

City of Monticello, Iowa

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Posted on December 15, 2021 at 5:00 p.m.

Amended and Re-Posted December 16, 2021 at 5:30 p.m.

Monticello City Council Meeting December 20, 2021 @ 6:00 p.m.

Monticello Renaissance Center, 220 E. 1st Street, Monticello, Iowa

Mayor:	Brian Wolken	Staff:	
City Council:		City Administrator:	Russell Farnum
At Large:	Dave Goedken	City Clerk/Treas.:	Sally Hinrichsen
At Large:	Brenda Hanken	Police Chief:	Britt Smith
Ward #1:	Scott Brighton	City Engineer:	Patrick Schwickerath
Ward #2:	Candy Langerman	Public Works Dir.:	Nick Kahler
Ward #3:	Chris Lux	Water/Wastewater Sup.:	Jim Tjaden
Ward #4:	Tom Yeoman	Park & Rec Director:	Jacob Oswald
		Library Director:	Michelle Turnis

- **Call to Order – 6:00 P.M.**
- Pledge of Allegiance
- Roll Call
- Agenda Addition/Agenda Approval

Open Forum: If you wish to address the City Council on subjects pertaining to today's meeting agenda please wait until that item on the agenda is reached. If you wish to address the City Council on an item not on the agenda, please approach the lectern and give your name and address for the public record before discussing your item. Individuals are normally limited to speaking for no more than three (3) minutes on a topic and the Open Forum is by rule limited to a total of twenty (20) minutes.

Consent Agenda (These are routine items and will be enacted by one motion without separate discussion unless someone requests an item removed to be considered separately.)

Approval of Council Mtg. Minutes	December 6, 2021
Approval of Treasurer's Report	November 2021
Approval of Payroll	December 16, 2021
Approval of Bill List	

Resolutions:

1. **Resolution** Approving Mary Heeren Tax Abatement Application related to Residential Improvements constructed at 500 Locust Court, Monticello, Iowa
2. **Resolution** Approving and directing City Administrator to accept ownership of Parcel 2021-73, by the acceptance of a Quit Claim Deed from Senior Housing, Inc and further approving Plat of Survey for Parcels 2021-72 and 2021-73, and directing the City Clerk to see to the recordation of said Deed with the Jones County Recorder
3. **Resolution** Scheduling Public Hearing on design and environmental information related to the proposed improvements to the City's wastewater treatment system/water supply system

Ordinances:

4. **Ordinance #752** amending provisions pertaining to Water Deposit (3rd reading)
5. **Ordinance #753** amending provisions pertaining to house moving Monticello Code 448 (3rd reading)

Reports / Potential Actions:

6. City Engineer
7. Mayor
8. City Administrator
9. City Clerk
10. Public Works Director
11. Police Chief
12. Water/Wastewater Superintendent
13. Park and Recreation Director
14. Library Director

Work Sessions:

15. Work Session Policy Manual

Adjournment: Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

Meeting Instructions for the Public
Due to the Covid-19 Virus the public will be
admitted into this meeting with limited seating.

The meeting will continue to be broadcast on Mediacom (Local Access Channel) and will be accessible via Zoom via the following link.

City of Monticello is inviting you to a scheduled Zoom meeting.

Topic: December 20, 2021 City Council Meeting

Time: Dec 20, 2021 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82535285123>

Meeting ID: 825 3528 5123

One tap mobile

+13126266799,,82535285123# US (Chicago)

+16465588656,,82535285123# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

Find your local number: <https://us02web.zoom.us/j/82535285123>

Regular Council Meeting
December 6, 2021 – 6:00 P.M.
Community Media Center

Mayor Brian Wolken called the meeting to order. Council present were: Dave Goedken, Brenda Hanken, Candy Langerman, Chris Lux, Scott Brighton and Tom Yeoman. Also present were City Administrator Russell Farnum, City Clerk Sally Hinrichsen, Library Director Michelle Turnis, Police Chief Britt Smith, Park & Rec Director Jacob Oswald and City Engineer A.J. Barry. The public was invited to attend the meeting in person, with limited seating or to participate in the meeting electronically via “Zoom Meetings” and were encouraged to communicate from Zoom Meeting via chat, due to the heightened public health risks of the Coronavirus Pandemic (COVID-19). The meeting did have public attendance, both in-person and via Zoom.

Yeoman moved to approve the agenda, Langerman seconded, roll call unanimous.

Scott Chally, 608 North Chestnut inquired on the status of the Sixth Street Ditch Improvements and where the project stands, as he is having issues with his driveway and fence. Wolken stated the City is working on engineering, assessments and funding for the project. The project is on private property, so that is a big issue.

Hanken moved the consent agenda, Langerman seconded, roll call unanimous.

Farnum reported Jason Smith owns home on the corner of 4th Street and Gill. It is a very small lot and neighbor has agreed to sell a portion of their lot east of Smith’s lot. P&Z Commission has reviewed and recommends approval. Langerman moved to approve Resolution #2021-146 Approving Plat of Survey to Parcel 2021-64, Brighton seconded, roll call unanimous.

Farnum reported Tom Yeoman wishes to subdivide a parcel of land to sell an acre and a half to Brian Crowley for future expansion of his repair business. Goedken voiced concern on land locking a lot with no easement. P&Z Commission has reviewed and recommends approval. Langerman moved to approve Resolution #2021-147 Approving Plat of Survey to Parcels 2021-70 and 2021-71, Brighton seconded. Roll call: Ayes: Langerman, Brighton and Lux; Nays: Goedken and Hanken; Abstain: Yeoman due to conflict of interest as owner of the property. It was stated that the motion failed so the Council proceeded with the following action: Goedken moved to approve Resolution #2021-150 Approving Plat of Survey to Parcel 2021-71, Lux seconded, roll call was unanimous. City Attorney Doug Herman texted Mayor Wolken to report according to State Code 380.4 (2), due to the conflict of interest, the vote in computed on the number of members not disqualified due to the conflict of interest, so Resolution #2021-147 Approving Plat of Survey to Parcels 2021-70 and 2021-71, was approved unanimously with the Roll call: Ayes: Langerman, Brighton and Lux; Nays: Goedken and Hanken; Abstain: Yeoman due to conflict of interest as owner of the property.

Farnum reported OutBack Farms LLC has proposed to subdivide the farmstead from the rest of the cropland on Hardscrabble Road. P&Z Commission has reviewed and recommends approval. Lux moved to approve Resolution #2021-148 Approving Plat of Survey to Parcel 2021-69, Langerman seconded. Roll call unanimous.

Farnum reported Roger Stephen submitted a plat of a single unincorporated parcel, as well as a private drive, on the Stephen's farm. Stephen has talked with staff about annexation and the possibility of annexing portions of the larger farm as it is developed. City staff is working with Stephen on a pre-annexation and development agreement as that potential development moves forward. P&Z Commission has reviewed and recommends approval. Langerman moved to approve Resolution #2021-149 Approving a Preliminary and Final Plat of Brad Stephen's Second Addition, Brighton seconded. Roll call unanimous.

Farnum reported the IDOT plans to begin the Hwy 38 overlay project thru Monticello on June 1, 2022. IDOT has agreed to include several crosswalks and road intersection in the project for the City. The City's portion of the project is estimated at \$72,858.77, less the credit for the cost of the 7th Street sidewalk improvements at 7th Street and will net a City cost of approximately \$48,061. The current agreement has a clause that states no parking will be allowed on Highway 38, the IDOT has agreed to leaving the parking on First Street and are amending the contract accordingly. If approved, contract would only be signed if agreement allows parking on First Street. Hanken moved to approve Resolution #2021-151 To approve agreement between the IDOT and the City of Monticello in Re: Highway 38 Overlay Project, Langerman seconded, roll call unanimous.

Farnum reported City received 5 bids for the 2021 East 7th Street Utility Improvements Project with the low bidder being Pirc-Tobin with a bid of \$302,698.70. Langerman moved to approve Resolution #2021-152 To award the 2021 East 7th Street Utility Improvements Project to Pirc-Tobin Construction Inc in the amount of \$302,698.70, Hanken seconded, roll call unanimous.

Farnum reviewed the engineering contract with HDR for design engineering, bid and construction management services related to the southeast extension of the taxiway and apron at the Monticello Airport. The project will provide a taxiway connecting the existing airport facilities. There is currently a private sector that has proposed to build a 10,000 SF or larger box hangar in this area. Brighton moved to approve Resolution #2021-153 Approving Agreement for Engineering Services between HDR Engineering, Inc. and the City of Monticello for services and expenses related to the Taxiway Extension Project, Hanken seconded, roll call unanimous.

Goedken moved to approve Resolution #2021-154 Approving Loren & Lois Freese Tax Abatement Application related to Residential Improvements constructed at 502 Locust Court, Monticello, Iowa. Lux seconded, roll call unanimous.

Farnum reported Smith arranged to have the house demolished at 449 North Sycamore. Farnum has received inquiries on purchasing the lot and would like to move forward with requesting proposals. Yeoman moved Resolution #2021-155 Authorizing City Administrator to request proposals related to City owned lot located at 449 North Sycamore Street for Council review, Brighton seconded, roll call unanimous.

Goedken moved to approve Ordinance #750 amending the Code of Ordinances of the City of Monticello, Iowa, by Adding New Subsections to Chapter 69, Parking Regulations, Section 08, No Parking Zones; on portions of South Gill Street, North Maple Street, East South Street and South Elm Street, third and final reading in title only. Langerman seconded, roll call unanimous.

Yeoman moved to approve Ordinance #752 amending the Code of Ordinances of the City of Monticello, Iowa, by amending Chapter 90, Section 07 pertaining to Deposit, second reading in title only. Goedken seconded. Roll call unanimous.

Wolken reported he and all the Council members except Brighton received an email from Steve Intlekofer, 529 West First Street, who is opposed to the changes in the “House Movers” code and stated it makes it harder for people to move houses into town. Langerman moved to approve Ordinance #753 amending the Code of Ordinances of the City of Monticello, Iowa, by amending provisions pertaining to House Movers, second reading in title only. Goedken seconded. Roll call unanimous.

Barry reported that Pirc-Tobin would like to hold the pre-construction meeting as soon as possible for the 2021 East 7th Street Utility Improvements Project. They want to start by March 1st or earlier if weather permits. Barry stated he would send out the contract and other paperwork. Once the paperwork is completed and returned, he will schedule the pre-construction meeting.

Council inquired on the status of the North Chestnut Street project progress. Barry stated the project was put on hold until funding is available. He will update plans and bring back to the Council.

Farnum thanked the Public Works and Parks & Rec staff for all their work getting the banners, lights and decorations up. He reported Santa will be at City Hall this Tuesday and Thursday. He is working on an agreement with group wanting to place a “Little Library” along Willow Trail and will bring to the next meeting. On December 18th, the Holiday on 1st event.

Tjaden stated they completed the water tap for home at 224 North Chestnut and cleaned sewer line on 7th Street. McDermott Custom Pumping hauled 660,000 gallons of sludge from the lagoon. He is replacing a chlorinator that went bad and looking to purchase the same system for the other two wells. DNR requires the new system to transfer automatically to a secondary tank when current tank runs out.

Hanken questioned when the wastewater treatment plant would be online to use? Governor announced that more CDBG funds were made available and if City was applying for these funds? Farnum stated ECICOG is compiling the surveys and the CDBG funding will depend on the results of the surveys. The rate increase funds are being banked for this project also.

Turnis reported the Library will be hosting Cookies, Cocoa and Carols at the Library on Thursday evening this week.

Regular Council Meeting
December 6, 2021

Smith reported in July 2021, the property owner of 616 South Main Street removed the pole signs, as requested but not the canopy. They have an interested buyer for lot, however they wanted to keep the canopy. Smith reached out to the owner to advise them the canopy was to be removed as stated in prior correspondence with them.

Smith stated an ambulance employee has a service dog and it was initially planned that it would not be with him at work, however his doctors and other professionals want it with him at all times. Delta is his black lab service dog and Smith is working to accommodate him for this.

Smith stated he is the City liaison for the E911 Board for Jones County and they met to discuss the P25 Radios upgrade systems for EMS and Fire in Jones County, by January 2023. Monticello Fire Chief Joe Bayne was present requesting the County to help fund their radios, as they need 40 of them. County is looking into possible funding for EMS and Fire departments in the County. Smith stated the Police Department still needs some of the P25 radios also. Fire Department did apply for an AFG grant to purchase the radios but did not get the grant.

Smith stated the Austin Strong Foundation applied for the Dubuque Racing Assn grant for the Inclusive Playground and were awarded \$5,000 for the concrete work.

Brighton moved to close the open session to discuss a real estate transaction pursuant to Iowa Code Section 21.5(1)(j). Hanken seconded, roll call unanimous. Langerman moved to open the open session, Lux seconded, roll call unanimous. Hanken moved to direct City Administrator and Britt Smith to proceed as discussed in closed session, Brighton seconded, roll call unanimous.

Brighton moved to adjourned the meeting at 7:33 pm.

Brian Wolken, Mayor

Sally Hinrichsen, City Clerk

Reviewed by: *[Signature]* Date: 2/14/21

Fund	Activity	Beginning Fund Balance	Revenue	Interest Earned	Transfers In	Expenses	Transfers Out	Ending Fund Balance	Cash on Hand	Clerk's Cash In Bank	Clerk's Cash In Bank	Investments	Investments	Ending Fund Balance
GENERAL FUNDS:														
	General	789802.66	279737.50	2309.19	29375.00	89864.52	29375.00	952809.93	775.00	637066.77	314948.06			952809.93
	Soldiers Memorial Board	12310.34	200.00	41.39	683.18	11827.16	683.18	11827.16	100.00	30933.53	11827.16			11827.16
	Monticello Berndes Center	39717.44	3193.38	7.15	11918.68	31033.53	6853.18	31033.53		6853.18				31033.53
	Dare	6846.03	100.00	8.38	2345.77	8131.26	8131.26	8131.26		8131.26				8131.26
	Canine	8022.88	45642.46	47.31	2345.77	43344.00	22630.44	43344.00		20713.56				43344.00
	Insurance Fund	23219.34	11888.50	151.21	9298.41	33243.60	23243.60	33243.60		22630.44				23243.60
	Monticello Trees Forever	146491.80	26287.40	100.57	18750.00	149233.10	149233.10	149233.10		105261.95				149233.10
	Fire	97674.16	26287.40	10.19	33806.47	109005.66	33806.47	109005.66		57390.69				109005.66
	Ambulance Operating	9741.65	9741.65	10.19	132.00	9619.83	132.00	9619.83		9619.83				9619.83
	Hotel/Motel Tax Fund	238.32	238.32			238.32		238.32						238.32
	Earl F. Lehmann Trust	1050.00	1050.00			1050.00		1050.00						1050.00
	Street Bond	765.75	35.00	0.80	801.55	801.55		801.55		801.55				801.55
	Police Improvement	24522.28	50.00	25.29	234.23	24363.34	234.23	24363.34		2829.93				24363.34
	Library Improvement	16437.85	22124.73	17.00	10625.00	39859.11	9345.47	39859.11		34862.02				39859.11
	Library	37408.93	2217.86	38.77	39865.56	37408.93	39865.56	39865.56	75.00	17630.29				39865.56
	Equipment Set-A-Side	24276.04	25.36	24276.04	1563.74	22717.66	22717.66	22717.66		22717.66				22717.66
	Super Mac	114004.19	17848.30	106.17	4265.24	127691.42	4265.24	127691.42		50049.31				127691.42
	Airport	42269.60	43.69	43.69	42313.29	42313.29		42313.29		15540.54				42313.29
	Revolving Loan Fund	363921.31	36987.19	82.64	95076.84	325831.66	95076.84	325831.66		26258.09				325831.66
SPECIAL REVENUE FUNDS:														
	Road Use Tax	80377.64	80377.64			80460.28		80460.28		5159.75				80460.28
	Road Use Tax Set-Aside	365713.13	27458.27	36109.61	17175.00	377061.79	17175.00	377061.79		263269.96				377061.79
	Employee Benefits	369935.64	32890.51	210.57	528.87	204529.54	528.87	204529.54		197906.19				204529.54
	TIF Tax Collections	204847.84	1172.29	1.22	1173.51	1173.51		1173.51		1173.51				1173.51
	Slavka Genret Trust	1172.29	1172.29			1173.51		1173.51		1173.51				1173.51
	Police Forfeiture Acct	280121.43	22382.50	298.10	1805.00	26878.75	17175.00	288129.28		170143.07				288129.28
	Debt Service	0.00	0.00			0.00		0.00						0.00
	TIF - Debt Payments	28966.62	968.61	297.91	291233.14	291233.14		291233.14		290264.53				291233.14
	ARPA Grant	43664.20	1165.00	44.96	700.00	44174.16		44174.16		37625.70				44174.16
	Park Improvements	11946.38	3465.50	104.96	18.43	11958.86		11958.86		88715.57				11958.86
	Library Capital Improvements	101942.96	400.00	194.49	40012.28	105533.42		105533.42		78500.00				105533.42
	Ambulance Improvements	111365.45	317.00	250.60	16871.75	11347.02		11347.02		16871.75				11347.02
	TIF Projects	16277.25	400.00	194.49	40012.28	16871.75		16871.75		16871.75				16871.75
	Cemetery Improvements	15339.93	317.00	15.75	15355.68	15355.68		15355.68		15355.68				15355.68
	Capital Improvements	2180.54	2.27	2.27	1827.52	1827.52		1827.52		179.38				1827.52
	Low Income Housing	7838.26	8.05	8.05	102.08	7744.23		7744.23		7345.79				7744.23
	Baty Disc Golf Course	10881.47	11.27	11.27	10992.74	10992.74		10992.74		5045.11				10992.74
	Mary Maxine Redmond Trust	173037.30	450.00	84.50	94.39	173487.30		173487.30		173037.30				173487.30
	Pocket Park	82217.04	38177.32	39.24	47.94	82207.15		82207.15		80686.06				82207.15
PERMANENT FUNDS:														
	Cemetery Perpetual Care	132930.19	38168.61	136.63	17463.85	1047.00		152724.58		129422.80				152724.58
	Charles S. Bidwell Book Trust	94585.70	600.00	66.44	500.00	94885.70		94885.70		81572.56				94885.70
	Iona Mary Baker Trust	17096.31	4742.97	267.10	22578.10	21905.72		21905.72		6161.03				21905.72
	Water Operating	255776.27	98142.83	159.36	56500.00	331325.10		331325.10		260248.63				331325.10
	Water Capital Improvements	109900.84	4742.96	159.36	46124.86	83303.16		83303.16		8334.87				83303.16
	Sewer Operating	89186.52	47302.22	92.65	90456.53	90456.53		90456.53		30117.28				90456.53
	Sewer Capital Improvements	8542.69	3661.87	8.92	8551.61	8551.61		8551.61		10040.06				8551.61
	Sanitation	22918.48	6456.80	23.76	236.17	26367.94		26367.94		16327.88				26367.94
	Sanitation Capital Improvements	-13277.98	6456.80	1421.60	475.00	-8717.78		-8717.78		-8717.78				-8717.78
	Yard Waste	0.00	2705.78		2705.78	0.00		0.00						0.00
	Storm Water fund	161.02	161.02		161.02	161.02		161.02		161.02				161.02
	Self Funded Insurance	107.48	107.48		107.48	107.48		107.48		107.48				107.48
AGENCY FUNDS														
	Flex Spending	5136472.67	696709.29	5755.35	48355.00	547507.55	48355.00	5291429.76	950.00	2054646.01	3223768.27	0.00	0.00	5291429.76
	Enterprise Flex Spending													
TOTAL OF ALL FUNDS														

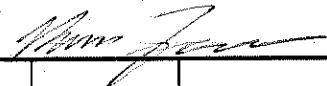
City of Monticello
Bank Reconciliation Report
For the Month of November 2021

Bank Balance		
General Checking	\$2,085,245.88	
Property Tax & Water	\$3,223,768.27	
Soldiers Memorial Ckg	\$11,928.62	
Earl F Lehmann Trust	\$238.32	
Soldier Memorial Money Market	\$0.00	
	<hr/>	
Total Bank Balance		\$5,321,181.09
Plus (Minus) Adjustment:		
Bank Charge/Error	\$0.00	
	<hr/>	
Total Adjustment		\$0.00
Plus Outstanding Credit Card Pymt:		
Credit Card Payments	\$257.62	
	<hr/>	
Total Outstanding Credit Card Pymts		\$257.62
Less Outstanding Checks:		
Financial/Payroll	\$30,857.49	
Soldiers Memorial	\$101.46	
	<hr/>	
Total Outstanding Checks		\$30,958.95
Plus Investments:		
Time Certificates	\$0.00	
Petty Cash	\$950.00	
	<hr/>	
Total Investments		\$950.00
Treasurer's Balance		<u>\$5,291,429.76</u>

Prepared By: Sally Hinrichsen 12-13-2021
Sally Hinrichsen, City Clerk

Reviewed by: Russell Farnum 12-14-2021
Russell Farnum, City Administrator

City of Monticello
Cash On Hand By Bank
For November 30th, 2021



Bank	Amount	Interest rate	Maturity date	Length of investment	Purpose
F & M Bank					
Total by Bank	\$0.00				
Citizens State Bank					
Savings # 6025641	\$238.32	0.150	N/A		Earl F Lehmann Trust Soldier Memorial
Checking #694486	\$11,928.62		N/A		
Total by Bank	\$12,166.94				
Dutrac Credit Union					
Total by Bank	\$0.00				
Regions Banks					
Money Market #0087688689	\$0.00				Soldiers Memorial
Total by Bank	\$0.00				
Fidelity Bank & Trust					
	\$0.00				
Ohnward Bank & Trust					
General Ckg/Sweep #40002008	\$2,085,245.88	2.44	N/A		General Checking General Savings
Property Tax & Water #40001992	\$3,223,768.27	2.44	N/A		
Total by Bank	\$5,309,014.15				
Total Cash on Hand- All Banks	\$5,321,181.09				
Plus Petty Cash	\$950.00				Clerk's Office, Library, Aquatic Center and Berndes Center
Adjust Bank Error	\$257.62				
Plus Outstanding Credit Card Pymt	\$30,958.95				
Less Outstanding Checks	\$5,291,429.76				
Treasurer's Balance					

All of the accounts referenced above are "City" accounts, reported under the City Federal I.D. #. This is an all inclusive list of such accounts, including all Clerk's Office and Departmental Checking Accounts, same being subject to review during the annual City audit. In addition to the above accounts, the following component units, while legally separate entities from the City, are considered by the auditor to be "so intertwined with the City" that they are also subject to review during the City audit.

