarify work hours for part-time, seasonal, and temporary positions for the Health Care reform law.
- **Whistleblower Policy** - Staff is recommending that this language be removed from the Personnel Policy since this is covered under Minn. Stat. §181.932. Former Councilman Gallagher requested that this be added in April 2014. As a practical matter, if you include state statutes in a policy manual, there may be a problem if the statute is later amended. There are many state statutes that apply to employees. There is no need to restate them in the personnel policies.
- **Separation from Service** - Language is being added to require Department Heads to give 30 days notice instead of 14 days. This will allow for a smoother transition if they leave.
- **Vacation Leave** - Language is being amended to change the vacation accrual from the current front-end vacation to an accrual basis. The accrual matches the current vacation hours but makes it so that the vacation is accrued per pay period instead of given in a lump sum at the employee's anniversary date. Language was also amended allowing employees to accumulate a maximum amount of vacation hours instead of rolling over 80 hours. The switch from front-end to accrual will begin with each employee's anniversary date in 2016. Please note that this is only for employee's that are covered under the Personnel Policy (Public Works Supt. Asst. Public Works Supt. Executive Analyst, Accountant, and Police Chief).
- **Jury Duty Leave**- Language is being added to exclude compensation received for mileage. Per Ms. Abrams, employees can keep this.
- **Military Leave** - Language is being amended to reflect other leaves.
- **Pregnancy and Parenting Leave** - This section is being amended to remove the sentence regarding sick leave and adding language for reasonable notice.
- **School Conference and Activities Leave** - Per MN Statutes, the City needs to provide this for employees who work half-time or more.
- **Reasonable Unpaid Work Time for Nursing Mothers** - Language is being amended to remove the stipulation that it's only for a year. State statute does not specify a timeframe for this leave and as such, staff is recommending that the City doesn't either.
- **Family Medical Leave** - Per Ms. Abrams, the information that staff received from the League of MN Cities in May stating that that the City can have a simple Medical Leave Policy instead of a Family

Medical Leave Policy was not correct. Federal law includes all public employers as qualified employers for FMLA purposes and as such, this section needs to reflect that. The only changes besides changing the name of the policy is to say that FMLA will run concurrently with Worker's Compensation and to remove the requirement that the employee pays 100% of the group insurance coverage. Per Ms. Abrams, the City needs to continue to pay for its portion while the employee is on FMLA leave, and the employee is responsible for their portion.

**RECOMMENDATION**

It is recommended that the City Council approve the amendments as presented.

## **WELCOME TO THE CITY OF NEWPORT!**

Dear Employee:

Welcome! I am pleased to have you join the City of Newport, a team of dedicated individuals working together to provide high quality services to the residents, businesses, and property owners in the City. I hope that you will find the information in this policy beneficial to helping you succeed in your new position.

The City's overall mission is being “committed to serving the people and businesses of Newport” and the City Council and staff are committed to achieving this goal through the provision of quality municipal services. I encourage you to review the City's mission and value statements included in this policy. We recognize that our dedicated, professional City employees are our greatest resource and that the maintenance of a high quality municipal work force is essential in reaching these long term goals.

The City of Newport's success, like the success of any business, relies heavily on the level of teamwork and cooperation of all staff members. Through teamwork, each individual contributes to the growth and development of the entire City of Newport. Your attitude and efforts contribute much toward achieving our goals.

This policy summarizes many current City policies and guidelines. Please read this guide thoroughly and keep it as a reference. Please consult your supervisor with any questions you may have.

Again, welcome to the City of Newport and I look forward to your success here.

Sincerely,

City Administrator

## **INTRODUCTION**

### **Purpose**

It is the purpose of these policies to establish a uniform and equitable system of personnel administration for employees of the City. Their provisions do not establish terms and shall not be construed as contractual provisions. They are not intended to be all-inclusive or cover every situation that may arise. These policies may be amended at any time at the sole discretion of the City Council and they will supersede all previous personnel policies. Revisions and amendments shall become effective upon approval by the Newport City Council.

### **Scope**

These policies apply to all employees of the City. Except where specifically noted, these policies do not apply to:

1. Elected Officials;
2. City Attorney;
3. Members of City Boards, Commissions, and Committees;
4. Consultants and Contractors;
5. Volunteers, except as specifically noted for paid on-call firefighters.

If any specific provisions of the Personnel Policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. This includes, but is not limited to vacation schedule, holidays, severance pay, sick leave, etc. Union employees are encouraged to consult their labor agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

Departments may have special work rules deemed necessary by the supervisor and approved by the City Administrator for the achievement of objectives of that department. Each employee will be given a copy of such work rules by the department upon hiring and such rules will be further explained and enforcement discussed with the employee by the immediate supervisor.

### **EEO Policy**

The City is committed to providing equal opportunity in all areas of employment, including but not limited to hiring, demotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation, and selection for training. The City will not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, ancestry, gender, sexual orientation or identity, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, membership on a local human rights commission, or any other characteristic protected by law.

The City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

### **Data Practices Advisory**

Employee records are maintained in a location designated by the City Administrator. Personnel data is kept in personnel files, finance files, and benefit / medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc. Personnel files are the property of the City and access to the information they contain is restricted. Generally, only supervisors and management of personnel of the City who have legitimate reason to review information in a file are allowed to do so.

Employees have the right to know what data is retained, where it is kept, and how it is used. All employee data will be received, retained, and disseminated according to the Minnesota Government Data Practices Act. Employees who wish to review their own file should contact the City Administrator. With written advance notice, employees may review their own personnel files, within seven working days of the City's receipt of the

written notice. The files may be reviewed in the City's offices and in the presence of an individual appointed by the City to maintain the files.

**Employment of Relatives**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships. It is the intent of the City to avoid such circumstances and / or conflicts.

Although the City has no prohibition against hiring relatives of existing employees, the City is committed to monitoring situations in which relatives work in the same area and does not allow relatives to have supervisory authority over each other. In the case of actual or potential problems, the City will take prompt action. This can include reassignment or, if necessary, termination of employment for one or both of the individuals involved.

For purposes of this policy, a relative is any person who is related by blood, or whose relationship with the employee is similar to that of persons who are related by blood, such as marriage.

**Immigration Law Compliance**

The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the City Administrator. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

**DEFINITIONS**

For purposes of these policies, the following definitions will apply:

**Authorized Hours**

The number of hours an employee was hired to work. Actual hours worked during any given pay period may be different than authorized hours, depending on workload demands or other factors, and upon approval of the employee's supervisor.

**Benefits**

Privileges or non-monetary compensation granted to employees that are included in the total compensation to employees.

**Compensatory Time**

Time of work at one-and-one half times the number of overtime hours worked.

**Demotion**

The movement of an employee from one job class to another within the City, where the maximum salary for the new position is lower than that of the employee's former position.

**Employee**

An individual who has successfully completed all stages of the selection process including the training period.

**Exempt Employee**

Employees who are not covered by the overtime provisions of the Federal or State Fair Labor Standards Act.

**FICA (Federal Insurance Contributions Act)**

FICA is the federal requirement that a certain amount be automatically withheld from employees' earnings. Specifically, FICA requires an employee contribution of 6.2% for Social Security and 1.45% for Medicare. The City contributes a matching 7.65% on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers).

**Fiscal Year**

The period from January 1 to December 31.

**Full-Time Employee**

Employees who are required to work forty (40) or more hours per week, or two thousand eighty (2,080) hours per year in an ongoing position.

**Job Classification**

A group of positions sufficiently alike in duties, qualifications, authority, and responsibility to warrant the same job title, grade, and pay schedule for all positions in the group.

**Job Description**

The written description of a job containing a title, a statement of duties, authority and essential functions of the job, and the qualifications deemed necessary and / or desirable for the satisfactory performance of the duties of the job.

**Management Employee**

An employee who is responsible for managing a department or division of the City.

**Non-Exempt Employee**

Employees who are covered by the federal or state Fair Labor Standards Act. Such employees are normally eligible for overtime at 1.5 times their regular hourly wage for all hours worked over forty (40) in any given work week.

**Overtime**

Time worked in excess of forty (40) hours per week or in excess of the employee's normal work schedule as established by the employer.

**Part-Time Employee**

Employees who are required to work less than forty (40) hours per week year round in an ongoing position.

**Pay Period**

A fourteen (14) day period beginning at 12:00 a.m.(midnight) on Monday through 11:59 p.m. on Sunday, fourteen (14) days later.

**PERA (Public Employees Retirement Association)**

Statewide pension program in which all City employees meeting program requirements must participate in accordance with Minnesota law. The City and the employee each contribute to the employee's retirement account. Employees that receive \$425 in wages during any month are eligible for PERA.

**Promotion**

Movement of an employee from one job class to another within the City, where the maximum new salary for the new position is higher than that of the employee's former position.

**Reclassify**

Movement of a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

**Seasonal Employee**

Employees whose positions are temporary or seasonal in character and: (i) are not for more than 67 working days in any calendar year; or (ii) are not for more than 100 working days in any calendar year and the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment. Seasonal employees do not earn benefits or credit for seniority.

~~Employees who work only part of the year (100 days or less) to conduct seasonal work. Seasonal employees may be assigned to work a full-time or part-time schedule. Seasonal employees do not earn benefits or credit for seniority.~~

**Service Credit**

Time worked for the City. An employee begins earning service credit on the first day worked for the City. Some forms of leave will create a break in service.

**Temporary Employee**

Employees who work in temporary positions. Temporary jobs might have a defined start and end date or may be for the duration of a specific project. Temporary employees may be assigned to work a full-time or part-time schedule. Temporary employees do not earn benefits or credit for seniority.

**Training Period**

A six month period at the start of employment with the City (or at the beginning of a promotion, reassignment, or transfer) that is designated as a period within which to learn the job. The training period is the last part of the selection process.

**Transfer**

Movement of an employee from one City position to another of equivalent pay.

**EMPLOYEE RECRUITMENT & SELECTION****Scope**

The City Administrator or a designee will manage the hiring process for positions within the City. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision for full-time positions and must approve all hires to City employment. All hires will be made according to merit and fitness related to the position being filled.

**Features of the Recruitment System**

The City Administrator or designee will determine if a vacancy will be filled through an open recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis. The majority of position vacancies will be filled through an open recruitment process.

Application for employment will be made on application forms provided by the City. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline in order to be considered for the position. The deadline for application may be extended by the City Administrator.

Position vacancies may be filled on an "acting" basis as needed. The City Council will approve all acting appointments. Pay rate adjustments, if any, will be determined by the City Council.

### **Testing & Examinations**

Applicant qualifications will be evaluated in one or more of the following ways: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test, or other appropriate job-related exam.

Internal recruitments will be open to any City employee who: (1) has successfully completed 180 calendar days in their current position; (2) meets the minimum qualifications for the vacant position; and (3) currently is and for the last six months been in good standing with the City, which includes having no written warnings on file or suspensions.

The City Council or designee will establish minimum qualifications for each position with input from the appropriate supervisor. To be eligible to participate in the selection process a candidate must meet the minimum qualifications.

### **Pre-Employment Medical Examinations**

The City Administrator or designee may determine that a pre-employment examination, which may include a psychological examination, is necessary to determine fitness to perform the essential functions of any City position safely.

When a pre-employment medical exam is required, it will be required of all candidates who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by a licensed physician designated by the City with the cost of the exam paid by the City. (Psychological / psychiatric exams will be conducted by a licensed psychologist or psychiatrist.) The physician will notify the City Administrator or designee that a candidate either is or is not medically able to perform the essential functions of the job, with or without accommodations, and whether the candidate passed a drug test, if applicable. If the candidate requires accommodation to perform one or more of the essential functions of the job, the City Administrator or designee will confer with the physician and candidate regarding reasonable and acceptable accommodations.

If a candidate is rejected for employment based on the results of the medical exam, he / she will be notified of this determination.

### **Selection Process**

The selection process will be a cooperative effort between the City Administrator or designee and the hiring supervisor, subject to final hiring approval by the City Council (for full-time positions only). Any, all, or none of the candidates may be interviewed.

The process for hiring seasonal, temporary, or part-time employees will be delegated to the appropriate supervisor, who will hire according to the budget.

### **Background Checks**

All finalists for employment with the City will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the City Administrator will determine the level of background check to be conducted based on the position being filled.

### **Training Period**

The training period is an integral part of the selection process and will be used for the purpose of observing the employee's work and for training the employee in work expectations. Training periods apply to new hires, transfers, promotions, and rehires. Training and probationary periods are six months for Administration and Public Works employees and one year for Police employees.

If a full-time employee elects to receive health benefits through the City, the City will prorate the assigned amount for their Health Savings Account and deposit the appropriate amount on a monthly basis during their probationary period. At the end of their probationary period, the remaining amount will be deposited.

## **ORGANIZATION**

### **Job Descriptions**

The City will maintain job descriptions for each regular position. New positions will be developed as needed, but must be approved by the City Council prior to the position being filled.

A job description is prepared for each position within the City. Each job description will include: position title, department, supervisor's title, FLSA status (exempt or non-exempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisor direction or guidance provided to position.

Prior to posting a vacant position, the existing job description is reviewed by the City Administrator or designee and the hiring supervisor to ensure that the job description is an accurate reflection of the position and that the stated job qualifications do not present artificial barriers to employment.

A current job description is provided to each new employee. Supervisors are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the City Administrator

Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the City Administrator or designee.

### **Assigning and Scheduling Work**

Assignment of work duties and scheduling work is the responsibility of the supervisor.

## **HOURS OF WORK**

### **Work Hours**

Forty (40) hours will constitute the regular work week for full-time employees. Work schedules for employees will be established by supervisors and may be subject to change with the approval of the City Administrator. A regular work week is outlined as follows:

The regular work hours for Administration employees is Monday through Thursday from 8:00 a.m. to 6:00 p.m. A regular work day shall be 10 hours.

The regular work hours for Public Works employees varies throughout the year. A regular work day shall be 8 hours.

Part-time, seasonal, and temporary positions: In order to comply with law while avoiding penalties, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended. Effective January 1, 2016, employees in part-time/seasonal/temporary positions will not be permitted to work on average more than 28 hours/week. All shifts, including schedule trades or picked-up shifts, must be pre-approved by supervisor. Unpaid furloughs may be imposed on employees who exceed 28 hours/ week. Working a shift without prior approval may result in discipline, up to and including termination of employment. In some rare instances, a part-time, seasonal, or temporary employee may be offered health insurance in order to comply with federal health care reform laws and regulations.

### **Meal Breaks and Rest Periods**

A paid fifteen (15) minute break is allowed within each four (4) consecutive hours of work. An unpaid (30) minute lunch period is provided when an employee works eight or more consecutive hours.

If approved by your supervisor, you may, on a daily basis, extend your one-half hour lunch break by fifteen (15) minutes or thirty (30) minutes by foregoing one or both of your breaks.

### **Attendance & Punctuality**

The operations and standards of service in the City require that employees be at work unless valid reasons warrant absence. Absenteeism and tardiness place a burden on other employees and the City.

Employees who are going to be absent from or tardy to work are required to notify their supervisor as soon as possible in advance of the absence. In case of unexpected absence, employees should call their supervisor before the scheduled starting time. If the supervisor is not available at the time, the employee should leave a message that includes a telephone number where he / she can be reached and / or contact any other individual who was designated by the supervisor. Failure to use established reporting process will be grounds for disciplinary action. Departments may establish more specific reporting procedures.

The employee must call the supervisor on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the supervisor. Employees who are absent for three (3) days or more and who do not report the absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing. The City may waive this rule if extenuating circumstances warranted such behavior. This policy does not preclude the City from administering discipline for unexcused absences of less than three (3) days.

### **Adverse Weather Conditions**

The Mayor may authorize the closing of City offices due to inclement weather. If offices are closed, each department head will be responsible for notifying employees of such closing.

In the event that offices are closed due to inclement weather during the course of the workday or for the full work day, employees will be paid for a full work day and will not be required to use vacation leave, leave without pay, compensatory time, or personal leave.

Employees excluded from this policy include: Police employees and Public Works employees who are involved in snow plowing activities. These employees will be expected to report to and remain at work under all weather conditions.

### **State of Emergencies or Emergency Work**

Compensation for non-union management and supervisory personnel shall follow Resolution No. 96-55 and the Administrative Policy during a Declared "State of Emergency," which was approved March 14, 1997.

### **COMPENSATION**

Full-time employees of the City will be compensated according to schedules adopted by the City Council. Unless approved by the City Council, employees will not receive any amount from the City in addition to the pay authorized for the positions to which they have been appointed. Expense reimbursement or travel expenses may be authorized in addition to regular pay.

Compensation for part-time, seasonal and temporary employees will be set by the City Council at the time of hire, or on an annual basis.

Under the Minnesota Wage Disclosure Protection law, employees have the right to tell any person the amount of their own wages. While the Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross

salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment;
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages;
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minnesota Statute §181.172, subd. 3

The City cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or 1/800-342-5354.

### **Pay Periods**

Employees are paid on a bi-weekly basis. When paydays fall on a holiday, checks / direct deposits are normally issued the day before the holiday.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to the City. Employees will receive an itemized statement of wages when the City makes direct deposits.

Employees are responsible for notifying the appropriate personnel of any change in status including changes in address, phone number, names of beneficiaries, marital status, bank account information, etc.

### **Time Reporting**

Full-time, non-exempt employees are expected to work 40 hours per work week and will be paid according to the time reported on their timesheets. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a bi-weekly basis.

Each time reporting form must include the signature of the employee and immediate supervisor. Reporting false information on a timesheet may be cause for immediate termination.

### **Overtime / Compensatory Time**

The City has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator will determine whether each employee is designated as "exempt" or "non-exempt" from earning overtime.

#### **Non-Exempt, Non-Administration (Overtime-eligible) Employees:**

All Non-Exempt, Non-Administration overtime-eligible employees will be compensated at the rate of time and one-half for all hours worked over forty (40) in one work week.

The employee's supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

#### **Non-Exempt Administration (Overtime-eligible) Employees:**

All Non-Exempt Administration overtime-eligible employees will be compensated with compensatory time at the rate of time and one half for all hours worked over forty (40) in one work week.

The employee's supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

## **PERFORMANCE EVALUATIONS**

An objective performance evaluation system will be established by the City Administrator or designee for the purpose of periodically evaluating the performance of City employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations, and salary adjustments.

Performance reviews will be discussed with the employee. Employees do not have the right to change or grieve their performance review, but may submit a written response which will be attached to the performance review.

Performance evaluations are to be conducted after the employees' first six months and then annually thereafter. The evaluation form(s), with all required signatures, will be retained as part of the employee's personnel file.

During the training / probationary period, informal performance meetings should occur frequently between the supervisor and the employee.

Signing of the performance review document by the employee acknowledges that the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

## **TEMPORARY & PART-TIME EMPLOYMENT**

Persons whose employment is part-time, seasonal or temporary will not be entitled to sick leave, vacation benefits, holiday pay, or insurance benefits, except for workers compensation insurance.

An employee on a temporary part-time status does not accumulate seniority with the City.

The following sections of the Employee Personnel Policy do not apply to part-time, seasonal or temporary employees:

- Educational Assistance
- Benefits
- Leaves
- Medical Leave
- Benefit Providers

An employee on temporary or part-time status will be entitled to such public employee benefits as may be provided under the Public Employment Labor Relations Act, Minn. Stat. § 179A.

## **CITYWIDE WORK RULES & CODE OF CONDUCT**

### **Conduct as a City Employee**

In accepting City employment, employees become representatives of the City and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of Newport. Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a City employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

The following are job requirements for every position at the City. All employees are expected to:

- Perform assigned duties to the best of their ability at all times.
- Render prompt and courteous service to the public at all times.
- Read, understand and comply with the rules and regulations as set forth in these Personnel Policies as well as those of their departments.

- Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any and all unsafe conditions to the immediate supervisor.
- Maintain good attendance.