- Riverside Gardeners, Inc
- Monticello Firefighters Organization, Inc
- Monticello Emergency Medical Team
- Friends of the Monticello Public Library
- Monticello Youth Baseball & Softball Assn

PAYROLL - DECEMBER 16, 2021

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	November 29 - December 12, 2021				
Ben Bollwitt	\$ 128.00	\$ -	0.00	0.00	\$ 110.15
Brian Bronemann	1,253.25	-	0.00	0.00	966.93
Shelley Bronemann	240.01	-	0.00	0.00	206.44
Jacob Gravel	1,668.00	-	0.00	0.00	1,209.69
Ben Hein	336.50	-	0.00	0.00	286.86
David Husmann	2,668.22	760.22	0.00	0.00	1,629.80
Mary Intlekofer	178.88	-	0.00	0.00	86.56
Lori Lynch	2,074.40	-	0.00	0.00	1,416.53
Kody Miles	112.00	-	0.00	0.00	96.40
Chloe Mogensen	1,153.93	-	0.00	0.00	855.76
Mandy Norton	579.83	-	0.00	0.00	450.09
Shelly Searles	1,908.00	-	0.00	3.75	1,304.78
Sabrina Strella	522.40	-	0.00	0.00	408.20
Jenna Weih	2,256.45	428.44	0.00	0.00	1,623.44
Curtis Wyman	1,949.48	281.48	0.00	3.63	1,324.47
TOTAL AMBULANCE	\$ 17,029.35	\$ 1,470.14	0.00	7.38	\$ 11,976.10
CEMETERY	November 27 - December 10, 2021				
Dan McDonald	\$ 1,833.93	\$ 89.93	0.00	0.00	\$ 1,325.61
TOTAL CEMETERY	\$ 1,833.93	\$ 89.93	0.00	0.00	\$ 1,325.61
CITY HALL	November 28 - December 11, 2021				
Cheryl Clark	\$ 1,780.31	\$ 8.31	0.00	20.63	\$ 1,208.83
Russ Farnum	4,053.85	-	0.00	0.00	2,782.06
Sally Hinrichsen	2,614.03	-	0.00	0.00	1,648.61
Nanci Tuel	1,574.40	-	0.00	0.00	1,055.77
TOTAL CITY HALL	\$ 10,022.59	\$ 8.31	0.00	20.63	\$ 6,695.27
COUNCIL / MAYOR					
Scott Brighton	\$ 100.00	\$ -	0.00	0.00	\$ 92.26
Dave Goedken	100.00	-	0.00	0.00	92.26
Brenda Hanken	100.00	-	0.00	0.00	92.35
Candy Langerman	100.00	-	0.00	0.00	92.35
Chris Lux	100.00	-	0.00	0.00	92.26
Brian Wolken	300.00	-	0.00	0.00	274.78
Tom Yeoman	100.00	-	0.00	0.00	92.35
TOTAL COUNCIL / MAYOR	\$ 900.00	\$ -	0.00	0.00	\$ 828.61
LIBRARY	November 29 - December 12, 2021				
Molli Hunter	\$ 987.20	\$ -	0.00	0.00	\$ 775.00
Penny Schmit	1,199.95	11.15	0.00	0.00	691.59
Michelle Turnis	1,705.44	-	0.00	0.00	1,084.35
TOTAL LIBRARY	\$ 3,892.59	\$ 11.15	0.00	0.00	\$ 2,550.94
MBC	November 29 - December 12, 2021				
Jacob Oswald	\$ 2,089.42	\$ -	0.00	0.00	\$ 1,568.66
Shannon Poe	1,664.84	-	0.00	0.00	1,143.95
TOTAL MBC	\$ 3,754.26	\$ -	0.00	0.00	\$ 2,712.61

PAYROLL - DECEMBER 16, 2021

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
POLICE	November 29 - December 12, 2021				
Zachary Buehler	\$ 2,258.36	\$ -	0.00	0.00	\$ 1,669.79
Peter Fleming	2,314.20	-	0.00	29.25	1,623.88
Dawn Graver	2,515.91	-	0.00	0.00	1,809.31
Erik Honda	2,867.53	-	0.00	0.75	2,108.82
Jordan Koos	2,538.95	-	0.00	3.50	1,826.89
Britt Smith	3,071.06	-	0.00	0.00	2,249.23
Madonna Staner	1,576.00	-	0.00	0.00	1,192.70
Brian Tate	2,530.08	-	0.00	0.00	1,869.62
TOTAL POLICE	\$ 19,672.09	\$ -	0.00	33.50	\$ 14,350.24
ROAD USE	November 27 - December 10, 2021				
Zeb Bowser	\$ 1,809.40	\$ 65.40	0.00	0.00	\$ 1,328.93
Jasper Scott	1,684.00	-	0.00	0.00	1,190.71
TOTAL ROAD USE	\$ 3,493.40	\$ 65.40	0.00	0.00	\$ 2,519.64
SANITATION	November 27 - December 10, 2021				
Michael Boyson	\$ 1,744.01	\$ -	0.00	0.00	\$ 1,227.07
Nick Kahler	2,131.81	-	0.00	0.00	1,467.37
TOTAL SANITATION	\$ 3,875.82	\$ -	0.00	0.00	\$ 2,694.44
SEWER	November 27 - December 10, 2021				
Tim Schultz	\$ 1,992.00	\$ -	0.00	3.50	\$ 1,384.89
Jim Tjaden	2,461.54	-	0.00	0.00	1,781.80
TOTAL SEWER	\$ 4,453.54	\$ -	0.00	3.50	\$ 3,166.69
WATER	November 27 - December 10, 2021				
Daniel Pike	\$ 1,956.00	\$ -	0.00	20.00	\$ 1,403.03
TOTAL WATER	\$ 1,956.00	\$ -	0.00	20.00	\$ 1,403.03
TOTAL - ALL DEPTS.	\$ 70,883.57	\$ 1,644.93	0.00	85.01	\$ 50,223.18

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
POLICE DEPARTMENT					
BAKER PAPER CO INC	PD BUILDING SUPPLIES		46.17		
MCALEER WATER CONDITIONING INC	PD SOFTENER SALT		25.20		
THEODORE KRAUS	PD MINOR EQUIPMENT		30.94		
MONTICELLO COMM SCHOOL DISTRICT	PD FUEL		973.28		
MONTICELLO EXPRESS INC	PD SUPPLIES		133.94		
UNIFORM DEN INC	PD MINOR EQUIPMENT		373.38		

	110 POLICE DEPARTMENT TOTAL		1,582.91		
STREET LIGHTS					
ALLIANT ENERGY-IES	416 E 2ND STREETLIGHTS		313.31		

	230 STREET LIGHTS TOTAL		313.31		
AQUATIC CENTER					
NEXT GENERATION PLBG & HTG LLC	POOL BLDG REPAIR/MAINT		900.00		

	440 AQUATIC CENTER TOTAL		900.00		
CEMETERY					
JOHN DEERE FINANCIAL	CEMETERY BLDG REPAIR/MAINT		17.99		
MONTICELLO COMM SCHOOL DISTRICT	CEMETERY FUEL		264.99		
TRI COUNTY PROPANE LLC	CEMETERY UTILITIES		239.98		

	450 CEMETERY TOTAL		522.96		
SOLDIER'S MEMORIAL BOARD					
VFW FLAG STORE	RENAISSANCE CENTER FLAG REPAIR		7.50		

	498 SOLDIER'S MEMORIAL BOARD TOTAL		7.50		
CLERK/CITY ADMIN					
MOLLI JENN HUNTER	JANITORIAL SERVICES		275.00		

	620 CLERK/CITY ADMIN TOTAL		275.00		
ENGINEER					
SNYDER & ASSOCIATES, INC	ENGINEERING FEES		11,466.95		

	640 ENGINEER TOTAL		11,466.95		
CITY HALL/GENERAL BLDGS					
JANETTE HOAG	CH BUILDING SUPPLIES		119.94		
JOHN DEERE FINANCIAL	CH BLDG REPAIR/MAINT		.79		
JAROD MCELMEEL	CH MISC CONTRACT-449 N SYCAMOR		6,960.00		
MONTICELLO EXPRESS INC	CH ADVERTISING		679.86		
WYATT KEEHNER	CH WINDOW CLEANING		62.00		
VFW FLAG STORE	RENAISSANCE CENTER FLAG REPAIR		15.00		

	650 CITY HALL/GENERAL BLDGS TOTAL		7,837.59		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	001 GENERAL TOTAL		22,906.22		
MONTICELLO BERNDES CENTER					
PARKS					
ALLIANT ENERGY-IES	MBC ELECTRIC		978.78		
MOLLI JENN HUNTER	JANITORIAL SERVICES		337.50		
JOHN DEERE FINANCIAL	MBC GROUNDS SUPPLIES		19.28		
MONTICELLO COMM SCHOOL DISTRICT	MBC FUEL		184.36		
MONTICELLO EXPRESS INC	MBC HOLIDAY ON 1ST		30.00		
MONTICELLO SPORTS	MBC LEAGUE SUPPLIES		400.00		
	430 PARKS TOTAL		1,949.92		
	005 MONTICELLO BERNDES CENTER TOTAL		1,949.92		
FIRE					
FIRE					
JOE BAYNE	FIRE SUPPLIES		144.38		
FIRE SERVICE TRAINING BUREAU	FIRE TRAINING - BOWSER		50.00		
LAPORTE MOTOR SUPPLY	FIRE SUPPLIES		20.20		
MONTICELLO COMM SCHOOL DISTRICT	FIRE FUEL		137.73		
MONTICELLO FIRE ASSOCIATION	FIRE SERVICES		8,128.00		
MUNICIPAL EMERGENCY SERVICES	FIRE POWER BLOWER		4,731.00		
SANDRY FIRE SUPPLY	FIRE SUPPLIES		55.85		
SPAHN & ROSE LUMBER CO INC	FIRE BUILDING REPAIR/MAINT		124.99		
	150 FIRE TOTAL		13,392.15		
	015 FIRE TOTAL		13,392.15		
AMBULANCE					
AMBULANCE					
AIRGAS USA, LLC	AMB MEDICAL SUPPLIES		32.82		
BAKER PAPER CO INC	AMB BUILDING SUPPLIES		46.17		
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES		142.10		
DENNIS J GRAY	AMB BUILDING SUPPLIES		36.00		
IOWA DEPT OF HUMAN SERVICES	AMB REFUND		846.69		
MCALEER WATER CONDITIONING INC	AMB SOFTENER SALT		25.20		
MONTICELLO COMM SCHOOL DISTRICT	AMB FUEL		783.97		
MONTICELLO EXPRESS INC	AMB SUPPLIES		103.99		
PHYSICIAN'S CLAIM COMPANY	AMB BILLING FEES		1,766.92		
UNITY POINT HEALTH	AMB MEDICAL SUPPLIES		270.07		
	160 AMBULANCE TOTAL		4,053.93		
	016 AMBULANCE TOTAL		4,053.93		
HOTEL/MOTEL TAX					

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
HOTEL/MOTEL					
MONTICELLO CHAMBER OF COMMERCE CHAMBER DUES			580.00		
	699 HOTEL/MOTEL TOTAL		580.00		
	018 HOTEL/MOTEL TAX TOTAL		580.00		
LIBRARY IMPROVEMENT					
LIBRARY					
BAKER & TAYLOR BOOKS	LIB IMP BOOKS		43.92		
PENNY SCHMIT	LIB IMP PROGRAMS/PROMOTIONS		34.49		
	410 LIBRARY TOTAL		78.41		
	030 LIBRARY IMPROVEMENT TOTAL		78.41		
LIBRARY					
LIBRARY					
BAKER & TAYLOR BOOKS	LIB BOOKS		310.04		
CULLIGAN TOTAL WATER -	LIB BUILDING SUPPLIES		5.50		
MOLLI JENN HUNTER	JANITORIAL SERVICES		212.50		
KOCH BROTHERS, INC.	LIB OFFICE SUPPLIES		274.51		
MONTICELLO EXPRESS INC	LIB OFFICE SUPPLIES		5.60		
OVERDRIVE	LIB BOOKS		319.05		
VFW FLAG STORE	RENAISSANCE CENTER FLAG REPAIR		7.50		
	410 LIBRARY TOTAL		1,134.70		
	041 LIBRARY TOTAL		1,134.70		
AIRPORT					
AIRPORT					
MCALEER WATER CONDITIONING INC AIRPORT BUILDING SUPPLIES			35.00		
	280 AIRPORT TOTAL		35.00		
	046 AIRPORT TOTAL		35.00		
ROAD USE					
STREETS					
ALLIANT ENERGY-IES	STOP SIGNS - N MAIN ST		136.07		
BEHREND'S CRUSHED STONE	RU STREET MAINTENANCE SUPPLIES		538.41		
BRIAN CROWLEY	RU EQUIP REPAIR/MAINT		2,412.50		
KERRY DAVIS	RU EQUIP REPAIR/MAINT		370.59		
W.W. GRAINGER, INC	RU MINOR EQUIPMENT		472.05		
JOHN DEERE FINANCIAL	RU SUPPLIES		237.47		
KIMBALL MIDWEST	RU SUPPLIES		283.40		
KLUESNER CONSTRUCTION, INC.	RU STREET MAINTENANCE CONTRACT		35,989.78		
LAPORTE MOTOR SUPPLY	RU EQUIP REPAIR/MAINT		183.93		
DAVID B MCNEILL	RU EQUIP REPAIR/MAINT		18.75		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
MONTICELLO COMM SCHOOL DISTRICT	RU FUEL	1,285.59			
MONTICELLO EMER MEDICAL TEAM	RU CPR TRAINING	400.00			
MONTICELLO EXPRESS INC	RU ADVERTISING	98.10			
MONTICELLO MACHINE SHOP INC	RU EQUIP REPAIR/MAINT	270.08			
MONTICELLO SPORTS	RU CLOTHING	18.74			
SPAHN & ROSE LUMBER CO INC	RU STREET MAINTENANCE SUPPLIES	21.32			
	210 STREETS TOTAL		42,736.78		
	110 ROAD USE TOTAL		42,736.78		
DEBT SERVICE					
DEBT SERVICE					
UMB BANK, N.A.	DEBT 2014 GO BOND FEE	430.00			
	710 DEBT SERVICE TOTAL		430.00		
WATER					
UMB BANK, N.A.	DEBT WATER 2016 GO FEES	42.50			
	810 WATER TOTAL		42.50		
SEWER					
UMB BANK, N.A.	DEBT SEWER 2016 GO FEES	10.00			
	815 SEWER TOTAL		10.00		
STORM WATER FUND					
UMB BANK, N.A.	DEBT STORM SEWER 2016 GO FEES	17.50			
	865 STORM WATER FUND TOTAL		17.50		
	200 DEBT SERVICE TOTAL		500.00		
PARK IMPROVEMENT					
CAPITAL PROJECTS					
BUESING & ASSOCIATES INC	PARK IMP - KLEINOW FIELD LAND	3,437.50			
	750 CAPITAL PROJECTS TOTAL		3,437.50		
	313 PARK IMPROVEMENT TOTAL		3,437.50		
BATY DISC GOLF COURSE					
PARKS					
STEVE MONK CONSTRUCTION	BATY DG MOWING	176.00			
	430 PARKS TOTAL		176.00		
	338 BATY DISC GOLF COURSE TOTAL		176.00		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
MARY MAXINE REDMOND TRUST					
LIBRARY					
FAREWAY STORES #840-1	LIB REDMOND PROGRAMMING	86.65			
DALANA RIGBY	LIB REDMOND PROGRAMMING	50.00			
	410 LIBRARY TOTAL		136.65		
	339 MARY MAXINE REDMOND TRUST TOTAL		136.65		
TRUST/IOMA MARY BAKER					
LIBRARY					
CENTER POINT PUBLISHING	LIB BAKER BOOKS	47.94			
	410 LIBRARY TOTAL		47.94		
	503 TRUST/IOMA MARY BAKER TOTAL		47.94		
WATER					
WATER					
HAWKINS WATER TREATMENT	WATER SYSTEM	25.00			
STATE HYGIENIC LABORATORY	WATER LAB TESTS	54.00			
IOWA ONE CALL	WATER SYSTEM	22.10			
JOHN DEERE FINANCIAL	WATER SUPPLIES	112.91			
MONTICELLO COMM SCHOOL DISTRICT	WATER FUEL	190.15			
MONTICELLO EXPRESS INC	WATER SUPPLIES	58.98			
	810 WATER TOTAL		463.14		
	600 WATER TOTAL		463.14		
SEWER					
SEWER					
ALLIANT ENERGY-IES	1105 E 1ST ST	2,919.91			
FAREWAY STORES #840-1	SEWER LAB SUPPLIES	2.97			
STATE HYGIENIC LABORATORY	SEWER LAB TESTS	1,302.00			
IOWA ONE CALL	SEWER SYSTEM	22.10			
JOHN DEERE FINANCIAL	SEWER SUPPLIES	149.90			
MC2, INC.	SEWER SYSTEM	12,548.41			
MCDERMOTT CUSTOM PUMPING LLC	SEWER SYSTEM	32,500.00			
MONTICELLO COMM SCHOOL DISTRICT	SEWER FUEL	190.17			
MONTICELLO SPORTS	SEWER POSTAGE	2.00			
SPAHN & ROSE LUMBER CO INC	SEWER SUPPLIES	198.61			
TRI COUNTY PROPANE LLC	SEWER UTILITIES	2,279.55			
	815 SEWER TOTAL		52,115.62		
	610 SEWER TOTAL		52,115.62		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
SANITATION SANITATION REPUBLIC SERVICES	DUMPSTER COLLECTIONS		11,770.52		
	840 SANITATION TOTAL		----- 11,770.52		
	670 SANITATION TOTAL		----- 11,770.52		
YARD WASTE SITE SANITATION RANDALL G THUMAN	SANITATION COMPOST		7,500.00		
	840 SANITATION TOTAL		----- 7,500.00		
	675 YARD WASTE SITE TOTAL		----- 7,500.00		
STORM WATER STORM WATER FUND STEVE MONK CONSTRUCTION	STORMWATER MAINTENANCE		45.00		
	865 STORM WATER FUND TOTAL		----- 45.00		
	740 STORM WATER TOTAL		----- 45.00		
	Accounts Payable Total		=====		
			163,059.48		

**CLAIMS REPORT
CLAIMS FUND SUMMARY**

FUND NAME	AMOUNT
001 GENERAL	22,906.22
005 MONTICELLO BERNDES CENTER	1,949.92
015 FIRE	13,392.15
016 AMBULANCE	4,053.93
018 HOTEL/MOTEL TAX	580.00
030 LIBRARY IMPROVEMENT	78.41
041 LIBRARY	1,134.70
046 AIRPORT	35.00
110 ROAD USE	42,736.78
200 DEBT SERVICE	500.00
313 PARK IMPROVEMENT	3,437.50
338 BATY DISC GOLF COURSE	176.00
339 MARY MAXINE REDMOND TRUST	136.65
503 TRUST/IOMA MARY BAKER	47.94
600 WATER	463.14
610 SEWER	52,115.62
670 SANITATION	11,770.52
675 YARD WASTE SITE	7,500.00
740 STORM WATER	45.00

TOTAL FUNDS	163,059.48

City Council Meeting
Prep. Date: 12/15/2021
Preparer: Sally Hinrichsen



Agenda Item: # 1
Agenda Date: 12/20/2021

Communication Page

Agenda Items Description: Resolution to approve standard Residential Tax Abatement related to property located at 502 Locust Court, Monticello

Type of Action Requested: Motion; Resolution; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Proposed Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Abatement Application filed by Loren & LOIS Freese related to residential improvements constructed at 502 Locust Court, Monticello, Iowa

Background Information: This Resolution provides the tax abatement as set out in the Code for residential properties. The new value added by the improvement, up to \$75,000, is exempt from taxation for five years.

Staff Recommendation: Staff recommend that the Council approve the proposed resolution providing for the Standard Tax Abatement as set out above.

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO,
IOWA

RESOLUTION

Approving Loren & Lois Freese Tax Abatement Application related to Residential Improvements constructed at 502 Locust Court, Monticello, Iowa

WHEREAS, Monticello has enacted an Urban Revitalization Tax Abatement program and codified same at Chapter 10 of the Monticello Code of Ordinances, and

WHEREAS, Loren & Lois Freese have completed and filed an Application for Tax Abatement related to residential property located at 502 Locust Court nue and

WHEREAS, The City Council finds that the information submitted therein is consistent with that required by the Monticello Code of Ordinances, and

WHEREAS, The Council further finds that the estimated completion date of the improvements was October 15, 2021, and finds, based thereon, that the Jones County Assessor will need to determine how many years of tax abatement remain on this property, being tied to the date on which the property was deemed to be 100% complete for taxation purposes.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve the Application for Tax Abatement filed by Loren & Lois Freese as set forth above, consistent with Chapter 10 of the Monticello Code of Ordinances, said Application bearing the date of October 20, 2021 and being signed Lois Freese and further directs the Monticello City Clerk to file same with the Jones County Assessor as prescribed by law.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 20th day of December, 2021.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 12/16/21
Preparer: Russell Farnum



Agenda Item: # 2
Agenda Date: 12/20/2021

Communication Page

Agenda Items Description: Acceptance of Quit Donation of Property from Senior Housing to City

Type of Action Requested: Motion; **Resolution;** Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Plat and Quit Claim Deed

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Over time improvements to Kleinow Field have unintentionally encroached upon the Senior Housing property. Senior Housing has offered to donate this parcel of land to the City in order to remove a potential liability from their ownership. The attached plat and Quit Claim Deed accomplish that goal.

Background Information:

Small portions of the walkway and retaining wall around Kleinow Field are actually located upon Senior Housing property. This is shown in the aerial photo below (note this is NOT to scale, just a representation). The blue dotted line represents the “new” lot line.



Staff Recommendation: The donation is at no cost to the City, other than the cost to prepare the plat, Deed, and recording costs. The donation corrects the encroachment. Approval is recommended.

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION #

Approving and directing City Administrator to accept ownership of Parcel 2021-73, by the acceptance of a Quit Claim Deed from Senior Housing, Inc and further approving Plat of Survey for Parcels 2021-72 and 2021-73, and directing the City Clerk to see to the recordation of said Deed with the Jones County Recorder

WHEREAS, The City of Monticello has been given a Quit Claim Deed from Senior Housing, Inc., and

WHEREAS, City of Monticello made improvements to Kleinow Field which unintentionally encroached upon the Senior Housing property. Senior Housing has offered to donate this parcel of land to the City in order to remove a potential liability from their ownership, and

WHEREAS, Senior Housing has offered to donate this parcel of land to the City in order to remove a potential liability from their ownership, and

WHEREAS, The City acknowledges the receipt of the Quit Claim, that Senior Housing, Inc. conveys to the City of Monticello, Iowa, the following described real estate in Jones County, Iowa:

Parcel 2021-73 A Parcel of land being part of Lot 10 of the Subdivision of the Northeast part of the W ½ of the SW ¼ of Section 22, Township 86 North Range 3 West of the 5th P.M. in the City of Monticello, Jones County, Iowa and recorded in the Jones County Recorder's Office

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Monticello, Iowa does hereby approve of the acceptance of a Quit Claim Deed from Senior Housing, Inc for the property as stated above, and directs the City Clerk to see to the recordation of said deed with the Jones County Recorder.

IN TESTIMONY WHEREOF, I have hereunto
subscribed my name and caused the Great Seal of the
City of Monticello, Iowa to be affixed hereto. Done this
20th day of December, 2021.

Brian Wolken, Mayor

Attest:

Sally Hinrichsen, Monticello City Clerk

Prepared by:	Douglas D. Herman Lynch Dallas, PC PO Box 2457 Cedar Rapids, Iowa 52406-2457 Telephone: 319-365-9101 Facsimile: 319-365-9512	Taxpayer/Return Address: City of Monticello, Iowa 200 E. 1 st Street Monticello, Iowa 52310 Telephone: (319) 465-3577
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Douglas D. Herman ISBA # AT0003382 **SPACE ABOVE THIS LINE FOR RECORDER**

QUIT CLAIM DEED

For the consideration of One Dollar (\$1.00) and other valuable consideration, Senior Housing, Inc., a Corporation organized and existing under the laws of the State of Iowa, does hereby convey to The City of Monticello, an Iowa Municipal Corporation, all its right, title, interest, estate, claim and demand in the following described real estate in Monticello, Jones County, Iowa:

Parcel 2021-73 A Parcel of land being part of Lot 10 of the Subdivision of the Northeast part of the W ½ of the SW ¼ of Section 22, Township 86 North Range 3 West of the 5th P.M. in the City of Monticello, Jones County, Iowa and recorded in the Jones County Recorder's Office.

(See Plat of Survey to Parcel 2021-72 and 2021-73 dated 11/23/2021 and filed of Record on 12/___/2021 as Jones County Recorder Document No. 2021-_____)

together with all easements and servient estates appurtenant thereto, and subject to covenants, easements and restrictions of record.

This Quit Claim Deed is exempt from (a) real estate transfer tax and declaration of value requirements pursuant to Iowa Code Section 428A.2(21) (2021) as consideration is less than \$500.00, and (b) groundwater hazard statement requirements pursuant to Iowa Code Section 455B.172(11)(a)(11).

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated this ____ day of _____ 2021.

SENIOR HOUSING, INC.

an Iowa Corporation

By: _____, President _____, Secretary

STATE OF IOWA)
)§
COUNTY OF JONES)

This instrument was acknowledged before me on the _____ day of _____ 2021, by _____ and _____, as President and Secretary, respectively, of Senior Housing, Inc., known to me to be the same individual named in and who executed the foregoing document and acknowledged that they executed the same as their voluntary act and deed and the voluntary act and deed of the Corporation.

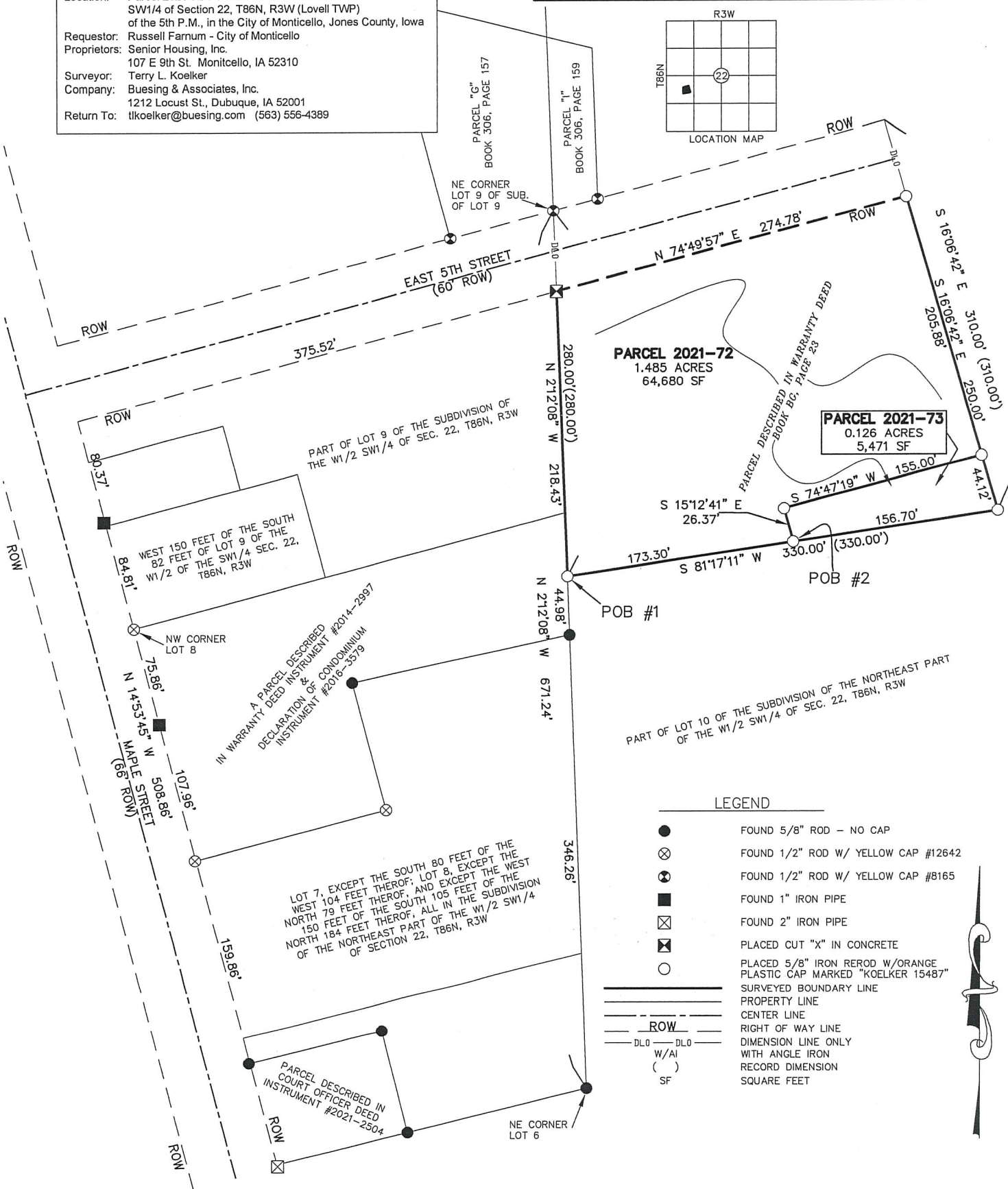
Notary Public in and for said State

Plat of Survey of: Parcel 2021-72 & Parcel 2021-73 of Section 22, T86N, R3W of the 5th P.M., in the City of Monticello, Jones County, Iowa

NOTE
THIS SURVEY IS COMPRISED OF: PART OF LOT 10 OF THE SUBDIVISION OF THE NORTHEAST PART OF THE W1/2 SW1/4 OF SECTION 22, T86N, R3W (LOVELL TWP) OF THE 5TH P.M., IN THE CITY OF MONTICELLO, JONES COUNTY, IOWA

INDEX LEGEND
Location: Parcel 2021-72 & Parcel 2021-73
SW1/4 of Section 22, T86N, R3W (Lovell TWP)
of the 5th P.M., in the City of Monticello, Jones County, Iowa
Requestor: Russell Farnum - City of Monticello
Proprietors: Senior Housing, Inc.
107 E 9th St. Monticello, IA 52310
Surveyor: Terry L. Koelker
Company: Buesing & Associates, Inc.
1212 Locust St., Dubuque, IA 52001
Return To: tikoelker@buesing.com (563) 556-4389

PREPARED BY: BUESING & ASSOCIATES. ADDRESS: 1212 LOCUST STREET, DUBUQUE, IOWA PHONE: (563) 556-4389

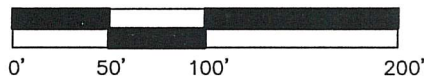


LEGEND

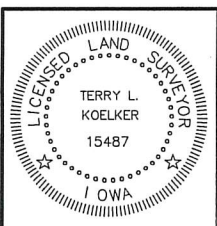
- FOUND 5/8" ROD - NO CAP
- ⊗ FOUND 1/2" ROD W/ YELLOW CAP #12642
- ⊗ FOUND 1/2" ROD W/ YELLOW CAP #8165
- FOUND 1" IRON PIPE
- ⊗ FOUND 2" IRON PIPE
- ⊗ PLACED CUT "X" IN CONCRETE
- PLACED 5/8" IRON REROD W/ORANGE PLASTIC CAP MARKED "KOELKER 15487"
- SURVEYED BOUNDARY LINE
- PROPERTY LINE
- CENTER LINE
- RIGHT OF WAY LINE
- DL0 — DL0 — DIMENSION LINE ONLY
- W/AI — WITH ANGLE IRON
- () RECORD DIMENSION
- SF SQUARE FEET

NOTES

1. ALL MEASUREMENTS ARE IN FEET AND DECIMALS THEREOF.
2. MONUMENTATION WAS PLACED ON 11/11/2021.
3. TOTAL AREA OF PERIMETER SURVEYED IS 1.610 ACRES.
4. THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD AND NOT OF RECORD.



SCALE: 1" = 100'



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
Terry L. Koelker
TERRY L. KOELKER
LICENSE NUMBER 15487
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2021
DATE: 11/23/21

BUESING & ASSOCIATES INC.
ENGINEERS AND SURVEYORS
1212 LOCUST ST., DUBUQUE, IA
(563) 556-4389

DRAWN BY: JLL CHECKED BY: TLK
SURVEY DATE: 10/18/21 PLOT DATE: 11/12/21
DWG. NO. 21262-01 SCALE: 1" = 100'

SHEETS COVERED BY THIS SEAL : SHEETS 1 & 2

SHEET 1 OF 2

Surveyor's Certificate

Dubuque, Iowa

I hereby certify that the plat shown on sheet 1 of 2 hereof, is a true and correct **PLAT OF SURVEY OF PARCEL 2021-72 & 2021-73 IN THE SW ¼ OF SECTION 22, T.86N. R.3W. OF THE 5TH P.M. IN THE CITY OF MONTICELLO, JONES COUNTY, IOWA** according to the recorded plats thereof, subject to easements of record and not of record. The perimeter of said Parcels was surveyed by me and is more particularly described as follows:

PARCEL 2021-72

A Parcel of land being part of Lot 10 of the Subdivision of the Northeast part of the W1/2 of the SW1/4 of Section 22, T.86N. R.3W. of the 5th P.M. in the City of Monticello, Jones County, Iowa and recorded in the Jones County Recorder's Office.

Commencing at the Northeast Corner of Lot 9 of the Subdivision of Lot 9 of the W1/2 of the SW1/4 of Section 22, T86N, R3W in the City of Monticello, Jones County, Iowa;

Thence South 2° 12' 08" East along the East line of Said Lot 9, a distance of 280.00 feet to the Point of Beginning (POB #1);

Thence North 2° 12' 08" West (Bearing is based from NAD83, Zone 1401, Iowa North Coordinate System), along the East line of said Lot 9, a distance of 218.43 feet to the Southerly Right of Way (ROW) of East 5th Street;

Thence North 74° 49' 57" East along said ROW line, a distance of 274.78 feet;

Thence South 16° 06' 42" East, a distance of 205.88 feet;

Thence South 74° 47' 19" West, a distance of 155.00 feet;

Thence South 15° 12' 41" East, a distance of 26.37 feet;

Thence South 81° 17' 11" West, a distance of 173.30 feet to the POB #1.

The total area of Parcel 2021-72 is 1.485 acres, and is subject to easements of record and not of record.

PARCEL 2021-73

A Parcel of land being part of Lot 10 of the Subdivision of the Northeast part of the W1/2 of the SW1/4 of Section 22, T.86N. R.3W. of the 5th P.M. in the City of Monticello, Jones County, Iowa and recorded in the Jones County Recorder's Office.

Commencing at the Northeast Corner of Lot 9 of the Subdivision of Lot 9 of the W1/2 of the SW1/4 of Section 22, T86N, R3W in the City of Monticello, Jones County, Iowa;

Thence South 2° 12' 08" East along the East line of Said Lot 9, a distance of 280.00 feet;

Thence North 81° 17' 11" East, a distance of 173.30 feet to the Point of Beginning (POB #2);

Thence North 15° 12' 41" West (Bearing is based from NAD83, Zone 1401, Iowa North Coordinate System), a distance of 26.37 feet;

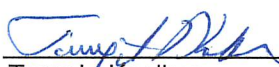
Thence North 74° 47' 19" East, a distance of 155.00 feet;

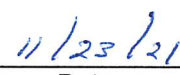
Thence South 16° 06' 42" East, a distance of 44.12 feet;

Thence South 81° 17' 11" West, a distance of 156.70 feet to the POB #2;

The total area of Parcel 2021-73 is 0.126 acres, and is subject to easements of record and not of record.

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed land surveyor under the laws of the state of Iowa.

BY 
 Terry L. Koelker
 Licensed Land Surveyor - Reg. No. 15487


 Date
 Reg. Renewal 12/31/2021

City Council Meeting
Prep. Date: 12/16/2021
Preparer: Sally Hinrichsen



Agenda Item: # 3
Agenda Date: 12/20/2021

Communication Page

Agenda Items Description: **Resolution** Scheduling Public Hearing on design and environmental information related to the proposed improvements to the City’s wastewater treatment system/water supply system

Type of Action Requested: Motion; **Resolution**; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: As part of the SRF environmental review process, a public hearing to allow concerned folks to come forward with any worries about the potential environmental impact of the project is required. Since it’s a federally-required hearing, the public notice needs to be published in a local paper at least 30-days in advance of the hearing.

Background Information: The City was notified on January 11, 2021, that the State Revolving Fund has been approved the Planning and Design application in the amount not to exceed \$595,000 for sewer system improvements planning & design. The City will be added to the State Revolving Loan Intended Use Plan project list for approval on March 16, 2021. Once approved, the City can request reimbursement of costs incurred for the planning and design of the Sewer Plant upgrade project on or about March 19, 2021.

Prior to receiving reimbursement for disbursements, City is required to hold a public hearing on the proposed new debt. Dorsey & Whitney will coordinate activity and legal proceedings necessary to enable the City to authorize the Planning & Design Loan, as required by state law.

Staff Recommendation: Staff recommend that the Council approve the proposed Resolution setting a Public Hearing on design and environmental information related to the proposed improvements to the City’s wastewater treatment system/water supply system

City Council Meeting
Prep. Date: 11/26/2021
Preparer: Sally Hinrichsen



Agenda Item: # 4
Agenda Date: 12/20/2021

Communication Page

Agenda Items Description: Ordinance amending provisions pertaining to Deposit (utility)

Type of Action Requested: Motion; Resolution; **Ordinance**; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Proposed ordinance

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: To amend Chapter 90.07 Deposit (Utility)

Background Information:

The City has not increased the Utility bill deposit for over 20 years. With the recent utility bill increases, staff recommends increasing the deposit amount. The average monthly utility bill is approximately \$90 per month and a minimum bill is approximately \$56 per month

The current deposit is \$50.00.

Water meters are read the 1st of each month and bills are mailed the last day of the month. For example: Meter is read October 1st, which is water used from Sept 1st to Sept 30th. These bills are mailed October 31st and due November 20th.

Water bills are due on the 20th of every month, if not paid, a \$6.00 penalty is assessed to account. If bill is not paid by the end of the month, a notice is mailed giving them 10 days to pay account. If balance is still outstanding, a disconnect door hanger (orange card) is hung, which adds a \$25.00 fee and customer is given 24 hours to pay bill or water is subject to shut off.

By the time they are subject to shut off, they would have 2 ½ months of utility usage. (Past due bill, current bill and approximately 12-13 days)

Clerk’s Office reached out to surrounding communities on their deposit amounts:

- Dyersville \$150.
- Maquoketa \$100.
- Cascade \$ 70.

Shellsburg	\$235.
Strawberry Point	\$200. plus \$150. for electric
Wyoming	\$100 owners - \$200 tenants
Olin	\$200.
Kalona	\$100.
Manchester	\$ 75. (looking to increase)
Earlville	\$ 75. Owner - \$175 rentals (looking to increase)
Springville	\$150.

Staff Recommendation: Staff recommends that the Council consider approval of the Ordinance to increase the deposit amount, they feel is justified. (3rd reading)

ORDINANCE NO. 752

An ordinance amending the Code of Ordinances of the City of Monticello, Iowa, by amending Chapter 90, Section 07 pertaining to Deposit

BE IT ENACTED by the City Council of the City of Monticello, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 90, Section 07, of the Code of Ordinances of the City of Monticello, is repealed and the following adopted in lieu thereof:

90.07 DEPOSIT. Before granting an application for water service or consenting to assignment of water service, the City shall have the right to require the sum of \$150.00 to be placed on deposit with the City for the purpose of establishing or maintaining any customer or assignee's credit. The deposit shall be held by the City during the time water service is provided to the customer, except the deposit may be returned to the customer if the customer requests discontinuance of service due to permanent change in residence outside the City. When a deposit is returned, there shall first be deducted therefrom any unpaid or delinquent amounts for City utilities. No interest shall accrue on the deposit.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect on January 1, 2022, after its final passage, approval and publication as provided by law.

Passed and approved by the Council this _____ day of December, 2021.

Brian Wolken, Mayor

ATTEST:

Sally Hinrichsen, City Clerk

City Council Meeting
 Prep. Date: 11/12/21
 Preparer: Russell Farnum



Agenda Item: # 4
 5
 Agenda Date: 12/20/2021

Communication Page

Agenda Items Description: Discussion and Possible Action on Updating Chapter 123 of the Municipal Code, House Moving

Type of Action Requested: Motion; Resolution; **Ordinance**; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Ordinance

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: In reviewing this chapter based upon a recent inquiry, Staff identified multiple deficiencies in the regulations, including inadequate bonding and insurance requirements and no particular inspection or verification procedures.

In dealing with the careful planning and risk to expensive public improvements that moving a structure involves, Staff think that the accompanying updates are necessary and required to protect the interests of the City and its citizens.

Background Information: The attached draft outlines the changes that are presented and recommended for approval. Please note it is drafted in legal “redline” format, where the language to be removed is shown in ~~strikethrough~~, and the language proposed to be added is underlined.

In the Application section, provisions are added which require the applicant to provide the route, and the equipment and methods by which the structure is proposed to be moved. For example, will the building be on a flatbed trailer, a bunch of dollies, or hung by chains from an excavator?

In addition to the weight (which impacts the City’s roads) the applicant shall provide the dimensions of the structure. The applicant also needs professional certification that the structure is sound enough to be moved by the methods proposed, that it’s free of asbestos and other hazardous materials, and if being moved into the City, that it is adequately designed for its final purpose.

Additionally, if a structure is being moved into a residential zoning district, the applicant must obtain the consent of the adjacent property owners. If that cannot be obtained, the permit can only be issued by the Council. This is similar to the City’s fencing requirements, which allows the Council to mediate any concerns that may be presented by the future neighbors.

If a structure is being moved into the City (or to a new location in the City), the application to move the building must be accompanied by the building permit application for placement of the structure at the new location.

In 123.04, the old bond requirement was a paltry \$10,000. As Council knows from the recent \$6,000 bill to replace a small portion of guardrail on Amber Road, public infrastructure is expensive. In order to protect the City's infrastructure from damage from moving the building, the bond amount should not be less than \$100,000.

In 123.05, the insurance amounts were also reviewed and updated, with \$1 million liability and \$2 million aggregate coverage. The prior amounts were \$50,000 per person and \$100,000 per accident. In addition, the applicant needs to prove that his vehicles that will be used in the moving process are also insured.

Chapter 123.06, regarding issuance of the permit, outlines a review and approval process, where previously, the Clerk merely had to issue the permit once all the paperwork was submitted. This gives the Police Chief and Public Works Director an opportunity to make sure that everything is appropriately planned in order to protect the City's streets and other infrastructure, as well as the public safety.

Chapter 132.07 requires close coordination with law enforcement during the actual move, and allows the City to charge a fee for its time spent on traffic control and other issues related to the move.

Chapter 123.12 provides for a final inspection once the building is placed upon its foundation at a new location in the City. The applicant must provide certification that the building meets all Iowa building code requirements, as though it were a new structure, including electrical, HVAC, plumbing and structural requirements.

Chapter 123.13 provides for some minor exceptions to this code, including moving a small shed or similar structure with a licensed vehicle, and for motor homes or mobile homes that are designed to be moved on their own wheels.

Staff Recommendation:

These updates are necessary to provide protection to the City's infrastructure and to protect the public health, safety and welfare. Approval is recommended.

ORDINANCE NO. 753

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONTICELLO, IOWA, BY AMENDING PROVISIONS PERTAINING TO HOUSE MOVERS

BE IT ENACTED by the City Council of the City of Monticello, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 123 of the Code of Ordinances of the City of Monticello, Iowa, is repealed and the following adopted in lieu thereof:

CHAPTER 123

HOUSE MOVERS

123.01 House Mover Defined

123.07 Public Safety

123.02 Permit Required

123.08 Time Limit

123.03 Application

123.09 Removal by City

123.04 Bond Required

123.10 Protect Pavement

123.05 Insurance Required

123.11 Overhead Wires

123.06 Permit Issued

123.01 HOUSE MOVER DEFINED.

A "house mover" means any person who undertakes to move a building or similar structure upon, over or across public streets or property when the building or structure is of such size that it requires the use of skids, jacks, dollies, or any other specialized moving equipment.

123.02 PERMIT REQUIRED.

It is unlawful for any person to engage in the activity of house mover as herein defined without a valid permit from the City for each house, building or similar structure to be moved.

123.03 APPLICATION.

Application for a house mover's permit shall be made in writing to the Clerk. The application shall include:

1. Name and Address. The applicant's full name and address and, if a corporation, the names and addresses of its principal officers.

2. Building Location. An accurate description of the present location and future site of the building or similar structure to be moved.

3. Storage Location. If the building is proposed to be temporarily stored/located within the City limits before being permanently placed on a foundation or lot consistent with the provisions of Section 123.08. Storage shall not exceed seven (7) days.

4. Routing Plan, Equipment and Method. A routing plan, outline of all equipment and the methods by which the structure are to be moved shall be provided by the applicant. The Routing Plan, Equipment and Method are subject to the approval of the Police Chief, Public Works Director, and impacted public utility officials. The route approved shall be the shortest route compatible with the greatest public convenience and safety.

5. Weight and Dimensions. The applicant must provide reliable evidence of the weight and dimensions of the structure, including height, width and length, to the satisfaction of the City. The weight shall be determined by a certified scale or otherwise estimated and certified by a Registered Professional or Structural Engineer.

6. Structural and Code Evaluation. The applicant must provide certification, signed and sealed by a Registered Professional or Structural Engineer that the building is structurally sound, and capable of being moved with the methods and equipment proposed. The applicant shall provide certification that the structure is free of all asbestos and hazardous materials. The applicant shall provide proof, signed and sealed by a Registered Professional Engineer or Iowa Licensed Architect, that any building being moved to a location within the Corporate Limits is adequately designed for its ultimate purpose, and meets all provisions of the Iowa State Building Code for a new structure, including HVAC, Plumbing, Electrical, and Structural.

7. Notice to Neighbors. For any building proposed to be relocated within, or moved to a location in, any residentially-zoned lot in the City, the applicant shall provide a list of all adjacent property owners, with the written consent and signature of at least one owner of each and every adjacent property. For this section, adjacent property shall be any property that abuts, or lies immediately across the street, easement or alley, from the property onto which the proposed structure is being moved. If consent cannot be obtained from all adjacent property owners, the permit shall not be issued without City Council approval. 8. Building Permit Application Required. For any building proposed to be moved to a location within the Corporate Limits, a complete building permit application shall be submitted concurrently with the house moving permit application, setting forth all building permit and zoning requirements for the placement of the structure at the new location. This shall include, at a minimum, a site plan showing the building and foundation location, all parking, utility service locations, and all other information otherwise required for a building permit. The building permit fee is in addition to the house moving permit fee.

9. Fees. Fees as set by Resolution of the City Council, to cover all costs incurred by the City including but not limited to law enforcement and public works time and materials, shall be enumerated on an attachment to the Application and collected in advance of the issuance of a permit.

123.04 BOND REQUIRED.

The applicant shall post with the Clerk a performance bond in the minimum sum of One Hundred Thousand Dollars (\$100,000.00) issued by a surety company authorized to issue such bonds in the State. The bond shall guarantee the permittee's performance and shall serve as security for payment of any damage done to the City or to public property, and payment of all costs incurred by the City in the course of moving the building or structure.

123.05 INSURANCE REQUIRED.

1. Each applicant shall also file a certificate of comprehensive public liability insurance with coverage limits of not less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) general aggregate, with the City of Monticello named as additional insured. The certificate shall also provide that the policy cannot be revoked, canceled, or modified in any way until the City has been notified by certified mail at least ten days prior to the proposed action.

2. The applicant shall also furnish to the City a business automobile insurance certificate with minimum limits of \$2,000,000/\$2,000,000 bodily injury and \$2,000,000 property damage. This coverage shall include the vehicle pulling the trailer and trailer with load, to protect for losses while the building is being moved on the public streets and/or highways.

123.06 PERMIT ISSUED.

1. For buildings located in the City which are being moved to a location outside the corporate boundaries, and/or for buildings that will be moved through the City to a location outside the corporate limits, the permit application shall be reviewed by the Police Chief, Public Works Director, City Administrator and other appropriate staff. Upon approval of the application, route, methods, bond, insurance certificate, and payment of the required fee, the Clerk shall issue the permit.

2. For buildings being moved into the City from a location outside the City, or from a current location in the City to a different location within the City, the permit application shall be reviewed by the Police Chief, Public Works Director, City Administrator and other appropriate staff. Upon approval of the application, route, methods, bond, insurance certificate, consent of adjacent property owners, and payment of the required fee, the Clerk shall issue the permit. If, pursuant to Chapter 123.03, paragraph 7, the consent of adjacent property owners has not been obtained, the Clerk shall schedule the permit application for review by the City Council at a regular meeting. The Clerk shall not schedule the permit application for Council review until the application is complete and all other documents are in order.

3. No permit shall be issued for any application that will result in, or cause, a violation of any other Chapter or any other provision of the Monticello Code of Ordinances.

123.07 PUBLIC SAFETY.

The permittee shall coordinate with law enforcement to provide the escort so that the move can be supervised and traffic can be controlled. At all times when any structure is in motion upon any street, alley, sidewalk or public property, the permittee shall maintain flag persons at the closest intersections or other possible channels of traffic to the sides, behind and ahead of the building or structure. At all times when the building or structure is at rest upon any street, alley, sidewalk or public property the permittee shall maintain adequate warning signs or lights at the intersections or channels of traffic to the sides, behind and ahead of the building or structure.