### **Access to and Use of City Property**

Any employee who has authorized possession of keys, tools, cell phones, pagers, credit cards, identification badges, or other City-owned / issued equipment must register his / her name and the serial number (if applicable) or identifying information about the equipment with his / her supervisor. All such equipment must be turned in and accounted for by any employee leaving employment with the City in order to resign in good standing, or immediately upon request.

Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the City is prohibited unless authorized by the City Administrator. Any employee found having an unauthorized duplicate key will be subject to disciplinary action.

### **Appearance**

Departments may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

### **Conflict of Interest**

Employees shall not engage in any activities which create, or might appear to create, a conflict of interest with the employee's responsibilities and obligations to the City. Employees shall fully and completely disclose to the City Administrator any actual or potential conflict of interest he or she may be facing so that the City may assess and prevent potential conflicts. Employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be perceived or actual conflict of interest.

### **Falsification of Records**

Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

### **Gifts Acceptance**

Minnesota State law prohibits any City employee from accepting a gift from anyone doing business with the City. While the State law allows limited exceptions, for all practical purposes, gifts of any value are prohibited.

### **Personnel Data Changes**

The employee is responsible for notifying the City Administrator or designee of any changes in personnel data. Personal mailing addresses, telephone numbers, individuals to be contacted in the event of an emergency, and other such status reports should be accurate and current at all times.

### **Political Activity**

City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no City employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the City to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another employee to apply for or become a member in a political organization.

Per Minnesota State law, the Mayor nor any City Council member may be employed by the City. "Employed" refers to full-time permanent employment.

### **Drug-Free Workplace**

While on the City premises and while conducting business-related activities off the City premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the City of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

The City recognizes drug and alcohol abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use their health insurance plans or Employee Assistance Plans, as appropriate.

Random testing without prior notice may be given to those employees who are in safety sensitive positions, including any supervisory or management position in which an impairment caused by drug or alcohol use would threaten the health or safety of any person. Testing without prior notice may be given to employees who have been referred by the employer for chemical dependency treatment or evaluation or who are participating in a chemical dependency treatment program under an employee benefit plan or have participated in a chemical dependency treatment program in the prior two years.

### **Smoking**

All City buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars, and cigarettes, or e-cigarettes) is prohibited while in a City facility or vehicle.

Employees 18 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

## **RESPECTFUL WORKPLACE POLICY**

The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. The City acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

### **Applicability**

Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all City personnel, including regular and temporary employees, volunteers, firefighters, and City Council members.

### **Abusive Customer Behavior**

While the City has a strong commitment to customer service, the City does not expect that employees accept verbal abuse from any customer. Any employee may request that a supervisor intervene when a customer is abusive, or they may defuse the situation themselves, including ending the contact.

If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 9-1-1 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their supervisor about the incident as soon as possible.

### **Types of Disrespectful Behavior**

The following types of behaviors cause a disruption in the workplace and are, in many instances, unlawful:

*Violent behavior includes the use of physical force, harassment, or intimidation.*

Discriminatory behavior includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, ancestry, gender, sexual orientation or identity, genetic information, veteran status, , disability, marital status, age, sexual orientation, status with regard to public assistance, or any other characteristic protected by law.

Offensive behavior may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disrespectful language, or any other behavior regarded as offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction. Although the standard for how employees treat each other and the general public will be the same throughout the City, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the City Administrator.

Sexual harassment can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually-oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos, or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

### **Possession and Use of Dangerous Weapons**

Possession or use of a dangerous weapon is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

## **Employee Response to Disrespectful Workplace Behavior**

Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the employee is responsible for taking one of the actions below. If employees see or overhear a violation of this policy, they are encouraged to take the steps below.

Step 1 (a). Politely, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1 (b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or City Administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

Step 1 (c). In the case of violent behavior, all employees are required to report the incident immediately to their supervisor, City Administrator, or Police Department. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the City Administrator.

Step 2. If, after what is considered to be a reasonable length of time (i.e. 30 days), you believe inadequate action is being taken to resolve your complaint / concern, the next step is to report the incident to the City Administrator or Mayor.

## **Supervisor's Response to Allegations of Disrespectful Workplace Behavior**

In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations within two business days to the City Administrator, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his / her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his / her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time, and place:

- Corroborating evidence
- List of witnesses
- Identification of the offender

Step 3. The supervisor must notify the City Administrator about the allegations.

Step 4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

## **Special Reporting Requirements**

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior, a report will be made to the City Attorney, who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a Council Member is perceived to be the cause of a disrespectful workplace behavior incident involving City personnel, the report will be made to the City Administrator and referred to the City Attorney, who will undertake the necessary investigation. The City Attorney will report his / her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the City Administrator may at his / her discretion take appropriate action to protect the alleged victim, other employees, or citizens.

### **Confidentiality**

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

### **Retaliation**

Consistent with the terms of applicable statutes and City personnel policies, the City may discipline any individual who retaliates against any person who reports alleged violations of this policy. The City may also discipline any individual who retaliates against any participant in an investigation, proceeding, or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

## **DISCIPLINE**

### **General Policy**

Supervisors are responsible for maintaining compliance with City standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City. City employees will be subject to disciplinary action up to and including termination for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable City policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the City's personnel policies. The supervisor and / or the City Administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

### **No Contract Language Established**

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

### **Process**

The City may elect to use progressive discipline with any employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any City employee has a property right to the job he / she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee.

The following are descriptions of the types of disciplinary actions:

### **Oral Reprimand**

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors have the ability to issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand, including date(s) and a summary of discussion and corrective action needed.

### **Written Reprimand**

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected or the behavior has not consistently improved in a reasonable period of time. Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with prior approval from the City Administrator.

A written reprimand will: (1) state what did happen; (2) state what should have happened; (3) identify the policy, directive, or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean that they agree with the reprimand. Written reprimands will be placed in the employee's personnel file.

### **Suspension With or Without Pay**

The City Administrator may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans will not be suspended without pay in conjunction with termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors, including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due, had the suspension not taken place.

### **Demotion and / or Transfer**

An employee may be demoted or transferred if attempts at resolving an issue have failed and the City Administrator determines a demotion or transfer to be the best solution to the problem. The employee must be qualified for the position to which they are being demoted or transferred. The City Council must approve this action.

### **Salary**

An employee's salary increase may be withheld or the salary may be decreased due to performance deficiencies.

### **Dismissal**

The City Administrator, with the approval of the City Council, may dismiss a full-time employee for substandard work performance, serious misconduct, or behavior not in keeping with City standards. Part-time, seasonal, or temporary employees may be dismissed by their immediate supervisor without City Council approval.

If the disciplinary action involves the removal of a qualified veteran, the appropriate hearing notice will be provided and all rights will be afforded the veteran in accordance with Minnesota law.

### **Whistleblower Policy**

~~The City of Newport follows MN Statute 181.932, Disclosure of Information by Employees, and cannot discharge, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because:~~

- ~~1. The employee, or a person acting on behalf of an employee, in good faith, reports a violation, suspected violation, or planned violation of any federal or state law or common law or rule adopted pursuant to law to an employer or to any governmental body or law enforcement official;~~
- ~~2. The employee is requested by a public body or office to participate in an investigation, hearing, inquiry;~~
- ~~3. The employee refuses an employer's order to perform an action that the employee has an objective basis in fact to believe violates any state or federal law or rule or regulation adopted pursuant to law, and the employee informs the employer that the order is being refused for that reason;~~
- ~~4. The employee, in good faith, reports a situation in which the quality of health care services provided by a health care facility, organization, or health care provider violates a standard established by federal or state law or a professionally recognized national clinical or ethical standard and potentially places the public at risk of harm;~~
- ~~5. A public employee communicates the findings of a scientific or technical study that the employee, in good faith, believes to be truthful and accurate, including reports to a governmental body or law enforcement official; or~~
- ~~6. An employee in the classified service of state, county or city government communicates information that the employee, in good faith, believes to be truthful and accurate, and that relates to state, county or city services, including the financing of said services, to:
  - ~~A. A legislator or the legislative auditor; or~~
  - ~~B. A constitutional officer; or~~
  - ~~C. A City Council member.~~~~

### **GRIEVANCE PROCEDURE**

Any dispute between an employee and the City relative to the application, meaning, or interpretation of these personnel policies will be settled in the following manner:

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, and the remedy requested, to the proper supervisor within twenty one (21) days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2: If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, and the remedy requested, by the employee to the City Administrator within seven (7) days after the supervisor's response is due. The City Administrator or his / her designee will respond to the employee in writing within seven (7) calendar days. The decision of the City Administrator is final.

Nothing contained in this policy is intended to restrict employees' rights under the National Labor Relations Act (NLRA) or any other federal, state or local laws or regulations governing employment.

### **Waiver**

If a grievance is not presented within the time limits set forth above, it will be considered "waived". If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled on the basis of the City's last answer. If the City does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the City and the employee without prejudice to either party.

The following actions are not grievable:

1. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not;
2. Pay increases or lack thereof; and
3. Merit pay awards.

The above list is not meant to be all inclusive or exhaustive.

## **SEPARATION FROM SERVICE**

### **Resignations**

Employees wishing to leave the City service in good standing must provide a written resignation notice to their supervisor, at least fourteen (14) days before leaving, unless otherwise specified in an employee contract. Department heads must give thirty (30) calendar days notice. Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. The employee's termination date must be a day worked, not a paid leave. If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

### **Layoffs**

Shortage of work or funds, abolition of positions, or other reasons, may necessitate the layoff of positions from time to time. The City Administrator or Department Head shall make layoff recommendations for regular positions to the Newport City Council. A fourteen (14) calendar day written notice will be provided to affected regular employees. The City Administrator or Department Head may lay off or terminate temporary or seasonal employees with no prior notice and without City Council approval.

### **Severance Pay**

Employees who leave the City in good standing by retirement or resignation will receive pay for 100% of unused accrued vacation and will follow the below schedule for accrued sick leave:

Up to 10 years of service	60% of accrued sick leave
10 to 15 years of service	70% of accrued sick leave
15 or more years of service	80% of accrued sick leave

The payment for accrued sick leave shall be applied toward the Employees Minnesota State Retirement Health Care Savings Plan.

## **COMMUNICATION RESPONSE**

City staff shall check their electronic mail (e-mail) and voicemail at least once per day. If the message requires a response, the response should be sent as soon as possible, but no later than seventy two (72) hours after the call (excluding weekends and holidays). Receipt of a message should be acknowledged within forty eight (48) hours, even if a subsequent response is required.

For absences of one day or longer, the "Out of Office Assistant" shall be used for the e-mail system. This should state what day(s) the employee will be gone.

For absences of one day or longer, the temporary voicemail greeting shall be activated for the voicemail system. This should state what day(s) the employee will be gone and should give callers an option of talking to another staff member.

## **E-MAIL USAGE**

The City's electronic mail system (e-mail) is designed to facilitate City business communication among employees and other business associates for messages or memoranda. Since no computer system is completely secure, the e-mail system is not intended to transmit sensitive materials, such as personnel decisions and other similar information that may be more appropriately communicated by written memorandum or personal conversation.

The e-mail system is City property and intended for City business. The system is not to be used for employee personal gain or to support or advocate for non-City related business or purposes. All data and other electronic messages within this system are the property of the City.

### **General Information on Passwords**

While you have a confidential password, users should be aware that this does not suggest that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the employee. The use of the e-mail system is for City business. Passwords should be periodically changed to ensure security of the e-mail system. Users should not share their password with anyone else.

### **Prohibited Uses**

Solicitation of funds, political messages, harassing messages and other such messages are specifically prohibited. All e-mail messages are subject to all state and federal laws, such as, open meeting laws, data practices act, the human rights act, etc.

### **Retention of E-Mails**

Employees, members of the City Council, members of Advisory Boards, and Consultants shall retain all e-mails associated with City business for one month.

### **Applicability to Employees and Other Users**

This e-mail policy applies to all full-time employees, part-time employees, temporary employees, interns, volunteers, and other individuals in all departments who are provided access to the City's e-mail system as necessary for their business purpose with the City.

### **Employee Termination, Leave of Absence, Vacation, and Other**

Employees who are terminated or laid off have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Department Heads and supervisors may access an employee's e-mail if employees are on a leave of absence, vacation, or are transferred from one department to another department, and if it is necessary for the conduct of business.

### **System Monitoring**

Users expressly waive any right or expectation of any privacy in anything they create, store, send, or receive on the company's computer system. The City will, but is not obliged to, monitor e-mails without prior notification. If there is evidence that an employee is not adhering to the guidelines set out in this policy, the City reserves the right to take disciplinary action, including termination and / or legal action.

## **INTERNET USAGE**

### **Business Use Only**

By definition, the Internet is a collection of computers, computer networks, communication protocols, information servers, and personal and organizational information retrieval clients, connected together in a global community. Traffic may cross multiple networks prior to reaching the client destination. The City provides its employees with access to the vast information resources of the Internet to assist them in performing their job duties in an effective and efficient matter. The facilities to provide Internet access represent a substantial commitment of City resources and therefore, the City has developed this policy to ensure that the Internet is being used appropriately.

The Internet is a business tool to be used exclusively for business purposes, i.e., to communicate with customers and suppliers, to research relevant topics, and to obtain business information. When using the Internet, employees are expected to conduct themselves in a professional manner and to respect copyrights, software licensing rules, etc.

Unnecessary or unauthorized Internet usage takes away from work time, consumes supplies, ties up printers and other shared resources. Unlawful Internet usage may also garner negative publicity for the City and expose it to significant legal liabilities.

This policy covers all files that can be read on a computer screen, including HTML files read in an Internet browser, any file meant to be accessed by a word processing or desk-top publishing program or its viewer, any files prepared for the Adobe Acrobat reader and other electronic publishing tools. Graphics includes all photographs, pictures, animations, movies or other drawings.

### **Prohibited Use**

Inappropriate Internet use includes: transmitting obscene, harassing, offensive, or unprofessional messages; accessing any site that is sexually or racially offensive or discriminatory; displaying, downloading, or distributing any sexually explicit material; transmitting any of the City's confidential or proprietary information, including customer data, trade secrets, or other confidential information.

### **Monitoring**

The City reserves the right to monitor employee use of the Internet at any time and employees should not consider their Internet usage to be private. Personal passwords are not an assurance of confidentiality, and the Internet itself is not secure.

### **Copyright Restrictions; Permission Required**

Any software or other material downloaded into the City's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors, or owners of the material. Prior written authorization from a manager is required before introducing software into the City's computer system. Employees may not download entertainment software, games, or any other software unrelated to their work.

### **No Company Representation**

Only authorized employees may communicate on the Internet on behalf of the City. Employees may not express opinions or personal views that could be misconstrued as being those of the City. Employees may not state their company affiliation on the Internet unless required as part of their assigned duties.

### **Violations of Policy**

Any violation of this policy may result in loss of computer access and disciplinary action, including immediate termination.

## **TELEPHONE USAGE**

### **City Cellular Phone Use**

City cellular telephones are intended for the use of City employees in the conduct of their work for the City. Supervisors are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use.

Supervisors may prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

### **Personal Telephone and Cellular Telephone Calls**

All personal telephone calls, text messaging, and e-mailing from telephones, are to be done only during breaks or lunch breaks, or when emergency situations warrant. They are not to interfere with City work and are to be completed as quickly as possible. Any personal long distance costs will be paid for by the employee.

All personal calls made by employees on a City-provided cellular phone must be paid for by the employee through reimbursement to the City based on actual cost listed on the City's phone bill.

### **NEWS RELEASES**

Formal news releases concerning municipal affairs are the responsibility of the City Administrator or his or her designee. All media interviews must be approved by the City Administrator before the interview in all situations practicable. All contacts with the media should be reported to the City Administrator as soon as possible.

No City employee is authorized to speak on behalf of the City without prior authorization from the City Administrator or his / her designee.

The Police Chief may issue news releases, speak to the media, or speak on behalf of the City without City Administrator approval in regards to Public Safety matters.

All news releases concerning City personnel will be the responsibility of the City Administrator.

### **CITY DRIVING**

This policy applies to all employees who drive a vehicle on City business, whether driving a City-owned vehicle or their own personal vehicle.

The City expects all employees who are required to drive as part of their job, to drive safely and legally while on City business, and maintain a good driving record.

Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first work day after any temporary, pending, or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter.

The City will determine appropriate action on a case-by-case basis.

### **OUTSIDE EMPLOYMENT**

Employees may not engage in outside employment which would conflict with their job or might in any way hinder their objective and impartial performance of their public duties or impair their efficiency on the job.

Employees must not engage in any employment activity or enterprise that is inconsistent, incompatible, or in conflict with his or her duties as a City employee, or with the duties, functions and responsibilities of the department by which he or she is employed.

Employees are free to engage in any political activity of their choice provided it does not conflict with information above.

### **SAFETY**

The health and safety of each employee of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor.

### **Reporting Accidents and Illnesses**

Both Minnesota Worker's Compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's immediate supervisor is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

### **Safety Equipment/Gear**

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

### **Unsafe Behavior**

Supervisors are authorized to send an employee home immediately when the employee's behavior violates the City's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

## **TRAVEL REIMBURSEMENT**

### **Approval**

Reimbursement for City business related travel, seminar, and meeting expenses are intended to refund actual costs incurred by employees and elected officials of the City. Employees and City Officials are required to submit itemized receipts in order to be eligible for reimbursement within two weeks.

All in state and out of state travel must be pre-approved in writing by the City Administrator on prescribed City forms.

### **Allowable Expenses**

#### **Lodging.**

Accommodations shall be made at a reasonable cost that is consistent with the facilities available and convenient to the location of the conference, seminar, or meeting attended.

Only costs of single occupancy will be reimbursed. If a double occupancy occurs, the employee is responsible for the additional cost of double over single occupancy.

Lodging costs shall be reimbursable only from the night preceding an event, through the night immediately following such event, unless an additional evening's stay will decrease airfare or lodging costs.

Lodging within the seven county metro area will not be reimbursed.

Any incidental expenses occurred by a spouse or guest attending a conference with an employee must be paid by the employee. Room service and other incidental expenses must be paid for by the employee.

#### **Transportation.**

Employees who find it necessary to use their private automobiles for City travel and who do not receive a car allowance will be reimbursed at the current allowable Internal Revenue Service rate. Mileage should be documented on forms prescribed by the City and turned in within 30 days of the travel date.

Air transportation shall be coach-class unless such service is unavailable. Reservations are to be made in advance at the earliest date to ensure the lowest possible fares.

Local transportation, such as a taxicab and bus fares to and from the place of lodging / conference are reimbursable if circumstances require such travel. Costs for local transportation not pertaining directly to City business will not be reimbursed.

**Meals.**

In-state travel allows an employee to spend up to \$45.00 per day on meals. Reimbursement for meals while on authorized travel shall include only actual expenditures including tax and a 15% tip.

Out of state travel will allow employees to be reimbursed for the reasonable cost of meals exceeding \$45.00 according to the cost of living standards applicable to the area.

Costs for alcoholic beverages shall not be reimbursed.

**TRAVEL TIME**

*The following applies only to non-exempt employees, in accordance with FLSA.*

**Home to Work Travel**

Generally, travel from home to work is not work time, no matter how long the commute. The following examples are exceptions to this rule:

- **Travel from home to work after hours:** An employee who has gone home after completing his or her day's work and is later called out to perform an emergency job can claim all time spent on travel as working time.
- **Special one day assignment:** When an employee is given a special 1-day or more assignment in another city and travel is performed for the employer's benefit and at the employer's request, such travel time is considered work time. Regular home to work travel time can be counted as time worked.

**Overnight Travel Away From Home**

Travel away from home is work time when it happens during the employee's regular work day hours. The time to be considered is not only hours worked on regular working days during normal working hours, but also during the corresponding hours on non-working days.

Example: If an employee regularly works from 8:00 a.m. to 4:30 p.m., Monday through Friday, the travel time during these hours is work time on Saturday and Sunday as well as on the other days. Thus, if travel is overnight and done outside of working hours, the travel time is not compensable.