If extenuating circumstances arise where there is a breakdown or extended period that law enforcement or public works must provide traffic control, the permittee will be billed at an hourly rate as set by Resolution of the City Council.

123.08 TIME LIMIT.

No house mover shall permit or allow a building or similar structure to remain upon any street or other public way for a period of more than 12 hours without having first secured the written approval of the City. No house mover shall maintain a building or similar structure, including but not limited to a home/house within the City limits on a trailer, blocks, jacks or similar moving equipment or temporary base for a period of time in excess of seven (7) days. No house mover shall maintain a building or similar structure, including but not limited to a home/house within the City limits on a trailer, blocks, jacks or similar moving equipment or temporary base for a period of time in excess of 48 hours if said structure is not to be placed on a permanent foundation within the City limits.

123.09 REMOVAL BY CITY.

In the event any building or similar structure is found to be in violation of Section 123.08, the City is authorized to remove such building or structure and assess the costs thereof against the permit holder and the surety on the permit holder's performance bond.

123.10 PROTECT PAVEMENT.

It is unlawful to move any structure or building of any kind over any pavement, unless the wheels or rollers upon which the house or building is moved are at least one inch in width for each 1,000 pounds of weight of such building. If there is any question as to the weight of a house or building, the City's determination shall be final.

123.11 OVERHEAD WIRES.

The holder of any permit to move a building shall see that all telephone, cable television and electric wires and poles are removed when necessary and replaced in good order, and shall be liable for the costs of the same.

123.12 FINAL INSPECTION

Prior to occupancy, any structure moved into the City Limits shall be inspected by an Iowa Licensed Architect and written confirmation, signed and sealed by the Architect, that the completed structure meets all provisions of the Iowa State Building Code for a new structure as installed.

123.13 EXCEPTIONS

The only exceptions to this Chapter are:

1. Buildings or structures under 100 square feet and under 12 feet in height that are intended to be unoccupied storage or accessory structures, provided said structures are transported safely and adequately secured to a trailer or other licensed motor vehicle;
2. Manufactured or Modular Homes that are licensed and transported on their own structural frame with wheels.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the ____ day of December, 2021, and approved this _____ day of December, 2021.

Brian Wolken, Mayor

ATTEST:

Sally Hinrichsen, City Clerk

First Reading: 11/15/2021

Second Reading: 12/06/2021

Third Reading

I certify that the foregoing was published as Ordinance No. 753 on the ____ day of _____ t, 2021.

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date 12/15/2021
Preparer: Sally Hinrichsen



Agenda Item: # 6-14
Agenda Date: 12/20/2021

Communication Page

Agenda Items Description: Reports

Type of Action Requested: Motion; Resolution; Ordinance; **Reports**; Public Hearing; Closed Session

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Reports / Potential Actions:

- 6. City Engineer
- 7. Mayor
- 8. City Administrator
- 9. City Clerk
- 10. Public Works Director
- 11. Police Chief
- 12. Water/Wastewater Superintendent
- 13. Park and Recreation Director
- 14. Library Director

City Council Meeting
Prep. Date: 12/15/2021
Preparer: Russell Farnum



Agenda Item: # 15
Agenda Date: 12/20/2021

Communication Page

Agenda Items Description: Employee Handbook (Work session)

Type of Action Requested: Motion; Resolution; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Draft Handbook

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: City Department Heads, the City Attorney, and City Administrator have revised and reviewed the draft Employee Handbook and propose the (hopefully) final version for Council review and discussion in work session format.

Doug Herman, City Attorney will be present at the December 20 meeting in order to help address any questions or concerns related to the handbook.

This version is still a “draft” and the final formatting remains to be completed. Please read and review for content, not heading locations, paragraph numbering or other paragraph alignment. The language will be finalized based upon Council discussion and direction. Once the language is finalized, the remaining edits will be all formatted as appropriate and the Handbook placed upon a Council agenda for adoption.

Council discussion, input, and direction is requested.



EMPLOYEE HANDBOOK

**CITY OF MONTICELLO
EMPLOYEE HANDBOOK**

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Welcome to Monticello!

Dear Employee:

We welcome you as an employee of the City of Monticello. There are many things about city government and your job that are new to you and may be unclear until you become settled in your new surroundings. We understand this and will work with you to help you resolve the questions or problems you have as you learn your job and the way the City operates.

To help us to do that, please be familiar with this handbook that has been developed for use by employees. We hope you will find it a useful guide, a ready reference, and a source of information to help you learn about the City and benefits of working here. Of course, no handbook can contain everything you need to know about your job and how the City operates. This handbook explains some of the rules, regulations, and policies of the City, but it is not your only source of information. With the help of your supervisor, you need to familiarize yourself with all policies and practices of the City.

Again, welcome to the City of Monticello. We hope that your experience here will be challenging, enjoyable, and rewarding.

Sincerely,
Russ Farnum
City Administrator
City of Monticello

Introduction and At-Will Disclaimer

This is your Employee Handbook. It provides you with a brief summary of the personnel policies of the City.

DISCLAIMER

You are an “at-will” employee. You may resign your employment at any time and for any reason, and the City reserves the same right to discontinue your employment at any time and for any lawful reason or for no reason at all. Nothing in this Handbook changes the at-will nature of your employment with the City. This Employee Handbook is not intended to create any contractual rights in favor of you or the City. This Handbook is not to be construed as an employment contract or as a promise that you will be employed for any specified period of time.

At-will employees are not subject to the just cause standard for discharge. Further, the terms of this Handbook do not supersede the terms of any collective bargaining agreement negotiated with the City’s unions. When in conflict, the terms of the collective bargaining agreements will control, except to the extent this manual is determined to reflect the requirements of federal or state law which supersede the collective bargaining agreements.

This Handbook is provided for informational purposes only. The policies, procedures, benefits and plans described in the Handbook may be revised by the City at any time without prior notice. The City retains the exclusive right to change, add to, eliminate or modify any of the policies in the Handbook at any time at its discretion, with or without notice.

Any promises, representations or actions by a City official or employee which are contrary to this Handbook are not the official policy of the City and are of no force or effect. This Handbook supersedes and cancels the effect of any previous versions of this Employee Handbook.

You are responsible for reading this Handbook and any documents referred to herein. Further, you are responsible for reading your email and other internal postings which you may receive from time to time concerning City policy, or changes in City policy. Each City department has been provided a copy of these policies and, in addition, may also have departmental policies. **These policies are generally applicable to all employees, but please check with your supervisor or Department Head to obtain policies specific to your department. Certain departmental procedures may take precedence over the general procedures in this Handbook.**

This document will regularly be modified and updated as laws and policies change to reflect evolving circumstances. Every attempt will be made to provide timely updates to this document. If you have any questions or need clarification on any policy, please contact your supervisor.

Communications Policy

Open Communications

Communication is critical in all work environments. The employees' immediate supervisor is the primary point of contact for all employees and employees shall communicate questions, concerns, and all other matters, unless an exception is set out elsewhere in this handbook, directly to and with their immediate supervisor, who shall be responsible for taking said communications up the chain of command as deemed appropriate by said supervisor.

Open Door Policy

For people to work together effectively there must be a friendly, congenial atmosphere based on mutual trust and respect. Yet, in all human relationships, there are bound to be occasional misunderstandings and disagreements. It is important that these be resolved without delay.

In most cases, this is a simple matter, handled easily by your immediate supervisor. However, he/she cannot always be expected to provide answers satisfactory to all concerned. The City of Monticello's policy provides recourse to higher authority where that becomes necessary.

In general terms, the policy is simply an attitude of consideration for each individual's viewpoint. More specifically, it invites you to express yourself freely to your immediate supervisor with regard to your job, interpersonal relationship issues with co-workers and/or the interpretation or application of City's policies. If after speaking with your immediate supervisor you are not satisfied with the answer or response you received you may then take your issue or request to your department Head.

If an employee continues remains dissatisfied with the answer or response the employee may then request a meeting with their Department Head and the City Administrator. The City Administrator may choose to meet with the employee outside the presence of their Department Head if, in the sole discretion of the City Administrator, same would be appropriate. If the employee remains dissatisfied with the answer or response after the prior step, the employee may then present the question or issue to the City Council, while in session, and the Council will respond, give direction, or take action deemed appropriate. Their position and/or decision will be final. It is possible that the question or issue may related to the performance of the employee, or another, and in that event it is possible that the discussion with the City Council may be held in closed session. Any decision related to holding a closed session shall be reviewed with the City Attorney in advance of scheduling the closed session.

If your question or issue is related to _____, the party to whom you are required by this Handbook to first take your request or issue, you may bypass

that person and take your issue/request to the next person of authority as noted above without fear of reprisal.

Equal Opportunity Policy

The City depends on the talents of all its employees. The City's future depends on how we recognize, value and appreciate our differences. Because we appreciate the value of our differences, we dedicate ourselves to achieving a work environment that encourages and values the contributions of every employee. It shall be the policy of the City to act affirmatively and without discrimination with regard to the terms, conditions and privileges of employment in accordance with all applicable laws. Decisions regarding all employment terms, conditions and privileges, including, but not limited to, recruitment, hiring, placement, training, promotion and layoffs, shall be made without regard to race, creed, color, religion, sex, pregnancy, sexual orientation, gender identity, genetic information, national origin, age, disability, military or veteran status (except as set forth below), or any other characteristic protected by applicable federal, state or local law. Personnel procedures shall also be administered without regard to an individual's race, creed, color, religion, sex, pregnancy, sexual orientation, gender identity, genetic information, national origin, age, disability, military or veteran status, or any other characteristic protected by applicable federal, state or local law.

Employment decisions are based on merit and business needs, not based on status as a protected class. The City complies with laws regarding reasonable accommodations for disabled employees. The City will not discriminate against qualified employees or job applicants because of physical or mental disabilities as set forth in the Americans with Disabilities Act (ADA). Equal Employment Opportunity notices are posted. These notices summarize the rights of employees and provide the names and addresses of government organizations that may be contacted in the event a person believes he/she has been discriminated against or that the City is acting in violation of any applicable law or regulation.

Any honorably discharged veteran, as defined in the Iowa Code, shall be entitled to preference in appointment, employment and promotion over other applicants of no greater qualifications, consistent with the required definition in the Iowa Code.

Our City is committed to employing only United States citizens and aliens who are authorized to work in the United States. In compliance with the Immigration Reform and Control Act of 1986, we require all newly hired or rehired employees to complete the US Department of Homeland Security Employment Eligibility Verification Form I-9. Additionally, the City complies with federal immigration laws and cooperates with enforcement of the same, pursuant to Iowa Chapter 825, passed April 10, 2018.

Harassment and Retaliation

Illegal harassment is defined as offensive verbal or physical conduct based on a person's race, creed, color, religion, sex, sexual orientation, gender identity, age, national origin,

disability, pregnancy, genetic information or any other characteristic protected by local, state or federal law which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. It can also include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

Sexual harassment may consist of a variety of behaviors, including, but not limited to, the following examples:

1. Verbal conduct such as sexual innuendo, suggestive comments, jokes of a sexual nature, sexual propositions or threats;
2. Non-verbal or visual materials such as derogatory posters, photography, graffiti, cartoons, drawings or gestures;
3. Physical conduct such as unwelcome touching, hugging, kissing, coerced sexual contact or assault;
4. Threats or demands to submit to sexual requests in order to keep an employee's job or receive any job-related benefit.

The City will not tolerate harassment. Harassment is prohibited under local, state and federal employment laws and is also considered misconduct subject to disciplinary action, up to and including termination. Immediate action will be taken to resolve all complaints related to discrimination and harassment. See Complaints, Investigations and Remedying Discrimination, Harassment or Retaliation in the Workplace section below for the complaint procedure.

Anti-Retaliation

Employees who report or file good faith claims of harassment or discrimination with the City or any local, state or federal agency, or employees who in good faith file workers' compensation claims, request Family Medical Leave Act ("FMLA") leave or military leave, report occupational safety violations or wage violations shall not be subjected to retaliation. Witnesses, who in good faith, report misconduct or participate in any investigation, shall not be subjected to retaliation. Retaliation includes penalizing an employee by demotion, termination or by changing the employee's work conditions in a material manner as a result of the employee making a complaint in good faith or for the employee's participation in an investigation conducted by the City.

The City will not tolerate retaliation. Immediate action will be taken to resolve all retaliation complaints.

Complaints, Investigations and Remedying Discrimination, Harassment or Retaliation in the Workplace

A continuous two-way flow of information between supervisors and employees is essential to the achievement of organizational goals. Whenever possible, issues should be resolved through an informal communication process between employee and supervisor. When a problem arises, it should be communicated and addressed immediately in an in an open, calm and honest manner.

If an issue cannot be resolved through communication, employees covered by a bargaining unit agreement may utilize a formal grievance process, to the extent a formal process exists in any agreement between the City and the Union, and non-union employees may appeal a disciplinary action to the City Administrator.

In the case of sexual or other harassment, illegal discrimination, or similar concerns, the following steps should be followed by employees:

1. If comfortable doing so, employees are encouraged to express their objection to behaviors that could constitute discrimination, harassment or retaliation to the person engaged in the behavior.
2. Any employee who has a complaint of or observes conduct or overhears language that constitutes discrimination, harassment or retaliation at work, by anyone (including managers or immediate supervisors, Department Heads, co-workers, clients, customers, contractors, members of the general public or visitors to the workplace), should immediately communicate the complaint and/or their observation to the attention of the employee's Department Head, the City Administrator or the City Attorney.
 - a. The party who received the complaint shall immediately notify the City Attorney or the City Administrator, who may, as the situation requires, name an impartial investigator. Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent possible, but in no event shall the report be released to third parties outside of the City, unless ordered by an Arbitrator or Judge with competent jurisdiction over the matter.
3. Investigation of a complaint will normally involve communications between all of those named or involved in the complained of behavior and any named or other apparent witnesses. Employees are required to fully cooperate with any member of management or the City Attorney during any work-related investigation. Retaliation against parties or witnesses shall not be tolerated.
4. Any employee determined, after investigation, to have discriminated against, harassed or retaliated against another employee will be subject to appropriate disciplinary procedures depending on the severity of the behavior, up to and

including termination. The City will take prompt action it deems appropriate to remedy the situation and to prevent further discrimination, harassment or retaliation.

5. In the event a non-employee subjects an employee to discrimination, harassment or retaliation in the workplace, the employee's manager or immediate supervisor, the City Administrator, or the City Attorney will inform the non-employee and (if appropriate) his/her employer of the City's policy against discrimination, harassment and retaliation. The City will require the person (or, if appropriate, his/her employer) to take prompt action the City deems appropriate to remedy the situation and to prevent further discrimination, harassment or retaliation.

Job Description

The City has prepared job descriptions which list the essential functions and other responsibilities of each City position, and each employee is required to review and sign his/her job description. If an employee has not reviewed and signed his/her job description, the employee should contact his/her supervisor immediately. A job description is not intended to be an exhaustive list of all duties which could possibly be assigned to a position, nor does it limit the authority of the City to request an employee perform different or additional functions. As a provider of public services, the City requires employees to be flexible enough to fill in where necessary to ensure City services are provided at the level Monticello residents have come to expect.

While the City strives to ensure that City job descriptions are regularly reviewed and revised as necessary, if an employee believes that his/her job description does not accurately or completely describe his/her job duties or expectations, the employee should advise his/her supervisor so that revisions may be considered.

Appointments and Work Schedules

Many of the services delivered to the citizens of Monticello require around the clock attention and for that reason employee schedules will vary. Further, there are three classifications of employment including full-time, part-time and temporary. The employment classifications will determine the benefit levels provided or applicable to each employee. (Please see sections on employee benefits set forth subsequently herein.)

Full-time employees generally work at least 40 hours per week, whereas part-time employees work 32 hours or less per week. Temporary employees may work any number of hours, but the position will terminate on a date certain, which is communicated upon hire. Seasonal employees will generally work over a specific season or seasons, most generally summer and fall but in some cases over the winter months. The end date of seasonal employment will generally be tied to a change in the weather or the seasons and will not be determined with certainty on the date of hire. An employee's supervisor will explain the work schedule required for the employee's position.

A full-time exempt employee is a salaried employee who is not covered by the overtime provisions of the Fair Labor Standards Act and is not eligible to receive overtime compensation in the form of time off (compensatory time) or cash. A full-time non-exempt employee is one who is covered by the overtime provisions of the Fair Labor Standards Act and is eligible to receive overtime compensation.

Work Week

All full-time work weeks shall be at least forty (40) hours in length, except for the ambulance staff and police department which shall be scheduled on an eighty-four (84) hour two-week schedule.

Lunch schedules shall be staggered by all departments that are open to the public to keep offices open during the entire workday. Lunch schedules to be set by the Department Head.

The City of Monticello shall not be open on Saturday, Sunday or city recognized holidays, except for the Ambulance and Police Department which shall be open 365 days per year, and except for the water/wastewater Department, which must have staffing for specific purposes on all days. (One water/wastewater employee is required to work four hours each Saturday and Sunday. When a worker is scheduled to work said Saturday/Sunday schedule they are not scheduled to work the following Friday of the same pay period.)

The work week for all employees will begin on Monday and end on Sunday with hours calculated accordingly, with the exception of the Water/Wastewater Department, whose work week shall begin on Saturday and end on Friday. The work schedule for each work week shall be set by the Department Head and City Administrator. If the Department Head and City Administrator do not agree on the appropriate work schedule a committee including the City Administrator, Department Head, the Mayor and three City Council members shall be convened after which a majority vote of the committee shall determine the schedule moving forward.

Employees working eight (8) hour shifts shall **not** take scheduled breaks but for a one-hour lunch to be taken between the hours of 11:00 a.m. and 1:00 p.m. Any breaks determined to be necessary and appropriate, outside of the one-hour lunch, shall be taken at the job site and shall not take place at a common location with other departmental employees. (Examples of "Necessary and Appropriate" breaks include restroom needs, working in extreme heat and needing fluids or shade.) Employees are expected to plan accordingly based upon weather forecasts and to have adequate water or snacks with them at work sites to avoid travel to and from the work site to a convenience store or City building. Department Heads are tasked with monitoring employee break practices and shall ensure compliance herewith. Employees found to be violating the provisions hereof shall be subject to discipline.

Employees working a 12-hour schedule will not have a scheduled lunch hour. Each Employee shall be entitled to a maximum of sixty (60) minutes of break time during one twelve (12) hour shift that may be exercised in any combination of 15 or 30-minute increments.

The Police Department work week/pay period may be based on a schedule comprised of twelve (12) hour shifts. Generally, the schedule shall be based upon a three-day work week (36 hours) followed by a four-day work week (48 hours), comprising a pay period of two weeks totaling 84 hours, exclusive of any overtime, holiday pay, etc. However, at the sole discretion of the Chief, Officers may be required to work up to 86 hours per pay period, on any schedule determined necessary and appropriate, without the award of overtime pursuant to Section 7(k) of the Fair Labor Standards Act.

Police Department administrative staff work week will be comprised of five (5) eight (8) hour work days unless another schedule is authorized in advance by the Chief of Police.

Physical Examinations

All new employees are given a conditional offer of employment before they are appointed to full-time positions. A conditional offer of employment may, depending upon the essential functions of the job, and especially the safety sensitive aspects of the job, be subject to passing a physical examination. Further, all offers are contingent upon a background investigation. Part-time, temporary and seasonal employees may or may not be subject to a physical examination, the decision being tied to several factors, including, but not limited to, the level of physical activity required, the responsibilities required, and whether they may be considered for transfer into a full-time position. Please see the City's Safety Policy, Addendum A. (See also the provisions set forth subsequently herein related to CDL drug testing and eligibility.)

Employee Orientation

The City recognizes the importance of developing successful working relationships from the first day of employment. As such, the City has designed an orientation program for new employees during which the employee will:

- be provided a copy of this Employee Handbook;
- be provided a copy of the applicable job description;
- attend a meeting with the Deputy City Clerk to explain various employment forms, policies and applicable benefits;
- attend initial safety training; and
- receive orientation instructions relative to the department in which the employee has been assigned.

Probation/Seniority

All new full-time and part-time employees are subject to a probation period. Full-time employees shall acquire regular status and seniority after the completion of a ninety (90) calendar day probationary period except for Ambulance and Police Department employees who shall not obtain regular status until the completion of a one-year (1 year) period to commence on their date of hire. Part-time Employees, not including Ambulance Department employees, shall not acquire regular status until after the passage of one one-hundred-eighty (180) days. Part time Ambulance Department Employees shall not obtain regular status until the passage of a one-year (1 year) period to commence on their date of hire. Temporary and seasonal employees are not generally subject to probationary periods. The probationary period is designed to allow the City an opportunity to evaluate the employee's job performance and for both parties to evaluate the fitness of the employee for the job. The City, in its sole discretion, may extend the probationary period if deemed appropriate based upon the employee's job performance during the original probationary period. During the probationary period, either the City or the employee may terminate the employment relationship with or without cause. Except as pre-approved at the time of hire, probationary employees may accumulate, but are not eligible to use, vacation, personal, or casual leave.

Once the probationary period has passed, an employee's seniority will be calculated retroactive to the date of hire. If two or more employees are employed on the same date, seniority shall be determined by alphabetical order, A to Z, commencing with the last name first and then the first name.

An employee shall lose seniority rights upon the occurrence of any of the following: 1). termination; 2). lay-off for a period longer than eighteen (18) months; 3). failure to work within fourteen (14) days after written notice to return is mailed by United States certified mail to the employee's last known address; or 4). absence from work for two (2) consecutive scheduled workdays, whether said two (2) days immediately follow one another, without approval by the Employer, which may be required to be in writing.

Promotions

The City of Monticello considers internal candidates along with external candidates for open positions.

Promotions are based on job performance, management evaluation of ability to accept more responsibility and the availability of promotional openings. As each new position becomes available, the appropriate supervisor will consider those individuals within the City who may have interest in the position and who are otherwise prepared and have the appropriate education and/or background to fulfill the essential functions and responsibilities of the position. To this end, each employee is responsible for keeping the City Administrator or his/her immediate supervisor informed of his/her career interests and the steps they have taken such as continuing education, to be prepared to fulfill the essential functions and responsibilities of the position.

Compensation provided to any promoted employee shall be negotiated by the employee with the City Administrator and approved by the City Council unless said promoted position is covered by a Collective Bargaining Agreement in which event the compensation shall be as set forth therein.

Transfers

Employees that transfer to another position shall be compensated as provided by any applicable Collective Bargaining Agreement or if none, as negotiated with the City Administrator and approved by the City Council.

Rehire

Employees who leave the City in good standing may be considered for any position for which they meet minimum qualifications.

Use of Medications

Certain medications may have an adverse effect on an employee's ability to safely operate vehicles and other machinery and equipment. If an employee is taking a medication, either over the counter or prescription, that may impair the employee's safety or the safety of his/her co-workers or the general public, the employee is required to notify his/her supervisor immediately. The employee's supervisor will require the employee to provide the City's FMLA/HIPAA designated official, the Deputy City Clerk, with documentation of the side effects of the employee's medication to allow the extent and effect of any impairment the medication may cause to be determined. In the event it is determined that impairments are possible, an effort will be made to assign appropriate and safe work. Whether or not this is possible will be determined by the City Administrator after consulting with the employee, the City's FMLA/HIPAA designated official, and the employee's Department Head.

On-the-Job Injury or Illness

Work absences caused by on-the-job injuries and illnesses, including medical expenses caused by the same, are compensated as provided by Iowa law. If an employee becomes injured or has an accident while performing his/her job, the employee must notify his/her supervisor immediately and complete all required forms with the employee's supervisor within 24 hours. However, if an employee is involved in an accident with a company vehicle, or private vehicle that is operating on company business, which involves private property, whether there is damage or not, the Sheriff's Department should be called immediately. **(See also: "Injury and Incident Reporting and Investigation" and "Commercial Driver's License (CDL) & Driving as an Essential Function of Position" provisions set forth subsequently herein.)**

An employee's failure to promptly report a job-related injury or illness may result in the appropriate workers' compensation report not being filed in accordance with the law, which may consequently jeopardize the employee's right to benefits in connection with the injury or illness.

Upon notification by an employee, the employee's supervisor will promptly notify the Jones Regional Medical Center Work Well Clinic and the Deputy City Clerk to arrange authorized treatment.

Employees injured on the job are not permitted to seek immediate treatment on their own (i.e., without contacting their supervisor), unless the injury/illness appears to be life-threatening or is clearly very serious in nature and there is no time or opportunity to contact the supervisor in advance of seeking care or treatment.

Following a work-related injury, employees may be required to return to work within the restrictions set out by the authorized medical provider. If appropriate, light duty work may be assigned. An employee's failure to report for reasonably suited light duty work offered by the City is grounds for termination of employment and may result in denial of workers' compensation benefits. For details, please see Temporary Alternate Duty (TAD) Program, set forth in the City's Safety Manual, Addendum A.

Employees must follow the authorized medical provider's orders both at work and away from work. Employee's recovery and treatment will be monitored by the City until the Employee is returned to full duty.

Generally, an employee who is eligible for workers' compensation may use sick leave for scheduled workdays lost during the first three days following the injury or illness. If the employee continues to be eligible for workers' compensation, the employee will be paid at the State of Iowa workers' compensation rate of pay starting on the fourth day of the disability. If the employee is off work for more than fourteen calendar days, the insurance carrier will then pay for the first three days following the illness or injury and the City will recover any overpayment of benefits as an offset against future pay owed, if any. An employee may supplement workers' compensation benefits with accumulated sick leave, vacation or compensatory time upon request, up to an amount that would meet, but not exceed, the employee's regular take home pay, not including potential overtime pay. The City will then compensate the employee for the difference between his/her workers' compensation payment with the available sick leave, vacation or compensatory time payment. The employee's accumulated sick leave, vacation or compensatory time will be reduced accordingly.

A workers' compensation absence may constitute a leave covered by the Family and Medical Leave Act (FMLA). Workers' compensation leaves will run concurrently with applicable Family and Medical Leave Act leaves in cases where a temporary light duty

assignment is not available, where (due to restrictions issued by a healthcare provider) a temporary light duty assignment is not appropriate, or where the employee has refused a temporary light duty assignment.

For details on the City's Return to Work Program, please see the Safety Manual, Exhibit A to this Handbook.

Telephone Use

This policy is intended to establish guidelines related to the use of City Phones and Cell Phones by City Employees during regular business hours and the amount of City reimbursement, if any, to those employees identified as having a "city" based need to carry or to have available a Cell Phone at all times.

General Provisions:

(a) Carrying a Cell Phone during Regular Business Hours:

1. In general, if it can be shown that an employee's duties require frequent mobility, a need to remain readily accessible due to the specific nature of their duties, a lack of other means to contact said employee by those that have a "work" related need to contact that employee, an employee may be permitted to carry a cell phone during regular business hours. Department Heads shall identify those employees within their department that are deemed to have a "need", as explained above, to carry a cell phone during working hours. The Department Head shall submit a written memorandum to the City Administrator both identifying the employee and explaining the need for the employee to carry said phone during working hours. The City Administrator has the discretion to either approve or deny the request of the Department Head.

(b) The City will not issue or provide Cell Phones at City expense to employees unless pre-approved by the City Council.

(c) Employees that are authorized to carry a cell phone under this policy will carry a personally owned phone. Said employee(s) will be eligible for consideration of a City stipend, as further explained below, for the employee's personal use of their personally owned cell phone for business purposes.

(d) City Stipend:

1. A stipend shall only be provided if it is determined that a substantial "need" exists for said employee to have a cell phone with them both during and after the workday. The Decision on whether or not a stipend shall be paid will be made by the City Administrator after consultation with the Department Head.

2. For those employees determined to be eligible for a Stipend, the Stipend shall be \$20.00 per month for those employees carrying a “standard” phone, said amount deemed to be representative of the portion of the cost of said cell phone service, care and maintenance, to be tied to the employee’s business use of said phone. If it is determined that an employee has a need to carry a phone with data / e-mail services, the City shall pay a stipend to those employees in the amount of \$50.00 per month. Stipends shall be payable from the 1st day of the first month following the beginning of an employee’s use of their personal cell phone for work purposes hereunder. City stipends shall not be pro-rated and will be payable to eligible employees consistent herewith upon submission of a signed Cell Phone Stipend Reimbursement request form to their Department Head who shall review, sign if deemed appropriate, and then deliver to City Hall for final review, consideration, and payment. The stipend amount, as set out herein, shall be subject to amendment by the City Council as deemed appropriate from time to time.

(e) Procedures for Usage of Cell Phones during working hours:

1. For those employees who have been authorized to carry a cell phone during regular business hours, whether subsidized or not, the use of same, except while on break or in situations of emergency, shall be for work related purposes only.
2. The following uses of any cell phone during hours for which the employee is being paid by the City, are prohibited:
 - a) Offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs;
 - b) Use for commercial purposes or for personal profit;
 - c) Anything that violates accepted ethical principles or any other use in conflict with the City’s Personnel Policies and Guidelines.
3. All employees shall refrain from use of a cell phone as much as possible while operating a city owned vehicle or other piece of City owned motorized equipment. If it is not possible, the employee shall use hands free technologies, and whenever operating any motor vehicle or other motorized equipment, the use of the phone shall only be for work related purposes. Employees found to have violated this policy will be subject to discipline.

(f) Equipment:

1. Employees shall be responsible for the purchase, maintenance, repair, replacement, and ownership of their phone and related equipment/accessories.
2. Each Department Head shall evaluate the needs and requests of those personnel who will be utilizing a phone during working hours to determine whether their position and duties justify the need for a hands-free device. If the Department Head deems it necessary, said device may be provided at City expense and said device shall remain the property of the City at all times.

(g) Penalties/Restrictions:

1. The City is not responsible for replacing cell phones damaged by employee carelessness. In the event any cell phone or related equipment is damaged in the course of City business the item(s) shall be brought to the attention of the employee's supervisor for direction in regard to the repair and/or replacement of the item(s). A department head may replace, with City funds, cell phone equipment damaged during the course of employment so long as said damage was not caused by the negligence or recklessness of the employee. The replacement equipment shall be of a like kind and as similar to that being replaced as is possible. In this event, the replaced cell phone will remain the property of the employee.

The use of City telephones and personal cell phones to receive or make personal calls is discouraged, and employees will limit the duration of necessary calls so as not to interfere with work responsibilities. Use of City telephones for personal long-distance calls is prohibited.

Internet / Computer Use

1. The City owns and maintains several computer networks, internet and electronic mail systems, hereafter referred to as "system." This system is provided to the employees for the purpose of conducting City business.
2. The system hardware and software are owned by the City and as such are City property. Additionally, all documents and messages composed, sent, received or stored on the system are and remain the property of the City. They are not the private property of any employee, and employees should not consider any communication via the system confidential, personal and/or private.
3. The use of the system is for the conduct of City business. Personal business or other non-job-related activities should be minimized. Supervisors may further limit or restrict personal use.

4. The system shall not be used for commercial ventures, religious or political causes, outside organizations or other non-job-related activities.
5. The system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without specific prior authorization.
6. The system shall not be used to create or retrieve any offensive or disruptive messages or files. Among those which are considered offensive are any messages or files that contain any comment that offensively addresses someone's sex, sexual orientation, race, color, religion, national origin, age, disability, gender identity or marital status. Downloading of pornography or similar materials is strictly prohibited.
7. The confidentiality of any activity or message should not be assumed or expected. Deleting a message may not fully eliminate the message from the system. Further, the use of passwords for security does not guarantee confidentiality. The system automatically records information such as origin, destination, content and time spent online. The City Administrator or designee may monitor sites accessed. The City Administrator or designee also reserves the right to access, review and audit all messages and files created, received, stored on or sent over the system for any purpose, even after said message or file is deleted. The contents of any electronic mail or file may be disclosed without the permission or prior notification of the employee who sent or received the message or created the file. The City is not responsible if "hackers" retrieve, and make public, employee system activity. Thus, privileged or confidential material shall not be communicated via the system due to potential monitoring by the public, or "hackers".
8. Employees shall not use a code, access another employee's messages or files, or retrieve or modify any stored information, unless authorized to do so by a supervisor. All computer pass codes must be provided to supervisors upon request.
9. Computers shall not be loaded with any programs or files that have not been purchased for that specific computer by the City. No files shall be downloaded from the Internet, or any files accepted from an E-mail message. The exception to this would be files downloaded from other City computers or files from business associates of the City.
10. In order to resolve problems and to reduce conflicts with hardware and software on PCs, all software and hardware needs to be approved prior to the purchase and installation of the product. Software and hardware that is not approved and/or not used to conduct business for the City will be removed. This includes backdrops, screen savers, and unapproved personal software.
11. If a computer is not operating properly, contact the City Administrator or designee. That office will check the computer to see if it is a software or hardware problem. If the computer needs service, that office will then coordinate the units repair and return of the computer.

12. Use of the system is a privilege, not a right, and any violation of this policy or use of the system for improper purposes could subject the employee to discipline, up to and including discharge.

Social Media Policy

Purpose

This policy sets forth guidelines for the establishment and use by the City of Monticello of social media sites as a means of conveying City of Monticello information to the public. The intended purpose behind the use of City of Monticello social media sites is to disseminate information from the City, about the City, to the public in a civil and unbiased manner.

The City of Monticello has an overriding interest and expectation in deciding what is “spoken” on behalf of the City on all social media sites under the control of or in the name of the City or City Department. For the purposes of this policy, social media means any facility for online publication and commentary, including but not limited to city’s website, blogs, wikis, content hosting sites such as Flickr and YouTube, and social networking sites such as Facebook, LinkedIn, Instagram and Twitter. This policy is in addition to and complements any existing or future City of Monticello policies regarding the use of technology, computers, smart phones, e-mail and the internet.

General Policy

1. The establishment and use by any City Department of City social media platforms are subject to approval by the City Administrator who may seek Council approval in his/her discretion. All City of Monticello social media platforms shall be administered by the City Administrator, Department Head, or his/her designees, but shall in all cases be subject to the oversight of the applicable Department Head.
2. City social media sites shall make clear that they are maintained by the City of Monticello. The City logo or branding shall be used on all social media accounts to confirm authenticity of the site. City social media accounts will only join a group or become a fan of a page or share posts if same are related to official City business, services, and events.
3. Wherever possible, City social media sites should link back to the official City of Monticello website for forms, documents, online services and other information necessary to conduct business with the City of Monticello.
4. The City Administrator, Department Supervisor, or his/her designees will monitor content on City social media sites to ensure adherence to both the social media policy and the interest and goals of the City of Monticello.
5. Users of all City social media shall adhere to applicable federal, state and local laws, regulations and policies.

6. The City reserves the right to restrict or remove any content that is deemed to be violative of the City of Monticello social media policy or any applicable law. Any content removed based on these guidelines must be retained by the Department Supervisor or his/her designees for a reasonable period, including the time, date and identity of the poster, when available.
7. The City of Monticello's website is and shall remain the City's predominate online presence.
8. Freedom of Information Act and e-discovery laws and policies apply to social media content and therefore, content must be managed, stored and retrieved in compliance with these laws.
9. City of Monticello social media sites are subject to State of Iowa Public records laws. Any content maintained in a social media format that is related to City business, including a list of subscribers and posted communication, is a public record. The Department maintaining the site is responsible for responding completely and accurately to any public records request for public records on social media. Content related to City business shall be maintained in an accessible format pursuant to City policy and practice so that it can be produced in response to a request. Whenever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.
10. Employees representing the City of Monticello via social media accounts must always conduct themselves as a representative of the City of Monticello. Employees that fail to conduct themselves in an appropriate and professional manner shall be subject to discipline

Comment Policy

1. A comment posted by a member of the public on any City of Monticello social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Monticello, nor do such comments necessarily reflect the opinions or policies of the City of Monticello.
2. Comments containing any of the following inappropriate forms of content shall not be permitted on City of Monticello social media sites and are subject to removal and/or restriction by the Department Supervisor or his/her designees.
 - a. Comments do not relate to the original topic;
 - b. Profane, obscene, violent, or pornographic content and/or language;
 - c. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status or mental or physical disability, or any other protected classification;
 - d. Personal attacks, including but not necessarily limited to defamatory comments;
 - e. Threats, express or implied, against any person or organization;
 - f. Comments in support of, or in opposition to, any political campaigns or ballot measures;

- g. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
 - h. Conduct in violation of any federal, state or local law;
 - i. Encouragement of illegal activity;
 - j. Information that may tend to compromise the safety or security of the public or public systems; or
 - k. Content that violates a legal ownership interest, such as a copyright, of any party.
3. The City of Monticello reserves the right to deny access to City of Monticello social media sites to any individual who violates the City of Monticello Social Media Policy, at any time without prior notice. The City reserves the right to restrict or remove any content that is deemed in violation of the social media policy or applicable law.
 4. The following verbiage can be used to warn individuals about their content: "Your recent post is in violation of the City of Monticello Social Media Policy. Please refrain from posting inappropriate content in the future. If you do not refrain from posting such content, you will be blocked from all City of Monticello Social Media Platforms. Your understanding is appreciated."
 5. When possible, City of Monticello social media platforms will not allow comments to appear on the platform prior to being reviewed and accepted for posting by the designated administrator of said platform.
 6. Departments shall monitor their social media sites for comments requesting responses from the City and for usage in violation of this policy.
 7. Any City Employee commenting on a City Social Media Platform shall identify themselves by name and note their employment with the City within said post.
- These guidelines must be displayed to users or made available by hyperlink.

Ethics

Employees are subject to state laws which forbid governmental employees from accepting anything from an individual or organization doing business with the City or wishing to do business with the City with a value over \$2.99. Simply stated: Employees are prohibited from accepting any favor or gift of value from any person(s) or company doing business with the City. If an employee is uncertain about a potential conflict of interest, the employee should notify his/her supervisor for a formal interpretation and decision.

If the City of Monticello is a member of the ICMA, the Elected Officials (mayor and council members) consistent with the requirements placed on City Employees as set forth herein, shall observe the current tenets of the ICMA Code of Ethics, which can be found at www.icma.org/icma-code-ethics. Elected officials are encouraged to carefully review the full version with guidelines found on the website. As of this writing, the Tenets are:

Tenet 1

Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

Tenet 3

Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order that the member may merit the trust and respect of the elected and appointed officials, employees, and the public.

Tenet 4

Serve the best interests of the people.

Tenet 5

Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6

Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

Tenet 7

Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

Tenet 8

Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9

Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10

Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12

Public office is a public trust. A member shall not leverage his or her position for personal gain or benefit.

This section will be automatically updated as the Tenets are updated by ICMA.

Weapons Policy

The City of Monticello does not tolerate violence in any form or the threat or perception of violence by or against any employee while performing his/her official duties, or due to the employee's official duties, wherever those duties are performed. Therefore, no City of Monticello employee is permitted to possess or carry firearms or other lethal weapons in City buildings, at City work sites or in City vehicles. Firearms and weapons are defined in 702.7 Code of Iowa and 724.1 Code of Iowa and include, but are not limited to, guns of any description, long knives, Tasers, etc. This policy excludes firearms and weapons carried by law enforcement employees as required by their employment as well as weapons carried by employees who possess a concealed carry permit issued by the Jones County Sheriff so long as any weapons so carried or possessed are allowed by said permit.

An employee found to be in violation of this policy will be subject to discipline, up to and including discharge.

Drug and Alcohol Workplace Policy

The City of Monticello is committed to ensuring its employees work in a safe, drug-free environment. Individuals under the influence of illicit drug or alcohol are more likely to have workplace accidents and perform their work in an inefficient and substandard manner.

To effectuate this commitment, the City has determined it must try to ensure City employees are free from the influence of drugs and/or alcohol while performing their duties. The City has developed the following Drug and Alcohol Testing Policy which, where applicable, augments existing state or federal drug testing laws which already apply to some City employees. This policy applies to all applicants for City positions and all City employees at any time they are performing, preparing to perform, or immediately available to perform any paid function as designated by the City.

All employees in positions requiring Commercial Drivers Licenses are subject to the federal and state laws requiring drug and alcohol testing, and those laws supersede this policy. The Federal Transit Administration has adopted drug and alcohol testing

procedures covering safety-sensitive employees engaged in mass transit and those laws also supersede this policy.

Definitions:

Safety Sensitive Employee: A safety sensitive employee is an employee working in a position where an accident or an error could cause the loss of human life, serious bodily injury, or significant property or environmental damage, including a position with duties that include immediate supervision of a person in a job that meets the requirements of this paragraph.

Reasonable Suspicion Drug and Alcohol Test: The City may require a drug and alcohol test of an employee if there is evidence that an employee is using or has used alcohol or other drugs in violation of this written policy, said evidence to be based upon specific, objective and articulable facts and the reasonable inferences drawn from those facts in light of training and experience. For purposes of this paragraph, facts and inferences may be based upon, but not limited to the following:

- a. Observations while at work such as direct observation of alcohol or drug use or abuse, or of physical symptoms or manifestations of being impaired due to alcohol or other drug use as described in the educational materials provided to employees.
- b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- c. A credible source's report of alcohol use or the use of other drugs. The City Administrator or designee shall determine who is or is not a credible source.
- d. Evidence that an individual has tampered with any drug or alcohol test during the individual's employment with the City.
- e. Evidence that an employee has caused an accident while at work which resulted in an injury to any person or resulted in damage to property or equipment.
- f. Evidence that an employee has manufactured, sold, distributed/solicited, possessed, used or transferred drugs while on the employer's premises, or while operating the employer's vehicle, machinery or equipment.
- g. The employee's statement or admissions of drug use while he/she is a City employee.

Positive Test: An employee tests positive for drugs if any trace of an illegal substance is detected following a drug test. An employee tests positive for alcohol if he/she has a blood alcohol concentration equal to 0.040 or greater.

Illegal Drugs/Substances: Any illegal substance which has not been legally obtained or which cannot be legally obtained. This includes prescription medication for which the employee does not have a prescription and/or is not taking according to the prescription, or has not disclosed the prescription to the City Administrator as required previously herein.

This policy prohibits the following behaviors:

It is the City's policy that an employee's use, sale, transfer, purchase or possession of drugs, alcohol, a controlled substance or drug paraphernalia, or any combination thereof, by an employee while in a City facility, vehicle, vessel or aircraft, or while performing City business, including official business conducted while in one's home, is prohibited. The responsible social use of alcohol at appropriate social events that may be attended from time-to-time by a City Employee in their capacity as a City employee is permitted. Maybe add language at later section to reference this exception.

City employees are prohibited from consuming alcohol on the job or reporting for work under the influence of alcohol, drug or medication. No employee shall operate any City vehicle or equipment while under the influence of drugs, alcohol, or medication.

This policy prohibits employees from using prescription drugs unless both of the following conditions are met:

- (1) a doctor has prescribed the medication to the employee; AND
- (2) the doctor has advised the employee that the drug will not adversely affect the employee's ability to perform essential job functions without endangering the employee's safety, the safety of co-workers, or the safety of the general public. Employees using personal prescription drugs must carry the medication in the original container and the container must be labeled with the date, name of the employee, doctor and the quantity, dosage, and directions for use of the drug prescribed.

Substance Abuse Education:

The City will notify applicants of this drug and alcohol testing policy at the time of their first interview. The City will provide FTA and CDL required employees with drug and alcohol education, including the effects of drugs and alcohol, signs and symptoms of drug and alcohol use, assistance available for those abusing drugs and alcohol, and drug and alcohol testing requirements. Each employee and applicant will sign a form acknowledging receipt of these materials.

Prospective Employee Testing:

All prospective, safety-sensitive employees who have been extended a conditional offer of employment with the City shall be informed that a condition of employment includes

passing a drug test as part of the pre-employment process. If a prospective, safety-sensitive employee, refuses to take a pre-employment drug test when scheduled or tests positive for a substance, that employee is ineligible for City employment for one (1) calendar year from the drug test.

If an employee is transferred to a safety-sensitive position, drug and alcohol testing under this policy is a condition of the transfer.

Random Testing:

The City may, without individualized suspicion, conduct random drug and alcohol testing on safety-sensitive employees who are covered by state or federal law, and where said random testing is required by the Iowa or Federal Department of Transportation, Federal Transportation Administration or other agencies as a condition of licensing. The selection of such employees to be tested shall be done based on a computerized, randomly generated selection process in which each member of the employee pool has an equal chance of selection.

Commercial Driver's License (CDL) & Driving as an Essential Function of Position

An employee required to possess a Commercial Driver's License for his/her position shall be subject to pre-employment drug and alcohol testing as well as random drug and alcohol testing in addition to all applicable State and/or Federal rules and regulations.

Requirement of Iowa Driver's License/Commercial Driver's License (CDL)

Employees who are required to drive to perform the essential functions of their position must possess and maintain a valid Iowa Driver's License or Commercial Driver's License, depending upon the position. The City's insurance carrier requires an annual review of these employees' IDOT driving record.

An employee found to have an expired (beyond the 60-day grace period) Iowa Driver's License, or Commercial Driver's License (CDL) if required for the employee's position, or who has lost his/her license for any reason, may be removed from work assignments requiring a Driver's License/CDL, and may be subject to discipline. Said employee must obtain a valid Driver's License or CDL if required within seven (7) days of the date notice of said deficiency was given to the employee by the City. If an employee fails to obtain a valid Driver's License/CDL within this seven (7) day period the employee may be suspended indefinitely, with or without pay, until the deficiency is resolved, or may be terminated in the sole discretion of the City.

An employee who commits an offense and who knows, or has reason to know, that the offense may result in a driver's license suspension/revocation shall notify the employee's department head within twenty-four (24) hours of said offense unless incapacitated or otherwise legitimately prevented from doing so, in which case the notice shall be given as soon as is practicable. An employee who violates this notice provision may be

immediately discharged. Further, employees charged with any offense which may lead to a driver's license suspension/revocation shall keep the City apprised as to the status of the charge during the pendency of the case and the eventual outcome. (Plea Agreement, Conviction, Acquittal, or other determination.) An employee's failure to follow the procedures set forth herein may result in disciplinary action, up to and including discharge.

An employee who is required to possess a valid Driver's License or CDL, as the case may be, to perform the essential functions of his/her position and who is found to be driving for the City, or for personal reasons, during a period of suspension or revocation will be immediately discharged.

Specific Requirements for Employees with Commercial Driver's License (CDL)

City employees who drive commercial motor vehicles and are required to have commercial drivers' licenses to perform the essential functions of their position must comply with the City's Substance Abuse Prevention Program as required by Federal Department of Transportation Federal Highway Administration and Federal Transit Administration regulations.

Employees subject to this program shall complete pre-employment alcohol and drug testing and shall also be subject to random drug and alcohol testing. Employees will receive appropriate training upon their appointment to any City position requiring the employee to possess a valid Commercial Driver's License. In addition to the requirements set forth previously herein requiring employee notice to the City of potential suspension/revocation of their driving privileges, employees shall also comply with all federal and state regulations that require the reporting of accidents to the Iowa Department of Transportation, regardless of the jurisdiction of the offense, and regardless of whether or not the employee is driving a commercial vehicle at the time of the offense.

If employees have questions regarding this program, they should contact their department head or the City Administrator.

Post-Accident:

Testing shall be conducted after any accident involving a City employee whose performance could have contributed to the accident if (1) it is required by state or federal law; or (2) when reasonable suspicion exists. Any accident involving a City vehicle, or private vehicle if being driven for City purposes, which results in property damage or personal injury, or results in the issuance of a citation, may be considered a basis for reasonable suspicion.

Reasonable Suspicion Testing:

When any supervisor, department head, or City official has reasonable suspicion that a City employee is under the influence of drugs or alcohol while on duty, or is otherwise

violating the terms of this policy, that supervisor, department head, or City official, shall require reasonable suspicion testing.

If reasonable suspicion testing is required the employee may not drive to or from the testing or for other City related purposes until the test results have been returned to the City and thereafter only if the test results were negative. The City will provide transportation to/from the testing at the City's expense. A test refusal shall be treated as a positive test result.