Time that is spent traveling away from home outside of regular working hours as a passenger on an airplane, boat, bus, or automobile are not considered time worked. However, all time spent driving an automobile in relation to this section must be compensated, except as follows:

- **Public Transportation:** If an employee is offered public transportation but requests permission to drive his or her car instead, the employer may count as hours worked either:
  - (a) the time spent driving the car; or
  - (b) the time he would have had to count as hours worked during working hours if the employee had used the public conveyance.



All employees are covered under Group Long-Term Disability Insurance and have premiums deducted from their paycheck each pay period.

### **Retirement**

The City participates in the Public Employees Retirement Fund (PERA) to provide pension benefits for its eligible employees. The City and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the City matches the employee's Social Security and Medicare withholding).

### **Workers' Compensation Insurance**

The City provides a comprehensive Workers' Compensation Insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits three (3) working days after the injury, or, if the employee is hospitalized, immediately. The employee benefits with two-thirds (2/3) of their average weekly wage for a time period to be determined on a case by case basis, depending on the authorization of a physician.

Employees who sustain work-related injuries or illness should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. The employee's immediate supervisor must file a Supervisor's Report of Injury with the Human Resources Department within forty eight (48) hours following the injury.

Neither the City nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

### **Benefits Continuation (COBRA)**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements, and other life events.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates, plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan, including information about the employee's rights and obligations.

The length of continuation depends on the qualifying event that applies to the employee's loss of coverage. COBRA beneficiaries generally are eligible for group coverage during a maximum of eighteen (18) months for qualifying events due to employment termination or reduction of hours of work. Certain qualifying events, or a second qualifying event during the initial period of coverage, may permit a beneficiary to receive a maximum of 36 months of coverage. COBRA beneficiaries generally are eligible for group coverage during a maximum of thirty six (36) months if an individual is not an employee, but is: a separated or divorced spouse or child of a City employee, a surviving spouse or child of a deceased City employee, a child of a City employee, and is no longer an eligible dependent as defined in the City insurance plan, or a dependent who loses dependent coverage when the City employee becomes enrolled in Medicare benefits. Employees that are eligible to receive PERA are allowed to continue health and dental insurance under COBRA indefinitely.

An employee's right to continuation coverage will immediately cease if the employee fails to pay the required premium due. Plan eligibility will cease if: an employee becomes covered under another group plan as a result of

employment, reemployment, marriage, or remarriage; an employee, an employee's spouse, or an employee's dependent children become enrolled in Medicare, in which case coverage ceases for each individual so covered; or all City insurance plans under this policy are terminated.

If an employee decides to continue group coverage, the employee must complete an election form and return it to the address shown on the election form within sixty (60) days of the later of the dates identified below, or the employee loses the employee's right to elect coverage:

- a. The date coverage is scheduled to stop; or
- b. The date the election packet is mailed.

### **Deferred Compensation**

Regular full-time employees will be eligible to participate in the deferred compensation plan. Deferred Compensation is a program that allows employees to save and invest for retirement, deferring federal and state income taxes until the employee's assets are withdrawn.

### **Donated Sick Leave**

With the approval of the City Administrator, City employees having accrued sick leave will be allowed to donate a portion of such accrued sick leave to fellow employees experiencing a major life threatening disease, injury or impairment suffered by the employee or the employee's immediate family. A major life threatening disease or condition shall include, but not be limited to a heart attack, stroke, organ transplant, cancer, or life threatening illness, injury or impairment as defined by a physician's diagnosis. The City defines an "immediate family member" as a spouse, child, step-child, mother, father, sister, brother, or grandparent of the employee or employee's spouse.

#### **Employee Eligibility:**

- All full-time employees may receive donated sick leave
- An employee is only eligible to receive donated sick leave for time lost from work due to a major life threatening disease, injury or impairment as described above, equal to the number of hours of time which the employee would lose from his or her job due to the major life threatening disease, injury or impairment.
- An employee will be eligible to receive donated sick leave only after the employee has exhausted all of his / her accrued sick leave, vacation leave, compensatory time, and holiday leave.
- An employee receiving Workers' Compensation or Long-Term Disability benefits is not eligible to receive donated sick leave.
- Employees will be allowed to receive no more than twenty (20) work days, or two hundred (200) hours, of donated sick leave for any single major life threatening disease or condition, unless otherwise approved by the City Administrator. An employee may only receive donations one time per a 12 month period.
- An employee who has been warned or disciplined for abusing sick leave may not receive donated sick leave.
- Abuse of donated sick leave will not be tolerated.

#### **Donor Eligibility:**

- All full-time employees may donate sick leave.
- An employee may donate no more than four (4) work days, or forty (40) hours, whichever is less, per a 12 month period to a single fellow employee. This will not be construed to prohibit an employee from donating to other employees in the same 12 month period.
- The donor must have a minimum balance of 80 hours of sick leave after donating to ensure adequate coverage for their own absence.

## General Information/Procedure:

- An employee requesting donated sick leave must fill out a "Request for Donated Sick Leave" form and return it to the City Administrator. Once a form has been received by the City Administrator they will send out a request to all eligible employees.
- An employee wanting to donate sick leave must fill out a "Donated Sick Leave" form and return it to the City Administrator.
- Donating sick leave is completely voluntary and confidential. No employee shall pressure or otherwise attempt to influence another employee to donate or not donate sick leave. Donations will remain anonymous to the recipient and other employees and shall only be known to staff administering the donations.
- Donated sick leave will be processed in the following order: 1) from the Department the employee works in; 2) from remaining employees.
- Donations must be made in one (1) hour increments. For every one (1) hour of sick leave donated by the donor, the recipient will be credited with one (1) hour of sick leave.
- Unused donated sick leave will be returned to the donors on a prorated basis.
- The pay levels of the two employees shall not affect the transaction.
- Donated sick leave cannot be used for severance pay, paid out to the employee in the form of cash, or used in any other manner other than what is stated above.
- Donated sick leave does not limit or extend the time available under the Medical Leave Policy.
- Under a similar program, the IRS has ruled that these payments are to be considered wages, and therefore taxable income to the recipient. As a result, the payments will be included in the annual Form W-2 prepared for the recipient and State and Federal income tax and FICA/Medicare tax and Supplemental Retirement contributions, depending on the eligibility of the recipient, this will be withheld by the City at the time of payment. The IRS has also ruled that the employee surrendering the leave realizes no income and incurs no tax-deductible expense or loss, either upon surrender of leave or payment to the recipient.
- This program will not be considered a vested right of any employee. The City specifically retains the right to administer the program in any manner it deems to be in the best interest of the City, including the right to amend, to alter, to further limit or to eliminate the program. No provisions of this policy, or its administration, shall be subject to review under the grievance or arbitration provisions of any collective bargaining agreement. No employee will have cause of action or grounds for a grievance against the City as a result of the City's denial of a request, or the City's amendment, alteration, limitation or elimination of the program. Nor will any employee have a right to grieve the program as a result of any fraud or misrepresentation on the part of the recipient and no leave donation will be reinstated for any reason. The City Administrator shall have the right to deny use of donated medical leave or limit its use as shall be determined necessary and in the best interest of the City.

### **Employee Assistance Program (EAP)**

The City has a contract with a provider whereby the employee can receive diagnostic referral assistance in such areas as parent / child relationships, marital problems, behavior problems, drug and alcohol problems, emotional and mental disorders, financial problems, and personal adjustment difficulties. The service is provided at no cost to the employee. All contact between the employee and the provider is confidential. The employer does not receive information concerning employees as a result of the service.

### **Flexible Spending Accounts**

Regular, full-time employees will be eligible to participate in flexible spending account plans.

Flexible Spending Accounts allow employees to set aside money for certain qualified medical and dependent care costs through a tax-deferred payroll deduction. The program provides for tax-deferred payment plans in health care and dependent daycare expense reimbursement.

All expenses must be qualified medical or benefit expenses, as defined in Section 125 of the Internal Revenue Code. The employee must choose the amount of pre-tax salary reduction for each type of benefit prior to the start of each year plan.

Section 457 of the Internal Revenue Code determines the annual contribution limits for employees. Participation is handled through payroll deduction, providing for a reduction of tax for each pay period.

The plan allows participants to increase, decrease, stop, and restart contributions as often as desired.

**Boot / Clothing Allowance – Exempt Public Works Department Staff**

All exempt Public Works Department staff shall be entitled to receive boot / clothing items in kind with a value consistent with that of the Labor agreement between the City and the International Union of Operating Engineers (Local No. 49 AFL-CIO) for non-exempt employees.

**Uniform Allowance – Exempt Police Department Staff**

All exempt Police Department staff shall be entitled to receive uniform items in kind with a value consistent with that of the Labor Agreement between the City and Law Enforcement Labor Services, Inc. (Local #347) for non-exempt employees.

**Holidays**

The City will grant paid holiday time off to all full-time employees for the following holidays:

- New Year’s Day
- Martin Luther King, Jr. Day
- Presidents’ Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans’ Day
- Thanksgiving
- Day after Thanksgiving (Public Works & Police Department)
- Christmas Eve (Administration)
- Christmas

Holiday pay will be calculated based on the employee’s straight time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day.

To be eligible for holiday pay, employees must work the day before and after, unless their supervisor approves the use of vacation leave, sick leave, or a floating holiday. .

For non-Administrative employees who are not subject to a collective bargaining agreement, a recognized holiday that falls on a Saturday will be observed on the preceding Friday and a recognized holiday that falls on a Sunday will be observed the following Monday.

For Administrative employees, when a recognized holiday falls on a Friday or Saturday, the employee will earn one floating holiday. If a recognized holiday falls on a Sunday, it will be observed the following Monday.

If a recognized holiday falls during an eligible employee’s paid absence (such as vacation or sick leave) holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay, plus one-half time for the hours worked on this holiday.

In addition to the recognized holidays previously listed, eligible employees will receive two floating holidays in each calendar year. These holidays must be scheduled with the prior approval of the employee's supervisor. Floating holidays may not be carried over to the next calendar year.

**LEAVES**

Depending upon the employee's situation, more than one form of leave may apply during the same period of time (e.g. The Medical Leave Policy is likely to apply during a worker's compensation absence.). An employee will need to meet the requirements of each form of leave separately.

Except as otherwise states, all paid time off, taken under any of the City's leave programs, must be taken consecutively, with no intervening unpaid leave. The City will provide employees with time away from work as required by state or federal statutes, if there are requirements for such time off that are not described in the personnel policies.

**Vacation**

Regular full-time employees are eligible to earn vacation. Vacation requests must be approved by the employee's supervisor, preferably two weeks before the absence. If necessary, supervisors may consider seniority, previous vacation schedules, and minimum staffing levels in reviewing vacation requests.

Employees must have worked at least 1,040 hours the previous year for vacation to accrue. Vacation time accrual is based on 26 pay periods per year and is earned at the following rate each pay period:

<u>Years of Service</u>	<u>Vacation Accrual per pay period</u>	<u>Estimated Annual Vacation Accrual</u>
<u>0</u>	<u>3.85 hours</u>	<u>100</u>
<u>1</u>	<u>4.23 hours</u>	<u>110</u>
<u>2</u>	<u>4.62 hours</u>	<u>120</u>
<u>3</u>	<u>5.0 hours</u>	<u>130</u>
<u>4</u>	<u>5.38 hours</u>	<u>140</u>
<u>5</u>	<u>5.77 hours</u>	<u>150</u>
<u>6</u>	<u>6.15 hours</u>	<u>160</u>
<u>7</u>	<u>6.54 hours</u>	<u>170</u>
<u>8</u>	<u>6.92 hours</u>	<u>180</u>
<u>9</u>	<u>7.31 hours</u>	<u>190</u>
<u>10</u>	<u>7.69 hours</u>	<u>200</u>
<u>11</u>	<u>8.08 hours</u>	<u>210</u>
<u>12</u>	<u>8.46 hours</u>	<u>220</u>
<u>13</u>	<u>8.85 hours</u>	<u>230</u>
<u>14</u>	<u>9.23 hours</u>	<u>240</u>
<u>15</u>	<u>9.61 hours</u>	<u>250</u>

An employee will not earn vacation leave for any pay period unless he/she is employed by the City on the last scheduled work day of the pay period. To take vacation, employees should request approval from their supervisors in advance. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

An employee is allowed to accumulate vacation time up to a maximum accrual of:

Maximum of 160 hours through 15 years employment.

Maximum of 240 hours over 15 years employment.

Vacations from work are important and employees should plan to use all vacation earned each year. A regular full-time employee who terminates employment in good standing will be compensated for accrued vacation time.

Regular full-time exempt employees shall earn paid vacation in accordance with the following schedule based on years of continuous employment:

<u>Years of Service</u>	<u>Vacation Accrual</u>
0	100
1	110
2	120
3	130
4	140
5	150
6	160
7	170
8	180
9	190
10	200
11	210
12	220
13	230
14	240
15	250

~~Vacation accruals shall be based on each employee's anniversary date. Vacation time is paid at the employee's base pay rate at the time of vacation. Employees must have worked at least 1,040 hours the previous year for vacation to accrue.~~

~~In the event that available vacation and / or compensatory time is not used by the end of the benefit year, employees may carry eighty (80) hours of unused time forward to the next benefit year with administrative approval.~~

~~To take vacation, employees should request approval from their supervisors in advance. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.~~

~~Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work.~~

### **Sick Leave**

Full time employees will accrue sick leave benefits at the rate of eight (8) hours per month beginning upon the employee's hire. Administration employees hired prior to November 21, 2013 will accrue sick leave benefits at the rate of 10 hours per month.

Employees must work at least 112 hours in any one calendar month for sick leave to accumulate for that month. Sick leave does not accrue during an unpaid leave of absence.

Employees are to use this paid leave only when they are unable to work for medical reasons and under the following conditions:

- When an employee is unable to perform work duties due to illness or disability (including pregnancy).
- For medical, dental, or other care provider appointments.
- When an employee has been exposed to a contagious disease of such nature that his / her presence at the workplace could endanger the health of others.
- To care for the employee's injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee's attendance with the child may be necessary.
- To take children, including stepchildren, or other family members to a medical, dental, or other care provider appointment.
- To care for an ill spouse, father, father-in-law, mother, mother-in-law, stepparent, grandparent, grandchild, sister or brother.
- Safety leave: Employees are authorized to use sick leave for reasonable absences for themselves or relatives (employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) who are providing or receiving assistance because they, or a relative, is a victim of sexual assault, domestic abuse, or stalking. Safety leave for those listed, other than the employee and the employee's child, is limited to 160 hours in any 12-month period

Pursuant to Minn. Stat. §181.9413, eligible employees may use up to 160 hours of sick leave in any 12-month period for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, grandparent, stepparent, parent-in-laws (mother-in-laws and father-in-laws) and grandchildren (includes step-grandchildren, biological, adopted or foster grandchildren).

If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement may be required for verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well, and may be required as a condition to receiving sick leave benefits.

Before returning to work from a sick leave absence of seven calendar days or more, an employee must provide a physician's verification that he / she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

After accrued sick leave has been exhausted, vacation leave may be used upon approval of the City Administrator, to the extent the employee is entitled to such leave.

Employees will be allowed to accumulate a total of 960 hours of sick leave benefits. Resolution A-93-7 defines sick leave accrual for those employees who, at the date of adoption of the resolution, had accumulated in excess of 960 hours. Only those employees specified will be allowed to keep their accumulated days. All other employees are subject to the maximum 960 hours accrual. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Employees who are on sick leave or medical leave for more than 30 days are required to turn in all City property. Items will be returned to the employee once they have returned to work.

### **Administrative Leave**

Under special circumstances, an employee may be placed on paid or unpaid administrative leave, depending on the circumstances and as determined by the City Council, pending the outcome of an internal or external investigation.

### **Adoptive Parents Leave**

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

### **Bone Marrow Donation Leave**

Full-time employees to undergo medical procedures to donate bone marrow are allowed a paid leave of absence not to exceed forty (40) hours, unless agreed to by the City. A physician's verification of the purpose and length of the leave is required. If there is a medical determination that the employee does not qualify as a bone marrow donor, paid leave granted prior to the medical determination is not forfeited.

### **Court Appearances**

Employees will be paid their regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with City employment, minus mileage reimbursement, must be turned over to the City.

### **Elections Leave**

An employee selected to serve as an election judge pursuant to Minnesota law will be allowed time off without pay for purposes of serving as an election judge, provided that the employee gives the City at least ten (10) days written notice.

### **Funeral Leave**

Employees will be permitted to use up to three (3) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. The City defines an "immediate family member" as a spouse, a child, step-child, mother, father, sister, brother, grandparent of the employee or the employee's spouse. This paid leave will not be deducted from the employee's vacation or sick leave balance.

The actual amount of time off, and funeral leave approved, will be determined by the supervisor or City Administrator depending on individual circumstances.

### **General Leave**

Full-time employees who have worked for the City for at least 180 days may apply for an unpaid leave of absence for personal or emergency reasons. The granting of such leave will be at the sole discretion of the City and will not be granted for periods exceeding ninety (90) days in duration. The City may, in its discretion, extend such a leave upon written request by the employee, but not, in any event, to exceed a total of twelve (12) months.

Requests for personal leave will be evaluated on a number of factors to ensure efficiency in the conduct of the City business, including employee / department workload and the reason for the leave.

Requests for leave must be made in writing with a full explanation for the leave and, if possible, submitted to the City Administrator fourteen (14) days in advance of the leave date.

An employee on an unpaid leave of absence will be entitled to retain the employee's accrued leave and other benefits. The employee will accrue no sick leave, vacation, holiday, or other benefits for the period of time that the employee is on leave.

Health insurance benefits will be provided by the City to the employee until the end of the month in which the approved personal leave begins. At that time, employees will be subject to paying for full costs of the benefits they wish to continue through COBRA.

If the employee has an unauthorized absence from work promptly at the expiration of the approved leave period, the City will consider the employee to have resigned.

### **Jury Duty**

Regular full-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty to the City, excluding mileage, in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

Employees are expected to report for work whenever the court schedule permits.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the Clerk of Court so the City will be able to determine the amount of compensation due for the period involved.

Part-time, temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty, but can take a leave without pay subject to department head approval. Part-time, temporary, or seasonal employees may keep any compensation they receive for jury duty.

### **Military Leave**

State and federal laws provide protections and benefits to City employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of fifteen (15) days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the City as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years. In calculating the five years of service, inactive duty service, such as drill weekends and annual training, are not counted. An employee is entitled to military leave regardless of whether the military duty is involuntary or the employee volunteered for the duty.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond ~~thirty (30) days will be at the expense of the employee for up to twenty four (24) months.~~ fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

When possible, notice is to be provided to the City at least ten (10) working days in advance of the requested leave. Employees have the option of using accrued vacation during the period of military service. Employees will continue to accrue seniority with respect to employment while engaged in military service.

### **Pregnancy and Parenting Leave**

Employees who work twenty (20) hours or more per week and have been employed more than one year are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child as eligible for up to 12 weeks of unpaid leave and must begin within twelve (12) months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. ~~The employee is not required to use sick leave for this absence.~~ The employee should provide reasonable notice, or as may be practicable under the circumstances.

The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act. The employee will be required to continue payment of their portion of the group insurance. For employees on a Medical Leave absence as well, the employer contributions toward insurance benefits will continue during the Medical Leave absence.

### **School Conference & Activities Leave**

An employee ~~who has worked half-time or more may take~~has unpaid leave of up to a total of sixteen (16) hours during any twelve (12) month period to attend school conferences or school-related activities that cannot be scheduled during non-work hours. If the employee's child receives childcare services or attends a pre-kindergarten regular or special education program, the employee may use the leave time to attend a conference or activity related to the employee's child or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled during non-work hours.

When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide the supervisor with reasonable prior notice and make a reasonable effort to schedule the leave so as not to disrupt the operations of the City. The employee may substitute any accrued paid vacation leave or other appropriate leave for any part of the leave.

### **Sick Child Leave**

Employees with children, including step-children, may use their sick leave in order to care for a sick child. The use of sick leave to take care of a child must be used in the same manner as the employee who would use the sick leave for his / her own illness.

### **Victim or Witness Leave**

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony, or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, reasonable time off from work to attend criminal proceedings related to the victim's case. [See Safety Leave under the Sick Leave Policy for additional information on leave benefits available to employees and certain family members.]

### **Voting Leave**

Every employee who is entitled to vote at any statewide election or any election to fill a vacancy in the office of Representative in Congress is entitled to be absent from work for two hours for the purpose of voting during the election day without penalty or deduction from the employee's salary or wage on account of such absence. Arrangements must be made with the employee's supervisor at least twenty four (24) hours in advance.

### **Reasonable Unpaid Work Time for Nursing Mothers**

Nursing mothers will be provided reasonable unpaid break time for nursing mothers to express milk for nursing her child ~~for one year after the child's birth~~. The city will provide a room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

### **Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy**

The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth.

- more frequent restroom, food, and water breaks;
- seating;
- limits on lifting over 20 pounds and/or temporary transfer to a less strenuous or hazardous position, should one be available.

Unless such accommodations impose an undue hardship on the city. The city will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

## **FAMILY MEDICAL LEAVE POLICY**

### **General**

Unpaid job protected leave will be granted to all eligible employees for up to twelve (12) weeks per twelve (12) month period for any of the following reasons:

1. Birth or placement of a child with the employee for adoption or foster care;
2. To care for a spouse, child or parent who has a serious health condition; or
3. A serious health condition that makes the employee unable to perform the essential functions of the position.
4. A covered military member's active duty or call to duty or to care for a covered military member (Military Caregive and Qualified Exigency Leave)

### **Definitions**

The following definitions apply:

“Caring” for someone includes psychological as well as physical care. It also includes acquiring care and sharing care duties.

An eligible “child” is defined as a person under 18 years of age (or a person incapable of self-care because of a physical or mental disability) who is a biological, adopted, foster, or step-child, a ward of the employee, or a person with whom the employee is charged with a parent's rights, duties, and responsibilities.

An eligible “parent” includes a biological parent or a person who was charged with a parent's rights, duties, and responsibilities over the employee when the employee was under the legal age, but doesn't include in-laws.

"Spouse" does not include domestic partners or common-law spouses.

“Serious Health Condition” means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
- Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or child birth;

- Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider.
- Chronic Conditions Requiring Treatments. An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time and may cause episodic rather than a continuing period of incapacity;
- Permanent/Long-term Conditions Requiring Supervision;
- Multiple Treatments: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.
- “Incapacity” means inability to work, attend school or perform other regular daily activities.

### **Eligibility**

An eligible employee is one who has worked for the City for a cumulative period of twelve (12) months and at least 1,250 hours during the twelve (12) month period prior to the start of leave.

### **Length of Leave**

The length of Family Medical Leave is not to exceed twelve (12) weeks in any twelve (12) month period. The entitlement to Family Medical Leave for the birth or placement of a child expires twelve (12) months after the birth or placement of that child.

### **Leave Year**

The 12-month period is calculated by measuring twelve (12) months backward from the start date of the employee’s last Family Medical Leave.

### **How Leave May be Taken**

Family Medical Leave may be taken in 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed) or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks. Family Medical Leave will run concurrently with Worker's Compensation.

Intermittent Leave may be taken when medically necessary for the employee’s serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking leave intermittent or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt the City’s business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the City’s approval.

The City may require the employee to transfer temporarily to an alternative position, with equivalent pay and benefits that better accommodates the intermittent leave than the employee’s regular position.

### **Notice**

The employee is to give verbal or written notice to his / her supervisor at least thirty (30) days prior to the date on which leave is to begin or if the thirty (30) days notice cannot be given as much notice as practical.

If an employee fails to give thirty (30) days notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice. To the extent possible, planned medical treatment should be scheduled so that it will not unduly disrupt the City's operations.

### **Medical Certification**

For leave due to an employee's serious health condition or a family member's, the City will require the completion of a Medical Certification form by the attending physician or practitioner. The form must be submitted to the City Administrator within fifteen (15) calendar days after requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

The City may require an employee to obtain a second opinion from a provider which the City selects. If necessary to resolve a conflict between the original certification and the second opinion, the City may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the City's [Family](#) Medical Leave Policy pending the second and/or third opinion.

When Leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) may be required before an employee can return to work. Failure to timely provide such certification may eliminate or delay an employee's right to reinstatement under the City's [Family](#) Medical Leave Policy.

If an employee is using intermittent leave, and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

### **Recertification**

Recertification may be required if the employee requests an extension of the original length approved by the City or if the employee's circumstances change. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

### **Fitness for Duty Certification**

The City may require a medical certificate attesting to the employee's fitness for duty prior to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of his / her regular job.

The City Administrator may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the ADA (Americans with Disabilities Act). If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

### **Job Protection**

Employees returning from [Family](#) Medical Leave will be reinstated in their former position or a position equivalent in pay, benefits, and other terms and conditions of employment.

An employee's reinstatement rights are the same as they would have been had the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated had they not been on leave, the employee would not have the right to be reinstated upon return from leave.

### **Notice of Intent to Return from [Family](#) Medical Leave**

The City requires an employee on [Family](#) Medical Leave to report periodically on the employee's status and intent to return to work.

### **Effect on Benefits**

An employee granted leave under this policy will continue to be covered under the City's group health plan under the same conditions and at the same level of City contribution as would have been provided had they been continuously employed during the leave period. If there are changes in the City's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

The employee will be required to continue payment of their portion of group insurance coverage ~~and the City's portion plus any required administrative fee for life insurance continuation, if continuation is desired. The City may choose to continue the City's portion if administratively more convenient.~~ Arrangements for payment of the employee's portion of premiums must be made by the employee with the City. If an employee's contribution is more than thirty (30) days late, the City may terminate the employee's insurance coverage, subject to COBRA requirements.

### **Seniority**

Seniority does not accrue during any period of unpaid Family Medical Leave except as allowed when the leave is covered by worker's compensation. However, seniority accrued prior to the commencement of Family Medical Leave will not be lost.

### **Use of Accrued Paid Leave or Compensatory Time During Family Medical Leave**

During the Family Medical Leave, employees must use accrued sick leave, vacation leave, and compensatory time prior to taking an unpaid leave unless their medical condition / injury is covered by worker's compensation or the absence qualifies under the state Parental Leave law. Family Medical Leave counts as continued service for purpose of retirement and / or pensions plans.

### **Records Retention**

Records on Family Medical Leave will generally be kept with normal payroll records except that any medical record will be maintained separately as a confidential medical record in accordance with the law.

### **Failure to Return from Family Medical Leave**

Employees who cannot return from an approved Family Medical Leave at the end of the approved leave period may request an extension (up to the maximum of twelve (12) weeks allowed). If the twelve (12) Family Medical Leave weeks have already been used, the employee can request to go on a regular unpaid leave of absence. If approved, before unpaid leave begins the employee must use any accrued sick leave, compensatory time, or vacation leave that remains. If the leave is approved and unpaid, the employee will be required to pay the full cost of all group insurance, as provided under COBRA, in order to continue coverage.

If the unpaid leave of absence is not approved or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the City Council's approval.

If an employee fails to return from Family Medical Leave and is determined to have voluntarily quit as described above, the City may seek reimbursement from the employee for the portion of the insurance premiums paid by the City on behalf of that employee during the period of leave.

### **Light Duty / Modified Duty Assignment**

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the City Administrator on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the City Administrator. The City Administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his / her job due to a temporary disability, he / she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he / she is unable to perform the essential functions, duties, and requirements of the position. This notice must be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to work with no restrictions, meeting all essential requirements and functions of the City's job description, along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the City Administrator.

The City may require a medical exam conducted by a physician selected by the City to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the City Administrator whether or not to assign light duty work to the employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months.

If the City offers a light duty assignment to an employee who is out on worker's compensation leave, the employee may be subject to penalties if he / she refuses such work. The City will not, however, require an employee who is otherwise qualified for protection under the City's [Family](#) Medical Leave Policy to accept a light duty assignment.

The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty / modified work assignment may be discontinued at any time.

## **WELCOME TO THE CITY OF NEWPORT!**

Dear Employee:

Welcome! I am pleased to have you join the City of Newport, a team of dedicated individuals working together to provide high quality services to the residents, businesses, and property owners in the City. I hope that you will find the information in this policy beneficial to helping you succeed in your new position.

The City's overall mission is being “committed to serving the people and businesses of Newport” and the City Council and staff are committed to achieving this goal through the provision of quality municipal services. I encourage you to review the City's mission and value statements included in this policy. We recognize that our dedicated, professional City employees are our greatest resource and that the maintenance of a high quality municipal work force is essential in reaching these long term goals.

The City of Newport's success, like the success of any business, relies heavily on the level of teamwork and cooperation of all staff members. Through teamwork, each individual contributes to the growth and development of the entire City of Newport. Your attitude and efforts contribute much toward achieving our goals.

This policy summarizes many current City policies and guidelines. Please read this guide thoroughly and keep it as a reference. Please consult your supervisor with any questions you may have.

Again, welcome to the City of Newport and I look forward to your success here.

Sincerely,

City Administrator

## **INTRODUCTION**

### **Purpose**

It is the purpose of these policies to establish a uniform and equitable system of personnel administration for employees of the City. Their provisions do not establish terms and shall not be construed as contractual provisions. They are not intended to be all-inclusive or cover every situation that may arise. These policies may be amended at any time at the sole discretion of the City Council and they will supersede all previous personnel policies. Revisions and amendments shall become effective upon approval by the Newport City Council.

### **Scope**

These policies apply to all employees of the City. Except where specifically noted, these policies do not apply to:

1. Elected Officials;
2. City Attorney;
3. Members of City Boards, Commissions, and Committees;
4. Consultants and Contractors;
5. Volunteers, except as specifically noted for paid on-call firefighters.

If any specific provisions of the Personnel Policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. This includes, but is not limited to vacation schedule, holidays, severance pay, sick leave, etc. Union employees are encouraged to consult their labor agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

Departments may have special work rules deemed necessary by the supervisor and approved by the City Administrator for the achievement of objectives of that department. Each employee will be given a copy of such work rules by the department upon hiring and such rules will be further explained and enforcement discussed with the employee by the immediate supervisor.

### **EEO Policy**

The City is committed to providing equal opportunity in all areas of employment, including but not limited to hiring, demotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation, and selection for training. The City will not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, ancestry, gender, sexual orientation or identity, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, membership on a local human rights commission, or any other characteristic protected by law.

The City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

### **Data Practices Advisory**

Employee records are maintained in a location designated by the City Administrator. Personnel data is kept in personnel files, finance files, and benefit / medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc. Personnel files are the property of the City and access to the information they contain is restricted. Generally, only supervisors and management of personnel of the City who have legitimate reason to review information in a file are allowed to do so.

Employees have the right to know what data is retained, where it is kept, and how it is used. All employee data will be received, retained, and disseminated according to the Minnesota Government Data Practices Act. Employees who wish to review their own file should contact the City Administrator. With written advance notice, employees may review their own personnel files, within seven working days of the City's receipt of the

written notice. The files may be reviewed in the City's offices and in the presence of an individual appointed by the City to maintain the files.

**Employment of Relatives**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships. It is the intent of the City to avoid such circumstances and / or conflicts.

Although the City has no prohibition against hiring relatives of existing employees, the City is committed to monitoring situations in which relatives work in the same area and does not allow relatives to have supervisory authority over each other. In the case of actual or potential problems, the City will take prompt action. This can include reassignment or, if necessary, termination of employment for one or both of the individuals involved.

For purposes of this policy, a relative is any person who is related by blood, or whose relationship with the employee is similar to that of persons who are related by blood, such as marriage.

**Immigration Law Compliance**

The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the City Administrator. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

**DEFINITIONS**

For purposes of these policies, the following definitions will apply:

**Authorized Hours**

The number of hours an employee was hired to work. Actual hours worked during any given pay period may be different than authorized hours, depending on workload demands or other factors, and upon approval of the employee's supervisor.

**Benefits**

Privileges or non-monetary compensation granted to employees that are included in the total compensation to employees.

**Compensatory Time**

Time of work at one-and-one half times the number of overtime hours worked.

**Demotion**

The movement of an employee from one job class to another within the City, where the maximum salary for the new position is lower than that of the employee's former position.

**Employee**

An individual who has successfully completed all stages of the selection process including the training period.

**Exempt Employee**

Employees who are not covered by the overtime provisions of the Federal or State Fair Labor Standards Act.

**FICA (Federal Insurance Contributions Act)**

FICA is the federal requirement that a certain amount be automatically withheld from employees' earnings. Specifically, FICA requires an employee contribution of 6.2% for Social Security and 1.45% for Medicare. The City contributes a matching 7.65% on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers).

**Fiscal Year**

The period from January 1 to December 31.

**Full-Time Employee**

Employees who are required to work forty (40) or more hours per week, or two thousand eighty (2,080) hours per year in an ongoing position.

**Job Classification**

A group of positions sufficiently alike in duties, qualifications, authority, and responsibility to warrant the same job title, grade, and pay schedule for all positions in the group.

**Job Description**

The written description of a job containing a title, a statement of duties, authority and essential functions of the job, and the qualifications deemed necessary and / or desirable for the satisfactory performance of the duties of the job.

**Management Employee**

An employee who is responsible for managing a department or division of the City.

**Non-Exempt Employee**

Employees who are covered by the federal or state Fair Labor Standards Act. Such employees are normally eligible for overtime at 1.5 times their regular hourly wage for all hours worked over forty (40) in any given work week.

**Overtime**

Time worked in excess of forty (40) hours per week or in excess of the employee's normal work schedule as established by the employer.

**Part-Time Employee**

Employees who are required to work less than forty (40) hours per week year round in an ongoing position.

**Pay Period**

A fourteen (14) day period beginning at 12:00 a.m.(midnight) on Monday through 11:59 p.m. on Sunday, fourteen (14) days later.

**PERA (Public Employees Retirement Association)**

Statewide pension program in which all City employees meeting program requirements must participate in accordance with Minnesota law. The City and the employee each contribute to the employee's retirement account. Employees that receive \$425 in wages during any month are eligible for PERA.

**Promotion**

Movement of an employee from one job class to another within the City, where the maximum new salary for the new position is higher than that of the employee's former position.

**Reclassify**

Movement of a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

**Seasonal Employee**

Employees who work only part of the year (100 days or less) to conduct seasonal work. Seasonal employees may be assigned to work a full-time or part-time schedule. Seasonal employees do not earn benefits or credit for seniority.

**Service Credit**

Time worked for the City. An employee begins earning service credit on the first day worked for the City. Some forms of leave will create a break in service.

**Temporary Employee**

Employees who work in temporary positions. Temporary jobs might have a defined start and end date or may be for the duration of a specific project. Temporary employees may be assigned to work a full-time or part-time schedule. Temporary employees do not earn benefits or credit for seniority.

**Training Period**

A six month period at the start of employment with the City (or at the beginning of a promotion, reassignment, or transfer) that is designated as a period within which to learn the job. The training period is the last part of the selection process.

**Transfer**

Movement of an employee from one City position to another of equivalent pay.

**EMPLOYEE RECRUITMENT & SELECTION****Scope**

The City Administrator or a designee will manage the hiring process for positions within the City. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision for full-time positions and must approve all hires to City employment. All hires will be made according to merit and fitness related to the position being filled.

**Features of the Recruitment System**

The City Administrator or designee will determine if a vacancy will be filled through an open recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis. The majority of position vacancies will be filled through an open recruitment process.

Application for employment will be made on application forms provided by the City. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline in order to be considered for the position. The deadline for application may be extended by the City Administrator.

Position vacancies may be filled on an "acting" basis as needed. The City Council will approve all acting appointments. Pay rate adjustments, if any, will be determined by the City Council.

**Testing & Examinations**

Applicant qualifications will be evaluated in one or more of the following ways: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test, or other appropriate job-related exam.

Internal recruitments will be open to any City employee who: (1) has successfully completed 180 calendar days in

their current position; (2) meets the minimum qualifications for the vacant position; and (3) currently is and for the last six months been in good standing with the City, which includes having no written warnings on file or suspensions.

The City Council or designee will establish minimum qualifications for each position with input from the appropriate supervisor. To be eligible to participate in the selection process a candidate must meet the minimum qualifications.

### **Pre-Employment Medical Examinations**

The City Administrator or designee may determine that a pre-employment examination, which may include a psychological examination, is necessary to determine fitness to perform the essential functions of any City position safely.

When a pre-employment medical exam is required, it will be required of all candidates who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by a licensed physician designated by the City with the cost of the exam paid by the City. (Psychological / psychiatric exams will be conducted by a licensed psychologist or psychiatrist.) The physician will notify the City Administrator or designee that a candidate either is or is not medically able to perform the essential functions of the job, with or without accommodations, and whether the candidate passed a drug test, if applicable. If the candidate requires accommodation to perform one or more of the essential functions of the job, the City Administrator or designee will confer with the physician and candidate regarding reasonable and acceptable accommodations.

If a candidate is rejected for employment based on the results of the medical exam, he / she will be notified of this determination.

### **Selection Process**

The selection process will be a cooperative effort between the City Administrator or designee and the hiring supervisor, subject to final hiring approval by the City Council (for full-time positions only). Any, all, or none of the candidates may be interviewed.

The process for hiring seasonal, temporary, or part-time employees will be delegated to the appropriate supervisor, who will hire according to the budget.

### **Background Checks**

All finalists for employment with the City will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the City Administrator will determine the level of background check to be conducted based on the position being filled.

### **Training Period**

The training period is an integral part of the selection process and will be used for the purpose of observing the employee's work and for training the employee in work expectations. Training periods apply to new hires, transfers, promotions, and rehires. Training and probationary periods are six months for Administration and Public Works employees and one year for Police employees.

If a full-time employee elects to receive health benefits through the City, the City will prorate the assigned amount for their Health Savings Account and deposit the appropriate amount on a monthly basis during their probationary period. At the end of their probationary period, the remaining amount will be deposited.

## **ORGANIZATION**

### **Job Descriptions**

The City will maintain job descriptions for each regular position. New positions will be developed as needed, but must be approved by the City Council prior to the position being filled.

A job description is prepared for each position within the City. Each job description will include: position title, department, supervisor's title, FLSA status (exempt or non-exempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisor direction or guidance provided to position.

Prior to posting a vacant position, the existing job description is reviewed by the City Administrator or designee and the hiring supervisor to ensure that the job description is an accurate reflection of the position and that the stated job qualifications do not present artificial barriers to employment.

A current job description is provided to each new employee. Supervisors are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the City Administrator

Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the City Administrator or designee.

### **Assigning and Scheduling Work**

Assignment of work duties and scheduling work is the responsibility of the supervisor.

## **HOURS OF WORK**

### **Work Hours**

Forty (40) hours will constitute the regular work week for full-time employees. Work schedules for employees will be established by supervisors and may be subject to change with the approval of the City Administrator. A regular work week is outlined as follows:

The regular work hours for Administration employees is Monday through Thursday from 8:00 a.m. to 6:00 p.m. A regular work day shall be 10 hours.

The regular work hours for Public Works employees varies throughout the year. A regular work day shall be 8 hours.

Part-time, seasonal, and temporary positions: In order to comply with law while avoiding penalties, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended. Effective January 1, 2016, employees in part-time/seasonal/temporary positions will not be permitted to work on average more than 28 hours/week. All shifts, including schedule trades or picked-up shifts, must be pre-approved by supervisor. Unpaid furloughs may be imposed on employees who exceed 28 hours/ week. Working a shift without prior approval may result in discipline, up to and including termination of employment. In some rare instances, a part-time, seasonal, or temporary employee may be offered health insurance in order to comply with federal health care reform laws and regulations.

### **Meal Breaks and Rest Periods**

A paid fifteen (15) minute break is allowed within each four (4) consecutive hours of work. An unpaid (30) minute lunch period is provided when an employee works eight or more consecutive hours.

If approved by your supervisor, you may, on a daily basis, extend your one-half hour lunch break by fifteen (15) minutes or thirty (30) minutes by foregoing one or both of your breaks.