Testing Procedures:

- a. Drug and alcohol testing shall require a presentation of a reliable form of photo identification from the person being tested to the person collecting the sample.
- b. The City will designate the type of testing to be performed on the sample collected.
- c. Drug and alcohol testing shall normally occur during or immediately before or after working hours. The time required for such testing shall be considered work time for the purpose of compensation and benefits.
- d. All City ordered pre-employment, unannounced, reasonable suspicion, regularly scheduled, or follow-up drug or alcohol test costs shall be paid by the City.
- e. All confirmatory drug testing shall be conducted at a laboratory certified by the United States Department of Health and Human Services' Substance Abuse and Mental Health Services Administration consistent with rules adopted by the Iowa Department of Public Health.
- f. The City and laboratory/assigned medical personnel shall ensure, to the extent reasonably feasible, that drug and alcohol testing will only measure the use of alcohol or drugs, and that the records concerning the testing show only the use of alcohol or drugs. In any event, the City shall only utilize the information associated with the presence or lack thereof, of alcohol or drugs in the body
- g. The City will provide any disclosures required by law.

Post-Positive Test:

An employee who has a positive drug or alcohol test, either from random testing or reasonable suspicion testing, shall be subject to disciplinary action, up to and including immediate termination.

If the employee is permitted to return to work, the employee may be required to submit to evaluation by a Substance Abuse Professional and undergo treatment recommended by the Substance Abuse Professional. If the employee successfully completes all recommended treatment no further disciplinary action will be taken against the employee.

If the employee refuses to submit to the evaluation, or fails to successfully complete all recommended treatment, the employee will be subject to further discipline, up to and including immediate termination.

If the Substance Abuse Professional determines that the employee has a drug or alcohol related problem the employee will be required to submit to follow-up testing. All follow-up testing will be unannounced and without prior notice to the employee and will be at the employee's expense.

Retention of Records:

The City shall maintain all drug and alcohol testing records in a secure location with controlled access. Secure computerized recordkeeping is permitted under this policy.

Workplace Privacy

Employees are hereby advised that their workplace, regardless of its' location, whether a City building, City vehicle, or other location where said employees are congregating or working, are deemed public in nature and, therefore, they should have no expectation of privacy in said locations. Any items/materials located within an employee's workplace will not be kept private and will be subject to disclosure. From time to time, supervisors, co-workers and other authorized persons have a legitimate need to enter an employee's worksite and or work/area, including, but not limited to, offices, City vehicles, computers, cabinets and desks to search for documents, files and other work-related items. In addition, in cases of suspected employee misconduct or criminal activity, the City may search the workplace, including personal property brought to the workplace which is related to the day-to-day operations of the City, for evidence of such misconduct and will cooperate with law enforcement officers in any criminal investigation. In addition to potential investigatory activities, the City reserves the right to monitor all computer use, email, internet access, telephone use or other activities of employees.

Workplace Violence

The City is committed to providing a workplace free from acts or threats of violence and to effectively respond if such acts or threats occur. Therefore, the City has a zero-tolerance policy when it comes to violent acts or threats directed by a City employee towards any other person, whether another City employee, a resident or non-resident, while on City property. Acts of violence, including threatening behavior, against others will lead to disciplinary action, up to and including termination. In addition, the City will cooperate with law enforcement, as appropriate, in any investigation of said actions, including but not limited to participation in a criminal investigation and prosecution. Employees who become aware of workplace violence, or any threat of violence, whether by an employee or non-employee, shall immediately report such knowledge to their department head, City Administrator, and/or Chief of Police and shall immediately complete a workplace violence incident report.

Secondary Employment

Employees of the City may engage in secondary employment (i.e., other jobs in addition to their full or part-time employment with the City) under the following conditions, with paragraphs 1-5 applying to all employees covered by this Handbook but for Police Department Employees who shall be governed by paragraphs 6-__ of this section:

1. Employee shall provide a written request to their Department Head of their desire to take on secondary part-time employment, to be defined as any other employment that may exceed 6 hours or more to be worked per week. The request shall include the following information:
 - a. The anticipated work schedule and number of hours per week to be worked;
 - b. The location(s) of the work;
 - c. A general description of the work to be performed;
 - d. Whether they would be permitted to leave said secondary employment on short notice if recalled by the City for mandatory overtime or in times of emergency.
2. The department head, in consultation with the City Administrator, shall review said requests and shall consider the following in determining whether or not to approve the request:
 - a. Does the secondary employment have the potential of interfering with the employee's responsibilities to the City, including their availability for mandatory overtime work or emergency call back;
 - b. Does the position create a conflict of interest, or the appearance of a conflict, with their City employment;
 - c. Does the proposed position carry with it the risk of bringing discredit, ridicule, or embarrassment upon the City?
3. The decision whether or not to grant permission for secondary employment rests solely with the City Administrator after consultation with the Department Head and the employee making the request as appropriate. The decision of the City Administrator will be in writing and will either approve, deny, or approve with conditions.
4. Prior to beginning work the Employee shall be required to execute a release with the second employer to the City of Monticello, authorizing the secondary employer to release payroll records and records associated with workplace accidents or injuries involving the employee to the City of Monticello.
5. The approval of Secondary Employment, with or without conditions, may be withdrawn by the City Administrator at any time if it is determined that the Secondary Employment falls outside of the description provided by the Employee in any way and/or if the Employee's performance is deemed to be negatively impacted by the secondary employment.

6. Police Department Employees shall not become employed by any other entity without first obtaining the written approval of such employment by the Chief of Police. The Chief of Police has broad discretion in choosing whether or not to grant a request for outside/other employment, and may consider the following, in addition to other reasonable factors not specifically enumerated herein, to wit: conflicts of interest, conflicts with scheduling, public perception, risk of injury/illness from such other occupation, number of hours proposed to be worked as such other employment, distance from Monticello of such other employment. Employees shall not be permitted under any set of circumstances to wear a Monticello Police Dpt. Uniform, use Monticello Police Department issued equipment, or otherwise hold themselves out as a Monticello Police Officer while serving in any other employment or contract employment scenario, without prior approval of the Monticello Chief of Police.
7. In times of emergency, all covered employees are subject to the immediate call/recall to duty. Any exceptions granted due to hardships in observance to the above policy shall rest solely in the discretion of the Chief.

Solicitations

Employees are prohibited from conducting private business solicitations or collections on City property. Employees may solicit for fundraisers on behalf of community not-for-profit organizations away from normal work areas (i.e., in approved lounge or break room areas) and on the employee's own time. Employees may post fundraising solicitation notices in approved lounge or break room areas. Employees are prohibited from fundraising solicitation outside of approved break times, and any aggressive verbal solicitation will be terminated immediately by management and said employee will be subject to disciplinary action. The prohibitions set forth herein shall not apply to solicitations directly tied to City or Department specific fundraisers, where the funds raised are being used for a City purpose or project. Department Heads may, in their sole discretion, remove any and all notices construed to have the potential for adversely affecting employee productivity.

Political Activities Policy

Hiring and Retention

City employees shall not be appointed or retained on the basis of their political disposition or activity. No employee shall be deprived of employment solely because that person is a member or an officer of a political party, committee or organization.

City Elections

City employees shall not be coerced to take part in political campaigns, to solicit votes for any candidate, any tax levy or any other ballot proposition, or to contribute or solicit

funds for or against or to otherwise support or oppose any candidate for appointed or elected City office.

General Activities

No employee during regular assigned working hours, or at any other time while wearing City branded shirts, coats, uniforms, or similar clothing, may engage in any political activity. At no time shall City equipment/vehicles, City logo(s) or insignia, or City equipment be used for any political purpose.

Any employee may endorse or support political activity when off-duty provided that they take all necessary steps to ensure that their endorsement is personal in nature, or on behalf of an organization in which they participate and are authorized to communicate said endorsements, and not at all in their capacity as a City employee or made on behalf of the City. City employees are prohibited from appearing in political advertisements, publicity, or other promotional materials with City equipment or while wearing or having otherwise displayed any clothing or “gear” which communicates the fact that said person is an employee of the City of Monticello.

No City equipment, personnel, or facilities, not normally accessible to the public, may be used or allowed to be used for political activities.

The use of the following in political advertisements/publicity/other promotional materials or broadcasts is strictly prohibited and City employees shall not facilitate or accommodate such use and shall do their best to prevent such use if and when possible:

1. City property not normally accessible to the public;
2. Employees in uniforms or other clothing that communicates in some fashion their employment with the City of Monticello. (Examples include Police or Ambulance Uniforms, City Public works shirts, sweatshirts and/or jackets; and
3. City equipment.

Leave of Absence

An employee may be granted a thirty (30) day leave of absence without pay and without accrual of benefits if that employee wishes to participate more fully in a political campaign or be a candidate for any office.

Work Rules and Discipline Policy

The City, when determined appropriate, uses a progressive process to correct poor job performance or misconduct. Poor job performance or misconduct will be noted by the department head who will communicate the poor performance or misconduct to the

employee who will be given an opportunity to take corrective measures and will receive direction from the department as appropriate. In many cases deficiencies will be communicated orally, however, department heads shall document all verbal communications, said documentation to include a record of all verbal counseling and direction provided by the department head, with said documentation to be placed in the employee personnel file. Repetitive performance and/or misconduct will result in further discipline, including written reprimands, suspensions with or without pay, and termination. While the process may be a step-by-step corrective process, every situation is different and, depending upon severity and other factors to be taken into account by the department head in consultation with the City Administrator, steps may be omitted when deemed appropriate by management. The City reserves the right to eliminate any or all of the preliminary steps when the job performance is deemed to be intentionally poor in quality, the misconduct is severe, and/or the conduct of the employee is deemed to have a serious impact on co-workers, morale, or the efficient conduct of the City.

Employees shall not engage in any of the following:

1. Unprofessional conduct including but not limited to gossip, criticism, creating false rumors directed at coworkers or management, or other attempts to undermine morale.
2. Sleeping during working hours or giving the impression of sleeping.
3. Dishonesty of any kind concerning any work-related matter. From time-to-time, the employer may conduct workplace investigations of an employee's conduct. A finding of dishonesty, whether by words or conduct, is deemed to be a very serious issue.
4. Failure to competently and timely perform duties as outlined in the employee's job description or to carry out reasonable assignments or instructions.
5. Failure to heed corrective instructions when work or conduct is not meeting expected standards.
6. Willful failure to follow any of the procedures or policies of the City, including but not limited to those in this Handbook.
7. Reckless horseplay or other conduct which threatens the safety of others or the worksite in general.
8. Disorderly, subversive, insubordinate, immoral, or indecent conduct.
9. Physical assault of fellow employees or citizens.
10. Excessive absenteeism or tardiness.

11. Threatening, intimidating, and/or discriminatory behavior whether directed towards City employees or others.
12. Use of obscene or vulgar language directed against City employees, in the presence of the public, or in such a manner as to create a likelihood that others may be offended.
13. Reporting to work under the influence of alcohol, illegal drugs, or medications without a current prescription, or using any of the above during working hours. (See also Drug and Alcohol Workplace Policy set forth in more detail previously herein.)
14. Operating or caring for any equipment or vehicles in a negligent or reckless manner.
15. Theft (including unauthorized "borrowing"), loss, willful destruction and/or unauthorized use or alteration of property or equipment belonging to the City or any employee.
16. Disobedience, insubordination, or refusal to comply with reasonable instructions of authorized supervisor.
17. Deliberately falsifying, altering, or supplying false information on City records, including but not limited to payroll records and timecards.
18. Falsifying sick leave claims.
19. Unauthorized copying or disclosure of confidential City records or information.
20. Failure to report an accident or serious incident to the appropriate supervisor.
21. Work on personal tasks or jobs or carrying on secondary employment while on City time.
22. Pleading guilty, whether convicted or not, of a felony offense. (Deferred judgment requires guilty plea.)
23. Pleading guilty to or being convicted of, or being granted a deferred judgment of a misdemeanor offense which involves theft, fraud, dishonesty or moral turpitude involving a minor, such that continued employment would call into public question the fitness of the employee to hold a position with a public employer.
24. Pleading guilty, whether convicted or not, of any offense that results in the suspension or revocation of a license necessary to carry out essential job functions.
25. Failure to keep licenses and/or certifications necessary to perform essential job functions valid and current.

26. Failure to maintain insurability if required as a condition of employment.

27. Violation of the City's Safety Policy. Please see Addendum A.

28. Violation of the City's Drug and Alcohol Workplace Policy set forth in detail previously herein.

This is not an exhaustive list of prohibited misconduct. Employees must be aware of all rules and requirements applicable to their specific department and all standards applicable to the individual position they hold. The City further reserves the right to discipline employees for behavior which conflicts with the reasonable expectations of the employer whether specifically set forth herein or not.

Generally, the City follows a progressive discipline policy roughly as follows:

1. Verbal warning, which is documented in writing;
2. Written reprimand referencing the prior verbal warning;
3. Suspension;
4. Termination.

However, any or all of these progressive steps may be skipped in appropriate circumstances. Severe offenses will likely result in suspension or termination without any warning or reprimand. When employees are disciplined, management will typically cite the entire basis for the discipline, including a listing of all rules/policies/regulations that were determined to have been violated with written documentation of said discipline created and placed in the employee's personnel file. It is the policy of the City that all disciplinary documentation that has been placed in a personnel file is permanent.

Law enforcement officers shall be disciplined for misconduct consistent with Iowa Code 80F, the Peace Officers Bill of Rights. Procedures for that discipline will be as outlined in accordance with any applicable collective bargaining agreement provisions and with Iowa Code 80F.

Performance Evaluations

The development of the employee and the organization is best achieved through annual performance evaluations between the immediate supervisor and employee. Reviews of job performance occur near the end of full-time and part-time employees' probationary periods and at least once annually thereafter. Temporary employees are normally evaluated at the end of the season or period of temporary employment and a satisfactory evaluation is required for future employment with the City. Evaluations are designed to identify and communicate to the employee his/her strengths and weaknesses and serve as a forum for discussing other employment-related issues.

Uniforms

Uniforms or other City branded clothing, boots, and outerwear will be paid for and issued by the City as deemed appropriate and necessary by the department heads. The employee's department head will explain the procedure used in the employee's department.

Dress Code

In the event a City Department provides uniforms, or other City branded clothing, for its employees, said uniforms/branded clothing must be laundered regularly and worn appropriately. Damaged, heavily stained or torn/unserviceable uniforms should be promptly repaired or brought to the attention of the Department Head. Employees who are not required to wear uniforms or branded clothing must dress neatly and appropriately so as to properly represent their position and authority within the City organization.

As representatives of the City who serve many types of citizens, it is important to dress in a reserved manner which projects a professional appearance. All employees shall wear clothing that covers their torso from the top of the employee's shoulders to the waist, and from the waist to the top of their knees. Open-toed shoes are only allowed if working in an office setting or at the pool, and then subject to the specific restrictions of that workplace. In addition, employees are required to have good personal hygiene.

Employees will not wear shirts, buttons, hats or other clothing, or display tattoos on their person, that contain or include obscene or offensive words, terms, logos, pictures, cartoons, curses, racial slurs or similar slogans or representations. Whether or not an employee's clothing or tattoos is violative of this provision will be determined by the employee's Department Head. Any employee who disputes the position taken by the Department Head may appeal the decision of the Department Head to the City Administrator. The City Administrator shall issue a written determination which may be appealed to the City Council if said appeal is submitted in writing to the City Administrator within seven (7) days of the City Administrator's written decision. The above provisions do not prohibit a determination by the City Administrator and/or the City Council that an employee is violating this policy. If the determination is made by the City Administrator the employee may appeal to the Council, if the decision is made by the Council there is no further appeal; the employee will be given an opportunity, however, to be heard in front of the City Council.

At the discretion of Department Heads, denim jeans/pants and shorts are acceptable attire, provided they are clean and not torn or frayed.

Iowa Smoke free Air Act Policy/Use of Tobacco

The Iowa Smoke free Air Act greatly restricts smoking in the State of Iowa. Consistent with the Act, City policy prohibits smoking within the confines of any public buildings owned, leased or operated by or under the control of the City, the grounds of any public

buildings owned, operated, leased or controlled by the City, all city-provided vehicles and roads-related equipment. Employees violating this policy will be subject to disciplinary action up to and including termination. If an employee sees someone violating this law or is told that someone is violating this law, the employee must investigate and inform the person of the law. If a smoker fails to comply with the law after being so informed, employees shall immediately contact the police department.

Employees who use tobacco pose a serious health risk to themselves, and their secondhand smoke poses a serious health risk to others. City employees who smoke or use smokeless tobacco on their own time are strongly encouraged to quit by enrolling in smoking cessation classes or taking over the counter or prescribed smoking cessation medication or both.

Nepotism Policy

The City of Monticello is committed to a work environment that is free of the appearance of favoritism based on familial relationships. Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family shall not be hired if employment would:

- Create a direct supervisor/subordinate relationship with a family member, or
- Have the potential for creating an adverse impact on work performance, or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring or promoting an employee. A relative shall include spouse, child, grandchild, grandparent, brother, sister, uncle, aunt, nephew and niece, as well as the spouses of such relatives and half and step relationships of these levels and their spouses. Notwithstanding the foregoing, the strictures of this provision may be modified or waived by the City Administrator under circumstances where the anticipated potential problems are minimal and where reasonable precautions are in place to avoid direct supervisory, spending or payroll conflicts. The provisions of this section shall not apply to seasonal parks or aquatic center staff or volunteers with the Monticello Fire Department or Monticello Ambulance Service.

Residency Requirement Policy

City of Monticello Police Officers and Public Works Department employees must live within fifteen lineal miles of the Monticello City limits. All other employees may live within any reasonable driving distance of City Hall, such that they may perform their daily duties efficiently. The City Administrator may grant temporary exceptions to this policy for new or seasonal employees.

Separations from Employment

When an employee wishes to separate from City employment, a minimum of two weeks' notice is required, however, in unusual or extenuating circumstances, a shorter notice period may be accepted. The City reserves the right to make an employee resignation effective immediately upon the receipt of Employee's written notice of resignation, compensating the employee for the two weeks' notice period and all applicable benefits that would be paid or provided during said two week period. Separating full-time and part-time employees shall receive compensation for accrued vacation and personal days, if any. Other benefits such as sick days, casual days and any other leaves are NOT paid out upon separation. Seasonal and temporary employees will receive a paycheck for pay through their last day of work.

Maintenance of Personnel Records

Employees will promptly notify the City Clerk's Office, using city provided change of name or address form, of any changes in name, address, telephone or familial/marital status so that appropriate changes may be made to applicable City records.

Personnel files are maintained by the City. Personnel files include original employment data such as the job application, compensation, performance evaluations, discipline and commendations. Additions to these files may be made by City management as appropriate. General access to employee files is limited to the City Administrator, elected officials under certain limited circumstances, and the City's HIPPA-certified employee or other employees with authorized access.

Employees may review their personnel files upon request. Employees may request a copy of their complete personnel file while employed with the City. There may be a nominal charge to cover the cost of duplicating the file. Personnel files must be viewed in the presence of a City official and may never be removed from City Hall.

Any employee who is terminated, or resigns in lieu of termination, is by that employee's signature, acknowledging the prior receipt of this handbook and further acknowledging, pursuant to Iowa Code Section 22.15, that all information placed in said employee's personnel file regarding the conduct/reasons which led to termination, resignation in lieu of termination, or demotion may be considered a public record. This information includes the fact that the resignation was in lieu of termination, that the employee was discharged or demoted as the result of disciplinary action in addition to the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion. This information may become a public record pursuant to Iowa Code Sections 22.15 and 22.7.

Timesheets

All non-exempt employees are required to properly complete, sign and submit timesheets in a timely manner and otherwise in accordance with departmental policy. Any deliberate falsification of timesheets will result in immediate termination.

Pay Day / Payroll

Paydays will be bi-weekly. Timecards must be turned in to the payroll clerk by Monday of pay week by 10:00 a.m. Paychecks will be handed out or mailed by Thursday of pay week. The Employee shall be responsible to ensure that their timecards are completed in a correct and accurate fashion prior to submission to their immediate supervisor. In the event that an employee timecard fails to include an accurate representation of all hours for which the employee is entitled to compensation, the employee shall be paid the omitted hours, at the rate of pay appropriate for the pay period during which the hours actually accrued, during the pay period immediately following the discovery that they were omitted from a prior pay period.

When a pay day falls on a holiday, employees shall be paid on the last working day preceding the holiday.

All employees will be paid for all hours worked. No work shall be performed without being recorded on timecards contemporaneously with the performance of said work; any such claimed work shall not be paid. It is not expected nor is it required that any employee perform any donated work time without compensation.

The City grants raises to take effect July 1, which is the first day of the fiscal year. The clerk is authorized to apply the raise in wages to hours worked in June during the bi-weekly pay period that preceded the first payroll check issued in July.

Pay rates shall be as approved by the Resolution of the Council and as shown within the Collective Bargaining Group for covered employees

Payroll Deductions

Certain payroll deductions are mandated by law. Iowa law requires most full-time, part-time and some temporary employees to participate in the Iowa Public Employees Retirement System (IPERS), which requires that employees and the City contribute a set percentage of gross pay. The increases/decreases to the contribution percentages are set annually and changes occur effective July 1. More information is currently available at: www.ipers.org.

When an IPERS employee leaves employment prior to being eligible for retirement, the employee has the option of receiving a full refund of the employee's contribution plus interest and, if vested, a portion of the City's contribution, or the employee may leave contributions in the IPERS fund and receive guaranteed retirement benefits.

Other mandated deductions include tax withholdings, Social Security and Medicare deductions, and wage garnishments when authorized by a court of law.

Part-time employees may purchase health insurance at City cost after their probationary period is successfully completed if eligible under the City's then current Health Insurance plan. Employees should contact the City Administrator with any questions.

Payroll Direct Deposit/Distribution of Paychecks

Employees are required to use direct deposit to electronically transfer their paycheck to the bank or credit union of the employee's choice. To arrange for payroll direct deposit, complete the form provided in the new employee packet. Pay stubs are distributed to employees by the Department Head or his/her designee each payday.

Sick Leave

Full-time employees accumulate eight hours per month of sick leave until 720 hours accrues, at which point no additional sick leave will accrue unless and until said full-time employee's accrued sick leave drops below 720 hours. Regular Part-time employees accumulate three hours per month of sick leave until 360 hours has been accrued at which point no additional sick leave will accrue unless and until said part-time employee's accrued sick leave drops below 360 hours. Part time employees only accrue sick leave during pay periods in which they have worked. No employee shall be entitled to receive a payout of unused accumulated/accrued sick leave upon the termination of their employment with the employer, whether voluntary or involuntary.

Sick leave will be granted to regular full-time and regular part-time employees unable to render service because of sickness or disability. Sick leave shall be granted for personal illness or physical incapacity resulting from causes beyond the control of the employee. A doctor's slip or other conclusive proof of the necessity for absence, verifying the sickness or disability of the employee or family member, may be called for at any time by the Supervisor or the City Administrator. Abuse of sick leave privileges will constitute grounds for disciplinary action up to and including termination

A full-time employee may use up to forty (40) hours of accumulated sick leave, per fiscal year, during a serious family illness or doctor's appointment of a parent, spouse, child, or stepchild of the employee. Hospitalization is considered a serious family illness. Any other serious illness must be supported by a doctor's slip indicating that the person suffering from the illness requires full-time care or observation.

In the event an employee must use sick leave, that employee must call his/her supervisor prior to the start of his/her scheduled shift and explain the reason for the absence. If the supervisor cannot be reached, the employee must contact the City Clerk's Office or leave a message on the City Clerk's voicemail with the date and time of the phone call. The employee must keep his/her supervisor informed of his/her condition and when he/she expects to return to work. Any illness or injury that is anticipated to create an absence that will extend beyond accumulated sick leave should be brought to the attention of the employee's supervisor.

Maternity/Paternity. Employees may use banked sick leave for pre-natal visits, time during labor/delivery and up to forty (40) hours following recovery from delivery. After this forty (40) hour grace period, the employee may use up to twelve (12) weeks of unpaid maternity/paternity leave. During these twelve (12) weeks of maternity leave, sick leave may be used if the employee has enough banked sick leave. An employee who is legally married to the person giving birth may receive up to forty (40) hours of sick leave during the seven (7) days immediately following the birth of their child after one continuous year of employment as a permanent full-time employee. After this forty (40) hour grace period, the employee may use up to twelve (12) weeks of unpaid leave. Sick leave may NOT be used during these twelve (12) weeks of leave.

Employees shall make every effort to schedule routine medical/dental appointments after hours, on non-workdays or at the beginning or end of the workday whenever possible to avoid disruption of work.

A doctor's release form shall be required prior to return to duty if the employee was or currently is under a doctor's care; or restrictions were placed upon an employee by a doctor which would affect that employee's ability to carry out his/her job-related duties and responsibilities. All employees returning to duty after taking leave for an injury, whether related to the job or not, must provide a doctor's release.

No exception to the above policy will be made without prior approval of the City Administrator.

The U.S. Department of Health & Human Services (HIPAA) Privacy rule does not prevent your supervisor, City Administrator or others from asking you for a doctor's note or other information about your health if your employer needs the information to administer sick leave, workers' compensation, wellness programs or health insurance.

Paid Vacations

Vacations with pay are granted to regular full-time and regular part-time employees for the purpose of freeing them from their regular duties to spend personal time or for recreation. Regular part-time employees shall be those that work an average of at least 24 hours per week, calculated over a calendar year, and are not hired as temporary or seasonal employees.

Vacation shall be based upon the number of hours an employee would normally work during a normal work period. Records on vacation earned and taken will be maintained in the City Clerk's Office. Each full-time, eight-hour shift employee, shall receive vacation from their date of employment as follows:

After 1 year – 5 working days

After 2 years - 10 working days

After 10 years – 15 working days

After 15 years – 20 working days

Each full-time, twelve-hour shift employee, shall receive vacation from their date of employment as follows:

After 1 year – 42 hours

After 2 years – 84 hours

After 10 years – 126 hours

After 15 years – 168 hours

Vacation must be taken within a period of one (1) year following the year in which the vacation time is earned. However, a maximum of five (5) days may be rolled into or carried over to the next year if the cumulative total held does not exceed more than five (5) days allowed in any given year. Vacation that is carried over as allowed herein must be used within sixty (60) days of the employee's anniversary date or it will be lost.

When a paid holiday as identified herein occurs during a vacation it will not be considered a day of vacation and will be compensated as a paid holiday.

Employees who voluntarily terminate service with the City, after at least twelve (12) months of continuous employment, will be paid out for accrued and unused vacation.

When an employee reaches their anniversary date of employment, the employee will be deemed to have accrued all vacation privileges to which they are entitled, based upon their years of employment, as previously set forth herein.

Regular part-time employees who work an average of twenty-four (24) hours or more per week shall be entitled to vacation that is pro-rated to reflect the ratio of their hours worked to a full-time position.

Vacation pay will never include pay for overtime whether the employee regularly works overtime or not.

Vacation time will be granted only at the convenience of the department. Vacations are to be arranged and approved by the employee's supervisor with consideration given to staffing levels and workload, however consideration will be given to the employee's preference whenever possible. If more than one employee in a department requests the same vacation time off and the Department Head determines that departmental needs will not allow more than one employee to take time off, consideration will be given to granting vacation privileges to the employee with seniority, however, the department head may take other factors into consideration. Ultimately the decision lies solely with the department head. Vacation shall be scheduled as far in advance as is possible. All vacation for department heads must be reviewed and approved by the City Administrator at least one week prior to commencement.

Cancellation of Vacation and Other Leaves

Vacation and other applicable leaves may not be cancelled due to illness or the death of a related family member unless the employee requests cancellation prior to the start of the vacation period. Cancellation of vacation and other leaves are also subject to supervisor approval. For purposes of this section, the vacation period commences on the day and time the employee, but for the vacation, would have reported to work. For example, if an employee has a vacation scheduled Monday through Friday and the employee normally reports to work at 8 a.m., the employee is required to cancel his/her vacation prior to 8:00 a.m. on Monday. If the employee becomes sick after 8:00 a.m. on Monday, the employee will be charged vacation leave until the employee's scheduled return on the following Monday. Continuous days off constitute one leave period.

Transfer of Accrued Time Off Due to Catastrophic Events

Upon approval of the City Administrator, an employee with accrued time off may voluntarily grant or transfer a specified amount of accrued time to another employee who has experienced a catastrophic event. (For example: the destruction of a home or a long-term serious illness.)

Prior to the approval of a grant or transfer of accrued time the following conditions must be confirmed:

1. A catastrophic event has occurred;
2. The event has caused the affected employee to exhaust all accrued leave available to said employee.
3. The employee, proposing to grant or transfer accrued time off has accrued time available to be transferred.

Transfers are strictly voluntary and will be submitted on a leave request form marked "Other" with number of hours to transfer and the recipient's name in the "Description." The recipient will complete a Leave Request form in the standard manner. Transfers will be kept confidential. Transferred hours must be used by the benefitted employee, cannot be transferred or granted back to the granting employee, and may not be paid out under any circumstances. Eligibility will be determined on a case-by-case basis and no case will set precedent.

Casual Days

Full-time employees are entitled to two (2) casual days per fiscal year, to be taken at the employee's discretion. The fiscal year begins July 1 of each year. An employee who resigns in good standing during the course of a fiscal year shall be entitled to use the prorated portion of said time off. If a resigning employee has taken more casual time off than has accrued, the final check to said employee shall be adjusted to account for that overage. A terminated employee shall not be reimbursed for unused casual days.

Casual time will be paid out if unused.

Holidays

The following legal holidays shall be observed by full-time staff as follows:

1. New Year's Eve Day
2. New Year's Day
3. Christmas Eve Day
4. Christmas Day
5. Memorial Day
6. Independence Day
7. Labor Day
8. Thanksgiving Day
9. Four personal holidays per year, accruing on July 1st, shall be scheduled at least one month before use and are not subject to accumulation or reimbursement upon separation from City service.

If a holiday enumerated in this section falls on a Saturday, the preceding Friday will be granted and if it falls on a Sunday, the following Monday will be granted. This provision does not apply to ambulance staff.

Full-Time staff will be paid eight (8) hours of straight pay for each holiday. Said eight (8) hours of pay will be part of the regular forty (40) hour work week for all staff with the exception of the ambulance and police department staff who shall only receive holiday pay if they work on the holiday consistent with the Ambulance Employee Holiday Pay and Police Employee Holiday provisions set forth below. Any full-time employee, not including ambulance staff, who is required to work on a designated holiday will be paid time and one-half for the hours worked plus straight pay for each hour worked on the holiday.

1. **Ambulance Employee Holiday Pay:** Ambulance Department Employees shall be eligible for time and one-half hourly pay when the commencement of a work shift begins on or after 6:00 a.m. on a designated holiday. Ambulance Employees whose shift carries over from a non-designated holiday to a holiday, even if their shift goes long, ending after 6:00 a.m. shall not receive time and one-half hourly holiday pay for any of the hours worked during that shift. Ambulance Employees eligible for time and one-half pay as set forth above, shall also receive straight pay for each hour worked on the designated holiday, not to exceed eight hours of straight pay. If an employee's shift begins on a designated holiday and carries over into the next day, and the shift totaled 8 hours, the employee shall receive eight (8) hours of straight pay, assuming said employee worked the entire shift.

2. **Police Employee Holiday Pay:** Police Officers who work on a designated holiday shall be paid double-time for all hours worked on said holiday.

Any full-time employee working on a holiday may take compensation time in lieu of pay.

Part-time employees who work an average of twenty-four (24) hours or more per week shall receive pro-rata pay for holidays.

Subpoenaed Employees/Jury Duty

Employees compelled during working hours to appear before a court or other public body or who are required to perform jury duty shall be paid their regular wages for each day of court or jury duty. In favor of maintaining their City wages for such time, employees shall forfeit their daily Juror's stipend to the City. Employees appearing on matters in which they are personally involved (i.e., plaintiff or defendant) must take an appropriate paid leave or take unpaid leave for the period away from work due to their court appearance.

Military Leaves

Per Iowa Code Section 29A.28, the City of Monticello grants a leave of absence to employees for state or federal military service without loss of pay for thirty days of leave each calendar year. No unused portion of the thirty (30) allowable days may be carried over to the next calendar year. However, the allowable leave of absence shall be available beginning with the first day of the year. When a military member is called to active duty, the "first thirty days of leave" is paid during the first thirty (30) consecutive calendar days of active duty as if the military member was working.

Military-related service leave includes, but is not limited to:

- a) active duty;
- b) active duty for training;
- c) inactive duty training (such as drills);
- d) initial active-duty training;
- e) funeral honors duty performed by National Guard and reserve members;
- f) an examination to determine fitness to perform any such duty;
- g) the time period for which the military member is absent from City employment for the purpose of receiving treatment for a military-related injury, or
- h) the time period during which the military member is absent from City employment and receiving military compensation, including NCAP pay.

After the thirty days of paid military leave are exhausted within a calendar year, the military member may request paid vacation leave, applicable personal leave or paid compensatory time. Military-related illnesses or injuries, which require medical treatment after a military member is released from active duty and result in leave, are considered

military-related service leave and upon the exhaustion of an employee's thirty paid military leave days in a calendar year, the employee may be eligible for sick leave.

The military member is required to provide written verification authorizing all military-related leave. In the event written verification is not immediately available, the City allows the military member up to thirty calendar (30) days to present said documentation. An extension may be granted for good cause. However, if the military member does not provide acceptable verification within a reasonable time period, the leave may be considered unexcused, at the sole discretion of the City, and the military member may be subject to discipline, up to and including discharge.

Military members are required to report back to work as follows:

- a) Military service of 1 to 30 days: At the beginning of the next regularly scheduled workday that falls at least eight hours after the military member returns home.
- b) Military service of 31 to 180 days: Application for reemployment must be submitted to the employee's supervisor no later than 14 days after completion date of the military member's service.
- c) Military service of 181 or more days: Application for reemployment must be submitted to the employee's supervisor no later than 90 days after completion of the military member's service.

Funeral Leave

City employees may receive up to five days of paid funeral leave in the event of a death in their immediate family. Immediate family is defined as the following: child, spouse, or parent and persons bearing the above relationship to the employee's spouse. The employee must be married to parent of the stepchild or claiming marriage by common law, not merely living together.

A full-time employee is entitled to three (3) paid days for the death of a parent, brother, or sister, "steps" included.

A full-time employee is entitled to two (2) paid days for the death of a maternal or paternal grandparent, grandchildren and/or step-grandchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, and/or daughter-in-law. When calculating time off under this provision for ambulance and police employees, Police Department. and Ambulance Department. employees will only be paid for their scheduled workdays within the funeral leave periods noted above. The employee's Department Head shall be responsible for determining the number of paid days the employee is entitled to after reviewing the departmental work schedule.

The employee must advise his/her supervisor in advance of his/her funeral leave. City employees may use personal, casual or vacation time to attend funerals for persons not specifically listed above.

To be considered eligible for benefits hereunder the employee must attend the funeral

of the person who has passed for which leave is being taken. The employee's department head and/or the City Administrator may request proof of said attendance. (Thought/Concern): This may be useful when the relationship is on the fringe, not child, stepchild, parent, spouse, etc. but may be uncomfortable to enforce at times. What if there is no funeral? What about a celebration of life at a later date, even months later?)

Personal Leave Without Pay

Unpaid leaves of absence may be granted in certain circumstances. If you have exhausted all applicable sick leave, vacation, compensatory time, and other leave, including temporary disability when applicable, you may request an unpaid leave of absence. Applications for unpaid leave must be made in writing and shall state the reasons for the leave and proposed period of leave. Approval of unpaid leave is at the discretion of the City Administrator and subject to review by the City Council.

Employees who are not eligible for leave under the City's sick leave policies may apply for an unpaid leave under this section for purposes of pregnancy or a related condition as provided in Iowa Code section 216.6(2)(e). Medical certification stating that the employee is not able to perform the duties of employment may be required by the City.

During an unpaid leave granted under this section, employees will not receive compensation, will not accrue length of service or sick leave and are not eligible for paid holidays. The City does not make contributions to retirement programs during the duration of the leave. Employees may continue in the group health program during unpaid leave under this section by paying the full cost of the premium by the 1st of the month for the current month's coverage. Failure to pay the premium on time will result in termination of coverage.

Return to work plans following an unpaid leave taken under this section shall be arranged with the Department Head prior to the end of the unpaid leave. The City will attempt to restore the employee to the position held at the start of the leave, or in a comparable position, if possible. If no such position is available, the employment will be terminated.

When an employee has been on unpaid leave for thirty (30) calendar days, the City Administrator shall review the circumstances and either extend the unpaid leave or terminate the employee.

Unauthorized Absence

An employee shall not be compensated, allowed to use compensation time, vacation time, casual or personal days in the event of an unauthorized absence. Such employee shall be considered absent without pay and shall be disciplined as deemed appropriate by their immediate supervisor or City Administrator. Such an employee shall, at a minimum, be given a written reprimand.

Accommodating an Employee's Mental Health or Physical Disability

Any qualified employee with a physical or mental impairment (including an employee who has suffered a work-related injury) which substantially limits one or more major life activities or who has a record of a substantially limiting physical or mental impairment and who cannot perform an essential job function, is entitled to a reasonable accommodation. A reasonable accommodation is an adjustment or modification provided by the City to enable an employee to continue to perform his/her essential job functions. What constitutes a reasonable accommodation varies depending upon the needs of the employee and the essential job function at issue.

Any employee who believes he/she requires a reasonable accommodation should make his/her request to his/her department head or the City Administrator. Any manager, immediate supervisor or Department Head who believes he/she has an employee who requires a reasonable accommodation or who has an employee make a request for an accommodation should contact the City Administrator.

Employees who believe they require a reasonable accommodation need not use the words "ADA" or "reasonable accommodation" and said accommodation requests may be made verbally.

The City is covered by the federal Family and Medical Leave Act. However, the City's employees are not covered under the FMLA due to the fact the City has insufficient employees at its various work sites.

Severe Weather and Other Emergencies

Most City employees provide vital services during severe weather and other emergencies and are required to work during these conditions.

When severe weather or other emergencies prevent employees from performing their usual duties, employees will be assigned other work either in their normally assigned departments or in other departments where help is needed. If it is determined no work is available for employees during severe weather or other emergency, supervisors may, upon the City Administrator's approval, direct employees to not report to work. When full-time or part-time employees have already reported to work, employees may be sent home. Under such circumstances, employees will be paid their regular rate of pay for the number of hours previously scheduled. Under such circumstances, temporary employees will be paid only for hours actually worked.

In the event an employee cannot report to work due to inclement weather conditions the employee will be required to utilize vacation, casual, or personal time off for that portion of the workday not worked.

Overtime Pay

Overtime shall be paid at the rate of time and one-half for all work hours in excess of 40 hours in a work week for non-exempt employees covered by this agreement working eight (8) hour work shifts. With regard to law enforcement personnel, as defined by the

FLSA, overtime compensation shall be payable on a “work period” basis. A “work period” may be from 7 consecutive days to 28 consecutive days in length. For work periods of at least 7 but less than 28 days, overtime pay is required when the number of hours worked exceeds the number of hours that bears the same relationship to 171 as the number of days in the work period bears to 28. For example, law enforcement personnel must receive overtime after 86 hours worked during a 14-day work period.

The “Work Week” shall include actual hours worked and hours paid/used for holiday (including personal holidays), casual, vacation, sick, and funeral leave but shall not include any other paid time off.

In no event shall an employee be paid additional hours beyond the normal work week or granted compensatory time without prior approval from their immediate Supervisor and/or City Administrator.

The Employer is authorized to change work schedules as deemed appropriate to avoid the payment of overtime wages.

Compensatory Time Accrual

Compensatory time for non-exempt employees may be accrued in lieu of overtime wages, subject to department head approval. Department heads may limit the maximum amount of Compensation Time that may be accrued. Compensation time may be taken instead of overtime, if permitted by the FLSA. An employee shall be allowed to utilize compensation time if staffing levels allow for adequate shift coverage, said determination to be made by the applicable Department Head or their designee in advance of the use of Compensation Time. In no event shall compensation time be used by an employee if it brings about or necessitates the accrual of overtime by another employee. Department Heads reserve the right to schedule and require the use of accrued compensation time at their sole discretion. Full-time covered Police Department employees will be allowed to accrue a maximum of 42 hours of Compensation Time.

Unused compensatory time shall be paid out on the last payroll of the fiscal year.

Supplemental Pay

Call Back Pay: Any employee, not including police officers, who are called back to work after the completion of a normal work shift shall be paid for the time worked to the nearest half hour. Any call back pay shall be a minimum of two hours, but the employee shall be required to work those two hours. If an employee is called back to work and said call back is cancelled before the employee actually reports to work the employee shall not be paid. Police Officers who are called back to work within 6 hours after completing their normal

work shift shall be paid a minimum of two (2) hours for up to two (2) hours worked, if they actually report to work, and are not called off before so returning.

Longevity Pay: Employees shall be paid Longevity Pay as follows:

- a. At the beginning of the 10th year of employment, employee will receive one payment of \$150 each anniversary year until year 20.
- b. At the beginning of the 20th year of employment and each anniversary date thereafter, employees will receive one payment of \$300.
- c. Longevity Pay shall be subjected to the same payroll deductions that are applied to regular wages.

BENEFITS FOR FULL TIME EMPLOYEES

The City provides all full-time employees Insurance coverage for Hospitalization, Medical, Dental, Vision, Short Term Disability and Life Insurance. The City pays 100% of the premium cost for said full time employees. The City will contribute \$70.00 per month towards a full-time employee's purchase of dependent, spousal, or family Health Insurance through the City of Monticello with the balance of the cost of said policy being the responsibility of the employee. The City does not contribute towards dependent, spousal, or family dental, life*, vision or other insurance policies, however, all full-time employees are eligible to purchase said coverage through the City carriers with the cost thereof being borne 100% by the employees.

* It is possible that the Life Insurance policy purchased by the City for FT employees may include some life insurance coverage for spouses and/or children. While this may occur from time to time the City is not obligated to provide that coverage.

Health Insurance

The City participates in a health insurance plan for all full-time employees.

All new full-time employees must attend an insurance orientation and enrollment meeting at the time of hire, which is arranged by the City Administrator.

In addition, full-time employees enrolled in the City's health insurance plan are specifically required to report life status changes (for example, birth or adoption of a child or marriage) within thirty (30) days of the event, to the City's insurance administrator/agent. If the notification of the change is not made within this

timeframe, no changes of benefits or allocation will be permitted until the next open enrollment period. Questions may be directed to the Deputy City Clerk

Upon separation from employment, health care benefits continue through the last day of the month of the employee's date of separation. Employees may be permitted to continue their participation in the plan at their own cost through COBRA continuation coverage and should contact the HR Dept? for more information on this option.

All full-time employees shall be eligible to enroll in group medical and hospital, dental, and vision coverage on the first day of the month immediately following the employee's 90th day of employment.

Insurance Benefit Package:

Medical Insurance

- a. There will be no Major Medical lifetime limit.
- b. \$500/\$1000 deductible. The Employer will have the discretion to provide either a Gold or Platinum rated ACA plan, and will in either case maintain the current deductible structure either by purchasing such a plan or self-funding to that "deductible" level.
- c. Office visit (x-rays and lab). PPO office visits shall be \$20.00, non-PPO office visits shall be \$40.00.
- d. Emergency room co-pay shall be \$250.00 unless the insurance benefit purchased by the City provides for a lesser co-pay.
- e. Preventative care (physical). There shall be no co-pay in PPO Doctor's Office or PPO hospital. The co-pay shall be 80/20 in non – PPO Doctor's Office or hospital.
- f. Prescription drug benefit: At a minimum the City will provide for a \$5 co-pay for Tier I (generic), \$35 co-pay for brand Tier II, and \$70.00 co-pay for Tier III with no deductible. Non-participating pharmacy subject to deductible and 80/20 coinsurance.
- g. In the event the Employer chooses to purchase an ACA compliant plan, the costs related to Office Visits, Emergency Room Visits, and Rx co-pays will count towards the insured's deductible.

The City maintains the sole discretion to change this plan and the applicable benefits at any time.

Dental Insurance

The City provides dental coverage to all full-time employees. The plan provides for a deductible of \$25/\$75, but for diagnostic and preventative care which will be 100% covered. Routine and Restorative dental care will be covered 80/20, Major Care covered 50/50 with an annual maximum benefit per person of \$2,000. The City maintains the sole discretion to change this plan and the applicable benefits at any time.

Vision Insurance

The City provides vision coverage for full-time employees. The City currently provides what is called the Select Network Vision Plan. The coverage requires a \$10.00 exam co-pay if using a participating provider and provides \$150 per year towards materials. The City maintains the sole discretion to change this plan and the applicable benefits at any time.

Short Term Disability

The City provides short term disability coverage for full-time employees. Employees determined to be eligible for coverage will receive disability payments equal to 66-2/3 of wages for 26 weeks, eligibility commencing on the 1st day in the event of an accident or the 8th day in the event of a sickness. Employees shall be permitted to utilize banked sick leave to make up the difference in their regular pay, not including speculative overtime, provided said employee has sick leave accrued and available for such use. The City maintains the sole discretion to change this plan and the applicable benefits at any time.

Life Insurance

The City provides Life Insurance to all full-time employees in the amount of \$20,000 until said employee reaches the age of 65 years after which the death benefit will be reduced by 35% per year until the employee reaches the age of 70 at which time the death benefit will be reduced by an additional 33% per year. In addition, employees who participate in IPERS may be eligible for death benefits and should visit www.ipers.org for more information. The City maintains the sole discretion to change this plan and the applicable benefits at any time.

Employee Assistance Program

The City is considering enrollment in an Employee Assistance Program (EAP). Once that program is established, it will be offered to all full-time and part-time employees and their immediate families, in order to help them cope with personal problems which may interfere with work performance. This voluntary program operates under confidential self-referral as well as supervisor referral. Professional counselors help employees find ways

to deal with problems related to physical, mental and/or emotional illness or stress. This help includes concerns related to chemical dependency, marital, personal, financial and/or family situations and also provides limited legal assistance. Employees in need of these services are strongly encouraged to seek help through this program. EAP counselors provide short-term counseling and referral services without charge. Expenses beyond those covered by the EAP program incurred by the employee or the employee's immediate family member for recommended extended diagnosis or treatment may be eligible for some reimbursement in accordance with the City's health care plan.

Whenever an employee voluntarily uses the EAP program, employee concerns are kept in the strictest confidence by EAP counselors. This confidentiality means no City official, or employee will be informed that the employee has used this program. The only exception to this confidentiality requirement is when an employee is required to seek counseling by the City and accordingly signs a release. In such cases, the employee's supervisor and the City Administrator must be kept apprised of employee's compliance with the counselor's recommended treatment plan.

Employees' immediate family members are also eligible to seek help from this program and may do so without the employee's knowledge. An office site outside the community is available for confidential meetings.

The City maintains the sole discretion to change this plan and the applicable benefits at any time.

I.R.S. Section 125 – Flexible Benefit Plan

The City offers a Flexible Benefit Plan (125 Plan) that is available to all full-time and part-time employees; participation is voluntary. More information is available at the City Clerk's office.

Pension

All employees, unless excepted from doing so by the Iowa Code, are required to participate in the Iowa Public Employees Retirement System (IPERS). For more information, see Payroll Deductions in this Handbook or go to www.ipers.org.

Benefits for Part-Time Employees

Pension

Permanent Part-time employees are required to participate in the Iowa Public Employees Retirement System (IPERS). Employee and employer contributions are set by the State of Iowa. Employees are required to contribute the percentage set by the State and cannot contribute any more or any less amounts. New employees must enroll and designate a beneficiary. The enrollment form is included in the new employee packet. For more information, go to: www.ipers.org.