### **Attendance & Punctuality**

The operations and standards of service in the City require that employees be at work unless valid reasons warrant absence. Absenteeism and tardiness place a burden on other employees and the City.

Employees who are going to be absent from or tardy to work are required to notify their supervisor as soon as possible in advance of the absence. In case of unexpected absence, employees should call their supervisor before the scheduled starting time. If the supervisor is not available at the time, the employee should leave a message that includes a telephone number where he / she can be reached and / or contact any other individual who was designated by the supervisor. Failure to use established reporting process will be grounds for disciplinary action. Departments may establish more specific reporting procedures.

The employee must call the supervisor on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the supervisor. Employees who are absent for three (3) days or more and who do not report the absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing. The City may waive this rule if extenuating circumstances warranted such behavior. This policy does not preclude the City from administering discipline for unexcused absences of less than three (3) days.

### **Adverse Weather Conditions**

The Mayor may authorize the closing of City offices due to inclement weather. If offices are closed, each department head will be responsible for notifying employees of such closing.

In the event that offices are closed due to inclement weather during the course of the workday or for the full work day, employees will be paid for a full work day and will not be required to use vacation leave, leave without pay, compensatory time, or personal leave.

Employees excluded from this policy include: Police employees and Public Works employees who are involved in snow plowing activities. These employees will be expected to report to and remain at work under all weather conditions.

### **State of Emergencies or Emergency Work**

Compensation for non-union management and supervisory personnel shall follow Resolution No. 96-55 and the Administrative Policy during a Declared "State of Emergency," which was approved March 14, 1997.

### **COMPENSATION**

Full-time employees of the City will be compensated according to schedules adopted by the City Council. Unless approved by the City Council, employees will not receive any amount from the City in addition to the pay authorized for the positions to which they have been appointed. Expense reimbursement or travel expenses may be authorized in addition to regular pay.

Compensation for part-time, seasonal and temporary employees will be set by the City Council at the time of hire, or on an annual basis.

Under the Minnesota Wage Disclosure Protection law, employees have the right to tell any person the amount of their own wages. While the Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment;

- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages;
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minnesota Statute §181.172, subd. 3

The City cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or 1/800-342-5354.

### **Pay Periods**

Employees are paid on a bi-weekly basis. When paydays fall on a holiday, checks / direct deposits are normally issued the day before the holiday.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to the City. Employees will receive an itemized statement of wages when the City makes direct deposits.

Employees are responsible for notifying the appropriate personnel of any change in status including changes in address, phone number, names of beneficiaries, marital status, bank account information, etc.

### **Time Reporting**

Full-time, non-exempt employees are expected to work 40 hours per work week and will be paid according to the time reported on their timesheets. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a bi-weekly basis.

Each time reporting form must include the signature of the employee and immediate supervisor. Reporting false information on a timesheet may be cause for immediate termination.

### **Overtime / Compensatory Time**

The City has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator will determine whether each employee is designated as "exempt" or "non-exempt" from earning overtime.

#### **Non-Exempt, Non-Administration (Overtime-eligible) Employees:**

All Non-Exempt, Non-Administration overtime-eligible employees will be compensated at the rate of time and one-half for all hours worked over forty (40) in one work week.

The employee's supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

#### **Non-Exempt Administration (Overtime-eligible) Employees:**

All Non-Exempt Administration overtime-eligible employees will be compensated with compensatory time at the rate of time and one half for all hours worked over forty (40) in one work week.

The employee's supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

### **PERFORMANCE EVALUATIONS**

An objective performance evaluation system will be established by the City Administrator or designee for the purpose of periodically evaluating the performance of City employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations, and salary adjustments.

Performance reviews will be discussed with the employee. Employees do not have the right to change or grieve their performance review, but may submit a written response which will be attached to the performance review.

Performance evaluations are to be conducted after the employees' first six months and then annually thereafter. The evaluation form(s), with all required signatures, will be retained as part of the employee's personnel file.

During the training / probationary period, informal performance meetings should occur frequently between the supervisor and the employee.

Signing of the performance review document by the employee acknowledges that the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

### **TEMPORARY & PART-TIME EMPLOYMENT**

Persons whose employment is part-time, seasonal or temporary will not be entitled to sick leave, vacation benefits, holiday pay, or insurance benefits, except for workers compensation insurance.

An employee on a temporary part-time status does not accumulate seniority with the City.

The following sections of the Employee Personnel Policy do not apply to part-time, seasonal or temporary employees:

- Educational Assistance
- Benefits
- Leaves
- Medical Leave
- Benefit Providers

An employee on temporary or part-time status will be entitled to such public employee benefits as may be provided under the Public Employment Labor Relations Act, Minn. Stat. § 179A.

### **CITYWIDE WORK RULES & CODE OF CONDUCT**

#### **Conduct as a City Employee**

In accepting City employment, employees become representatives of the City and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of Newport. Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a City employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

The following are job requirements for every position at the City. All employees are expected to:

- Perform assigned duties to the best of their ability at all times.
- Render prompt and courteous service to the public at all times.
- Read, understand and comply with the rules and regulations as set forth in these Personnel Policies as well as those of their departments.
- Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any and all unsafe conditions to the immediate supervisor.
- Maintain good attendance.

### **Access to and Use of City Property**

Any employee who has authorized possession of keys, tools, cell phones, pagers, credit cards, identification badges, or other City-owned / issued equipment must register his / her name and the serial number (if applicable) or identifying information about the equipment with his / her supervisor. All such equipment must be turned in and accounted for by any employee leaving employment with the City in order to resign in good standing, or immediately upon request.

Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the City is prohibited unless authorized by the City Administrator. Any employee found having an unauthorized duplicate key will be subject to disciplinary action.

### **Appearance**

Departments may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

### **Conflict of Interest**

Employees shall not engage in any activities which create, or might appear to create, a conflict of interest with the employee's responsibilities and obligations to the City. Employees shall fully and completely disclose to the City Administrator any actual or potential conflict of interest he or she may be facing so that the City may assess and prevent potential conflicts. Employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be perceived or actual conflict of interest.

### **Falsification of Records**

Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

### **Gifts Acceptance**

Minnesota State law prohibits any City employee from accepting a gift from anyone doing business with the City. While the State law allows limited exceptions, for all practical purposes, gifts of any value are prohibited.

### **Personnel Data Changes**

The employee is responsible for notifying the City Administrator or designee of any changes in personnel data. Personal mailing addresses, telephone numbers, individuals to be contacted in the event of an emergency, and other such status reports should be accurate and current at all times.

### **Political Activity**

City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no City employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the City to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another employee to apply for or become a member in a political organization.

Per Minnesota State law, the Mayor nor any City Council member may be employed by the City. "Employed" refers to full-time permanent employment.

### **Drug-Free Workplace**

While on the City premises and while conducting business-related activities off the City premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the City of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

The City recognizes drug and alcohol abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use their health insurance plans or Employee Assistance Plans, as appropriate.

Random testing without prior notice may be given to those employees who are in safety sensitive positions, including any supervisory or management position in which an impairment caused by drug or alcohol use would threaten the health or safety of any person. Testing without prior notice may be given to employees who have been referred by the employer for chemical dependency treatment or evaluation or who are participating in a chemical dependency treatment program under an employee benefit plan or have participated in a chemical dependency treatment program in the prior two years.

### **Smoking**

All City buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars, and cigarettes, or e-cigarettes) is prohibited while in a City facility or vehicle.

Employees 18 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

## **RESPECTFUL WORKPLACE POLICY**

The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. The City acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

### **Applicability**

Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all City personnel, including regular and temporary employees, volunteers, firefighters, and City Council members.

### **Abusive Customer Behavior**

While the City has a strong commitment to customer service, the City does not expect that employees accept verbal abuse from any customer. Any employee may request that a supervisor intervene when a customer is abusive, or they may defuse the situation themselves, including ending the contact.

If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 9-1-1 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their supervisor about the incident as soon as possible.

### **Types of Disrespectful Behavior**

The following types of behaviors cause a disruption in the workplace and are, in many instances, unlawful:

*Violent behavior includes the use of physical force, harassment, or intimidation.*

Discriminatory behavior includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, ancestry, gender, sexual orientation or identity, genetic information, veteran status, , disability, marital status, age, sexual orientation, status with regard to public assistance, or any other characteristic protected by law.

Offensive behavior may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disrespectful language, or any other behavior regarded as offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction. Although the standard for how employees treat each other and the general public will be the same throughout the City, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the City Administrator.

Sexual harassment can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually-oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos, or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

### **Possession and Use of Dangerous Weapons**

Possession or use of a dangerous weapon is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

### **Employee Response to Disrespectful Workplace Behavior**

Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory

behavior, then the employee is responsible for taking one of the actions below. If employees see or overhear a violation of this policy, they are encouraged to take the steps below.

Step 1 (a). Politely, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1 (b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or City Administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

Step 1 (c). In the case of violent behavior, all employees are required to report the incident immediately to their supervisor, City Administrator, or Police Department. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the City Administrator.

Step 2. If, after what is considered to be a reasonable length of time (i.e. 30 days), you believe inadequate action is being taken to resolve your complaint / concern, the next step is to report the incident to the City Administrator or Mayor.

### **Supervisor's Response to Allegations of Disrespectful Workplace Behavior**

In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations within two business days to the City Administrator, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his / her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his / her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time, and place:

- Corroborating evidence
- List of witnesses
- Identification of the offender

Step 3. The supervisor must notify the City Administrator about the allegations.

Step 4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

### **Special Reporting Requirements**

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior, a report will be made to the City Attorney, who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a Council Member is perceived to be the cause of a disrespectful workplace behavior incident involving City personnel, the report will be made to the City Administrator and referred to the City Attorney, who will undertake the necessary investigation. The City Attorney will report his / her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the City Administrator may at his / her discretion take appropriate action to protect the alleged victim, other employees, or citizens.

### **Confidentiality**

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

### **Retaliation**

Consistent with the terms of applicable statuses and City personnel policies, the City may discipline any individual who retaliates against any person who reports alleged violations of this policy. The City may also discipline any individual who retaliates against any participant in an investigation, proceeding, or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

## **DISCIPLINE**

### **General Policy**

Supervisors are responsible for maintaining compliance with City standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City. City employees will be subject to disciplinary action up to and including termination for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable City policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the City's personnel policies. The supervisor and / or the City Administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

### **No Contract Language Established**

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

### **Process**

The City may elect to use progressive discipline with any employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any City employee has a property right to the job he / she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee.

The following are descriptions of the types of disciplinary actions:

**Oral Reprimand**

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors have the ability to issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand, including date(s) and a summary of discussion and corrective action needed.

**Written Reprimand**

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected or the behavior has not consistently improved in a reasonable period of time. Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with prior approval from the City Administrator.

A written reprimand will: (1) state what did happen; (2) state what should have happened; (3) identify the policy, directive, or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean that they agree with the reprimand. Written reprimands will be placed in the employee's personnel file.

**Suspension With or Without Pay**

The City Administrator may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans will not be suspended without pay in conjunction with termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors, including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due, had the suspension not taken place.

**Demotion and / or Transfer**

An employee may be demoted or transferred if attempts at resolving an issue have failed and the City Administrator determines a demotion or transfer to be the best solution to the problem. The employee must be qualified for the position to which they are being demoted or transferred. The City Council must approve this action.

**Salary**

An employee's salary increase may be withheld or the salary may be decreased due to performance deficiencies.

**Dismissal**

The City Administrator, with the approval of the City Council, may dismiss a full-time employee for substandard work performance, serious misconduct, or behavior not in keeping with City standards. Part-time, seasonal, or temporary employees may be dismissed by their immediate supervisor without City Council approval.

If the disciplinary action involves the removal of a qualified veteran, the appropriate hearing notice will be provided and all rights will be afforded the veteran in accordance with Minnesota law.

## **GRIEVANCE PROCEDURE**

Any dispute between an employee and the City relative to the application, meaning, or interpretation of these personnel policies will be settled in the following manner:

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, and the remedy requested, to the proper supervisor within twenty one (21) days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2: If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, and the remedy requested, by the employee to the City Administrator within seven (7) days after the supervisor's response is due. The City Administrator or his / her designee will respond to the employee in writing within seven (7) calendar days. The decision of the City Administrator is final.

Nothing contained in this policy is intended to restrict employees' rights under the National Labor Relations Act (NLRA) or any other federal, state or local laws or regulations governing employment.

### **Waiver**

If a grievance is not presented within the time limits set forth above, it will be considered "waived". If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled on the basis of the City's last answer. If the City does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the City and the employee without prejudice to either party.

The following actions are not grievable:

1. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not;
2. Pay increases or lack thereof; and
3. Merit pay awards.

The above list is not meant to be all inclusive or exhaustive.

## **SEPARATION FROM SERVICE**

### **Resignations**

Employees wishing to leave the City service in good standing must provide a written resignation notice to their supervisor, at least fourteen (14) days before leaving, unless otherwise specified in an employee contract. Department heads must give thirty (30) calendar days notice. Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. The employee's termination date must be a day worked, not a paid leave. If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

### **Layoffs**

Shortage of work or funds, abolition of positions, or other reasons, may necessitate the layoff of positions from time to time. The City Administrator or Department Head shall make layoff recommendations for regular positions to the Newport City Council. A fourteen (14) calendar day written notice will be provided to affected regular employees. The City Administrator or Department Head may lay off or terminate temporary or seasonal employees with no prior notice and without City Council approval.

**Severance Pay**

Employees who leave the City in good standing by retirement or resignation will receive pay for 100% of unused accrued vacation and will follow the below schedule for accrued sick leave:

Up to 10 years of service	60% of accrued sick leave
10 to 15 years of service	70% of accrued sick leave
15 or more years of service	80% of accrued sick leave

The payment for accrued sick leave shall be applied toward the Employees Minnesota State Retirement Health Care Savings Plan.

**COMMUNICATION RESPONSE**

City staff shall check their electronic mail (e-mail) and voicemail at least once per day. If the message requires a response, the response should be sent as soon as possible, but no later than seventy two (72) hours after the call (excluding weekends and holidays). Receipt of a message should be acknowledged within forty eight (48) hours, even if a subsequent response is required.

For absences of one day or longer, the “Out of Office Assistant” shall be used for the e-mail system. This should state what day(s) the employee will be gone.

For absences of one day or longer, the temporary voicemail greeting shall be activated for the voicemail system. This should state what day(s) the employee will be gone and should give callers an option of talking to another staff member.

**E-MAIL USAGE**

The City’s electronic mail system (e-mail) is designed to facilitate City business communication among employees and other business associates for messages or memoranda. Since no computer system is completely secure, the e-mail system is not intended to transmit sensitive materials, such as personnel decisions and other similar information that may be more appropriately communicated by written memorandum or personal conversation.

The e-mail system is City property and intended for City business. The system is not to be used for employee personal gain or to support or advocate for non-City related business or purposes. All data and other electronic messages within this system are the property of the City.

**General Information on Passwords**

While you have a confidential password, users should be aware that this does not suggest that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the employee. The use of the e-mail system is for City business. Passwords should be periodically changed to ensure security of the e-mail system. Users should not share their password with anyone else.

**Prohibited Uses**

Solicitation of funds, political messages, harassing messages and other such messages are specifically prohibited. All e-mail messages are subject to all state and federal laws, such as, open meeting laws, data practices act, the human rights act, etc.

**Retention of E-Mails**

Employees, members of the City Council, members of Advisory Boards, and Consultants shall retain all e-mails associated with City business for one month.

**Applicability to Employees and Other Users**

This e-mail policy applies to all full-time employees, part-time employees, temporary employees, interns, volunteers, and other individuals in all departments who are provided access to the City's e-mail system as necessary for their business purpose with the City.

### **Employee Termination, Leave of Absence, Vacation, and Other**

Employees who are terminated or laid off have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Department Heads and supervisors may access an employee's e-mail if employees are on a leave of absence, vacation, or are transferred from one department to another department, and if it is necessary for the conduct of business.

### **System Monitoring**

Users expressly waive any right or expectation of any privacy in anything they create, store, send, or receive on the company's computer system. The City will, but is not obliged to, monitor e-mails without prior notification. If there is evidence that an employee is not adhering to the guidelines set out in this policy, the City reserves the right to take disciplinary action, including termination and / or legal action.

## **INTERNET USAGE**

### **Business Use Only**

By definition, the Internet is a collection of computers, computer networks, communication protocols, information servers, and personal and organizational information retrieval clients, connected together in a global community. Traffic may cross multiple networks prior to reaching the client destination. The City provides its employees with access to the vast information resources of the Internet to assist them in performing their job duties in an effective and efficient matter. The facilities to provide Internet access represent a substantial commitment of City resources and therefore, the City has developed this policy to ensure that the Internet is being used appropriately.

The Internet is a business tool to be used exclusively for business purposes, i.e., to communicate with customers and suppliers, to research relevant topics, and to obtain business information. When using the Internet, employees are expected to conduct themselves in a professional manner and to respect copyrights, software licensing rules, etc.

Unnecessary or unauthorized Internet usage takes away from work time, consumes supplies, ties up printers and other shared resources. Unlawful Internet usage may also garner negative publicity for the City and expose it to significant legal liabilities.

This policy covers all files that can be read on a computer screen, including HTML files read in an Internet browser, any file meant to be accessed by a word processing or desk-top publishing program or its viewer, any files prepared for the Adobe Acrobat reader and other electronic publishing tools. Graphics includes all photographs, pictures, animations, movies or other drawings.

### **Prohibited Use**

Inappropriate Internet use includes: transmitting obscene, harassing, offensive, or unprofessional messages; accessing any site that is sexually or racially offensive or discriminatory; displaying, downloading, or distributing any sexually explicit material; transmitting any of the City's confidential or proprietary information, including customer data, trade secrets, or other confidential information.

### **Monitoring**

The City reserves the right to monitor employee use of the Internet at any time and employees should not consider their Internet usage to be private. Personal passwords are not an assurance of confidentiality, and the Internet itself is not secure.

### **Copyright Restrictions; Permission Required**

Any software or other material downloaded into the City's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors, or owners of the material. Prior written authorization from a manager is required before introducing software into the City's computer system. Employees may not download entertainment software, games, or any other software unrelated to their work.

### **No Company Representation**

Only authorized employees may communicate on the Internet on behalf of the City. Employees may not express opinions or personal views that could be misconstrued as being those of the City. Employees may not state their company affiliation on the Internet unless required as part of their assigned duties.

### **Violations of Policy**

Any violation of this policy may result in loss of computer access and disciplinary action, including immediate termination.

## **TELEPHONE USAGE**

### **City Cellular Phone Use**

City cellular telephones are intended for the use of City employees in the conduct of their work for the City. Supervisors are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use.

Supervisors may prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

### **Personal Telephone and Cellular Telephone Calls**

All personal telephone calls, text messaging, and e-mailing from telephones, are to be done only during breaks or lunch breaks, or when emergency situations warrant. They are not to interfere with City work and are to be completed as quickly as possible. Any personal long distance costs will be paid for by the employee.

All personal calls made by employees on a City-provided cellular phone must be paid for by the employee through reimbursement to the City based on actual cost listed on the City's phone bill.

## **NEWS RELEASES**

Formal news releases concerning municipal affairs are the responsibility of the City Administrator or his or her designee. All media interviews must be approved by the City Administrator before the interview in all situations practicable. All contacts with the media should be reported to the City Administrator as soon as possible.

No City employee is authorized to speak on behalf of the City without prior authorization from the City Administrator or his / her designee.

The Police Chief may issue news releases, speak to the media, or speak on behalf of the City without City Administrator approval in regards to Public Safety matters.

All news releases concerning City personnel will be the responsibility of the City Administrator.

## **CITY DRIVING**

This policy applies to all employees who drive a vehicle on City business, whether driving a City-owned vehicle or their own personal vehicle.

The City expects all employees who are required to drive as part of their job, to drive safely and legally while on City business, and maintain a good driving record.

Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first work day after any temporary, pending, or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter.

The City will determine appropriate action on a case-by-case basis.

### **OUTSIDE EMPLOYMENT**

Employees may not engage in outside employment which would conflict with their job or might in any way hinder their objective and impartial performance of their public duties or impair their efficiency on the job.

Employees must not engage in any employment activity or enterprise that is inconsistent, incompatible, or in conflict with his or her duties as a City employee, or with the duties, functions and responsibilities of the department by which he or she is employed.

Employees are free to engage in any political activity of their choice provided it does not conflict with information above.

### **SAFETY**

The health and safety of each employee of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor.

#### **Reporting Accidents and Illnesses**

Both Minnesota Worker's Compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's immediate supervisor is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

#### **Safety Equipment/Gear**

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

#### **Unsafe Behavior**

Supervisors are authorized to send an employee home immediately when the employee's behavior violates the City's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

### **TRAVEL REIMBURSEMENT**

#### **Approval**

Reimbursement for City business related travel, seminar, and meeting expenses are intended to refund actual costs incurred by employees and elected officials of the City. Employees and City Officials are required to submit itemized receipts in order to be eligible for reimbursement within two weeks.

All in state and out of state travel must be pre-approved in writing by the City Administrator on prescribed City forms.

#### **Allowable Expenses**

**Lodging.**

Accommodations shall be made at a reasonable cost that is consistent with the facilities available and convenient to the location of the conference, seminar, or meeting attended.

Only costs of single occupancy will be reimbursed. If a double occupancy occurs, the employee is responsible for the additional cost of double over single occupancy.

Lodging costs shall be reimbursable only from the night preceding an event, through the night immediately following such event, unless an additional evening's stay will decrease airfare or lodging costs.

Lodging within the seven county metro area will not be reimbursed.

Any incidental expenses occurred by a spouse or guest attending a conference with an employee must be paid by the employee. Room service and other incidental expenses must be paid for by the employee.

**Transportation.**

Employees who find it necessary to use their private automobiles for City travel and who do not receive a car allowance will be reimbursed at the current allowable Internal Revenue Service rate. Mileage should be documented on forms prescribed by the City and turned in within 30 days of the travel date.

Air transportation shall be coach-class unless such service is unavailable. Reservations are to be made in advance at the earliest date to ensure the lowest possible fares.

Local transportation, such as a taxicab and bus fares to and from the place of lodging / conference are reimbursable if circumstances require such travel. Costs for local transportation not pertaining directly to City business will not be reimbursed.

**Meals.**

In-state travel allows an employee to spend up to \$45.00 per day on meals. Reimbursement for meals while on authorized travel shall include only actual expenditures including tax and a 15% tip.

Out of state travel will allow employees to be reimbursed for the reasonable cost of meals exceeding \$45.00 according to the cost of living standards applicable to the area.

Costs for alcoholic beverages shall not be reimbursed.

**TRAVEL TIME**

*The following applies only to non-exempt employees, in accordance with FLSA.*

**Home to Work Travel**

Generally, travel from home to work is not work time, no matter how long the commute. The following examples are exceptions to this rule:

- **Travel from home to work after hours:** An employee who has gone home after completing his or her day's work and is later called out to perform an emergency job can claim all time spent on travel as working time.

- **Special one day assignment:** When an employee is given a special 1-day or more assignment in another city and travel is performed for the employer's benefit and at the employer's request, such travel time is considered work time. Regular home to work travel time can be counted as time worked.

### **Overnight Travel Away From Home**

Travel away from home is work time when it happens during the employee's regular work day hours. The time to be considered is not only hours worked on regular working days during normal working hours, but also during the corresponding hours on non-working days.

Example: If an employee regularly works from 8:00 a.m. to 4:30 p.m., Monday through Friday, the travel time during these hours is work time on Saturday and Sunday as well as on the other days. Thus, if travel is overnight and done outside of working hours, the travel time is not compensable.

Time that is spent traveling away from home outside of regular working hours as a passenger on an airplane, boat, bus, or automobile are not considered time worked. However, all time spent driving an automobile in relation to this section must be compensated, except as follows:

- **Public Transportation:** If an employee is offered public transportation but requests permission to drive his or her car instead, the employer may count as hours worked either:
  - (a) the time spent driving the car; or
  - (b) the time he would have had to count as hours worked during working hours if the employee had used the public conveyance.
- **Work While Traveling:** Any work which an employee is required to perform while traveling must be counted as hours worked. An employee who drives a truck, bus, automobile, boat, or airplane, or an employee who is required to ride therein as an assistant or helper, is working while riding. Meal periods and sleep time in adequate facilities furnished by the employer need not be counted.

### **EDUCATIONAL ASSISTANCE**

The City values employee education and will provide educational assistance to all eligible full-time employees who have completed at least 180 calendar days of service with City Administrator approval. The City will provide up to 100% reimbursement to eligible employees for tuition, academic fees, and books up to a maximum of \$1,500 per year. Tuition and fees funded by other sources such as grants or scholarships may not be reimbursed. To be eligible for reimbursement, the following requirements must be met:

- Employees must remain on the active payroll and be performing their job satisfactorily through the completion of each course.
- Courses must be related to the employee's current job duties or a foreseeable future position in the organization. The City has the sole discretion to determine whether a course relates to an employee's current job duties or a foreseeable future position.
- Prior to class registration, the classes and an Educational Assistance Request form must be approved by the Supervisor and City Administrator.
- Employees must attend all classes and complete all course work and assignments outside of work hours.
- Reimbursement will be determined as follows:
 

○ Complete the course with an "A"	100% reimbursement
○ Complete a pass/fail course with a "pass"	100% reimbursement
○ Complete the course with a "B"	75% reimbursement
○ Complete the course with a "C"	50% reimbursement
- Employees must submit a copy of receipts and grade reports for reimbursement within 60 days of completing the class.

While educational assistance is expected to enhance employees' performance and professional abilities, the City cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

The City invests in educational assistance to employees with the expectation that the investment be returned through enhanced job performance. However, if an employee voluntarily separates employment from the City within one year of the last educational assistance payment, the amount of the payment will be considered only a loan. Accordingly, the employee will be required to repay the full amount.

## **BENEFITS**

Employee benefits stated in this section apply only to full-time employees and specifically exclude seasonal, contract, part-time, temporary, or volunteer employees, except when such groups are expressly included by the provisions of this policy.

### **Health and Dental Insurance**

The City Council will, by resolution, establish from time to time insurance plans that will be provided to eligible fulltime City employees. The employee's insurance coverage will begin on his or her first day of employment.

### **Life Insurance**

Full-time employees will be eligible to receive life insurance coverage through the City upon their first day of employment. The City will contribute premiums for a group term life insurance policy for all eligible employees. Supplemental life insurance may be made available for purchase by eligible employees.

### **Long-Term Disability Insurance**

All employees are covered under Group Long-Term Disability Insurance and have premiums deducted from their paycheck each pay period.

### **Retirement**

The City participates in the Public Employees Retirement Fund (PERA) to provide pension benefits for its eligible employees. The City and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the City matches the employee's Social Security and Medicare withholding).

### **Workers' Compensation Insurance**

The City provides a comprehensive Workers' Compensation Insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits three (3) working days after the injury, or, if the employee is hospitalized, immediately. The employee benefits with two-thirds (2/3) of their average weekly wage for a time period to be determined on a case by case basis, depending on the authorization of a physician.

Employees who sustain work-related injuries or illness should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. The employee's immediate supervisor must file a Supervisor's Report of Injury with the Human Resources Department within forty eight (48) hours following the injury.

Neither the City nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

### **Benefits Continuation (COBRA)**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements, and other life events.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates, plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan, including information about the employee's rights and obligations.

The length of continuation depends on the qualifying event that applies to the employee's loss of coverage. COBRA beneficiaries generally are eligible for group coverage during a maximum of eighteen (18) months for qualifying events due to employment termination or reduction of hours of work. Certain qualifying events, or a second qualifying event during the initial period of coverage, may permit a beneficiary to receive a maximum of 36 months of coverage. COBRA beneficiaries generally are eligible for group coverage during a maximum of thirty six (36) months if an individual is not an employee, but is: a separated or divorced spouse or child of a City employee, a surviving spouse or child of a deceased City employee, a child of a City employee, and is no longer an eligible dependent as defined in the City insurance plan, or a dependent who loses dependent coverage when the City employee becomes enrolled in Medicare benefits. Employees that are eligible to receive PERA are allowed to continue health and dental insurance under COBRA indefinitely.

An employee's right to continuation coverage will immediately cease if the employee fails to pay the required premium due. Plan eligibility will cease if: an employee becomes covered under another group plan as a result of employment, reemployment, marriage, or remarriage; an employee, an employee's spouse, or an employee's dependent children become enrolled in Medicare, in which case coverage ceases for each individual so covered; or all City insurance plans under this policy are terminated.

If an employee decides to continue group coverage, the employee must complete an election form and return it to the address shown on the election form within sixty (60) days of the later of the dates identified below, or the employee loses the employee's right to elect coverage:

- a. The date coverage is scheduled to stop; or
- b. The date the election packet is mailed.

### **Deferred Compensation**

Regular full-time employees will be eligible to participate in the deferred compensation plan. Deferred Compensation is a program that allows employees to save and invest for retirement, deferring federal and state income taxes until the employee's assets are withdrawn.

### **Donated Sick Leave**

With the approval of the City Administrator, City employees having accrued sick leave will be allowed to donate a portion of such accrued sick leave to fellow employees experiencing a major life threatening disease, injury or impairment suffered by the employee or the employee's immediate family. A major life threatening disease or condition shall include, but not be limited to a heart attack, stroke, organ transplant, cancer, or life threatening illness, injury or impairment as defined by a physician's diagnosis. The City defines an "immediate family member" as a spouse, child, step-child, mother, father, sister, brother, or grandparent of the employee or employee's spouse.

Employee Eligibility:

- All full-time employees may receive donated sick leave
- An employee is only eligible to receive donated sick leave for time lost from work due to a major life threatening disease, injury or impairment as described above, equal to the number of hours of time which the employee would lose from his or her job due to the major life threatening disease, injury or impairment.
- An employee will be eligible to receive donated sick leave only after the employee has exhausted all of his / her accrued sick leave, vacation leave, compensatory time, and holiday leave.
- An employee receiving Workers' Compensation or Long-Term Disability benefits is not eligible to receive donated sick leave.
- Employees will be allowed to receive no more than twenty (20) work days, or two hundred (200) hours, of donated sick leave for any single major life threatening disease or condition, unless otherwise approved by the City Administrator. An employee may only receive donations one time per a 12 month period.
- An employee who has been warned or disciplined for abusing sick leave may not receive donated sick leave.
- Abuse of donated sick leave will not be tolerated.

#### Donor Eligibility:

- All full-time employees may donate sick leave.
- An employee may donate no more than four (4) work days, or forty (40) hours, whichever is less, per a 12 month period to a single fellow employee. This will not be construed to prohibit an employee from donating to other employees in the same 12 month period.
- The donor must have a minimum balance of 80 hours of sick leave after donating to ensure adequate coverage for their own absence.

#### General Information/Procedure:

- An employee requesting donated sick leave must fill out a "Request for Donated Sick Leave" form and return it to the City Administrator. Once a form has been received by the City Administrator they will send out a request to all eligible employees.
- An employee wanting to donate sick leave must fill out a "Donated Sick Leave" form and return it to the City Administrator.
- Donating sick leave is completely voluntary and confidential. No employee shall pressure or otherwise attempt to influence another employee to donate or not donate sick leave. Donations will remain anonymous to the recipient and other employees and shall only be known to staff administering the donations.
- Donated sick leave will be processed in the following order: 1) from the Department the employee works in; 2) from remaining employees.
- Donations must be made in one (1) hour increments. For every one (1) hour of sick leave donated by the donor, the recipient will be credited with one (1) hour of sick leave.
- Unused donated sick leave will be returned to the donors on a prorated basis.
- The pay levels of the two employees shall not affect the transaction.
- Donated sick leave cannot be used for severance pay, paid out to the employee in the form of cash, or used in any other manner other than what is stated above.
- Donated sick leave does not limit or extend the time available under the Medical Leave Policy.
- Under a similar program, the IRS has ruled that these payments are to be considered wages, and therefore taxable income to the recipient. As a result, the payments will be included in the annual Form W-2 prepared for the recipient and State and Federal income tax and FICA/Medicare tax and Supplemental Retirement contributions, depending on the eligibility of the recipient, this will be withheld by the City at the time of payment. The IRS has also ruled that the employee surrendering the leave realizes no income and incurs no tax-deductible expense or loss, either upon surrender of leave or payment to the recipient.

- This program will not be considered a vested right of any employee. The City specifically retains the right to administer the program in any manner it deems to be in the best interest of the City, including the right to amend, to alter, to further limit or to eliminate the program. No provisions of this policy, or its administration, shall be subject to review under the grievance or arbitration provisions of any collective bargaining agreement. No employee will have cause of action or grounds for a grievance against the City as a result of the City's denial of a request, or the City's amendment, alteration, limitation or elimination of the program. Nor will any employee have a right to grieve the program as a result of any fraud or misrepresentation on the part of the recipient and no leave donation will be reinstated for any reason. The City Administrator shall have the right to deny use of donated medical leave or limit its use as shall be determined necessary and in the best interest of the City.

### **Employee Assistance Program (EAP)**

The City has a contract with a provider whereby the employee can receive diagnostic referral assistance in such areas as parent / child relationships, marital problems, behavior problems, drug and alcohol problems, emotional and mental disorders, financial problems, and personal adjustment difficulties. The service is provided at no cost to the employee. All contact between the employee and the provider is confidential. The employer does not receive information concerning employees as a result of the service.

### **Flexible Spending Accounts**

Regular, full-time employees will be eligible to participate in flexible spending account plans.

Flexible Spending Accounts allow employees to set aside money for certain qualified medical and dependent care costs through a tax-deferred payroll deduction. The program provides for tax-deferred payment plans in health care and dependent daycare expense reimbursement.

All expenses must be qualified medical or benefit expenses, as defined in Section 125 of the Internal Revenue Code. The employee must choose the amount of pre-tax salary reduction for each type of benefit prior to the start of each year plan.

Section 457 of the Internal Revenue Code determines the annual contribution limits for employees. Participation is handled through payroll deduction, providing for a reduction of tax for each pay period.

The plan allows participants to increase, decrease, stop, and restart contributions as often as desired.

### **Boot / Clothing Allowance – Exempt Public Works Department Staff**

All exempt Public Works Department staff shall be entitled to receive boot / clothing items in kind with a value consistent with that of the Labor agreement between the City and the International Union of Operating Engineers (Local No. 49 AFL-CIO) for non-exempt employees.

### **Uniform Allowance – Exempt Police Department Staff**

All exempt Police Department staff shall be entitled to receive uniform items in kind with a value consistent with that of the Labor Agreement between the City and Law Enforcement Labor Services, Inc. (Local #347) for non-exempt employees.

### **Holidays**

The City will grant paid holiday time off to all full-time employees for the following holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day

- Labor Day
- Veterans' Day
- Thanksgiving
- Day after Thanksgiving (Public Works & Police Department)
- Christmas Eve (Administration)
- Christmas

Holiday pay will be calculated based on the employee's straight time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day.

To be eligible for holiday pay, employees must work the day before and after, unless their supervisor approves the use of vacation leave, sick leave, or a floating holiday. .

For non-Administrative employees who are not subject to a collective bargaining agreement, a recognized holiday that falls on a Saturday will be observed on the preceding Friday and a recognized holiday that falls on a Sunday will be observed the following Monday.

For Administrative employees, when a recognized holiday falls on a Friday or Saturday, the employee will earn one floating holiday. If a recognized holiday falls on a Sunday, it will be observed the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave) holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay, plus one-half time for the hours worked on this holiday.

In addition to the recognized holidays previously listed, eligible employees will receive two floating holidays in each calendar year. These holidays must be scheduled with the prior approval of the employee's supervisor. Floating holidays may not be carried over to the next calendar year.

**LEAVES**

Depending upon the employee's situation, more than one form of leave may apply during the same period of time (e.g. The Medical Leave Policy is likely to apply during a worker's compensation absence.). An employee will need to meet the requirements of each form of leave separately.

Except as otherwise states, all paid time off, taken under any of the City's leave programs, must be taken consecutively, with no intervening unpaid leave. The City will provide employees with time away from work as required by state or federal statutes, if there are requirements for such time off that are not described in the personnel policies.

**Vacation**

Regular full-time employees are eligible to earn vacation. Vacation requests must be approved by the employee's supervisor, preferably two weeks before the absence. If necessary, supervisors may consider seniority, previous vacation schedules, and minimum staffing levels in reviewing vacation requests.

Employees must have worked at least 1,040 hours the previous year for vacation to accrue. Vacation time accrual is based on 26 pay periods per year and is earned at the following rate each pay period:

Years of Service	Vacation Accrual per pay period	Estimated Annual Vacation Accrual
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0	3.85 hours	100
1	4.23 hours	110
2	4.62 hours	120
3	5.0 hours	130
4	5.38 hours	140
5	5.77 hours	150
6	6.15 hours	160
7	6.54 hours	170
8	6.92 hours	180
9	7.31 hours	190
10	7.69 hours	200
11	8.08 hours	210
12	8.46 hours	220
13	8.85 hours	230
14	9.23 hours	240
15	9.61 hours	250

An employee will not earn vacation leave for any pay period unless he/she is employed by the City on the last scheduled work day of the pay period. To take vacation, employees should request approval from their supervisors in advance. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

An employee is allowed to accumulate vacation time up to a maximum accrual of:

Maximum of 160 hours through 15 years employment.

Maximum of 240 hours over 15 years employment.

Vacations from work are important and employees should plan to use all vacation earned each year. A regular full-time employee who terminates employment in good standing will be compensated for accrued vacation time.

**Sick Leave**

Full time employees will accrue sick leave benefits at the rate of eight (8) hours per month beginning upon the employee’s hire. Administration employees hired prior to November 21, 2013 will accrue sick leave benefits at the rate of 10 hours per month.

Employees must work at least 112 hours in any one calendar month for sick leave to accumulate for that month. Sick leave does not accrue during an unpaid leave of absence.

Employees are to use this paid leave only when they are unable to work for medical reasons and under the following conditions:

- When an employee is unable to perform work duties due to illness or disability (including pregnancy).
- For medical, dental, or other care provider appointments.
- When an employee has been exposed to a contagious disease of such nature that his / her presence at the workplace could endanger the health of others.
- To care for the employee’s injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee’s attendance with the child may be necessary.

- To take children, including stepchildren, or other family members to a medical, dental, or other care provider appointment.
- To care for an ill spouse, father, father-in-law, mother, mother-in-law, stepparent, grandparent, grandchild, sister or brother.
- Safety leave: Employees are authorized to use sick leave for reasonable absences for themselves or relatives (employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) who are providing or receiving assistance because they, or a relative, is a victim of sexual assault, domestic abuse, or stalking. Safety leave for those listed, other than the employee and the employee's child, is limited to 160 hours in any 12-month period

Pursuant to Minn. Stat. §181.9413, eligible employees may use up to 160 hours of sick leave in any 12-month period for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, grandparent, stepparent, parent-in-laws (mother-in-laws and father-in-laws) and grandchildren (includes step-grandchildren, biological, adopted or foster grandchildren).

If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement may be required for verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well, and may be required as a condition to receiving sick leave benefits.

Before returning to work from a sick leave absence of seven calendar days or more, an employee must provide a physician's verification that he / she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

After accrued sick leave has been exhausted, vacation leave may be used upon approval of the City Administrator, to the extent the employee is entitled to such leave.

Employees will be allowed to accumulate a total of 960 hours of sick leave benefits. Resolution A-93-7 defines sick leave accrual for those employees who, at the date of adoption of the resolution, had accumulated in excess of 960 hours. Only those employees specified will be allowed to keep their accumulated days. All other employees are subject to the maximum 960 hours accrual. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Employees who are on sick leave or medical leave for more than 30 days are required to turn in all City property. Items will be returned to the employee once they have returned to work.