Employee Assistance Program

The City plans in the future to offer an Employee Assistance Program (EAP) to help all full-time and part-time employees and their immediate families cope with personal problems which may interfere with work performance. Once this program is in place, this voluntary program will operate under confidential self-referral as well as supervisor referral. Professional counselors help employees find ways to deal with problems related to physical, mental and/or emotional illness or stress. This help includes concerns related to chemical dependency, marital, personal, financial and/or family situations and also provides limited legal assistance. Employees in need of these services are strongly encouraged to seek help through this program. EAP counselors provide short-term counseling and referral services without charge. Expenses beyond those covered by the EAP program incurred by the employee or the employee's immediate family member for recommended extended diagnosis or treatment may be eligible for some reimbursement in accordance with the City's health care plan.

Whenever an employee voluntarily uses the EAP program, employee concerns are kept in the strictest confidence by EAP counselors. This confidentiality means no City official, or employee will be informed that the employee has used this program. The only exception to this confidentiality requirement is when an employee is required to seek counseling by the City due to documented disciplinary issues and accordingly signs a release as part of an employment agreement. In such cases, the employee's supervisor and the City Administrator must be kept apprised of compliance with the counselor's recommended treatment plan.

Employees' immediate family members are also eligible to seek help from this program and may do so without the employee's knowledge. An office site outside the community is available for confidential meetings.

Damage to Personal Property

In the event of damage to personal property while on duty, employees must submit to their supervisor by the end of the workday, or as soon as practicable thereafter, a written statement describing the circumstances surrounding the damage of the item(s). If it is determined the item(s) were reasonable for the employee to have at the work site (e.g., eyeglasses, modestly priced wristwatch, etc.) and the damage was the direct result of a work assignment during which the employee exercised reasonable care, the Department Head may authorize payment for repair or replacement of the item(s).

Recovery of Lost Property

City employees who find lost property must immediately present it to their supervisor. The City will then take steps pursuant to Sections 556F.3 and 556F.4, Code of Iowa to seek out the rightful owner. If no person claims the lost property, the property will be returned to the City employee if valued under \$20.00. If the property is valued over \$20.00, the property will be delivered to the Sheriff's office, sold at public auction to the highest bidder, and proceeds will be paid to the City.

Use of City Vehicles/Travel Expenses

On Duty - All vehicles, equipment and facilities (City Property) shall be utilized safely and in a manner that will not damage any item. Any reckless or willful negligence resulting in damage to City property may be cause for corrective action. Vehicles, equipment and facilities shall only be used for City business and activities, not for personal errands, personal work activities or other purposes. Only City employees or others authorized by the appropriate Department Head shall ride as passengers in City vehicles or use City equipment or facilities as may be necessary in the carrying out of City business. The City Administrator may overrule a Department Head decision to this end. No City vehicle shall be driven by any employee or other person after the consumption of any alcoholic beverage. Seat belts, where provided, are to be used at all times.

Off Duty - There shall be no use of City vehicles, equipment or facilities during off duty hours. When a vehicle is in the possession of an employee during off duty hours, it shall only be used for City business when the need arises. It shall not be used for personal errands or other activities, except for personal errands on the way to and back from work. As approved by the City Administrator, certain employees may be authorized to drive City vehicles to their homes. Use of City vehicles for commuting shall be considered taxable compensation to the employee.

Accidents - Any accident, whether or not damage results to City vehicles, equipment and/or facilities, shall be reported immediately to the Police Department and to the appropriate supervisor, who shall submit a written report to the City Administrator. When deemed appropriate by the City Administrator, the accident will be investigated, and subsequent action taken. However, if an employee is involved in an accident with a company vehicle, or private vehicle that is operating on company business, which involves private property, whether there is damage or not, the Sheriff's Department should be called immediately. **(See also the "Injury and Incident Reporting and Investigation" provisions set forth subsequently herein.)**

Meetings, Seminars, Work Related Travel & Travel Expenses

An employee shall be compensated at their regular rate of pay to attend meetings, seminars and conventions of professional and technical organizations when such attendance is

approved by their immediate supervisor or City Administrator.

a. An employee who is attending a meeting, seminar or convention as noted in paragraph #1 of this section shall be eligible for the reimbursement of legitimate business expenses related thereto, including the following:

1). Mileage shall be paid at the Internal Revenue Service rate as amended from time to time, providing the individual drives his/her own vehicle. The Employer may require the employee to use a City owned vehicle at the sole discretion of the City.

b. Meals and lodging shall be reimbursed as follows;

1). A maximum of Twenty-Five dollars per day, for non-travel days, or Fifteen dollars per travel day.

2). If any meal is provided as part of the cost of the meeting/seminar, the daily reimbursement limit shall be \$15.00.

3). In no event shall more than three (3) meals be reimbursable in any one day. Reimbursable meals include breakfast/lunch/supper-dinner. Snacks and/or other incidentals are not reimbursable.

4). All bills must be turned in to the immediate supervisor for initial approval prior to submission to the City Clerk for payment.

5). No bill/receipt that includes alcoholic beverages shall be eligible for reimbursement whether or not there are reimbursable expenses on the bill. The employee bears the burden of providing receipts with detail that shows the items purchased with said detail not including any alcoholic beverages.

6). All reimbursement requests shall be made by using the "Reimbursement Request Form" that is available at the City Clerk's Office.

3. The City will pay for or reimburse employees for the cost of Continuing Education required to maintain those certifications required of their position with the City of Monticello. Employees shall take advantage of free CEU's offered by or through their employer whenever possible. City Administrator review and approval of the proposed CEU's and cost associated therewith is required. The City Administrator may take unusual requests to the City Council for review and consideration.

4. In order to minimize the expense to the City when two employees are attending a training seminar or a conference at the same location and on the same dates, employees should use reasonable best efforts to coordinate transportation and lodging.

5. Government discounts and conference discounts should be utilized whenever possible. Hotel/Motel room reservations may be direct billed to the City or charged on a City credit card. If an employee pays for a room with their personal credit card, they may request reimbursement upon presentation of proper proof with the City

Reimbursement Request Form upon completion of travel. In all cases, the employee must submit a hotel/motel bill upon completion of travel.

6. Expenses for entertainment, alcohol, or for lodging or other expenses of non-City employees, including spouses, and for any expense deemed wasteful or extravagant, will not be reimbursed.

Variations in the above policy may be considered by the City Administrator and must be approved in advance of any such expenditures. Consideration may be given for certain destinations where travel expenses are expected to be higher.

Employees are expected to be reasonable with their spending. The City Administrator will review itemized receipts for excessive spending, and employees will not be reimbursed for expenses deemed to be unreasonable or in excess of the above guidelines.

Abuse of this policy and/or the submission of inaccurate or fraudulent reimbursement requests will result in disciplinary action up to and including termination.

Safety

The City is committed to providing and maintaining a safe and healthy work environment. Each employee is responsible for knowing and complying with all safety policies, regulations and rules which apply to his/her job. All employees are required to take appropriate safety precautions, including wearing and using safety equipment. Employees will be subject to discipline, up to and including discharge, for violating safety rules.

All new employees will receive initial safety training.

Training Programs

The City may require or permit employees to attend training programs (which have immediate job-related benefits) on the job or at various public or private facilities. Attendance is subject to the requirements of employees' positions, needs of the department, budgetary constraints and Department Head approval.

Departmental Bulletin Boards and E-mail Monitoring by Employees

All City employees are responsible for reviewing information posted on bulletin boards in their work areas each workday, and for reviewing their email messages each workday. The City periodically posts information of interest to City employees, including safety-related and other critical information, on departmental bulletin boards and in email. Failure to monitor these notices may lead to disciplinary action, up to and including termination.

CITY OF MONTICELLO
ACKNOWLEDGMENT

I, _____, an employee of the City of Monticello, hereby certify that I received the City of Monticello Employee Handbook, as revised _____, 2020, and completed reading said Handbook on the date following my signature below.

I understand that all employees of the City are subject to, and shall comply with, all rules, policies and procedures contained in the Employee Handbook.

Lack of knowledge of the rules, policies and procedures will not be considered an excuse for non-compliance, and it is with this understanding that I read all of the contents of this Employee Handbook and will read newsletters, payroll inserts and departmental bulletin board postings to stay current with policies and other notices to employees. I understand failure to comply with any of the work rules, policies or procedures may result in discipline, up to and including discharge.

If a particular City rule, policy or procedure conflicts with the collective bargaining agreement, the collective bargaining unit agreement will prevail.

Employee's Signature

Date

Addendum A to Personnel Manual – Safety Policy

City of Monticello Management Statement of Safety Policy

The success of City of Monticello depends upon our efficient use of resources to produce a high-quality product for Monticello citizens. Our most important resource is our employees. To protect this resource, we are committed to providing a safe and healthful workplace for all employees by establishing and maintaining an effective safety and health program. We consider safety to be a core value of our organization's operations.

The occupational safety program of the City of Monticello is organized to give each job site responsibility for the accident prevention program. All employees at all levels of our workforce are directed to make safety a matter of continuing concern, equal in importance to all other operational considerations. We are all expected to cooperate in implementing safety practices and to adopt the concept that the safe way to perform a task is the most efficient, and the only acceptable way to perform it.

(Date)

Safety Responsibilities

Supervisors Safety Responsibilities

Management is responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for management to personally observe all employee activities, management must rely on and assure that all employees are trained and aware of their safety responsibilities. Other safety responsibilities for managers include:

1. Provide leadership and direction concerning safety activities.
2. Participate actively in the continuous evaluation of the safety program.
3. Set goals concerning safety performance for the company.
4. Review losses for potential trends on a regular basis.
5. Enforce all safety rules.
6. Participate in facility and work site audits.
7. Participate and support all accident investigation activities.
8. Review accident reports and recommend corrective actions.
9. Management will report to the City Administrator.

Continued Responsibilities

Safety is as much a part of the supervisor's responsibility as is getting the job done efficiently. Among the important safety responsibilities of every supervisor are:

1. Familiarize yourself with and enforce the safety rules and regulations that have been established by applicable local, state and federal organizations. These regulations are intended to set minimum standards for safety and the contents of the regulations should be enforced as minimum safety requirements for all activities on City of Monticello worksites and facilities.
2. Correct all reported hazards. Operating under known hazardous conditions will not be tolerated.
3. Do not permit new or inexperienced employees under your supervision to work with power tools, machinery or complex equipment without proper instruction and training.

4. Give adequate instructions. Do not assume that an employee knows how to do a job unless you personally have knowledge that the person can perform the task correctly.
5. Ensure tools, equipment and machinery being used in the workplace are in proper working condition. Do not allow the use of unsafe tools or equipment under any circumstances.
6. Ensure that proper personal protective equipment is available and used by employees, when necessary, required, or otherwise appropriate.
7. Always set a good “safety” example, such as wearing the proper safety equipment (safety glasses, hard hats, etc.), following policies/procedures, using seat belts, etc.
8. Consistently enforce the requirements of the organization’s safety program and any associated rules or policies.
9. Ensure that all employees have access to a copy of the City of Monticello safety program.
10. Encourage safety suggestions from employees under your supervision.
11. Obtain prompt first aid for injured employees.
12. Participate in accident or incident investigations involving your employees.
13. Conduct audits of all work areas and facilities on a regular basis in an effort to improve housekeeping, eliminate unsafe conditions and encourage safe work practices.

Employee Safety Responsibilities

All employees carry a certain amount of responsibility in any safety program. You must be aware that your actions, mental state, physical condition, and attitude directly affect your safety and the safety of your fellow employees. All employees are expected to:

1. Know your job, follow instructions, and think before you act.
2. Use protective equipment (eye protection, hard hats, gloves, etc.), as the job requires.
3. Work according to good safety practices as posted, instructed, and/or discussed.
4. Refrain from any unsafe act that might endanger yourself or your fellow workers.
5. Use all safety devices provided for your protection.
6. Report any unsafe situation, act or equipment to your supervisor immediately.

7. Assume responsibility for thoughtless or deliberate acts that may cause injury to yourself or your fellow workers.
8. Abide by all policies, procedures, rules, etc. associated with City of Monticello's Safety Program.
9. Never operate equipment that you are unfamiliar with or not trained to use. Do not use equipment that is defective or in need of repair and immediately report the poor condition to your supervisor.
10. Report all accidents/incidents to your supervisor as soon as they occur. Failure to report any injury or incident may result in disciplinary action.

Safety Committee

A safety committee should be established by the City and be composed of employees representing the City. The committee should be chosen from those employees who are recognized for their good work, are safety conscious and have familiarity with the overall work area and equipment. Employees from various work areas should be represented. A consultant may be responsible for scheduling meetings, notifying committee members, and following up on items discussed. In order to stay on top of things, the committee is encouraged to meet monthly. The committee will have the following responsibilities:

1. Review accident/injury investigation reports from all departments to see if corrective measures need to be implemented.
2. Ensure that annual inspections are conducted in each department's work areas, and of their tools and equipment to identify safety hazards and recommend ways to correct hazards.
3. Coordinate the development of safety rules and safe work methods.
4. Coordinate safety training between departments when possible. This may include films, speakers and exhibits.
5. Report the activities of the committee by sending a copy of their meeting minutes to all departments for posting in a location where all department employees have an opportunity to review them.

Safety Committee Departments:

Police Department
Ambulance Department
Park and Recreation
City Hall Staff

Streets Department
Water/Wastewater Department
Library

Training and Orientation

The Supervisors, and safety consultant if utilized, will provide ongoing safety training in the following areas as the need arises:

- New equipment purchases.
- New/changes in operations.
- Identified areas of increased accidents.
- Newly identified areas of exposure.
- Annual refresher training required for each program.

Documentation of Safety Training

Documentation from any training courses attended by employees or supervisors will be kept for recordkeeping purposes. Documentation associated with safety meetings and training will be kept at the City Clerk's Office. Employees who do not attend regularly scheduled safety meetings or training activities will be identified and scheduled to attend make-up training. Documentation will be noted for employees that attend make-up training.

New Employee Safety Orientation

The appropriate Department Head or supervisor will provide an orientation to all new employees to address the hazards of their position. This will include a review of all safety rules, policies/procedures, equipment, etc., that are applicable to the new employee's job description and duties. The new employees will be given an opportunity to ask any relevant questions that may pertain to their assigned duties. Documentation of the safety orientation training for each new employee will be maintained at the City Clerk's Office.

Hiring Practices

Safety starts with the proper hiring practices to ensure that the person being hired for a position is physically and technically capable of safely performing the task(s).

Depending upon the physical requirements of the job, the City of Monticello may require new permanent employees and temporary employees to undergo a pre-employment physical. This is given *after the offer*, but before the first day of work, and offers are contingent on passing the physical. The physician performing the physical shall present an opinion as to the employee's ability to perform the essential functions of the position as set out in the most recent **approved job description. (See Attachment 2)**. The costs of the physical shall be paid by the City of Monticello.

Medical Emergency Procedures

The following actions should be taken in the event of a medical emergency:

1. Call 911.
2. Make sure site is safe before providing assistance. ***Do not attempt rescue alone!***
3. Provide assistance to the injured person.
4. Notify Supervisor/foreman, Department Head and City Hall..
5. Each building will have emergency contacts and telephone numbers posted in a conspicuous location.

Injury and Incident Reporting and Investigation

Many incidents and injuries occurring in the workplace that involve equipment and property are preventable. In order to prevent future incidents and injuries, it is necessary to immediately review the circumstances surrounding each incident. Once the primary cause for the incident has been established, action shall be taken to prevent recurrence. An Accident/Injury Investigation Form has been developed to facilitate the investigation (see Attachment 1). Note: This *Investigation Form* does not replace the *First Report of Injury Form*, which still must be completed for an employee who incurs a work-related injury. The Department Head shall complete this form and a copy will be forwarded to the City Clerk. The City Clerk will prepare and forward to the safety committee as in the following circumstances:

1. Any work-related accident resulting in an employee needing medical attention.
2. Any work-related accident resulting in damage to property or equipment.
3. Any accident involving a member of the public whether it results in personal injury or property damage or both.

If an employee is involved in an accident with a company vehicle, or private vehicle that is operating on company business, which involves private property, whether there is damage or not, the Sheriff's Department should be called immediately.

Post-Accident Drug and alcohol testing will be required as stated in the Drug and Alcohol testing policy that can be found herein.

If the investigation determines an employee has contributed to the cause of an incident by failure to obey traffic laws or department or safety rules and regulations, disciplinary action will result, with a written reprimand being the minimum disciplinary action allowed.

The Department Head shall provide a written response to any recommendations by the safety director or the investigator that outlines corrective actions taken by the company.

Copies of all incident reports and corrective actions shall be kept on file with a copy of the OSHA 300 log for the year during which the incident occurred.

Medical Services

Designated Physician Policy

Effective upon the approval of this Employee Handbook, the following policy will be in effect regarding workers' compensation illnesses or injuries.

The City of Monticello, has designated the Jones Regional Hospital Work Well Clinic, located at 1795 Highway 64 East, Anamosa, Iowa 52205 as its workers' compensation authorized treating physician/clinic as provided by law under Chapter 85.39 of the *Code of Iowa*. Employees with a work-related illness or injury will be required to have their initial evaluation with this physician/clinic. (**Note:** *If the accident is an emergency the injury will be treated at the nearest medical clinic.*) If appropriate, and with prior approval from the City Clerk or Administrator, the physician/clinic may make referrals to other specialists.

If an employee decides to go to another provider without the referral from the authorized treating physician/clinic, the employee will be responsible for all expenses related to those visits. No workers' compensation benefits may be claimed unless referred by the authorized treating physician/clinic.

FIRST AID

Any injury shall be treated by the Department Head or other available personnel in accordance with their individual abilities and the severity of the injury. Each Department Head or department designee will receive Adult CPR and first aid training.

Medical treatment is mandatory for any of the following:

- Severe chest pains
- Traumatic injuries (head injury or severe cut)
- Loss of consciousness or severe dizziness

At least one first aid kit shall be maintained in each occupied building and vehicle. It is recommended that kits be inspected on a regular basis, replacing used, missing, soiled, damaged or outdated items. Make sure all employees are advised of the location of the first aid kits. Oral medications such as aspirin, antacids, or salt tablets are not to be provided in these kits.

An eye wash station suitable for quick drenching or flushing of the eyes shall be provided within the work area for immediate use if employees are exposed to harmful materials. The eyewash station will be located in the main shop.

Return to Work Program

It is the purpose of this program to provide guidelines for employees injured on the job who are unable to return to his/her regular job classification upon returning to work.

A. Objectives:

1. To return employees who were injured on the job back to work as soon as possible if there is not significant risk of substantial harm to themselves and others.
2. To minimize financial hardship and emotional stress on the employee who has sustained a work-related injury.
3. To assist employees in returning to work at a level as close as practicable to his/her pre-injury earnings and productivity.
4. To retain qualified and experienced employees.
5. To reduce the cost of disability benefit programs.

B. The City of Monticello may provide modified or alternate work for employees injured on the job, who are unable to return to his/her regular job classifications temporarily or permanently. Regular modified and alternate work may be provided as available in compliance with the Americans with Disabilities Act (ADA) and Iowa Workers' Compensation Act.

C. The City of Monticello will make reasonable accommodations for a disability unless the accommodations would impose an undue hardship on the employer. The disabled employee must be able to perform the essential functions of the job with or without reasonable accommodation.

D. The feasibility of reasonable accommodations shall be determined on a case-by-case basis, taking into consideration the employee, the specific physical or mental impairment, the essential functions of the job, the work environment, and the ability to provide accommodations.

E. Temporary Alternate Duty (TAD):

1. The purpose of TAD is to provide temporary work, within medical restrictions, for employees injured on the job. It is defined as modified duties or hours assigned to a worker. TAD is assigned when the physician indicates the employee can return to work but is not yet physically capable of handling the entire job duties normally assigned, and the work-related injury has not reached maximum medical improvement.
2. TAD may be available with medical prognosis indicating that the employee is expected to return to full duty following a course of medical

treatments. If an alternate duty position is available an injured employee must be provided with TAD as soon as medically feasible. TAD should be consistent with the employee's physical/mental abilities.

3. Employees in TAD capacity will continue to receive the salary and benefits of his/her job classification. They will be proportionately adjusted in the case of part-time work. The status of the TAD assignment should be reviewed after each medical appointment, normally every 7 to 14 days. TAD does not normally exceed three months.
4. TAD Procedures:

The Department Head or Deputy City Clerk:

- 1) Informs designated physician about the TAD program and provides a copy of the injured employee's job description (Regular Job Description or TAD job) to physician.
- 2) Informs the injured employee about the TAD program.
- 3) Informs workers' compensation adjuster of the employee's availability to the TAD program.
- 4) Obtains information regarding medical condition of the employee from the physician(s).

Employee's supervisor, along with workers' compensation designee:

- 1) Develops work assignments on a case-by-case basis, if available, adjusting to medical restrictions.
- 2) Develops appropriate TAD assignments and monitors on-going medical and work adjustments.
- 3) May meet with the injured employee to review TAD status.

Employee:

- 1) Reviews and signs *Appendix A* of the Return-to-Work Program Statement of Acknowledgment.
- 2) When the physician has determined that maximum medical improvement has been reached and the employee is able to perform the essential functions (replaced duties) of his/her job with or without reasonable accommodations, the employee shall return to the job classification and duties held prior to the work injury.

- 3) When the physician has determined that maximum medical improvement has been reached and the employee is unable to perform the essential functions (replaced duties) of his/her job with or without reasonable accommodations, the employee may be assigned to a Ninety (90) Day Modified Duty Assignment.
 - a. An employee assigned to a Modified Duty Assignment will report to his/her regular department. The employee shall be assigned to complete assignments that he/she is capable of performing consistent with physician dictated restrictions.
 - b. Employees placed on Ninety (90) Day Modified Duty Assignments shall continue to receive the salary and benefits of his/her regular job classifications.
 - c. In all such cases where an employee cannot fulfill the duties of the job with or without reasonable accommodations, the Benefits Coordinator will provide notices of any currently available jobs which may be suited to the employee's restrictions and for which the employee may be qualified and eligible pursuant to the terms of any relevant personnel policies and any applicable collective bargaining agreements.
 - d. If the employee cannot perform the essential functions of the employee's regular job with or without reasonable accommodations, and no alternative job within the employee's restrictions is available (or becoming available in the near future) for which the employee is qualified and eligible, then the employee's employment status shall be determined in accordance with applicable law, any relevant personnel policies and any applicable collective bargaining agreements.

F. Permanent restriction resulting from personal injury/illness:

1. Employees who are off work due to personal injuries/illnesses may be required to complete functional capacity examinations before they can return to their former jobs. The cost of such examination will be paid for by the employer.

G. Responsibilities of the employee:

1. Determine appropriateness of a job assignment. An employee who is unable to return to work without restriction is responsible for keeping his Department Head (or the Department Head designee) informed of the status of the employee's medical condition.
2. If the employee rejects any assignment which is compatible with medical restrictions, the employee shall not be compensated by the City of Monticello or the City of Monticello's workers' compensation carrier, with temporary, partial, temporary total or healing period benefits during the period of refusal (*Code of Iowa*, Section 85.53).

Appendix A – To be Used with TAD Program

To:
From: City of Monticello
Date:
Re: Offer of Temporary Alternate Duty (Light Duty)

This serves as an offer of Temporary Alternate Duty (TAD) pursuant to Iowa Code Section 85.33(3)(b) from your employer. Specifically, the City is offering you work as [title of job], which entails you're doing the following [brief description of work and include written job description if available]. [If this job requires lodging, meals or transportation, please insert that information to communicate to the employee here.] This work required of you in this temporary position is within your stated work restrictions, as determined by your treating physician, Dr. _____ and is therefore deemed suitable under Iowa law.

If you refuse this offer of transitional work, you must communicate your refusal and the reason for your refusal to your employer in writing, including whether your refusal is based on your assertion that the work is or is not suitable. During any period of refusal, you will not be compensated with temporary total, temporary partial, or healing period benefits, unless the work refused is not suitable.

If you have any questions regarding this offer of work, please contact [employer representative offering work] at [contact information].

If you accept this offer of work, please sign the acceptance below. If you refuse this offer of work, please sign the refusal on the attached page. Please respond to this offer of work within seven (7) days of the date of this offer.

I, _____, accept my employer's offer of work as described in the offer above. I understand I must follow my restrictions as stated by my doctor during my period of TAD and that failure to do so may lead to disciplinary action up to and including termination.

Signature Printed Name

Date