### **Administrative Leave**

Under special circumstances, an employee may be placed on paid or unpaid administrative leave, depending on the circumstances and as determined by the City Council, pending the outcome of an internal or external investigation.

### **Adoptive Parents Leave**

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

### **Bone Marrow Donation Leave**

Full-time employees to undergo medical procedures to donate bone marrow are allowed a paid leave of absence not to exceed forty (40) hours, unless agreed to by the City. A physician's verification of the purpose and length

of the leave is required. If there is a medical determination that the employee does not qualify as a bone marrow donor, paid leave granted prior to the medical determination is not forfeited.

### **Court Appearances**

Employees will be paid their regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with City employment, minus mileage reimbursement, must be turned over to the City.

### **Elections Leave**

An employee selected to serve as an election judge pursuant to Minnesota law will be allowed time off without pay for purposes of serving as an election judge, provided that the employee gives the City at least ten (10) days written notice.

### **Funeral Leave**

Employees will be permitted to use up to three (3) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. The City defines an "immediate family member" as a spouse, a child, step-child, mother, father, sister, brother, grandparent of the employee or the employee's spouse. This paid leave will not be deducted from the employee's vacation or sick leave balance.

The actual amount of time off, and funeral leave approved, will be determined by the supervisor or City Administrator depending on individual circumstances.

### **General Leave**

Full-time employees who have worked for the City for at least 180 days may apply for an unpaid leave of absence for personal or emergency reasons. The granting of such leave will be at the sole discretion of the City and will not be granted for periods exceeding ninety (90) days in duration. The City may, in its discretion, extend such a leave upon written request by the employee, but not, in any event, to exceed a total of twelve (12) months.

Requests for personal leave will be evaluated on a number of factors to ensure efficiency in the conduct of the City business, including employee / department workload and the reason for the leave.

Requests for leave must be made in writing with a full explanation for the leave and, if possible, submitted to the City Administrator fourteen (14) days in advance of the leave date.

An employee on an unpaid leave of absence will be entitled to retain the employee's accrued leave and other benefits. The employee will accrue no sick leave, vacation, holiday, or other benefits for the period of time that the employee is on leave.

Health insurance benefits will be provided by the City to the employee until the end of the month in which the approved personal leave begins. At that time, employees will be subject to paying for full costs of the benefits they wish to continue through COBRA.

If the employee has an unauthorized absence from work promptly at the expiration of the approved leave period, the City will consider the employee to have resigned.

### **Jury Duty**

Regular full-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty to the City, excluding mileage, in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

Employees are expected to report for work whenever the court schedule permits.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the Clerk of Court so the City will be able to determine the amount of compensation due for the period involved.

Part-time, temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty, but can take a leave without pay subject to department head approval. Part-time, temporary, or seasonal employees may keep any compensation they receive for jury duty.

### **Military Leave**

State and federal laws provide protections and benefits to City employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of fifteen (15) days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the City as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years. In calculating the five years of service, inactive duty service, such as drill weekends and annual training, are not counted. An employee is entitled to military leave regardless of whether the military duty is involuntary or the employee volunteered for the duty.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

When possible, notice is to be provided to the City at least ten (10) working days in advance of the requested leave. Employees have the option of using accrued vacation during the period of military service. Employees will continue to accrue seniority with respect to employment while engaged in military service.

### **Pregnancy and Parenting Leave**

Employees who work twenty (20) hours or more per week and have been employed more than one year are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child as eligible for up to 12 weeks of unpaid leave and must begin within twelve (12) months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. The employee should provide reasonable notice, or as may be practicable under the circumstances.

The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act. The employee will be required to continue payment of their portion of the group insurance. For employees on a Medical Leave absence as well, the employer contributions toward insurance benefits will continue during the Medical Leave absence.

### **School Conference & Activities Leave**

An employee who has worked half-time or more may take unpaid leave of up to a total of sixteen (16) hours during any twelve (12) month period to attend school conferences or school-related activities that cannot be scheduled during non-work hours. If the employee's child receives childcare services or attends a pre-kindergarten regular or special education program, the employee may use the leave time to attend a conference or activity related to the employee's child or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled during non-work hours.

When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide the supervisor with reasonable prior notice and make a reasonable effort to schedule the leave so as not to disrupt the operations of the City. The employee may substitute any accrued paid vacation leave or other appropriate leave for any part of the leave.

### **Sick Child Leave**

Employees with children, including step-children, may use their sick leave in order to care for a sick child. The use of sick leave to take care of a child must be used in the same manner as the employee who would use the sick leave for his / her own illness.

### **Victim or Witness Leave**

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony, or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, reasonable time off from work to attend criminal proceedings related to the victim's case. [See Safety Leave under the Sick Leave Policy for additional information on leave benefits available to employees and certain family members.]

### **Voting Leave**

Every employee who is entitled to vote at any statewide election or any election to fill a vacancy in the office of Representative in Congress is entitled to be absent from work for two hours for the purpose of voting during the election day without penalty or deduction from the employee's salary or wage on account of such absence. Arrangements must be made with the employee's supervisor at least twenty four (24) hours in advance.

### **Reasonable Unpaid Work Time for Nursing Mothers**

Nursing mothers will be provided reasonable unpaid break time for nursing mothers to express milk for nursing her child. The city will provide a room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

### **Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy**

The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth.

- more frequent restroom, food, and water breaks;
- seating;
- limits on lifting over 20 pounds and/or temporary transfer to a less strenuous or hazardous position, should one be available.

Unless such accommodations impose an undue hardship on the city. The city will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

## **FAMILY MEDICAL LEAVE POLICY**

## **General**

Unpaid job protected leave will be granted to all eligible employees for up to twelve (12) weeks per twelve (12) month period for any of the following reasons:

1. Birth or placement of a child with the employee for adoption or foster care;
2. To care for a spouse, child or parent who has a serious health condition; or
3. A serious health condition that makes the employee unable to perform the essential functions of the position.
4. A covered military member's active duty or call to duty or to care for a covered military member (Military Caregive and Qualified Exigency Leave)

## **Definitions**

The following definitions apply:

“Caring” for someone includes psychological as well as physical care. It also includes acquiring care and sharing care duties.

An eligible “child” is defined as a person under 18 years of age (or a person incapable of self-care because of a physical or mental disability) who is a biological, adopted, foster, or step-child, a ward of the employee, or a person with whom the employee is charged with a parent’s rights, duties, and responsibilities.

An eligible “parent” includes a biological parent or a person who was charged with a parent’s rights, duties, and responsibilities over the employee when the employee was under the legal age, but doesn’t include in-laws.

"Spouse" does not include domestic partners or common-law spouses.

“Serious Health Condition” means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
- Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or child birth;
- Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider.
- Chronic Conditions Requiring Treatments. An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time and may cause episodic rather than a continuing period of incapacity;
- Permanent/Long-term Conditions Requiring Supervision;
- Multiple Treatments: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.
- “Incapacity” means inability to work, attend school or perform other regular daily activities.

## **Eligibility**

An eligible employee is one who has worked for the City for a cumulative period of twelve (12) months and at least 1,250 hours during the twelve (12) month period prior to the start of leave.

## **Length of Leave**

The length of Family Medical Leave is not to exceed twelve (12) weeks in any twelve (12) month period. The entitlement to Family Medical Leave for the birth or placement of a child expires twelve (12) months after the birth or placement of that child.

### **Leave Year**

The 12-month period is calculated by measuring twelve (12) months backward from the start date of the employee's last Family Medical Leave.

### **How Leave May be Taken**

Family Medical Leave may be taken in 12 (or less) consecutive weeks, may be used intermittently (a day periodically when needed) or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks. Family Medical Leave will run concurrently with Worker's Compensation.

Intermittent Leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking leave intermittent or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt the City's business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the City's approval.

The City may require the employee to transfer temporarily to an alternative position, with equivalent pay and benefits that better accommodates the intermittent leave than the employee's regular position.

### **Notice**

The employee is to give verbal or written notice to his / her supervisor at least thirty (30) days prior to the date on which leave is to begin or if the thirty (30) days notice cannot be given as much notice as practical.

If an employee fails to give thirty (30) days notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice. To the extent possible, planned medical treatment should be scheduled so that it will not unduly disrupt the City's operations.

### **Medical Certification**

For leave due to an employee's serious health condition or a family member's, the City will require the completion of a Medical Certification form by the attending physician or practitioner. The form must be submitted to the City Administrator within fifteen (15) calendar days after requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

The City may require an employee to obtain a second opinion from a provider which the City selects. If necessary to resolve a conflict between the original certification and the second opinion, the City may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the City's Family Medical Leave Policy pending the second and/or third opinion.

When Leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) may be

required before an employee can return to work. Failure to timely provide such certification may eliminate or delay an employee's right to reinstatement under the City's Family Medical Leave Policy.

If an employee is using intermittent leave, and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

### **Recertification**

Recertification may be required if the employee requests an extension of the original length approved by the City or if the employee's circumstances change. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

### **Fitness for Duty Certification**

The City may require a medical certificate attesting to the employee's fitness for duty prior to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of his / her regular job.

The City Administrator may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the ADA (Americans with Disabilities Act). If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

### **Job Protection**

Employees returning from Family Medical Leave will be reinstated in their former position or a position equivalent in pay, benefits, and other terms and conditions of employment.

An employee's reinstatement rights are the same as they would have been had the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated had they not been on leave, the employee would not have the right to be reinstated upon return from leave.

### **Notice of Intent to Return from Family Medical Leave**

The City requires an employee on Family Medical Leave to report periodically on the employee's status and intent to return to work.

### **Effect on Benefits**

An employee granted leave under this policy will continue to be covered under the City's group health plan under the same conditions and at the same level of City contribution as would have been provided had they been continuously employed during the leave period. If there are changes in the City's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

The employee will be required to continue payment of their portion of group insurance coverage. Arrangements for payment of the employee's portion of premiums must be made by the employee with the City. If an employee's contribution is more than thirty (30) days late, the City may terminate the employee's insurance coverage, subject to COBRA requirements.

### **Seniority**

Seniority does not accrue during any period of unpaid Family Medical Leave except as allowed when the leave is covered by worker's compensation. However, seniority accrued prior to the commencement of Family Medical Leave will not be lost.

### **Use of Accrued Paid Leave or Compensatory Time During Family Medical Leave**

During the Family Medical Leave, employees must use accrued sick leave, vacation leave, and compensatory time prior to taking an unpaid leave unless their medical condition / injury is covered by worker's compensation or the

absence qualifies under the state Parental Leave law. Family Medical Leave counts as continued service for purpose of retirement and / or pensions plans.

### **Records Retention**

Records on Family Medical Leave will generally be kept with normal payroll records except that any medical record will be maintained separately as a confidential medical record in accordance with the law.

### **Failure to Return from Family Medical Leave**

Employees who cannot return from an approved Family Medical Leave at the end of the approved leave period may request an extension (up to the maximum of twelve (12) weeks allowed). If the twelve (12) Family Medical Leave weeks have already been used, the employee can request to go on a regular unpaid leave of absence. If approved, before unpaid leave begins the employee must use any accrued sick leave, compensatory time, or vacation leave that remains. If the leave is approved and unpaid, the employee will be required to pay the full cost of all group insurance, as provided under COBRA, in order to continue coverage.

If the unpaid leave of absence is not approved or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the City Council's approval.

If an employee fails to return from Family Medical Leave and is determined to have voluntarily quit as described above, the City may seek reimbursement from the employee for the portion of the insurance premiums paid by the City on behalf of that employee during the period of leave.

### **Light Duty / Modified Duty Assignment**

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the City Administrator on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the City Administrator. The City Administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his / her job due to a temporary disability, he / she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he / she is unable to perform the essential functions, duties, and requirements of the position. This notice must be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to work with no restrictions, meeting all essential requirements and functions of the City's job description, along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the City Administrator.

The City may require a medical exam conducted by a physician selected by the City to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the City Administrator whether or not to assign light duty work to the employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months.

If the City offers a light duty assignment to an employee who is out on worker's compensation leave, the employee may be subject to penalties if he / she refuses such work. The City will not, however, require an employee who is otherwise qualified for protection under the City's Family Medical Leave Policy to accept a light duty assignment.

The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty / modified work assignment may be discontinued at any time.



# MEMO

TO: Mayor and City Council  
Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Executive Analyst

DATE: November 30, 2015

SUBJECT: Accepting Donations for the Period of November 16 - November 30, 2015

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## **BACKGROUND**

Per the City's Donations Policy, the City Council needs to approve all monetary donations and material donations that are estimated to cost more than \$50. Additionally, all monetary donations shall be deposited immediately. The City Council will have two donations to the Fire Department on the December 3, 2015 agenda for approval. The first is from Northern Tier and is \$10,000. This check was presented directly to the Fire Department and was deposited into the Relief Association's account. The second is from the St. Paul Park-Newport Lions and is \$875 for 5 backpack water containers. This check was mailed to the City and was deposited into the donations fund.

## **DISCUSSION**

Per Attorney Knaak, the City Council will need to discuss where the \$10,000 from Northern Tier should go, if it should remain in the Relief Association's account or be deposited into the City's donation fund.

## **RECOMMENDATION**

It is recommended that the City Council approved Resolution No. 2015-46 accepting the two donations and provide direction on where the \$10,000 should go.

**RESOLUTION NO. 2015-46**

**A RESOLUTION ACCEPTING DONATIONS FOR THE PERIOD OF NOVEMBER 16 - NOVEMBER 30, 2015**

**WHEREAS**, The City of Newport, Minnesota is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

**WHEREAS**, The following persons and entities have offered to contribute the items set forth below to the City:

<b>Individual/Business</b>	<b>Donated Item</b>	<b>Donated Amount</b>	<b>Donated Date</b>
Northern Tier Energy	Monetary donation to the Fire Department	\$10,000	09/30/15
St. Paul Park-Newport Lions	Monetary donation to the Fire Department for 5 backpack water containers	\$875	11/25/15

**WHEREAS**, The City Council finds that it is appropriate to accept the donations offered.

**NOW, THEREFORE, BE IT RESOLVED**, That the Newport City Council hereby accepts the above donations and directs staff to write a letter of appreciation to each donor.

Adopted this 3rd day of December, 2015, by the Newport City Council.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE: Geraghty \_\_\_\_\_  
Ingemann \_\_\_\_\_  
Sumner \_\_\_\_\_  
Rahm \_\_\_\_\_  
Lund \_\_\_\_\_

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator

City of NEWPORT

DONATION APPLICATION AND AGREEMENT FORM

Newport City Hall ♦ 596 7<sup>th</sup> Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Date: November 3, 2015

Donor Information

Donor's Full Name: Northern Tier Telephone: 651-458-6427
Donor's Address: 301 St Paul Park Road
City/State/Zip: St Paul Park, MN 55071

Donation Information

Donated Item: Ten thousand dollars, and zero cents
For: Newport Fire Department
In Honor Of:
Location or Placement of Donation: Fire Department
Estimated Lifespan of Material Donation: N/A
Cost Estimate of the Donation (not to be filled out by City Staff or Volunteers): \$10,000.00
Is the Donation Restricted: Yes No
If Yes, Terms of Donation Restriction: Donation is intended to used by the fire department for fire department activities, equipment, training, or however the Chief feels it would best serve the department, and community of Newport.

Donor Statement and Acknowledgements

I certify that all information I have provided in this application is complete to the best of my knowledge. I further certify that I have received, read, understand and agree to the City of Newport Donations Policy.

Applicant/Agent Printed Name: Tristan Saito Signature: [Handwritten Signature]

For Office Use

Received By: Steve Wiley
Date Received: 11/03/15
Approved By: Date of Approval:
Reasons for Denial:

City of NEWPORT

DONATION APPLICATION AND AGREEMENT FORM

Newport City Hall ♦ 596 7<sup>th</sup> Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Date: 11/25/15

Donor Information

Donor's Full Name: St. Paul Park-Newport Lions Telephone: \_\_\_\_\_  
Donor's Address: PO Box 202  
City/State/Zip: Newport

Donation Information

Donated Item: \$875  
Cost Estimate of the Donation (not to be filled out by City Staff or Volunteers): \_\_\_\_\_  
If Applicable:  
For: \_\_\_\_\_  
In Honor Of: \_\_\_\_\_  
Location or Placement of Donation: \_\_\_\_\_  
Estimated Lifespan of Material Donation: \_\_\_\_\_  
Is the Donation Restricted:  Yes  No  
If Yes, Terms of Donation Restriction: 5 Backpack water containers w/pumps  
for Fire Dept

Donor Statement and Acknowledgements

I certify that all information I have provided in this application is complete to the best of my knowledge. I further certify that I have received, read, understand and agree to the City of Newport Donations Policy.

Applicant/Agent Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

For Office Use

Received By: Renee Eisenbeisz

Date Received: 11/25/15

Approved By: \_\_\_\_\_ Date of Approval: \_\_\_\_\_

Reasons for Denial: \_\_\_\_\_



*St. Paul Park – Newport Lions Club*

321 Broadway Avenue #10  
St. Paul Park, MN 55071-1841

November 21, 2015

Debora Hill  
City Administrator  
City of Newport  
596 7<sup>th</sup> Avenue  
Newport, MN 55055

Re: Fire Department Donation

Enclosed please find our check for \$875.00 for the purchase of 5 backpack water containers with pumps for the Newport Fire Department.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. H. Boeck'.

Robert H. Boeck  
Charitable Gambling Manager

Enc.

## **RESOLUTION NO. 2015-47**

### **A RESOLUTION OF THE CITY OF NEWPORT, MINNESOTA, VACATING A PORTION OF A ROADWAY LOCATED AT THE SOUTH BORDER OF THE CITY KNOWN AS FIRST STREET.**

**WHEREAS**, the City of Newport, Minnesota (hereinafter, “the City”), is a statutory city organized under the provisions of Chapter 412 of the Laws of the State of Minnesota; and

**WHEREAS**, Minnesota Statutes Section 412.851 authorizes the City to vacate roadways located within the City upon finding that it is in the public interest to do so; and

**WHEREAS**, that roadway known as First Street is located on the southern boundary of the City shared with the neighboring City of St. Paul Park; and

**WHEREAS**, the interest of the City in the roadway easement to First Street extended to the middle of that street; and

**WHEREAS**, application was made by the underlying fee owner to both the City of St. Paul Park and the City of Newport, Minnesota, to vacate the entirety of what is known as First Street in the City of Newport for which the underlying fee was owned by the Applicant; and

**WHEREAS**, the Applicant sued both cities in an effort to obtain judicial action that would have the effect of awarding to him the roadway without either road easement as an impediment to the property; and

**WHEREAS**, the City vigorously defended its claim to the road easement; and

**WHEREAS**, the City of St. Paul Park granted the Applicant's request to vacate its half of the aforesaid roadway, in part because it had been advised by the State of Minnesota Department of Transportation that closure of the road was in the public interest because it represented a very hazardous rail crossing; and

**WHEREAS**, the State of Minnesota Department of Transportation has similarly represented to the City that it would be in the public interest to vacate the roadway easement and close the roadway as it has on it a very hazardous rail crossing; and

**WHEREAS**, the City and the Applicant have reached a stipulated agreement allowing for the vacation of the easement for which a consideration of the grant of a utility easement has been made and accepted; and

**WHEREAS**, a copy of the aforesaid Stipulation is attached and incorporated hereinafter by reference, which includes a legal description of the roadway being vacated, as well as the location of the utility easement; and

**WHEREAS**, the City Council of the City does hereby establish and announce as its FINDING OF FACT that it is, indeed, in the public interest to vacate the aforementioned roadway based upon the representation of the Minnesota Department of Transportation that the railroad crossing over the roadway is a public hazard and potential danger. Moreover, the construction of Highway 61 through the City as a limited access highway has largely rendered First Street useless for the purpose for which it was initially laid out.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to the authority given it under Minnesota Statutes §412.851, that portion of the roadway known in the City as First Street is hereby VACATED.

Adopted this 3rd day of December, 2015, by the Newport City Council.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Rahm	_____
	Lund	_____

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator

Court File: 82-CV-14-4026

David L. Quade,

Plaintiff

City of Newport, and  
City of St. Paul Park,

Defendants.

**STIPULATION OF  
SETTLEMENT BETWEEN  
PLAINTIFF AND  
CITY OF NEWPORT**

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Plaintiff David L. Quade and Defendant City of Newport, Minnesota, each represented by Counsel, namely R. Gordon Nesvig, Esq., Box 255, Cottage Grove, MN 55016, and Frederic W. Knaak, Esq. of the firm Holstad & Knaak PLC, 4501 Allendale Drive, St. Paul, MN 55127, respectively, have reached the following agreement to fully resolve the above-captioned matter:

IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN PLAINTIFF AND THE CITY OF NEWPORT AS FOLLOWS:

1. That the this matter, which is currently scheduled for trial on September 14, 2015, may be taken off the Trial Calendar.
2. The City of Newport shall, in accordance with Minnesota Statutes 412.851, forthwith vacate any interests it may have in an old road, which was located along the southern boundary of Plaintiff's property between the BNSF Right of Way and the Canadian Pacific Right of Way, which is also the southern boundary of the City of Newport, and was sometimes known as Second Avenue, and may have also been known as First Street.

3. In the event that the City of Newport does not vacate the subject old road, and has stopped efforts to do so, this Stipulation shall become null and void, and Plaintiff may move to have this matter placed back on for trial, and continue efforts to have the Court declare that the subject old road has been abandoned.
4. Within ten (10) days after the successful recording of a Notice Of Completion Of Vacation Proceedings, vacating said subject road, in the Office of the Washington County Recorder, Plaintiff, joined by spouse, and the City of Newport, shall execute the Grant Of Conditional Easement to the City of Newport, over the South 15 feet of Plaintiff's property, for underground utilities, subject to the Easements held by Magellan Pipeline Company, L.P., and its General Partner, Magellan Pipeline GP, LLC, their successors and assigns, covering the same area, and the existing pipelines therein, as set forth in the attached Exhibit A.
5. The City of Newport has indicated that it may seek to obtain an easement from the BNSF Railway Company to install a functional conduit under said BNSF Railway Company Right of Way, at the west end of the above Conditional Easement, which would accommodate the underground utilities contemplated by said Grant Of Conditional Easement set forth in the above Paragraph 4, which could be used in the event any of the utilities described in Paragraph 4 hereof are ever installed.
6. The City of Newport has also indicated that it may vacate that part of First Street that lies within the City of Newport, between the BNSF Railway Company Right of Way and 7th Avenue.
7. Plaintiff will not object to the installation of said conduit, or the vacation of First Street, between the BNSF Right of Way and 7th Avenue, so long as the installation of

said conduit, and the vacation of First Street, between the BNSF Right of Way and 7th Avenue, occurs after the upgrade of Hastings Avenue in St. Paul Park is completed, and the BNSF railroad crossing that currently serves Plaintiff's property is closed, so that access to and from Plaintiff's property over said railroad crossing, and to 7th Avenue, is not impeded before the upgrade of Hastings Avenue is completed.

8. Regardless of whether or not the conduit described in Paragraph 5 hereof is ever installed, or whether or not the City of Newport vacates that part of First Street that lies within the City of Newport, between the BNSF Right of Way and 7th Avenue, as described in Paragraph 6 hereof, the City of Newport shall forthwith vacate whatever interest it may have in the old road that was located along the southern boundary of Plaintiff's property as set forth in Paragraph 2 hereof.
9. Plaintiff shall provide keys and access codes to the Newport Police and Fire Departments, which will allow personnel from those Departments, and any other Police or Fire Departments, along with their emergency equipment, to have access through any gates on the perimeter of Plaintiff's property for emergency purposes at any time without notice.
10. In the event that the Newport Police and Fire Department personnel are unable to gain access to Plaintiff's property during an emergency, using the keys and access codes provided by Plaintiff, said Police and fire personnel may force entry in the fence beside Plaintiff's gate, or other previously designated fence area, and any damage that may be caused to Plaintiff's property by said police or fire personnel in gaining such access to Plaintiff's property for emergency purposes shall be the exclusive responsibility of the Plaintiff.

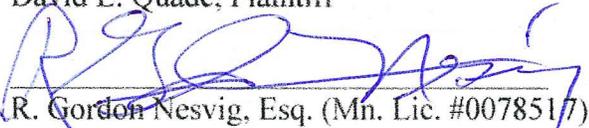
11. Within ten (10) days after the successful recording of a Notice Of Completion Of Vacation Proceedings, vacating said subject road, in the Office of the Washington County Recorder, and the execution of the Grant Of Conditional Easement as set forth in Exhibit A by all parties, the above entitled matter will be dismissed with prejudice.

Dated: 10-16-15



David L. Quade, Plaintiff

Dated: 10-16-15



R. Gordon Nesvig, Esq. (Mn. Lic. #0078517)  
Attorney for Plaintiff

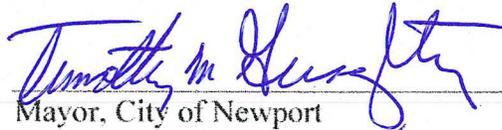
Box 255

Cottage Grove, MN 55016

(651) 459-7000

For the Defendant City of Newport:

Dated: 10/15/15



Mayor, City of Newport

Dated: 10/15/15



Attest: Clerk/City Administrator,  
City of Newport

Dated: 10/15/15



HOLSTAD & KNAAK, PLC

Frederic W. Knaak (Mn.Lic. #0056777)

Attorney for Defendant City of Newport

4501 Allendale Drive

St. Paul, Minnesota 55127

(651) 490-9078

BASED UPON THE FOREGOING AGREEMENT OF THE PARTIES, IT IS SO ORDERED.

Dated:

The Honorable Gregory Galler  
Judge of District Court

## GRANT OF CONDITIONAL EASEMENT

For and good and valuable consideration, David L. Quade and Melynda L. Quade, husband and wife, (hereinafter referred to as "Grantor", whether one or more), do hereby grant and convey a non exclusive Easement to the City of Newport Minnesota for underground utilities, subject to the Easements held by Magellan Pipeline Company, L.P., and its General Partner, Magellan Pipeline GP, LLC, their successors and assigns, covering the same area, and the existing petroleum pipelines therein. The City of Newport must give notice, and obtain consent from Magellan Pipeline Company, L.P., and its General Partner, Magellan Pipeline GP, LLC, or their successors and assigns, prior to each time any work is commenced in the Easement area. Grantors do not guarantee that said consent will be granted.

In the event that the pipeline companies do grant consent to the City of Newport, and the City of Newport does actually install such underground utilities, the City of Newport agrees to make all repairs necessary to restore Grantor's property to the condition it was in prior to the installation of such underground utilities. Also, in the event of repair or replacement of such underground utilities, the City of Newport agrees to make all repairs necessary to restore Grantor's property to the condition it was in prior to the repair or replacement of such underground utilities.

Said Easement for underground utilities is granted, subject to the terms and conditions contained herein, in the strip of land described as:

The South 15 feet of the following tract of land:

All that part of the Northwest Quarter of Section 1, in Township 27 North of Range 22 West, lying between the right of way of the Chicago, Milwaukee & St. Paul Railway and the right of way of the Chicago, Burlington & Northern Railway, also described as follows: Commencing at a point at the intersection of the Westerly line of the right of way of the Chicago, Milwaukee & St. Paul Railway with the East and West centerline of Section 1, Township 27, Range 22, Washington County, Minnesota; thence Northwesterly on the West right of way line of the Chicago, Milwaukee & St. Paul Railway 2584 feet to its intersection with the Easterly right of way line of the Chicago, Burlington & Northern Railway; thence in a Southerly direction along the Easterly line of the said Chicago, Burlington & Northern Railway right of way 2480 feet to its intersection with the said East and West centerline of said Section 1, thence East on said centerline 482 feet to the place of beginning, containing 13.73 acres, Washington County, Minnesota. Abstract property.

Together with an additional temporary construction easement over the next 15 feet immediately to the north of, and adjacent to, the above easement, subject to structures existing at the time. Said temporary construction easement shall commence



Dated: \_\_\_\_\_

\_\_\_\_\_  
Attest: Clerk/City Administrator,  
City of Newport

STATE OF MINNESOTA )

) SS:

COUNTY OF WASHINGTON )

On this \_\_\_\_\_ day of August, 2015, before me, a Notary Public in and for the County and State aforesaid, personally appeared Tim Geraghty, and Deb Hill, to me personally known to be the Mayor and the Clerk/City Administrator of the City of Newport, Minnesota, who being duly sworn did acknowledge to me that they executed the foregoing instrument on behalf of said City of Newport, as its free and voluntary act and deed, for the uses, purposes and consideration therein set forth.

\_\_\_\_\_  
Notary Public

My commission expires:



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# Memo

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**To:** Honorable Mayor and Newport City Council  
Ms. Deb Hill, City Administrator

**From:** Jon Herdegen, City Engineer

**Subject:** Engineer's Report

**Date:** November 30, 2015 – For the December 3<sup>rd</sup> City Council Meeting

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## I/I Reduction Plan – State PFA Grant and Loan Funding:

### Background:

The City of Newport has been advised by the Metropolitan Council Environmental Services (MCES) that the City's sanitary sewer system has a significant Inflow and Infiltration problem (I/I). On 3 separate occasions over the past 3 years, the City has exceeded the maximum allowable wastewater peak discharge to the regional MCES Wastewater Plant at Pig's Eye Island. The excessive peak discharge recorded on June 1, 2014 resulted in a surcharge of \$833,000 to be applied to the rehabilitation and repair of the City's sanitary sewer infrastructure. In the past, the City has recovered similar surcharges from MCES by using MCES surcharges to help improve the condition of the sanitary sewer system and implementing repairs to reduce the excessive I/I. The televising work performed by the City has shown that leaking wye connections, broken sewer mains, missing pipe gaskets and leaking service lines are the primary sources of how the I/I enters the City's sewer system. As part of the 2013 & 2014 Street Improvements projects, the City implemented nearly \$310,000 on eligible public and private sanitary sewer infrastructure repairs accounting a credit against approximately 37% of the MCES surcharge. On October 21<sup>st</sup>, City Staff met with representatives from the MPCA and PFA to review the City's eligibility for State grant and loan monies to help offset the additional public and private costs of making repairs to eliminate the I/I from the sewer system.

The City's sanitary sewer system was installed in the mid 1960's utilizing clay tile for the lateral mains and concrete pipe for the larger sewer interceptors. For the most part, sewer service lines were installed by local plumbers and connected to wye branches on the City mains. The City's Sewer Ordinance 1000.14 indicates that the responsibility for repair and maintenance of

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**13.A and 13.B**

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the service line (from the residence to the sewer main) belongs to the private property owner, whereas the responsibility for repair and maintenance of the municipal sewer laterals mains and interceptor lines are a City responsibility.

The I/I problem in Newport is made more severe because the sewer mains were installed in bedrock. The trenches which were excavated for the sewer mains provide a tile system which serves to collect ground water throughout the City and concentrate the clear water in the gravel bedding alongside the sewer mains and service laterals. City projects televising the sewer system and repair projects validate this tile drainage mechanism. The clear water enters the sanitary sewer system through, un-gasketed pipe joints, cracks in the clay tile, manhole joints and service connections at the wyes. To date the City has lined approximately 13.5% of the public sewer mains and has repaired 10% of the private service lines and WYE connections. We estimate that the remaining corrections will require an investment of \$3,000,000 to \$3,500,000 in public funds and \$6,000,000 to \$6,500,000 in private monies. As a side note, the City of Newport has one of the more expensive property taxes and sewer rates in the Twin Cities metropolitan area.

### Funding Options:

The MPCA/PFA grant and loan program is available to cities that have been identified by the MCES as having excessive amounts of I/I. By virtue of its recent exceedances, Newport qualifies and is eligible for grant and loan funding. The loan monies are available as either; tax exempt bonds (eligible projects include work on the municipal infrastructure) or non-exempt bonds (eligible projects include service lines and other privately owned facilities). Grant monies are awarded based upon the community's ability to pay the user fees or assessments which are incurred as a result of the I/I corrections. The PFA State Bond monies are available to the City at a rate typically 1-1½% lower than would be available if the City were to conduct their own bond sale. The PFA program has a well-defined structure for determining need and eligibility. The first step is to prepare a Facility Plan identifying the proposed improvements, public/private mix, cost and construction schedule. We understand that multi-year projects are acceptable and that the PFA will consider the cost impacts to users of the total program when deciding upon grant eligibility.

The City of Newport applied to the MPCA for inclusion on the Municipal Needs list to be eligible for grant and loan monies to help pay for the cost of correcting the I/I problem. The MPCA has awarded the City a points score of 60 based upon the severity of the I/I problem, we were advised in our meeting with MPCA and PFA that this score will likely qualify for funding in 2016. To be eligible to receive this assistance the City will have to submit the Facility Plan to the State by March 5<sup>th</sup> 2016.

The City also submitted a request of approximately \$5,000,000 to the Minnesota Management & Budget department of the State Budget Service Division (MMB) for grant monies to help fund I/I correction. We have met with the Governor's office and have been advised that the total

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cost of the projects submitted for inclusion in the 2016 Bonding Bill exceeds the preliminary allocation request by 300%. Should the City be fortunate enough to secure bonding bill funds, it is likely we will still be required to follow the MPCA requirements to prepare a Step 1 Facility Plan that identifies and justifies how the Bonding Bill funds would be expended.

A Facility Plan typically can take 6- 8 months to complete and involves collecting sewer flow data and televising to determine the extent and magnitude of the I/I problem. Newport has been collecting a significant amount of these data points since 1997 which should enable the plan to be completed in 4-5 months.

### Action Requested:

We suggest that the City consider authorizing the preparation of a Step 1 Facility Plan according to MPCA guidelines and requirements. We have attached a work scope for your consideration that details the engineering actions necessary to complete a plan suitable for submission to the MPCA by March 5<sup>th</sup> 2016. Should you decide to authorize this work, we have prepared a draft resolution ordering this work pursuant to assessment and enterprise funding. We are available to address any questions that you may have on this correspondence at your convenience.

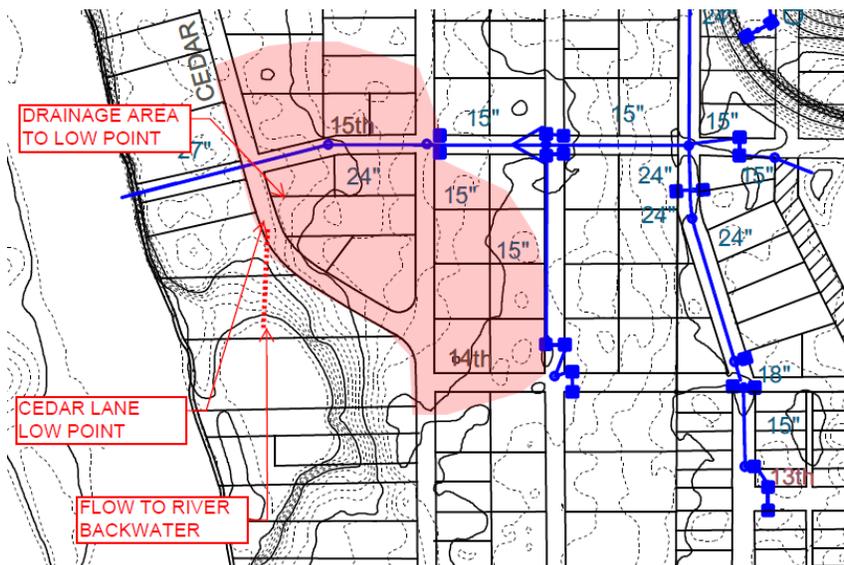
### Storm Sewer Improvements – 15<sup>th</sup> Street & Cedar Lane

#### Background:

The City Public Works Staff and Engineering departments have been approached by a property owner along Cedar Lane and 15<sup>th</sup> Street concerned about the amount of stormwater runoff crossing his property. The low point for a significant portion of Cedar Lane is located just south of 15<sup>th</sup> Street near 1485 & 1485 property. This low point collects runoff from a fairly large area (see figure) including a portion of the newly re-constructed 15<sup>th</sup> Street.

#### Design Considerations:

There is an existing storm sewer line on 15<sup>th</sup> Street extending to the river. There was consideration during the design to install catch basins at the west end of 15<sup>th</sup> Street to collect some of the stormwater runoff and reduce the amount of runoff to the low point. There were two main consideration that lead us to the decision to not include the catchbasins in the



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final design: 1) The existing stormwater system is currently undersized and the addition of this drainage subcatchment would further strain the system 2) Introducing an inlet at this elevation could allow river water to backup and discharge through the inlet in flood conditions or in surcharge conditions within the existing sewer. This has to potential for a significant amount of water enter the area and causing substantial damage.

The widening of 15<sup>th</sup> Street and the addition of curb and gutter may be aggravating the situation. To address the concerns of the property owner(s), the City may consider adding a set of catchbasins to the west end of 15<sup>th</sup> Street connected to the existing stormsewer to capture stormwater runoff from the street. A flap valve and isolation valve would be installed to prevent water from back flowing into the area. We solicited quotations for this work and the quotes ranged from \$22,000 to \$36,000. If the catchbasin set were to be moved further south to be located at the physical low point, we would anticipate an increase in \$5,000-\$6,000.

**Action Requested:** We are requesting direction from the City Council on how to address this issue.

## SCOPE OF WORK

MSA will prepare, for the City of Newport, a Facility Plan in compliance with the MN State Revolving Fund Program and MPCA guidelines. MSA plans to conduct the following tasks associated with the preparation of the Facility Plan:

**Task 1 – Data Collection:** MSA will work with City Staff to collect, assemble and evaluate existing flow data.

**Task 2 – Alternatives Evaluation:** MSA will evaluate the potential alternatives to reduce the clear water infiltration and inflow into the City's sanitary sewer system.

**Task 3 – Cost Effective Analysis:** MSA will prepare a statement of probable cost for each alternative selected and provide the City with an evaluation of the cost-benefit of each option.

**Task 4 – Environmental Information Worksheet:** MSA will prepare a required Environmental Information Worksheet as required by MPCA

**Task 5– Public Hearings and Preparation of Resolutions:** MSA will conduct the required public outreach and prepare necessary document for City use.

**MSA will perform each of these tasks on an hourly basis for an estimated fee of \$34,000. The final Facility Plan will be prepared and submitted prior to the MPCA deadline of March 5, 2016**

The above costs do not include the following:

- Application/Permit/Review fees
- Additional televising and/or flow monitoring

We are pleased to be afforded the opportunity to work with the City of Newport to take this important first step in addressing the I-I problem.



Jon Herdegen, PE  
MSA Professional Services

**RESOLUTION NO. 2015-48**

**A RESOLUTION ORDERING PREPARATION OF A FACILITY PLAN FOR THE 2016 I-I REDUCTION PROJECT**

**WHEREAS**, the City of Newport has identified the repair and rehabilitation of the City Sanitary Sewer System as a priority on its Capital improvement plan, and

**WHEREAS**, the City of Newport has applied to the Minnesota Pollution Control Agency (MPCA) for inclusion on the Municipal Needs List to be eligible for grant and loan monies thru the State Revolving Fund Program, and

**WHEREAS**, the preparation of a project Facility Plan in accordance with Minn R. 7077.0271 is a required to be submittal for approval by MPCA no later than March 5, 2016, and

**WHEREAS**, it is proposed that all or a portion of the costs of the improvements, made the City’s infrastructure and private services laterals will be assessed to the benefiting property owners in pursuit Minnesota Statutes, Chapter 429 & 444

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEWPORT MINNESOTA:**

1. The preparation of such a Facility Plan is required by the MPCA for eligibility to receive State Revolving Fund monies.
2. MSA Professional Services, Inc. is hereby designated as the engineer responsible for the preparation of the project Facility Plan to be submitted to MPCA no later the March 5, 2016.

Adopted this 3rd day of December, 2015, by the Newport City Council.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Rahm	_____
	Lund	_____

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator