

CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
Fax: (763) 434-9599

CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA MONDAY, MAY 1, 2023

- 1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance**
- 2.0 PUBLIC COMMENT**
- 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS – None**

4.0 CONSENT AGENDA

These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. (All items listed on the Consent Agenda are recommended for approval.)

- 4.1 Approval of minutes of April 17, 2023
- 4.2 Approval of claims
- 4.3 Approval of the copier rental agreement for the Workroom and Building Department with Metro Sales (on State Contract)
- 4.4 Approval of the 2024 Facility Use Agreement with Soderville/Blaine Athletic Association (SBAA)
- 4.5 Approval of amending the Employee Handbook
- 4.6 Approval of accepting the resignation of Administrative Assistant II Teri McMahon
- 4.7 Approval of accepting the Radisson Sunset Estates Development project and commencing the one-year warranty period
- 4.8 Approval of accepting the Catchers Creek of Ham Lake project and commencing the one-year warranty period

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Andrew Buddensiek of ANB Auto LLC requesting a Certificate of Occupancy to operate a used car dealership at 15903 Lincoln Street NE

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES – None

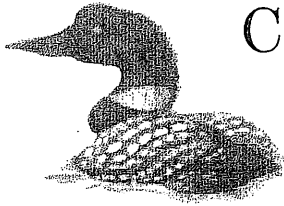
8.0 CITY ATTORNEY

9.0 CITY ENGINEER

10.0 CITY ADMINISTRATOR

11.0 COUNCIL BUSINESS

- 11.1 Committee Reports
- 11.2 Discussion of Conduit Bonding Request
- 11.3 Discussion of the Position Classification and Compensation Study
- 11.4 Announcements and future agenda items



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CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, APRIL 17, 2023

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, April 17, 2023 at 6:00 p.m. in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Mayor Brian Kirkham and Councilmembers Jim Doyle, Gary Kirkeide, Al Parranto and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Mark Berglund; City Engineer, Dave Krugler; City Administrator, Denise Webster; Deputy City Clerk, Dawnette Shimek; and Finance Director, Andrea Murff

1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance

Mayor Kirkham called the meeting to order and the Pledge of Allegiance was recited by all in attendance.

2.0 PUBLIC COMMENT - None

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 Lt. Schuldt, Anoka County Sheriff's Office Monthly Report

Lt. Schuldt gave a summary of the Sheriff's Report for the month of March 2023.

4.0 CONSENT AGENDA

These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. (All items listed on the Consent Agenda are recommended for approval.)

4.1 Approval of minutes of April 3, 2023

4.2 Approval of claims in the amount of \$624,577.82

4.3 Approval of the Ham Lake Member City Grant Agreement with Twin Cities Gateway

4.4 Approval of the 2024 Budget for the Upper Rum River Watershed Management Organization

4.5 Approval of Resolution No. 23-17 for the American Rescue Plan Act (ARPA) Funding of equipment for Public Works and City Hall

4.6 Approval of an oversized accessory building at 4114 158th Avenue NE

4.7 Approval of an agreement to contract with Isanti County Animal Control for Temporary Animal Control

4.8 Approval of a Field Party Permit for Maxx Bar & Grill, 17646 Central Avenue NE on May 19-21, 2023

4.9 Approval of relocating a power pole for Great River Energy (GRE) in Crosstown Shopping Center

Councilmember Wilken asked that item 4.9 be removed from the consent agenda.

Motion by Kirkeide, seconded by Doyle, to approve the April 17, 2023 consent agenda with the omission of item 4.9. All in favor motion carried.

Councilmember Wilken asked Engineer Krugler if the \$15,000.00 cost to move the power pole for the Crosstown Shopping Center street reconstruction will be reimbursed to the City. Engineer Krugler stated that the funds would be refunded to the City through MSA Funds. **Motion by Wilken, seconded by Parranto, to approve item 4.9 on the April 17, 2023 consent agenda. All in favor, motion carried.**

5.0 PLANNING COMMISSION RECOMMENDATIONS - None

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES - None

8.0 CITY ATTORNEY

8.1 Discussion of reimbursement for the appraisal for PIN #17-32-23-24-0009

Attorney Berglund stated that they have been in discussions with Mary Bottineau regarding the city obtaining easements for a potential service road on the Southwest corner of Constance Boulevard NE and Highway 65 NE. Ms. Bottineau has obtained an appraisal on the property at a cost of \$1,400.00. Attorney Berglund stated that the appraisal is needed to negotiate the cost with Ms. Bottineau on the cost for the easement. Attorney Berglund stated that he is recommending that the City reimburse Ms. Bottineau for the cost of the appraisal. **Motion by Kirkham, seconded by Doyle, to reimburse Mary Bottineau in the amount of \$1,400.00 for the cost she incurred for the appraisal at property identified as PIN#17-32-23-24-0009. All in favor, motion carried.**

9.0 CITY ENGINEER - None

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports - None

11.2 Discussion of the low bid for the construction of Fire Station #3 and adoption of Resolution No. 23-18

Mayor Kirkham stated the City has been financially planning for the construction of Fire Station #3. Mayor Kirkham stated that bids were opened on April 5, 2023 and ten bids were received and the low bid came in at \$2,482,000.00 from Ebert Construction; which is higher than was anticipated. Mayor Kirkham has been exploring the pros and cons of going forward with the construction and doesn't see costs going down. The Fire Station can be built with no additional cost for the residents because bonding is not needed. Mayor Kirkham stated that construction of Fire Station #3 will be the last piece of infrastructure to be constructed in the City. Mayor Kirkham stated that he is in favor of moving forward with the construction of Fire Station #3 and the bid overage of approximately \$700,000.00 can be used from reserves in the General Fund. The General Fund reserves would remain at a favorable debt ratio of 62%. Councilmember Kirkeide stated that the bid received is probably the best the city can obtain for a long time. Councilmember Kirkeide added that with the additional development in the southeast area of the City, the Fire Station is needed and will save in response time. Councilmember Parranto stated that every time they have looked at moving

forward with the construction, the price has gone up. Councilmember Doyle stated that he is in agreement with moving forward with the construction. Randy Pavey, Project Manager for Ebert Construction, was present and gave a history of public construction projects Ebert Construction has done. Mr. Pavey stated that they would like to finish construction by the end of the year; and maybe leave seeding for Spring 2024. Mr. Pavey stated that the \$18,000.00 for landscaping and irrigation is not included in the bid as that would be an add-on. Councilmember Kirkeide stated the City has a construction committee and can meet whenever the contractor would need. **Motion by Kirkham, seconded by Wilken, to accept the low bid from Ebert Construction for the construction of Fire Station #3 and adoption of Resolution No 23-18. All in favor, motion carried.**

11.3 Announcements and future agenda items

Mayor Kirkham stated that there are new lots on the north end of the new frontage road south of Crosstown Boulevard NE, behind the new Holiday Station and part of the Holiday plat. Mayor Kirkham stated he would like to see these lots be used exclusively for restaurants or retail shopping. Mayor Kirkham stated that he would like the Planning Commission to discuss a new zoning for this type of use. Administrator Webster asked if this could be incorporated in a development agreement. Attorney Berglund stated this could be part of the development agreement and they would need to talk to the property owner.

CLOSED MEETING - Pursuant to Minn. Stat. §13D.05, Subd. 3(c)(3) to discuss the purchase of real property identified as PIN #17-32-23-24-0009 (during a recess of the regularly scheduled City Council meeting)

Mayor Kirkham called a recess at 6:29 p.m. in order to conduct a closed meeting.

Mayor Kirkham called the closed meeting to order at 6:30 p.m. The closed meeting was adjourned at 6:32 p.m.

Motion by Kirkeide, seconded by Parranto, to adjourn the meeting at 6:32 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk

CITY OF HAM LAKE
CLAIMS SUBMITTED TO COUNCIL
May 1, 2023

CITY OF HAM LAKE

EFTS, CHECKS, AND BANK DRAFTS		04/18/23 - 05/01/23	
EFT	# 1846 - 1854		\$ 4,606.26
REFUND CHECKS	# 64975 - 64976		\$ 300.00
CHECKS	# 64977 - 65006		\$ 59,787.60
BANK DRAFTS	DFT0002529 -DFT0002534		\$ 28,825.97
TOTAL EFTS, CHECKS, AND BANK DRAFTS			<u>\$ 93,519.83</u>
 PAYROLL CHECKS			
04/21/23	Direct Deposits		\$ 47,775.44
04/21/23	CK#64974		\$ 150.71
TOTAL PAYROLL CHECKS			<u>\$ 47,926.15</u>
TOTAL OF ALL PAYMENTS			<u><u>\$ 141,445.98</u></u>
 VOID CHECKS			
CHECKS	65006		\$ -
ZERO EFT			\$ -
BANK DRAFTS			\$ -

APPROVED BY THE HAM LAKE CITY COUNCIL THIS 1ST DAY OF MAY 2023

MAYOR

COUNCILMEMBER

COUNCILMEMBER

COUNCILMEMBER

COUNCILMEMBER



Packet: ARPKT00758 - 04/19/23 TRUST REFUNDS

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00352	JANET GERADS	4/19/2023	64975	150.00
00353	DAWN CLYNE	4/19/2023	64976	150.00
			Total Refund Amount:	300.00

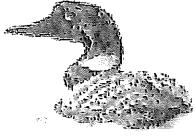
Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	300.00
Revenue Totals:	300.00

General Ledger Distribution

Posting Date: 04/19/2023

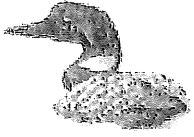
Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-300.00	Yes
890-11501	Misc receivables	300.00	
	890 Total:	<u>0.00</u>	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-300.00	
999-20702	Due to other funds	300.00	Yes
	999 Total:	<u>0.00</u>	
	Distribution Total:	<u>0.00</u>	



Payment Dates 4/18/2023 - 5/1/2023

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1846	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	75.59
1846	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1846	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	50.61
1847	BRODIN PRESS	MAY HAM LAKER	Editing	211-41704-3125	900.00
1848	CMT JANITORIAL SERVICES	CITY HALL CLEANING	Cleaning service	100-41702-3430	520.00
1848	CMT JANITORIAL SERVICES	SHERIFF'S OFFICE CLEANING	Cleaning service	100-41702-3430	130.00
1848	CMT JANITORIAL SERVICES	FIRE #1 CLEANING	Cleaning service	100-42202-3430	136.00
1848	CMT JANITORIAL SERVICES	FIRE #2 CLEANING	Cleaning service	100-42202-3430	128.00
1848	CMT JANITORIAL SERVICES	PW CLEANING	Cleaning service	100-43104-3430	125.00
1848	CMT JANITORIAL SERVICES	SR CENTER CLEANING	Cleaning service	100-44202-3430	254.00
1849	DELTA DENTAL PLAN OF MINN	MAY COBRA - DK	COBRA receivable	100-11502	51.04
1849	DELTA DENTAL PLAN OF MINN	MAY DENTAL	Dental Insurance	100-21711	1,051.99
1850	MARK KOLLMANN	GRAINGER - TESTER PART FIRE	Equipment parts & supplies	100-42201-2320	26.04
1851	O'REILLY AUTOMOTIVE STORE	#70 BATTERY BOX	Vehicle parts & supplies	100-43101-2340	19.99
1852	QUADIANT FINANCE USA INC	POSTAGE	Postage	100-41701-2120	500.00
1853	WICK COMMUNICATIONS-LEA	MAY HAM LAKER	Printing	211-41704-3970	535.00
1854	WRUCK SEWER & PORTABLE	MAR HAM LAKE BOAT LANDI	Rentals-other	100-44101-3390	45.50
1854	WRUCK SEWER & PORTABLE	LION'S PLAYGROUND RENTAL	Rentals-other	100-44101-3390	45.50
64977	GREAT RIVER ENERGY	CROSSTOWN SHOPPING CENT	Other professional services	431-43301-3190	15,000.00
64978	ANIMAL HUMANE SOCIETY	1ST QTR ANIMAL CONTROL	Other professional services	100-42501-3190	1,623.00
64979	ANOKA COUNTY TREASURY D	APR BROADBAND FIRE #2	Internet & website	100-41301-3220	75.00
64979	ANOKA COUNTY TREASURY D	APR BROADBAND	Internet & website	100-41301-3220	37.50
64980	BERGANKDV	2022 AUDIT	Audit & actuarial services	100-41402-3115	10,000.00
64981	CENTERPOINT ENERGY	CITY HALL	Natural gas	100-41702-3620	784.46
64981	CENTERPOINT ENERGY	FIRE #1	Natural gas	100-42202-3620	469.63
64981	CENTERPOINT ENERGY	FIRE #2	Natural gas	100-42202-3620	862.36
64981	CENTERPOINT ENERGY	PW	Natural gas	100-43104-3620	1,959.67
64981	CENTERPOINT ENERGY	H.L. PARK BUILDING	Natural gas	100-44102-3620	720.05
64981	CENTERPOINT ENERGY	H.L. PARK PAVILION	Natural gas	100-44102-3620	168.20
64981	CENTERPOINT ENERGY	SR CENTER	Natural gas	100-44202-3620	422.40
64982	CENTURY COLLEGE	FFI, FFII, HAZARDOUS MAT - T	Training/conferences/schools	100-42201-3510	4,090.00
64983	COMCAST BUSINESS	FIRE #1 ADD'L CABLE BOX	Other professional services	100-42201-3190	11.23
64984	DEARBORN LIFE INS CO	APR LIFE - MS	Life Insurance	100-21714	3.20
64984	DEARBORN LIFE INS CO	MAY LIFE	Life Insurance	100-21714	57.60
64984	DEARBORN LIFE INS CO	VOL LIFE	Life Insurance	100-21714	195.30
64985	DEHN OIL CO	582.3 GAL DIESEL	Fuel	100-43101-2230	1,991.47
64985	DEHN OIL CO	253 GAL GASOLINE	Fuel	100-43101-2230	772.92
64985	DEHN OIL CO	100.7 GAL DIESEL	Fuel	100-43101-2230	331.30
64986	EMERGENCY APPARATUS MTC	A1 PUMP TEST	Fire apparatus repair & maint	100-42201-3450	1,767.00
64986	EMERGENCY APPARATUS MTC	E1 PUMP TEST	Fire apparatus repair & maint	100-42201-3450	265.00
64986	EMERGENCY APPARATUS MTC	E2 PUMP TEST	Fire apparatus repair & maint	100-42201-3450	265.00
64986	EMERGENCY APPARATUS MTC	T1 PUMP TEST	Fire apparatus repair & maint	100-42201-3450	265.00
64986	EMERGENCY APPARATUS MTC	T2 PUMP TEST	Fire apparatus repair & maint	100-42201-3450	265.00
64987	EMERGENCY AUTOMOTIVE TE	#83 LIGHTS	Vehicle parts & supplies	100-43101-2340	246.46
64988	FIRE INSTRUCTION & RESCUE	HYBRID VEHICLES	Training/conferences/schools	100-42201-3510	650.00
64989	FIRST ADVANTAGE LNS OCC H	ANNUAL ENROLLMENT - JW, J	Personnel testing & recruitme	100-43101-3150	70.60
64990	FLEETPRIDE	FILTERS	Operating supplies	100-43101-2290	77.50
64990	FLEETPRIDE	#68 HYD FILTER	Equipment parts & supplies	100-43101-2320	11.64
64991	HAM LAKE HARDWARE INC	MOUSE TRAPS & SLEDGHAM	Operating supplies	100-43101-2290	43.97
64992	HYDRAULIC SPECIALTY CO INC	STUMP GRINDER REPAIR	Equipment repair & maintena	100-44101-3440	1,378.55
64993	LEAGUE OF MN CITIES INS. TR	PROP/CASUALTY PREM	Insurance	100-41701-3940	225.00
64994	LUBE-TECH & PARTNERS LLC	FUEL ADDITIVE	Fuel	100-43101-2230	528.72
64995	MACQUEEN EQUIPMENT/MA	#94 ACTUATOR	Equipment parts & supplies	100-43101-2320	1,214.41
64995	MACQUEEN EQUIPMENT/MA	#94 WATERPUMP	Equipment parts & supplies	100-43101-2320	1,967.90

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
64995	MACQUEEN EQUIPMENT/MA	#62 V-BELT	Equipment parts & supplies	100-43101-2320	33.98
64996	MCLELLAN SALES INC	JACKET	Clothing & personal protectiv	100-43101-2210	69.50
64997	MENARDS-BLAINE	SHOP SUPPLIES	Operating supplies	100-43101-2290	44.26
64997	MENARDS-BLAINE	MAILBOX REPAIR	Operating supplies	100-43102-2290	125.68
64997	MENARDS-BLAINE	HAM LAKE PARK HEATED PAVI	Controllable assets	440-44103-5120	146.79
64997	MENARDS-BLAINE	HAM LAKE PARK HEATED PAVI	Controllable assets	440-44103-5120	2,396.86
64997	MENARDS-BLAINE	HAM LAKE PARK HEATED PAVI	Controllable assets	440-44103-5120	239.98
64997	MENARDS-BLAINE	HAM LAKE PARK HEATED PAVI	Controllable assets	440-44103-5120	47.21
64997	MENARDS-BLAINE	HAM LAKE PARK HEATED PAVI	Controllable assets	440-44103-5120	144.59
64998	MN FIRE SERVICE CERT BOAR	FFI CERT EXAM & HAZ MAT O	Training/conferences/schools	100-42201-3510	913.50
64999	RESPEC	2ND QTR MAPFEEDER SUBSC	Software licenses & upgrades	230-43201-2510	1,250.00
64999	RESPEC	2ND QTR FULCRUM SUBSCRIP	Software licenses & upgrades	230-43201-2510	315.00
65000	SPECIALTY SOLUTIONS LLC	FERTILIZERS	Operating supplies	100-44101-2290	1,074.00
65001	STATE CHEMICAL SOLUTIONS	AIR FRESHENER	Operating supplies	100-44101-2290	120.74
65002	STERLING TROPHY INC	SHELVING NAME PLATES	Operating supplies	100-42201-2290	60.00
65002	STERLING TROPHY INC	SERVICE AWARDS	Operating supplies	100-42201-2290	97.00
65003	TASC	JUNE COBRA ADMINISTRATIO	Other professional services	100-41701-3190	25.00
65004	UNLIMITED SUPPLIES INC	NUTS, WASHERS, WELDING C	Operating supplies	100-43101-2290	422.35
65004	UNLIMITED SUPPLIES INC	CONNECTOR KITS	Operating supplies	100-43101-2290	137.46
65005	US BANK CORPORATE PAYME	ZOOM-April Zoom-DW	Dues & subscriptions	100-41201-3920	13.70
65005	US BANK CORPORATE PAYME	IOS-3 RING BINDERS-NW	Office supplies	100-41401-2110	20.54
65005	US BANK CORPORATE PAYME	IOS-TONER SUSAN-NW	Office supplies	100-41401-2110	149.91
65005	US BANK CORPORATE PAYME	IOS-ENVELOPES-NW	Office supplies	100-41701-2110	171.13
65005	US BANK CORPORATE PAYME	IOS-ENVELOPES-NW	Office supplies	100-41701-2110	14.85
65005	US BANK CORPORATE PAYME	IOS-PAPER TOWELS-NW	Operating supplies	100-41701-2290	10.11
65005	US BANK CORPORATE PAYME	IOS-COFFEE CREAMER-NW	Operating supplies	100-41701-2290	23.80
65005	US BANK CORPORATE PAYME	IOS-TOILETPAPER-NW	Operating supplies	100-41701-2290	27.58
65005	US BANK CORPORATE PAYME	AMAZON-coffee creamer-NW	Operating supplies	100-41701-2290	-17.39
65005	US BANK CORPORATE PAYME	PANTHEON-APRIL WEBSITE-N	Software licenses & upgrades	100-41701-2510	300.00
65005	US BANK CORPORATE PAYME	QUADIENT-May-July Postage L	Equipment rentals	100-41701-3320	462.06
65005	US BANK CORPORATE PAYME	IOS-TONER TERI-NW	Office supplies	100-42201-2110	153.29
65005	US BANK CORPORATE PAYME	CARE PROMOTIONS-Fire Prev	Fire prevention-supplies	100-42201-2810	275.65
65005	US BANK CORPORATE PAYME	MN STATE COLLEGE-Fire Instr	Training/conferences/schools	100-42201-3510	-450.00
65005	US BANK CORPORATE PAYME	MN STATE COLLEGE-Fire Instr	Training/conferences/schools	100-42201-3510	450.00
65005	US BANK CORPORATE PAYME	JONES & BARTLETT-Investigat	Training supplies	100-42201-3530	80.96
65005	US BANK CORPORATE PAYME	AMAZON-textbook - SR-NW	Training supplies	100-42201-3530	89.18
65005	US BANK CORPORATE PAYME	MN DEPT OF LABOR-DOL Bldg	Professional licenses & certific	100-42401-3520	65.00
65005	US BANK CORPORATE PAYME	IOS-TALL STORAGE CABINET-N	Controllable assets	100-42401-5120	925.74
65005	US BANK CORPORATE PAYME	HOLIDAY-Small engine fuel-J	Fuel	100-43101-2230	123.15
65005	US BANK CORPORATE PAYME	AMAZON-#71 MICRO SWITCH	Equipment parts & supplies	100-43101-2320	13.14
65005	US BANK CORPORATE PAYME	TEKTON -small wrenches-JW	Small tools	100-43101-2410	7.00
65005	US BANK CORPORATE PAYME	DAYS INN-CDL training MS-JW	Training/conferences/schools	100-43101-3510	305.61
65005	US BANK CORPORATE PAYME	DAYS INN-CDL training MS-JW	Training/conferences/schools	100-43101-3510	-305.61
65005	US BANK CORPORATE PAYME	MPLS SAW-Tree removal rope	Operating supplies	100-44101-2290	252.95
65005	US BANK CORPORATE PAYME	CLP GRAPHICS- Thin Ice Signs-	Operating supplies	100-44101-2290	21.43
65005	US BANK CORPORATE PAYME	FLEET FARM-Aerator installati	Equipment parts & supplies	100-44101-2320	48.38
65005	US BANK CORPORATE PAYME	IOS-PAPER TOWELS-NW	Operating supplies	100-44201-2290	74.50
DFT0002529	COMPENSATION CONSULTAN	Health Savings Account	Flexible spending	100-21705	225.00
DFT0002530	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	1,905.00
DFT0002530	EMPOWER	Roth IRA	Deferred compensation	100-21704	50.00
DFT0002531	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	5,859.60
DFT0002531	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	1,963.00
DFT0002531	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	7,796.10
DFT0002532	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,609.25
DFT0002533	PERA	Retirement-Coordinated	PERA	100-21703	7,114.65
DFT0002533	PERA	Retirement-Elected Officials	PERA	100-21703	81.68
DFT0002533	PERA	Retirement-Police & Fire	PERA	100-21703	1,181.43
DFT0002534	US POSTMASTER	APRIL SR CENTER POSTAGE	Postage Liability	100-20204	40.26
Grand Total:					93,219.83



City of Ham Lake, MN

EFT Payroll Check Register

Report Summary

Pay Period: 4/2/2023-4/15/2023

Packet: PYPKT01468 - PPE 4/15/23PAID 4/21/23

Payroll Set: City of Ham Lake - 01

<u>Type</u>	<u>Count</u>	<u>Amount</u>
Regular Checks	1	150.71
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	68	47,775.44
Total	69	47,926.15

Meeting Date: May 1, 2023



CITY OF HAM LAKE
STAFF REPORT

To: Mayor and Councilmembers
From: Denise Webster, City Administrator
Item/Title/Subject: Workroom and Building Copiers

Introduction:

Since 2002, the City has been renting copiers. Previously we had purchased them, but discovered that the copiers work well for about four to five years and then they start requiring frequent maintenance. There is no resale value in a used copier. In our research, the cost of renting and buying is about equal. Under rental agreements, we get a new copier every five or six years, with new technology.

Discussion:

We currently have two copiers, both of which are rented through Metro Sales. The larger copier is in the Workroom and the smaller copier in the Building Department. Metro Sales, under the State Contract, gives us the advantage to “bundle” the cost on the number of black and white copies. That means if one copier has a higher copier count, it is averaged out with the other copier, taking into consideration all three months of each quarter. The agreement also includes all maintenance and supplies (except staples) and they have been excellent to work with, continually responding to any calls for service within four hours.

Because the rental is not a lease, we can at any time within the 60-month contract upgrade copiers without a penalty.

Recommendation:

I am recommending renewing the contract with Metro Sales for 60-months, with a new Ricoh IM C3000 copier in the Building Department and Ricoh IM C6500 in the Workroom, under State Rental Contract #189673. The monthly base cost will be \$590.50.

Meeting Date: May 1, 2023



CITY OF HAM LAKE
STAFF REPORT

To: Mayor and Councilmembers

From: Denise Webster, City Administrator, on behalf of the Park Committee

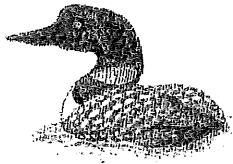
Item/Title/Subject: 2024 Facility Use Agreement with Soderville/Blaine Athletic Association (SBAA)

Introduction/Discussion:

The City Attorney has prepared a Facility Use Agreement for the use of the athletic fields at Lion's Park and Ham Lake Park with Soderville/Blaine Athletic Association (SBAA) for the 2023 season. Mayor Kirkham and Councilmember Parranto of the Park Committee discussed the agreement and felt that since SBAA has already prepared the 2023 season's schedule and budget for their tournaments, the agreement shouldn't go into effect until the 2024 season.

Recommendation:

The Park Committee is recommending approving the Facility Use Agreement for the use of the Athletic Fields at Lion's Park and Ham Lake Park for the 2024 season with the Soderville/Blaine Athletic Association (SBAA).



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
info@ci.ham-lake.mn.us

FACILITY USE AGREEMENT FOR ATHLETIC FIELDS AT LION'S PARK AND HAM LAKE PARK

This Facility Use Agreement (“Agreement”) is made and entered into by and between the City of Ham Lake, Minnesota (“City”) and Soderville/Blaine Athletic Association, PO Box 400, St. Francis, Minnesota 55070 (“SBAA”), and shall become effective upon execution of this Agreement, payment of the rental fee and damage deposit as noted below, and receipt by the City of the insurance as required below. Unless and until these items have been satisfied, the City reserves the right to assign time slots for the Facilities identified herein to other groups.

The City hereby agrees to permit SBAA the use of Lion’s Park located at 1220 157th Avenue NE and Ham Lake Park located at 1843 153rd Avenue NE, and the surrounding City premises and restroom facilities associated with the two parks (“Facilities”), in accordance with the pricing, conditions, and terms set forth herein. SBAA agrees to use the Facilities in accordance with the terms and conditions set forth herein.

- 1. FACILITY USE AGREEMENT.** SBAA acknowledges that this Facility Use Agreement permits SBAA to use of the Facilities for the 2024 baseball/softball season, for purposes specifically related to baseball and softball, and is not a lease or rental agreement. In conjunction with this Agreement, SBAA shall provide the City with a schedule for all practices and tournament dates in which either of the parks identified herein will be used (“Schedule”).
- 2. RENTAL FEE.** The rental fee for each of the parks identified herein shall be \$500.00 per park for any weekend in which a tournament is played at the park. The rental fees must be paid by SBAA to the City prior to the start of the baseball/softball season and will be based upon the number of tournaments identified by SBAA as set forth in the Schedule. SBAA must obtain prior permission from the City before holding any practices or tournaments not identified in the Schedule.
- 3. DAMAGE DEPOSIT.** SBAA shall provide a damage deposit to the City in the amount of \$1,000 prior to any use of the Facilities, which will be refunded to SBAA at the conclusion of the baseball/softball season, provided there was no damage to the Facilities as a result of SBAA’s use.
- 4. CITY’S RESPONSIBILITIES.** The City shall be responsible for the following:
 - Mowing the grass
 - Removing garbage and recycling from the complex following the tournament (Monday morning).
 - Having the Line Chalk and Drying Agent (provided by SBAA) brought out to the fields before the start of the tournament

- Stocking the indoor restrooms with paper towels, hand soap, toilet paper.
- Put up outfield fencing.

5. **SBAA'S RESPONSIBILITIES.** SBAA shall be responsible for the following:

- Dragging the infields.
- Chalking the lines.
- Stocking and staffing the concession stand.
- Taking down and rolling-up outfield fencing after the tournament is over.
- Locking and Unlocking the indoor restrooms.
- Ordering and paying for any extra portable toilets that are needed for the tournaments

6. **INDEMNIFICATION AND HOLD HARMLESS.** To the fullest extent permitted by law, SBAA will indemnify and hold harmless the City and its officers, employees, representatives, agents and assigns, from all claims arising from any and all liability, loss or damage they may suffer as a result of any losses, liabilities, claims, damage or expense, including reasonable attorney's fees and investigative expenses, they may incur which result from any claims against them, individually or severally, including, but not limited to, any claims arising from the activities to be carried out pursuant to the obligations of this Agreement. SBAA hereby expressly indemnifies and holds harmless the City for the consequences of any negligent act or omission of the City and its officers, employees, agents, and volunteers, unless such act or omission constitutes intentional misconduct.

7. **INSURANCE.** SBAA shall secure at its own expense and keep in effect during the term of this Agreement:

Commercial General Liability Insurance for bodily injury and property damage, with a minimum limit of \$1,000,000 per occurrence, \$2,000,000 annual aggregate. The City shall be named as an Additional Insured on a Primary and Non-Contributory basis on all policies. Reference to the Additional Insured endorsement to the policy shall be specified in the Certificate of Insurance and a copy attached to the Certificate of Insurance.

Coverage shall be written on an occurrence basis by companies authorized and admitted to do business in the State of Minnesota and acceptable to the City.

All policies shall be endorsed to provide a minimum of thirty (30) days advance notice of cancellation, non-renewal, or material change of policies. Reference to the Cancellation endorsement to the policy shall be specified in the Certificate of Insurance and a copy attached to the Certificate of Insurance

8. **TERMS AND CONDITIONS.** SBAA agrees to abide by and enforce the following terms and conditions, and all City policies and procedures, for the usage of the Facilities. SBAA understands and acknowledges that the Facilities are taxpayer funded public facilities and that the City reserves the right to deny usage of its facilities and property to any external organization, subject to all applicable state and federal laws governing the use of public property.

- A. SBAA agrees that this Agreement is by and between the City and SBAA and SBAA expressly covenants that it shall not assign or permit the Facilities, or any part thereof, to be used by others without the prior written consent of the City.
- B. SBAA shall use the Facilities in a safe and careful manner and shall comply with all applicable local, state and federal laws and rules and regulations pertaining to the Facilities as promulgated and amended from time to time by the City.
- C. SBAA shall not cause or permit damage or injury to the Facilities and shall assume responsibility for payment of any damages resulting from its use of the Facilities, or the use of the Facilities by its members or invitees. No alteration, addition, or improvement to the Facilities shall be made by SBAA without the prior written consent of the City. Any such alterations, additions, or improvements so approved by the City shall remain City property at the discretion of the City.
- D. SBAA shall keep the Facilities in a clean and orderly condition. Garbage and recycling must be placed in provided containers.
- E. SBAA agrees that it shall provide its own personnel, employees and/or volunteers during its usage of the Facilities. Such personnel shall be provided at SBAA's expense, including the provision of all applicable medical or health insurances, workers' compensation, and employment taxes. SBAA's personnel, employees and volunteers shall be directly supervised and controlled by SBAA and shall not be represented to be employees of the City.
- F. All youth or children's groups shall be supervised at all times by responsible adults provided by SBAA. SBAA agrees and understands that it is solely responsible for the conduct of any youth, adult, or member of SBAA using, or invited to the Facilities by SBAA, and shall ensure that such persons have knowledge of and will comply with all applicable policies and procedures of the City. SBAA agrees and understands that any persons brought or invited to the Facilities by SBAA may be asked to leave if such persons violate any federal, state or local laws or policies.
- G. The City will determine what, if any, security requirements may be appropriate for events held at the Facilities and SBAA shall be required to comply with any such security requirements. Should the City be requested or required to provide security, SBAA shall pay the City for all security costs incurred.
- H. SBAA agrees to obtain all required approvals for any music or other works protected by the U.S. Copyright Act that will be displayed, performed, played or sold during SBAA's use of the Facilities and assumes all legal obligations to defend and hold the City harmless from any allegations of copyright violations resulting from SBAA's use of the Facilities.
- I. SBAA shall be responsible for reporting and paying directly any and all Federal and State taxes arising out of its use of the Facilities.

- J. Possession, consumption, storage or sale of any alcohol beverages, controlled substances, or tobacco products is strictly prohibited on the Facilities.
- K. Parking is allowed in paved areas of the Facilities only. No parking will be allowed on 157th Avenue NE or Ham Lake Fire Station #1 at Lion's Park. Any vehicles illegally parked or parked in violation of this Agreement may be ticketed and/or towed at the owner's expense. SBAA agrees to communicate appropriate parking areas to its members and invitees.
- L. Absent extraordinary circumstances, as determined by the City in its sole discretion, should SBAA terminate this Agreement or cancel any tournaments as set forth in the Schedule, SBAA shall not be entitled to a refund of the Rental Fee.
- M. If the City is unable to provide use of the Facilities by reason of "Force Majeure", the City shall not be subject to any liability for failure to provide SBAA with the use of the Facilities. Under such circumstances, SBAA shall be entitled to a pro rata return of any advance sum paid, or any other acceptable arrangement mutually agreed to by the parties. For purposes of this Agreement, the term "Force Majeure" shall mean fire, earthquake, flood, acts of God, strikes, work stoppages or other labor disturbances, riots or civil commotions, litigation, war or other act of any foreign nation, power of government or governmental agency or authority or any other cause, like or unlike any cause above mentioned which is beyond the control or authority of the City.
- N. The City reserves the right to cancel any event at the Facilities, or to restrict access to the fields, due to an emergency, severe weather, vandalism, poor playing conditions or damage that could cause safety concerns.
- O. The City shall have the right to terminate this Agreement should SBAA violate any of the terms or conditions contained herein. Prior to exercising this right of termination, the City shall provide SBAA with a written notice specifying SBAA's violation, and providing SBAA with a reasonable opportunity to cure said violation. In the event that SBAA Association fails to cure its performance, or in the event of subsequent failure to perform, City shall have the right to immediately terminate the Agreement by providing written notice of termination to Association.
- P. This Agreement and the interpretation of its terms shall be governed by the laws of the State of Minnesota. Jurisdiction for any legal proceedings incident to this Agreement shall lie in Anoka County, Minnesota.
- Q. In the event that any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision, and this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been contained in it. To this end, the provisions of this Agreement are declared to be severable. The Parties may mutually agree to renegotiate the Agreement to cure such illegality/invalidity or unconstitutionality if such may be reasonably accomplished.

- R. Any notice given under this Agreement by either party to the other may be affected either by personal delivery in writing or by mail, registered or certified postage prepaid with return receipt requested. Mailed notices shall be addressed to the addresses of the parties as they appear in this Agreement. Notices delivered personally shall be deemed communicated at the time of actual receipt. Mailed notice shall be deemed communicated three (3) days after mailing.
- S. SBAA understands and acknowledges that this Agreement, after acceptance, constitutes the entire Facility Use Agreement and may not be varied or altered unless done so in writing and signed by an authorized representative of both parties.

By signing this Facility Use Agreement, I acknowledge and affirm that I understand and agree to abide by the terms and conditions of this Agreement, I am the authorized representative of SBAA requesting usage of the Facilities, and have full authority to bind SBAA to the terms and conditions of this Agreement.

**SODERVILLE/BLAINE
ATHLETIC ASSOCIATION**

Date: _____

By: _____

(Name)

Its: _____

CITY OF HAM LAKE

Date: _____

By: _____

Its: _____

CITY OF HAM LAKE

STAFF REPORT

To: Mayor and Councilmembers

From: Andrea Murff, Finance/HR Director on behalf of the Personnel Committee

Subject: 2023 Employee Handbook Update

Introduction/Discussion:

City Administrator Webster and Finance/HR Director Murff reviewed the Employee Handbook to ensure it was up to date. Below is a list of additions and changes to correct inconsistencies and establish an updated policy:

- **Section 3.2 – Equal Employment Opportunity** – updated EEO statement to reflect the new Crown Act.
- **Section 3.3 – Recruitment and Selection Process** – updated an exemption of holding two positions with the City for the Fire Chief.
- **Section 4.1 – Employment Records** – updated the Finance/HR Director is maintaining personnel files and should be the one notified of changes in Employee’s personal statuses.
- **Section 4.2 – Performance Evaluations** – updated these will be performed on an as needed basis at the discretion of the City Administrator.
- **Section 5.1 – Work Schedule** – updated Friday’s are until 11:00 am.
- **Section 8.6 – Overtime Pay/Compensatory Time** – updated Compensatory time for hourly employees will now be paid on the last pay period of December and early disbursement would need approval from City Administrator. Exempt Employees time was also defined more as needing to have a complete 40 each pay week and outlining situations when salaries would be prorated.
- **Section 9.2 – Resignation, Section 9.5 – Reduction in Work Force, Section 9.8 – Good Standing, Section 10.3 – Paid Time Off and Section 11.7 – Post-Retirement Health Care Savings Plan** – For Employee’s separating with a good standing, up to 80 hours of accrued PTO will now be paid out on Employee’s last pay check and any remaining accrued PTO will be deposited into the Post-Retirement Health Care Savings fund.
- **Section 9.4 – Advance Resignation/Retirement Notice Program** – A new incentive for long-term Employees to give a longer notice of resignation or retirement in order to help retain their valuable knowledge by helping to train successor.
- **Section 10.2 – Holiday Leave** – Added Juneteenth as a paid holiday, added employees hired after 6/30 would be given 1 floating holiday, defined what a paid holiday is and what is not paid holiday for when 4th of July, Christmas Day and New Year’s Day when falling on certain days, and added Exempt Employees must use leave during unpaid holidays.
- **Section 11.1 – Insurance Benefits** – updated the City would now contribute \$1,255 towards health and dental plans with dependents.
- **Section 12.5 – Recognition Program** – updated the program to include a payout at years 35 and 40.

- **Section 14.2 – Property Damage Reporting and Section 15.3 – Injury Reporting** – updated to give reports to Finance/HR Director.

Recommendation:

Approve the recommended changes to the Employee Handbook.

Section 1.

PURPOSE, ADOPTION, AMENDMENT, AND SCOPE

Section 1.1

Purpose

The purpose of this Employee Handbook is to establish uniform and equitable policies that will provide for an efficient system of personnel administration for employees of the City of Ham Lake. This Handbook serves as a guide for administrative actions concerning City personnel matters and shall not be construed as contractual provisions.

Section 1.2

Scope

The Employee Handbook applies to all Employees of the City of Ham Lake. Department Heads may implement more specific guidelines and procedures than outlined in this handbook for their individual Departments, provided they are not in conflict with these policies. Such Departmental procedures shall be approved by the City Administrator prior to implementation.

This Handbook does not apply to the following:

- Elected Officials;
- Members of Commissions, Boards, and Committees; and
- Consultants, independent contractors and others rendering temporary services for the City.

No provision of this Handbook is intended to violate, supersede or conflict with any Federal or State Statute or regulation. In the event that a provision in the Handbook is in conflict with State or Federal Law, the applicable law shall apply.

Any provision contained in contracts between the City Council and an individual employee shall be exempt from any of the provisions in this Handbook that are in direct conflict.

Section 1.3

Amendments

This City Council will approve the new or revised policies before they become effective. The City Administrator may direct the preparation of new or revised policies. When a new or revised policy is approved by the City Council, it will become part of the rules. Deletions to the Handbook will be approved by the City Council.

Section 1.4

Interpretation

The City Administrator is responsible for the interpretation of this Handbook.

Section 1.5

Data Practices Advisory

Numerous types of data are categorized as private, non-public, or confidential under the Minnesota Government Data Practices Act. In many circumstances, data may not be disclosed except with authorization of the subject of the data or pursuant to court order. To ensure that the Data Practices Act is not violated, employees are strictly prohibited from disclosing to a third party, within or outside the City the following without the express authorization of the City's Responsible Authority.

- personnel data;
- data relating to pending civil legal actions;
- any other data that might be classified as private, non-public, or confidential.

Pursuant to the Minnesota Government Data Practices Act, the City Council shall appoint a Responsible Authority to administer the requirements for the collection, storage, use and dissemination of data on individuals within the City.

Section 1.6

Disclaimer

This Handbook summarizes the various policies and benefits currently provided by the City of Ham Lake. Nothing contained in this manual or in any other City document, and nothing said or done by a City employee, is intended as an employment contract between the City and an Employee or as a guarantee of continued employment, property right or liberty interest.

The City reserves the right to modify, revoke, suspend, terminate, or change the language and contents of this Handbook, in whole or in part, at any time, with or without notice.

Employment with the City is at-will, except as otherwise provide by law or contract. Employment may be terminated, with or without cause, at any time at the option of either the Employee or the City. No representative of the City has authority to enter into any agreement to the contrary, unless approved by the City Council.

Section 2.

DEFINITIONS

Section 2.1

Definitions

As used in this Handbook, the following words and terms, unless the context clearly indicates otherwise, will have the meaning as defined herein:

Anniversary Date – The start date of full-time or benefits eligible employment. Generally, the Anniversary Date is used to compute accrual increases, and begin participation in the City's benefits plans. Part-time Employees will use the date of part-time hire for anniversary date.

Benefits Eligible Employees will use the date they became benefits eligible as their Anniversary Date for the purposes of computing benefits accruals and increases.

Benefits Eligible – An Employee regularly scheduled to work 30 or more hours per week, on a year-round basis, as opposed to being on-call, seasonal or temporary.

Benefits Eligible Employees shall receive City Contribution toward eligible benefits, accruals and paid leave benefits at a pro-rated percentage of the amount of Full-time Employees. Flexible spending contributions, for those eligible, and holidays shall not be pro-rated.

Child – A biological, adopted, foster child, step child or legal ward that is considered a dependent by IRS regulations.

City – The City of Ham Lake, a municipality in the County of Anoka, State of Minnesota.

Compensatory Time – Employees not exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) will accrue compensatory time at one and one-half times the number of overtime hours worked, provided the Employee is eligible to elect compensatory time. Employees exempt from overtime will accrue compensatory time for overtime hours worked at a one to one ratio.

Department Heads – Employees appointed to be the heads of departments responsible to the City Administrator for the effective administration and operations of their respective departments.

Exempt – A person who is exempt from earning overtime according to the provisions of the Fair Labor Standards Act (FLSA).

Full-time Employee – An employee regularly scheduled to work a minimum of 40 hours per week, on a year-round basis, as opposed to being on-call, seasonal or temporary. Full-time Employees shall receive City Contribution toward eligible insurance benefits, accruals and paid leave benefits at 100% of the amounts as approved by the City Council.

Hire Date – The date a person begins employment in a position.

Job Classification System – A classification encompasses a group of duties and responsibilities, knowledge, skills and abilities; education, and experience requirements; and special requirements for one or more positions to which the same selection standards and rates of pay can be applied. It is the primary mechanism for categorizing work performed by Employees. The City’s classification system generally includes all positions with the exception of those positions that are temporary, part-time and paid on-call.

Non-Exempt – A person who is not exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).

Paid On-call – An Employee hired to work on an on-call basis and not having a regular schedule.

Part-time Employee – An Employee who is regularly scheduled to work less than 30 hours per week, as opposed to being on-call and not having a regular schedule.

Posting – Actual display of a document on bulletin boards that are located in a conspicuous place within a public facility.

Probationary Employee – An Employee’s first six months of employment.

Reclassification – The movement of an Employee from one job class to another, one position to another. Reclassifications may be to a higher, equivalent or lower job class.

Seasonal Employee – An Employee who works in a part-time or full-time position during part of the year in a seasonal program such as snow plowing, mowing, etc. Seasonal Employees are not eligible for benefits and no credit is given toward seniority.

Temporary Employee – An Employee hired to work on a temporary basis for a specific period of time or to complete a specific project. Temporary Employees are not eligible for benefits and no credit is given toward seniority.

Section 3.

RECRUITMENT and SELECTION

Section 3.1

General Statement

Appointment and promotion to positions in the City shall be based upon merit. Selection methods will be based solely on job related factors.

Regardless of the number of applicants, selection methods shall be deemed competitive when:

- A. The qualifications required are based on job relevant factors established by the City;
- B. A reasonable opportunity is afforded for qualified persons to apply; and
- C. All persons being considered compete against the same standards.

Section 3.2

Equal Employment Opportunity

The City of Ham Lake is an equal opportunity employer. No individual shall be discriminated against because of race (including traits associated with race, including, but not limited to hair texture and hair styles), color, creed, sex, religion, age, national origin, sexual orientation, marital status, physical or mental disability, veterans status, source of income, or any other group or class which discrimination is prohibited by State or Federal Law.

Employees who participate in discrimination of any kind are subject to discipline, up to and including termination.

Any person who feels that he or she has been discriminated against should contact their Supervisor or the City Administrator. Employees and applicants are protected from coercion, intimidation, interference, and discrimination for filing complaints or assisting in investigations.

The objective of the recruitment and selection process is to retain the best qualified applicant available. The Department Head and City Administrator are responsible for making a recommendation to the City Council for the hiring of the candidate that they determine will best meet the needs of the Department. The City Council retains absolute authority in all matters of personnel administration.

Section 3.3

Recruitment and Selection Process

The City shall take whatever measures necessary to seek out and encourage properly qualified individuals to apply for positions.

1. Position Vacancy Announcement

The City, at its sole discretion, will determine how a vacant position is posted.

- A. Internal-only postings are those vacancies that are limited to current City of Ham Lake Employees.

- B. External postings are those vacancies that are open to current City of Ham Lake Employees and outside applicants.

Temporary and Seasonal positions may be filled by re-hiring Employees who have previously worked for the City in the same capacity during the past twenty-four (24) months.

2. Selection of Candidates

The City may use written, oral or performance tests, an evaluation of training and experience, or any combination of these.

Appointment to a position in the City shall not be construed to be a property right of the Employee. All Employees are appointed by and serve at the sole discretion of the City.

An Employee may **not** hold both a full-time and part-time position within the City simultaneously **except for the Fire Chief who is authorized to be an on-call firefighter**

3. Pre-employment Checks

Reference Check – The City reserves the right to conduct reference checks for all employees before making an offer of employment. Reference checks may be conducted during the selection and/or interview process.

Background Check – The City reserves the right to conduct background checks after a conditional offer of employment has been made.

Credit Check – Certain positions, due to the nature of their responsibilities, may require the City conduct a credit check. If a position warrants a credit check, the City will obtain the necessary authorizations and comply with the Fair Credit Reporting Act of 1970 (FCRA).

Fit-for-Duty Exam – Certain positions may require candidates to undergo a pre-employment fit-for-duty or psychological testing. These exams will only be conducted after a conditional offer of employment has been extended.

Drug and Alcohol Testing – Certain candidates, after a conditional offer of employment has been extended, shall have a pre-employment drug and alcohol test in accordance with the City's Drug and Alcohol Testing Policy or the Federal Department of Transportation (DOT) Regulation 49 CR § 40.25.

If something in the applicant's pre-employment checks makes them ineligible for employment, the City will withdraw the offer of employment at that time.

Section 3.4

False Information

Any applicant who gives false or misleading information, cheats on an examination, or falsifies a statement, certificate, or evaluation will not be considered for employment.

Should the City discover false information was provided by the applicant after starting employment with the City, the Employee may be subject to immediate termination.

Section 3.5

Residency Requirement

Employees are not required to maintain residency within City limits. However, Employees in designated positions must comply with response time provisions established by the City.

Section 3.6

Relatives: Appointment and Placement of

For the purposes of Section 3.6, the terms "*family member or relative*" shall mean spouse, parent, child (by birth, adoption or legal guardian), brother, sister, grandparent, parent-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, uncle, aunt, nephew and niece.

The City of Ham Lake does not restrict employment of more than one member of a family or persons related by blood or marriage. However, to avoid conflict of interest, the following shall apply:

- A. No City Employee may be appointed to the same Department as his/her spouse, family member or relative.
- B. No City Employee shall take part in decisions to hire, retain, promote or determine the salary of his/her family member or relative.
- C. No City Employee is to be assigned responsibility for supervising, directing or auditing the work or performance of his/her family member or relative.
- D. Provision A, above, shall not apply to the hiring of Paid, On-call Fire Department Employees.

Section 4.

RECORDS AND REPORTS

Section 4.1

Employment Records

The Finance/HR Director maintains employment records for all Employees in accordance with the Minnesota Government Data Practices Act. It is important that Employees' permanent personnel records are kept accurate and up-to-date.

It is the Employee's responsibility to promptly notify the Finance/HR Director when there is a change in any of the following:

- Name (through marriage or otherwise)
- Mailing Address
- Life Events (marriage, divorce, birth/adoption of child, etc.)
- Beneficiaries for life insurance, pension benefits, etc.
- Telephone Numbers
- Emergency Contact Information

Most of the data is considered private information and is not revealed without the Employee's permission.

Employees may view their employment records, upon written request, by making an appointment with the Finance/HR Director.

Section 4.2

Performance Evaluations

Performance evaluations are an opportunity for the Employee, Supervisor, and the City to assess an individual's job performance. These are performed as needed at the discretion of the City Administrator.

The performance evaluation is designed to:

- A. ensure that quality services are provided to the public at the least possible cost;
- B. motivate and develop Employees to their fullest potential;
- C. clarify roles and mutual expectations of Supervisors and Employees; and
- D. ensure open and on-going communication between Employees at all levels, including feedback from subordinates to Supervisors.

Written performance evaluations will be maintained in the Employee's personnel file.

The Employee's immediate Supervisor shall conduct a performance evaluation on an annual basis or more frequently if needed.

The performance evaluation will be used for reviewing areas in an Employee's performance (such as: problem areas, further training and development, future goals, etc.). All performance evaluations will be discussed with the Employee.

The performance evaluation shall be in writing and signed by both the Employee and Supervisor, then submitted to the City Administrator to be retained in the Employee's Personnel File.

Section 5.

WORK SCHEDULE

Section 5.1

Work Schedule

The hours of work shall be those established by the City for the efficient conduct of City business. The normal workweek for full-time Employees shall consist of forty (40) hours. The regular workweek starts 12:01 a.m. Sunday and ends 12:00 a.m. Saturday, seven consecutive 24-hour periods.

Generally, work hours are 7:00 a.m. to 4:30 p.m., Monday through Thursday and 7:00 a.m. to 11:00 am on Friday, except as directed by the City Council, and City Hall shall be open to the public during those hours except for Holidays and emergencies. These hours are to be observed by full-time Employees. However, work hours may vary based on the needs of the City. The Department Head, with the approval of the City Administrator, shall establish work hours for the Department and its Employees.

In case of inclement weather, the Mayor or Acting Mayor may authorize employees to leave work early without compensation, or use PTO or any other accumulated leave. If City Hall is closed, all employees scheduled to work that day will have the option of using accumulated compensation time, PTO or may choose to take it as unpaid leave. If the City Administrator or Department Head determines that hourly employees must work, they will be paid their regular rate of pay.

All Employees are subject to call back in the event of a declaration of an emergency by the City. The City Council, City Administrator or Department Head are the only authorities that may grant an excuse from call back.

Section 5.2

Breaks

In accordance with MN Statute, Chapter 177, for each consecutive four (4) hours of work, Employees shall be granted a rest break not to exceed (15) minutes away from job duties.

Employees working eight (8) or more consecutive hours shall be permitted a one-half (1/2) hour meal period. Meal periods, unless required by law, are not paid; not included in computation of overtime; nor included in the computation of a normal work shift or payroll period. In order to provide for continuity in City operations, the timing of these breaks is subject to the approval of the Supervisor in charge.

With the Employee's Supervisor's approval, Employees working an eight (8) hour day, may elect to take a one-hour (1) lunch break by combining their ½ hour unpaid lunch break and their 15-minute morning and afternoon breaks.

Employees who choose to smoke must do so on their regularly scheduled breaks or lunch periods. No additional time will be allowed for smoking.

Service to the public may require the establishment of regular shifts for some Employees on a daily, weekly, seasonal or annual basis other than the normal work schedule. Employees will be given as much notice as practicable for any changes in shifts.

Section 6.

OUTSIDE EMPLOYMENT

Section 6.1

Outside Employment

The City of Ham Lake does not restrict Employees from engaging in outside employment. However, the City expects full-time and Benefits Eligible Employees to consider the City their primary employer. The City will not condone outside employment that interferes with the performance of an Employee's duties with the City or which represents a conflict of interest. The City will not change an Employee's work hours to facilitate the scheduling of any outside employment.

Section 7.

CLASSIFICATION PLAN

Section 7.1

Purpose

The purpose of the classification plan shall be to:

- A. establish reasonable compensation relationships between job classifications.
- B. establish qualification standards for recruiting and testing purposes.
- C. provide the appointing authority with means of analyzing work distribution, areas of responsibility, lines of authority and other relationships between positions.
- D. assist the appointing authority in determining budget requirements.
- E. provide the basis for developing standards of work performance.
- F. establish lines of promotion.
- G. indicate training needs.
- H. provide uniform titles to positions.

Section 7.2

Classification Plan

The City will establish and maintain a Classification Plan so that all positions substantially similar with respect to type, difficulty, and responsibility of work that they are included in the same class. For each class of positions there shall be:

- A. a position title description of essential job duties and responsibilities;
- B. written description that explains the nature of the work responsibilities for the position;
- C. examples of work which are illustrative of the duties of the position;
- D. position requirements such as the knowledge, abilities, and skills necessary for performance of the work; and
- E. a statement of experience and training desirable for recruitment into the position.

When a new position is created or when duties of a position change substantially, the City Administrator may initiate a review of the duties of the position. Based on the results of the review, the City Administrator may recommend to reclassify the position and shall require an appropriate position description to be written.

The City Administrator shall review the Position Classification Plan with Department Heads and City Council as necessary to ensure correct classification of positions. The City Administrator shall make recommendations to adjust the Classification Plan as appropriate.

Section 8.

COMPENSATION

Section 8.1 **FLSA Status**

All positions shall be designated as exempt or non-exempt according to the Fair Labor Standards Act (FLSA).

Section 8.2 **Administration of Pay**

Employees shall be compensated according to the Compensation Plan approved by the City Council. The City Administrator shall develop and maintain a classification plan based on equitable compensation relationships for all positions in accordance with federal and state laws. This plan is reviewed periodically to ensure that responsibility levels and salaries are commensurate with the work performed.

Wages are paid according to the wage schedules approved by the City Council.

Section 8.3 **Starting Salary**

A new Employee may start at a salary higher than the minimum salary for the position based on their qualifications and experience at the time of appointment.

Section 8.4 **Step Adjustment**

Step adjustments will be made in accordance with the approved Compensation Plan.

Section 8.5 **Demotion**

An employee demoted to a lower job class shall have their wage rates reviewed at that time to determine the appropriate rate of pay.

Section 8.6 **Overtime Pay/Compensatory Time**

The City's overtime Policy complies with applicable State and Federal laws governing accrual and use of overtime. The City determines whether each Employee is designated as "exempt" or "non-exempt" from earning overtime. In general, Employees in executive, administrative, and professional job classes, as defined by the Fair Labor Standards Act (FLSA), are exempt and all others are non-exempt.

1. Non-Exempt (overtime-eligible) Employees

Only Employees to whom the overtime provisions of the FLSA apply are required to be compensated for overtime work. The City Administrator determines whether each Employee is designated as "exempt" or "non-exempt" from earning overtime.

All overtime must be authorized in advance by the Employee's Supervisor. An Employee who works overtime without prior approval may be subject to disciplinary action, up to and including termination.

All non-exempt Employees will be compensated at the rate of one and one-half (1½) times their base hourly rate for any hours worked over 40 hours in one workweek. All Paid hours that are not actually worked; including PTO, compensatory time, and floating holidays shall not count as "hours worked" for the purposes of calculating overtime. Non-exempt Employees who are not regularly scheduled to work on an observed Holiday, but are authorized to do so by their Supervisor due to a City emergency, shall receive compensatory time at one and one-half (1½) times the hours worked that day in addition to their holiday pay.

Overtime earned will be accumulated as compensatory time for all non-exempt employees.

Non-exempt wage employees who are called out for emergency response shall be compensated for a minimum of two (2) hours.

Non-exempt wage employees' attendance at evening meetings shall be compensated for a minimum of two (2) hours which includes one-half (½) hour preparation time before the scheduled meeting time. Required attendance at Council, Planning Commission, Park and Tree Commission, Charter Commission, Fire Department meetings, etc. shall constitute a part of the regularly scheduled work week and time off shall be taken during the week to maintain a regularly scheduled work week as authorized by the City Administrator.

2. Compensatory Time Off

Accrued compensatory time must be used before PTO. A maximum of eighty (80) hours of compensatory time off may be carried at any one time. When an employee's Compensatory time balance reaches 80 hours, the amount of Compensatory time in excess of 40 hours will be paid to the non-exempt employee on the next regular pay date.

Compensatory time earned but not yet used will be paid out at the last pay period in December of each year. Request for earlier payouts can be submitted in writing to the Human Resource Department and will be evaluated by the City Administrator.

All compensatory time shall be marked as such on official timesheets, both when it is earned and when it is taken. The Finance Department's computerized accounting system is the official record of compensatory time balances.

Employees may request and use compensatory time off in the same manner as other leave requests. Compensatory time must be used in minimum increments of 15 minutes. Supervisors will normally grant such requests, unless it causes an undue disruption in business operations.

All compensatory time accrued will be paid when the non-exempt Employee leaves City employment at the hourly rate the Employee is earning at the time of termination.

3. Exempt (non-overtime eligible) Employees

Exempt Employees are expected to work whatever hours are necessary in order to meet the performance expectations in their departments. Generally, to meet these expectations, an exempt employee may need to work more than 40 hours in a week to accomplish the job without the expectation of overtime pay.

Exempt Employees are paid on a salary basis, which is a predetermined amount of pay each pay period and are not paid by the hour. Exempt Employees are expected to record a minimum of 40 hours per week.

For reasons of accountability, exempt employees track all hours worked, including the hours worked in excess of 40 hours per week. For those additional hours worked, exempt employees will accrue compensatory time on an hour for hour basis. Accrued banked time will not be paid out to exempt employees.

When an Employees is absent due to City closures or leave causing less than 40 hours worked, the employee must use compensatory time, PTO (Paid Time Off), or floating holiday hours. The City will make deductions from the weekly salary of an exempt employee in the following situations:

- The employee has exhausted all leave banks and is absent due to personal reasons, illness, or injury.
- The employee has requested an unpaid leave and it has been approved by the City Administrator.
- The employee is in a position that earns sick leave, receives a short-term disability benefit or worker's compensation wage loss benefit, and is absent due to sickness or disability, but the Employee either has not yet qualified for the paid leave or has exhausted all leave banks.
- The very first workweek and the very last workweek of employment with the City in which the employee does not work a full week.

4. Requirements to Work Overtime

All Employees, in all departments, may be required to work overtime as requested by their Supervisor. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to distribute overtime work fairly and balance the personal needs of Employees when assigning overtime work.

5. Deductions/Withholdings

Payroll deductions shall automatically be made as required for federal and state income taxes, FICA, Medicare, and Public Employees Retirement Association (PERA), and as elected for medical, dental, life, disability, long-term care, the MBA auto and homeowners insurance plans, the Flexible Spending Account Plan, and the Minnesota State Deferred Compensation Plan.

Section 8.7

Payperiods, Paydays and Pay Distribution

The City shall establish payperiods and paydays.

As permitted by Minn. Stat. 471.426, direct deposit of payroll is required for all employees.

Section 8.8

Timesheets

It is the Employee's responsibility to ensure that their timesheet is completed accurately and submitted in a timely manner to their Supervisor immediately after the end of the designated payperiod or after the last shift worked in a payperiod.

Supervisors shall be responsible for verifying employee timesheets and submitting properly authorized timesheets to the Finance Department in accordance with the payroll schedule.

Failure to submit a timesheet in a timely manner, by either the Employee or Supervisor, will result in a delay in pay for the Employee until the next regularly scheduled payday. The City will not process a payroll outside of the regular payroll cycle to accommodate late timesheets.

Section 9.

EMPLOYMENT STATUS

Section 9.1

Active Employee

Any person currently employed by the City.

Section 9.2

Resignation

Non-exempt, non-supervisory Employees wishing to leave employment within the City in good standing shall submit a written resignation to their Supervisor a minimum of ten (10) work days prior to their anticipated separation date.

Department Head Employees shall submit a written resignation to the City Administrator a minimum of twenty (20) work days prior to their anticipated separation date, in order to leave employment in good standing.

Employees may not use PTO during the 10 or 20 work days prior to separation, unless prior authorization is granted by the Department Head or City Administrator.

Employees who terminate employment with the City after giving proper written notice will have up to 80 hours of Paid Time Off (PTO) paid out on their the last pay check and any Paid Time Off (PTO) in excess of 80 hours will be deposited into a Post-Retirement Health Care Savings Plan, following termination of employment, provided all City property (equipment, supplies, keys, etc.) has been returned. The rate of pay will be the Employee's normal base rate of pay, at straight time, in effect on the Employee's date of separation.

Employees leaving employment in good standing are eligible for re-hire.

Section 9.3

Retirement

For most Employees, the Public Employees Retirement Association (PERA) is a mandatory program authorized by Minnesota State Statutes.

A retiring Employee is one that resigns and meets the PERA eligibility requirements for determining retirement.

A retiring Paid, On-call Fire Department Employee is one that resigns and meets the criteria to receive a payment for the Ham Lake Fire Relief Association.

Section 9.4

Advance Resignation/Retirement Notice Program

The City's Advance Resignation Notice Program is designed to improve the efficiency and stability of the City's workforce by encouraging employees to give the City advance notice of

their intent to resign. The purpose of this program is to begin the process of replacing an employee who is leaving the City as soon as possible after notice is received. This will reduce the time that the position remains unfilled.

This program is available to:

- Department Heads who have been employed for a minimum of three years; and
- Active full-time employees, who have been employed in a full-time position for a minimum of ten years.

The City reserves the right to not replace any employee who resigns, and/or to modify the position and duties prior to hiring a new employee. This decision will not affect a current employee's eligibility for an Advance Notice payment.

In order to be eligible for an Advance Notice payment an employee must give at least 90 calendar days notice in writing to the employee's Department Head before his or her last day of work. The last day of work is defined for this program as the last day that an employee will be actively working for the City. The City reserves the right to approve or deny requests for use of accrued PTO or comp time for a planned medical procedure during the 90-180 day period. It is the policy and intent that an employee requesting an Advance Notice Incentive remains actively working for the City and limits the use of PTO or comp time during the final 90-180 day period.

In order to be eligible for the one-time payment noted below, the departing employee will be expected to train the replacement or new hire to the extent possible by transferring knowledge and preparing documentation of the position as necessary.

An Advance Resignation Notice will be drafted by the Human Resource Department and must be signed by the employee, the Department Head, and the City Administrator to be effective. For purposes of this policy, the term day(s) shall mean calendar day(s).

The City will provide the following one-time payment for advance notice:

- Ninety (90) days - \$500
- One Hundred Twenty (120) days - \$1,000
- One Hundred Eighty (180) days - \$1,500

An employee has ten (10) calendar days from the date the employee signs the Advance Resignation Notice to rescind notice. After the City has accepted the resignation and after the duration of the Employee's 10-day rescission period, the resignation becomes irrevocable and the Employee may no longer rescind it without the City's agreement to either permit rescission or defer the resignation. Refusing to accept the Advance Notice payment will not void the Agreement. In the event the Employee breaches this Agreement by terminating employment with the City in advance of the agreed upon resignation date, the Employee forfeits all eligibility for any advance resignation incentive.

Section 9.5
Reduction in Work Force

A reduction in work force may require the separation, involuntary demotion, reassignment, or reduction in work hours by City Employees. A reduction in work force does not apply to probationary employees, temporary employees, or seasonal employees.

It is the policy of the City, whenever feasible, to use attrition when it is necessary to reduce the number of employees. In the event that attrition is not feasible or sufficient, the City Administrator in conjunction with Department Heads will determine the most effective mix of job classifications necessary for continued operations in their department. Thereafter, any reductions in force that are necessary will be determined on the basis of documented performance, critical skill levels of the affected employees, and/or length of service.

Each employee terminated by a reduction in work force will be given two (2) weeks notification in writing. Before terminating an employee pursuant to a reduction in work force, an attempt will be made to place the affected employee in a vacant position if one exists, subject to the employee's qualifications or subject to meeting the position requirements.

Employees laid off by the City for reasons other than misconduct will have up to 80 hours of Paid Time Off (PTO) paid out on their last pay check and any Paid Time Off (PTO) in excess of 80 hours will be deposited into a Post-Retirement Health Care Savings Plan, following termination of employment, provided all City property (equipment, supplies, keys, etc.) has been returned. The rate of pay will be the Employee's normal base rate of pay, at straight time, in effect on the Employee's date of separation.

Section 9.6
Discharge

Discharge of an employee is City-initiated termination of employment for reasons other than a lay-off. The City may dismiss any employee at any time for misconduct, incompetence, violation of work rules, or for any other reasons not prohibited by law.

Employees who are involuntarily terminated will be paid through their termination date. Employees discharged by the City will not receive pay for any accrued, unused PTO or floating holidays.

Section 9.7
Veteran's Preference

In the event that a discharged employee is a veteran, the City will follow applicable Federal and State laws.

Section 9.8
Good Standing

Employees leaving employment with the City in good standing will have up to 80 hours of Paid Time Off (PTO) paid out on their last pay check and any Paid Time Off (PTO) in excess of 80 hours will be deposited in a Post-Retirement Health Care Savings Plan and are eligible for re-hire

with the City at the normal base rate of pay in effect on the Employee's date of separation at straight time.

Section 9.9

Probationary Period

Every newly hired, rehired or every promotional appointment is subject to a probationary period of six months after appointment.

A probationary employee may be terminated without notice at any time during the probationary period at the sole discretion of the City Council. If employment is terminated by either the employer or the employee during the probationary period, there shall be no PTO or other benefits, except accrued compensatory time, due to the employee. A probationary employee will be notified of COBRA continuation coverage of their health, dental, and life insurance which must be paid for by the employee.

An employee terminated during the probationary period from a position to which they were promoted or transferred shall be reinstated to a position in the class from which they were promoted or transferred if an opening exists.

An employee who has completed the period of probationary services and who has not received a written notice from the Administrator or City Council before completion of that period that their services are terminated shall be considered to have successfully completed the probationary period.

During the probationary period following an original appointment, an employee is not entitled to use PTO or floating holiday leave. After the end of the probationary period, an employee is entitled to use PTO or floating holiday leave accrued from the start of the probationary period.

Section 10.

ATTENDANCE and LEAVES

Section 10.1

Attendance

Regular attendance and punctuality is an essential component of Employee performance and may be considered when making recommendations for promotions, professional development, and outside training and conference participation.

If an Employee cannot report for work due to illness or an emergency, the Employee should contact their Supervisor as early as possible, within one hour of the start of the scheduled work day. Department Heads may implement more specific guidelines for their employees. Supervisors should always be informed of an Employee's expected date of return to work.

All Employees are hired to do a job that is important to the operations of the City of Ham Lake. Therefore, it is critical to the City's success that Employees strive for the best attendance possible.

An absence of two (2) consecutive work days without notifying the Supervisor may be considered as job abandonment and may result in disciplinary action, up to and including termination.

Tardiness, unauthorized absences, abuse of breaks and lunches may result in disciplinary action, up to and including termination.

All Employees are required to correctly report time worked and absences and see that the distribution of hours worked is charged to the proper activity. Supervisors are responsible for verifying the accuracy of timesheet entries for their Employees.

Section 10.2

Holiday Leave

Full-time and Benefit Eligible Employees will receive the following holidays off with pay:

New Year's Day	January 1 st
Martin Luther King Jr. Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	last Monday in May
Juneteenth Day	June 19 th
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Eve	½ day on December 24 th
Christmas Day	December 25 th
New Year's Eve	½ day on December 31 st

Two Floating Days

To be eligible for the two Floating Days during the first year of employment, an employee must be on paid status as of June 30. Employees hired after June 30 will be eligible for one floating holiday. **The floating holidays must be used by the last pay period of the year.**

To be eligible for holiday pay, an Employee must be on paid status with the City, the workday before and the workday after the Holiday.

City Hall will be closed as shown here for certain holiday situations:

Independence Day

- If Independence Day falls on a Tuesday, City Hall will be closed on both Monday and Tuesday that week. **The closure on Monday will not be a paid holiday.**
- If Independence Day falls on a Thursday, City Hall will be closed on both Thursday and Friday that week. **The closure on Friday will not be a paid holiday.**

Christmas Eve/Day (The same closing schedule will be followed for the New Year's Eve/Day holiday.)*

- If Christmas Day/New Year's Day is on a Sunday or Monday, City Hall will be closed the preceding Friday and on Monday. **Friday will be 4 hours of holiday pay and Monday will be 8 hours of holiday pay.**
- If Christmas Day/New Year's Day is on a Tuesday, City Hall will be closed all day on Monday and Tuesday that week. **Monday will be 4 hours of holiday pay and Tuesday 8 hours of holiday pay.**
- If Christmas Day/New Year's Day is on a Wednesday or Thursday, City Hall will be closed that day and at noon on the preceding day. **Christmas Day/ New Year 's Day will be 8 hours of holiday pay and the preceding day will be 4 hours holiday pay.**
- If Christmas Day/New Year's Day is on a Friday, City Hall will be closed all day on Thursday and Friday that week. **Thursday will be 4 hours of holiday pay and Friday 8 hours of holiday pay.**
- If Christmas Day/New Year's Day is on a Saturday, City Hall will be closed all day the preceding Friday, and at noon the preceding Thursday. **Friday will be 8 hours of holiday pay and Thursday will be 4 hours holiday pay.**

As needed during certain holiday weeks, hourly employees will have the option of using accumulated compensation time, PTO (Paid Time Off), floating holiday, or may choose to take unpaid leave (to achieve 40 hours for the week). **Exempt employees will need to use accumulated compensation time, PTO (Paid Time Off), floating holiday for the unpaid time.**

*Public Works may observe a different holiday schedule based on seasonal needs (or adjustments).

Non-exempt Employees who are called in to work on an observed Holiday, due to a City emergency, shall receive compensatory time at one and one-half (1 ½) times the hours worked that day in addition to their holiday pay.

Section 10.3
Paid Time Off

Full-time and Benefits Eligible Employees will participate in the Paid Time Off (PTO) benefit.

PTO can be used for any purpose, subject only to normal request/approval procedures consistent with this Employee Handbook.

Requests for leave for reasons other than illness or injury shall be granted according to seniority when requested 60 days or more in advance of the time requested. PTO requested shall be granted on a first-come, first-served basis when requested under 60 days in advance of the time requested at the discretion of the supervisor.

PTO time is accrued bi-weekly on an hourly basis. The maximum amount of PTO that can be accrued and carried over to the next year will be 480 hours. **No further time will be accrued past 480 hrs. and it is the responsibility of the employee to know how many hours they have accrued.**

Once during the calendar year, Full-time and Benefits Eligible Employees may cash out up to forty PTO hours which will be paid into the Post-Retirement Health Care Saving Plan (HCSP) at the employee's current rate of pay.

An employee that leaves the city in good standing, after giving proper notice, will have up to 80 hours of Paid Time Off (PTO) paid out on their last pay check and any Paid Time Off (PTO) in excess of 80 hours will be deposited into a Post-Retirement Health Care Savings Plan at the normal base rate of pay in effect on the Employee's date of separation at straight time.

Employees using PTO leave will be considered to be working for the purpose of accumulating additional PTO time.

PTO Accrual Schedule For Full-time Employees and Benefits Eligible Employees:

	40 Hour Employee	36 Hour Employee	30 Hour Employee
During years 1-2	128 hrs./yr. (16 days/yr.)	115.20 hrs./yr.	96 hrs./yr.
During years 3-4	144 hrs./yr. (18 days/yr.)	129.60 hrs./yr.	108 hrs./yr.
During years 5-6	160 hrs./yr. (20 days/yr.)	144 hrs./yr.	120 hrs./yr.
During years 7-8	176 hrs./yr. (22 days/yr.)	158.40 hrs./yr.	132 hrs./yr.
During years 9-10	192 hrs./yr. (24 days/yr.)	172.80 hrs./yr.	144 hrs./yr.
During years 11-12	208 hrs./yr. (26 days/yr.)	187.20 hrs./yr.	156 hrs./yr.
During years 13-14	224 hrs./yr. (28 days/yr.)	201.60 hrs./yr.	168 hrs./yr.
During years 15-19	240 hrs./yr. (30 days/yr.)	216 hrs./yr.	180 hrs./yr.
During years 20 +	256 hrs./yr. (32 days/yr.)	230.40 hrs./yr.	192 hrs./yr.

Section 10.4
Injury on Duty Pay

An Employee who is temporarily unable to work due to an injury or illness sustained in the performance of the Employee's work with the City may be eligible for Workers' Compensation

benefits, subject to the provisions of the State of MN Workers' Compensation Law. Full accruals will continue while the employee is out on Workers' Compensation.

An Employee who becomes eligible to receive Workers' Compensation benefits will receive the total amount of the Workers' Compensation check and may receive the difference between their Workers' Compensation payment and the Employee's regular gross salary through the use of accrued paid leaves, if eligible. The total of Workers' Compensation benefits and paid leave compensation may not exceed the Employee's gross pay.

Section 10.5

Military Leave

Military leaves of absence with or without pay will be granted as provided in Minnesota Statutes 192.26 or 192.261, as amended, and U.S.C.A., Title 38, Section 2021.

Section 10.6

Jury and Witness Duty

Full-time and Benefits Eligible Employees will be granted a paid leave of absence for jury duty. Benefits Eligible Employees paid leave will be pro-rated for the hours they would regularly be scheduled to work.

In order to receive pay for the time served on jury duty, Employees must submit their jury duty pay to the Finance Department. Employees are authorized to keep reimbursable mileage, parking, or eligible day care expenses received during jury duty.

When an Employee is subpoenaed as a witness in a court case relating to City business or serves voluntarily in a case relating to City business, the Employee will receive pay at their regular pay rate.

Employees subpoenaed as a witness in a case which is not related to City business must use PTO, compensatory time, floating holiday, or take unpaid leave (if the Employee has no PTO or other accrued time) for the time spent participating in the case.

Section 10.7

Leave Without Authorization

Any leave of an Employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific leave or time off under the provisions of this Handbook will be deemed to be Leave Without Authorization. Any such leave shall be without pay and may be subject to disciplinary action, up to and including termination.

Any Employee who is absent without authorization for two (2) consecutive work days may be deemed to have abandoned their job and voluntarily resigned their employment with the City, and have left not in good standing.

Employees that are not in good standing at the time of termination are not eligible to receive pay out of any unused PTO balance or other accrued time and are not eligible for re-hire.

Section 10.8

Unpaid Leave

All requests for unpaid leave must be submitted in writing to the City Administrator. The written request by the Employee should state the length of time and reason for the request for unpaid leave.

An unpaid leave of absence, not to exceed a maximum of thirty-one (31) calendar days, may be granted at the discretion of the City Administrator based on consideration of, but not limited to, the following factors:

- City's staffing needs;
- Employee's performance record and length of service;
- Reason for request;
- Any other relevant information.

All eligible paid leaves must be exhausted before any unpaid leave is taken.

Benefits, including but not limited to: PTO, Holiday pay or any other forms of indirect compensation shall not accrue during a period of unpaid leave.

Employees may continue on the City's group insurance coverages during the period of unpaid leave, but shall be responsible for paying one hundred percent (100%) of the premium costs. Premium costs shall be pro-rated hourly for any unpaid leave that is less than a full calendar month.

Section 10.9

School Conference and Activities Leave

In accordance with MN 181.9412, Full-time, Benefits Eligible and Part-time Employees, regularly scheduled to work at least twenty (20) hours per week and who have been employed with the City for the past twelve (12) consecutive months, may take up to sixteen (16) hours unpaid leave during any twelve (12) month period to attend school-related activities for the Employee's child which cannot be scheduled during non-work hours. The Employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt City operations.

Section 10.10

Voting Leave

In accordance with MN Statute 204C.04, every Employee who is eligible to vote in an election has the right to be absent from work for a reasonable time during the morning of an election for the purpose of voting.

Elections covered by this section include a regularly scheduled state primary or general election, an election to fill a vacancy for a U.S. senator or representative, or an election to fill a vacancy for a state senator or representative.

Section 10.11

Bone Marrow Donation Leave

In accordance with MN Statute 181.945, Full-time, Benefits Eligible and Part-time Employees, those regularly scheduled to work at least twenty (20) hours per week, who seek to undergo a medical procedure to donate bone marrow are eligible to receive up to 40 hours of additional paid

leave. The City may require verification by a physician of the purpose and length of each leave requested.

Section 10.12

Organ Donation Leave

In accordance with MN Statute 181.9456, Full-time, Benefits Eligible and Part-time Employees, those regularly scheduled to work at least twenty (20) hours per week, who seek to undergo a medical procedure to donate an organ are eligible to receive up to 40 hours of additional paid leave. The City may require verification by a physician of the purpose and length of each leave requested.

Section 10.13

MN Parenting Leave

In accordance with MN Statute 181.941, Full-time, Benefits Eligible and Part-time Employees, those regularly scheduled to work at least twenty (20) hours per week, who have been employed by the City for the past twelve (12) consecutive months, and are a natural or adoptive parent in conjunction with the birth or adoption of a child, will be granted, upon written request to the City Administrator, an unpaid leave of absence for a period up to a maximum of six (6) weeks.

Parenting Leave must start by six (6) weeks after the child is adopted or born. In the event a newborn has to spend more time in the hospital than the mother spends, then the Parenting Leave begins no later than six (6) weeks after the child comes home from the hospital.

When an Employee desires to return from Parenting Leave, the Employee will advise the City in writing at least two (2) weeks prior to the Employee's intended date of return. The Employee will be returned to the position which the Employee vacated at the commencement of leave or to a position of like status and pay.

In most cases, the Federal Family Medical Leave Act (FMLA) and the MN Parenting Leave will run concurrently. When a conflict exists between FMLA and the MN Parenting Leave law, the Employee will receive the benefit guaranteed by the most generous provision of State or Federal law.

Section 10.14

Family Medical Leave Act (FMLA)

In accordance with the FMLA, effective August 5, 1993, and as amended, the City will grant job protected, unpaid family and medical leave to eligible employees.

1. Eligible Employees

Full-time, Benefits Eligible and Part-time Employees are eligible for Family or Medical Leave provided they meet the following criteria:

- Has worked for the City for at least 12 months; AND
- Has worked at least 1,250 hours during the 12 months preceding the start of the leave.

National Guard members and reservists returning to civilian jobs will have their active-duty time counted toward FMLA eligibility.

2. Definitions

- A. 12-Month Period: A rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.
- B. Spouse: Does not include unmarried, domestic partners. If both spouses are Employees with the City, their total leave in any 12-month period may be limited to an aggregate of 12 weeks if the leave is taken for the birth of child, placement of a child for adoption or foster care, or to care for a sick parent.
- C. Child: A child either under 18 years of age, or 18 years of age; or older who is incapable of self-care because of a mental or physical disability; or a child that meets the criteria established by the IRS. An Employee's "child" is one for whom the Employee has actual day-to-day responsibility for care and includes biological, adopted, foster or stepchild.
- D. Serious Health Condition: An illness, injury, impairment, or a physical or mental condition that involves;
 1. Inpatient care; or
 2. Any period of incapacity, requiring absence from work for more than three (3) calendar days AND involves continuing treatment by a health care provider; or
 3. Continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or which, if left untreated, would likely result in a period of incapacity of more than three (3) calendar days; or
 4. Prenatal care by a health care provider.
- E. Continuing Treatment:
 1. Two or more visits to a health care provider; or
 2. Two or more treatments by a health care practitioner on referral from, or under the direction of, a health care provider; or
 3. A single visit to a health care provider that results in a regimen of continuing treatment; or
 4. In the case of a serious, long-term or chronic condition or disability that cannot be cured, being under the continuing supervision of, but not necessarily being actively treated by, a health care provider.

3. Qualifying Events

The City will grant up to a maximum of 12 weeks per 12-month rolling calendar period for any one or more of the following reasons:

- Birth and care of a newborn child or for placement with the Employee of a child or for a newly placed foster child; leave for these reasons must be taken on a consecutive basis within the 12-month period following the child's birth or placement with the Employee;
- Care for a spouse, child, or parent with a serious health condition as defined under 29 C.F.R. 825.113; parent means a biological parent or an individual who stands or stood in loco parentis; this term does not include parents "in-law";
- Care for the Employee's own serious health condition that makes the Employee unable to perform their job functions.
- In accordance with the National Defense Authorization Act of 2008, employers must grant eligible employees FMLA leave for family members called to active military duty and additional leave (up to 26 weeks) to care for family members injured while on active military duty.

4. Serious Health Conditions

A serious health condition includes:

- An illness, impairment, or physical or mental condition that involves either in-patient care (overnight stay in a hospital, hospice, or residential care facility) or continuing treatment by a health care provider for more than three (3) consecutive days;
- Any period of incapacity because of pregnancy or for prenatal care (even without treatment by a health care provider and even if the absence is less than three (3) days; e.g., morning sickness);
- Any period of incapacity because of a chronic serious condition (even without treatment by a health care provider and even if the absence is less than three (3) days; e.g., an asthma attack);
- Any period of absence to receive multiple treatments by health care providers for restorative surgery after an accident or injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.) [29 C.F.R. 825.114]

5. Health Care Providers

Generally, these include doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors (within certain limitations), nurse practitioners, nurse-midwives, and clinical social workers (within certain limitations). [Refer to 29 C.F.R. 825.118 for a complete list.]

6. Medical Certification

The employee must submit Medical Certification to support a request for leave. The City will provide the Medical Certification form. The Employee must return the completed Medical Certification form to the City Administrator within fifteen (15) days after requested by the City, or as soon as is reasonably possible.

The City may require a second or third opinion (at its own expense), periodic reports on the Employee's status and intent to return to work, and a fitness-for-duty report to return to work.

All documentation related to the Employee's or family member's medical condition will be held in strict confidence and maintained in the Employee's medical records file.

7. Use of Paid Leaves

Employees are required to use all accrued paid leaves during the period of FMLA before it becomes an unpaid leave. When PTO, floating holidays and compensatory time have been exhausted, any remaining time will be unpaid. Unpaid hours will not count towards seniority.

8. Intermittent/Reduced Schedule Leave

Leave requested because of a serious health condition of either a family member or the Employee may be taken intermittently or on a reduced schedule if such leave is deemed to be medically necessary.

For Benefits Eligible and Part-time Employees, FMLA entitlement is calculated on a pro-rated basis. A weekly average of the hours worked over the 12 weeks prior to the beginning of the leave will be used for calculating the Employee's regular workweek.

Intermittent leave or a reduced schedule is not permitted for the birth, placement, or adoption of a child.

9. 30-Day Notice Requirement

In either case of continuous or intermittent leave, an Employee must provide a written 30-day notice to the City Administrator before the date the requested leave is to begin. In cases where the qualifying event will occur within 30 days, the Employee must provide written notice as soon as practicable. Notice forms to request an FMLA leave are available from the City Administrator.

If an employee fails to give 30 day's notice for a foreseeable leave with no reasonable excuse for the delay, the leave will be denied until 30 days after the employee provides notice.

10. Married Employees

Married couples, where both spouses work for the City, are entitled to a combined total of 12 weeks for birth, placement, or care of a child. For the Employee's own serious health condition, each is entitled to 12 weeks.

11. FMLA Request Procedure

The following procedures will be used in the administration of an FMLA leave request:

- a. The employee must provide the City Administrator at least 30 days advance written notice before FMLA leave is to begin if the need for a leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the Employee or of a family member. If a 30-day written notice is not feasible, notice must be given as soon as possible.
- b. The City Administrator will provide the Employee a *Medical and Family Leave Medical Certification Form*.
- c. The Employee will complete and sign the request form and forward it to the identified health care provider for completion.
- d. Upon receipt of the request, the City Administrator will review the request form for complete medical information. The status and circumstances of the requesting Employee, related payroll information, and respective findings of the health care provider will be considered.
- e. Upon approval or disapproval, the City Administrator will notify the Employee in writing and the respective Supervisor will be advised of the FMLA Leave.

12. Record Maintenance

The City Administrator will keep and maintain FMLA information, in accordance with 29 C.F.R. 825.500.

13. Return to Work Medical Certification

The Employee is required to submit Medical Certification to support their fitness for duty before returning to work if the leave was for the Employee's own serious health condition.

14. Leave Accrual

An Employee will not accrue paid leave benefits during an unpaid leave covered by FMLA.

15. Pay Adjustments

An Employee will be entitled to any pay adjustments which occurred during the unpaid leave covered by FMLA.

16. Insurance Benefits

- A. An Employee granted a leave under FMLA will continue to be covered under the City's group insurance plans under the same conditions as coverage would have been provided if the Employee had been continuously employed during the leave period.
- B. Employee contributions will be required either through payroll deduction or by direct payment to the City's Finance Department. The Employee will be advised in writing at the beginning of the leave period as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occurs while the employee is on leave.
- C. If an Employee's contribution is more than 30 calendar days late, the City may terminate the employee's insurance coverages.
- D. If the City pays the Employee contributions missed by the Employee while on leave, the employee will be required to reimburse the Employer for delinquent payments (on a payroll deduction schedule) upon return from leave. The Employee will be required to sign a written statement at the beginning of the leave period authorizing the payroll deduction for delinquent payments.
- E. If the Employee fails to return from unpaid family/medical leave for reasons other than (1) the continuation of a serious health condition of the employee or a covered family member, or (2) circumstances beyond the employee's control (certification required within 30 days of failure to return for either reason), the City may seek reimbursement from the Employee for the portion of the premiums paid by the City on behalf of that Employee (also known as the Employer contribution) during the period of leave.

17. Premium Payment

An Employee on unpaid leave who wishes to continue insurance benefits may pay their share of premium payments in any of the following ways:

- Pay the City at the same time the Employee would be paid if by payroll deduction;
- Pay the City the premiums on a monthly basis following the same schedule as COBRA payments;
- Prepay premiums through increased payroll deductions before the FMLA leave.

If any Employee's contribution is more than 30 days late, the City may terminate the Employee's insurance benefits.

18. Holiday Exclusions

An Employee on an unpaid leave immediately preceding and immediately following a Holiday will receive no Holiday pay.

19. Job Reinstatement

Upon return from FMLA leave, an Employee is entitled to be returned to the same position the Employee held when the leave commenced, or to an equivalent position with same pay, benefits, and other terms and conditions of employment [29 C.F.R. 285.215]. An exception would be if the

Employee's position would have been eliminated or the Employee would have been discharged before the leave. In this case, the Employee would not have the right to be reinstated upon return from leave [29 C.F.R. 285.216].

20. Failure to Return from FMLA Leave

If the Employee fails to return from FMLA leave for reasons other than the continuation of the serious health condition of the Employee or covered family member, the City may seek reimbursement for the premiums paid for group insurance benefits on behalf of the Employee during the period of unpaid leave.

Failure of an Employee to return to work upon the expiration of all eligible leaves of absence will be cause for discipline, up to and including separation from employment. If the absence continues for three (3) or more days without permission, the City may deem an Employee to have voluntarily resigned.

21. Coordination With Other Leave Provisions

If an Employee is eligible for Parental Leave or any other leave as provided for in City policies, this leave will also count towards the FMLA leave. FMLA may also run concurrently with a Workers' Compensation absence when the injury or illness is one that meets the criteria for a FMLA.

Section 10.15

Return to Work from Medical Leave

When an Employee requests to return to work after an illness or injury, pregnancy, delivery, or postpartum recuperation, including a workers' compensation injury or any other medical leave of absence, the City may require a return to work statement from the Employee's physician. The statement will contain any limitations and/or restrictions that may apply to the Employee performing the normal work duties of the Employee's job.

The City may require the Employee to be examined by the City's designated physician, at City expense, prior to the Employee returning to work.

Section 11.

INSURANCE BENEFITS

Section 11.1

Insurance Benefits

The City, at its sole discretion, will determine what insurance benefits, if any, are offered to City Employees.

Should the City decide to offer insurance benefits to its Employees, any City contribution towards those benefits will be at the sole discretion of the City and established by Council resolution.

If insurance benefits are offered, eligibility requirements and benefits shall be specified in materials provided by the respective insurance provider. All benefits Eligible employees not enrolled in another Group Plan will participate in the City's Group Plan.

Should a conflict exist between the Handbook and the insurance provider's eligibility and benefits requirements, the insurance providers' eligibility requirements shall prevail.

For Benefits Eligible employees hired after September 3, 2013, the City will cover single health and dental insurance premiums. For coverage with dependents, the City will contribute \$1,255 month for health and dental.

Section 11.2

Group Insurance Enrollment

Enrollment eligibility in group insurance is subject to the terms of the contract with the insurance provider.

Section 11.3

Flexible Spending Account Plan

Every Benefits Eligible employee shall have the option of participating in the Flexible Spending Account Plan as authorized in the plan documents.

Section 11.4

Voluntary Benefits

The City, at its sole discretion, may offer voluntary benefits to its Employees. 100% of voluntary benefit premiums are paid by the Employee.

Section 11.5

Insurance Continuation (COBRA)

The City will administer insurance continuation benefits in accordance with the Federal Consolidated Omnibus Reconciliation Act (COBRA). COBRA gives Employees and their qualified beneficiaries the opportunity to continue health, dental and life insurance coverage under

any of the City's group plans when a "qualifying event" would normally result in the loss of eligibility.

Under COBRA, the Employee (or beneficiary) pays the full cost of premium charge at the City's group insurance rate. Insurance coverage extended by COBRA will be discontinued for non-payment of premiums. When a participating Employee ceases employment with the City, all insurance coverages will be discontinued at midnight of the first of the month following the date of termination.

The Cobra Administrator will provide Employees that participate in eligible COBRA benefits, a written notice describing their rights and obligations under COBRA.

Section 11.6 **Benefits of City Retirees**

The City will administer insurance continuation benefits in accordance with MN Statute 471.61, and as amended, which provides for the continuation of group health and dental insurance to former Employees who are:

- Receiving disability or pension benefit from PERA; OR
- Has met the age and service requirements necessary to receive a pension from PERA;

All insurance continuation provisions listed in Section 11.5 are applicable.

Section 11.7 **Post-Retirement Health Care Savings Plan**

The City of Ham Lake established a means for eligible employees to participate in a mandatory program to help defray some of the costs of post employment health related expenses, including health insurance premiums, using pre-tax dollars. Participation in the Post Retirement Health Care Savings Plan, administered by the Minnesota State Retirement System (MSRS), is intended to provide an opportunity to accomplish that goal.

The Post Retirement Health Care Savings Plan (HCSP) is an Employer-sponsored program that allows Full-time and Benefits Eligible Employees to defer payment of certain unused PTO into an account in the employee's name.

Employees participating in the PTO benefit will have any accrued Paid Time Off (PTO) in excess of 80 hours deposited into the employee's HCSP account at their normal base rate of pay in effect on the Employee's date of separation at straight time.

According to IRS rules, all qualifying regular employees must participate.

MSRS shall administer the plan by holding in trust contributions made on behalf of employees into the accounts. MSRS shall provide investment services, record keeping, benefit payments, and other functions necessary for administration of the Plan. MSRS shall reimburse former City employees on a monthly basis for health-related expenses until the employee's health care savings account is depleted following MSRS policies.

Section 11.8

Short Term Disability Insurance

PTO Employees shall participate in the Short Term Disability Insurance Plan, with premiums paid thru payroll deduction on an after-tax basis. This policy shall be subject to review at plan renewal dates. Short Term Disability shall cover 60% of the employee's weekly wage up to \$1,200, and the remaining shall be charged to PTO, compensatory time or floating holiday hours accrued. An employee shall continue to use accumulated PTO, compensatory time or floating holiday hours during the leave of absence for medical reasons, and shall be eligible for employer provided benefits until the employee's accumulated PTO, compensatory time or floating holiday hours have been exhausted. At such time when all PTO, compensatory time or floating holiday hours are exhausted, no additional benefits will accrue. Continuation of insurance benefits shall follow FMLA regulations.

Section 12.

MISCELLANEOUS BENEFITS

Section 12.1

Professional Organizations

Department Heads may approve an Employee's membership and dues to professional organizations and City community organizations be paid by the City, provided that the purpose is to promote, advertise, improve or develop the City's resources and advantages and not for personal interest or gain.

Section 12.2

Professional Development

The City encourages Employees to attend job-related conferences, workshops, seminars, training, etc. to stay up-to-date with changes in their field and enhance their professional development.

Department Heads are allowed to attend National or Regional (multi-state) professional development opportunities. National and Regional professional development attendance outside the MN region (North and South Dakota, Iowa, and Wisconsin) requires prior approval by the City Administrator.

An Employee that is not a Department Head may attend National or Regional professional development opportunities that are held within the State, provided that they receive prior approval from their Department Head or City Administrator.

Approval for attendance at professional development opportunities shall be based on, but not limited to:

- Availability of budgeted funds;
- Relevance to the Employee's position;
- Degree of benefit, to the City, of the knowledge to be obtained;
- Content of the conference, workshop, seminar, etc.;
- Past performance of the Employee; and
- Any other criteria.

In the event that attendance at a professional development opportunity would generate overtime, the Employee and their Supervisor, prior to the Employee's attendance at such event, shall arrange the Employee's schedule so that no overtime is generated as a result of attendance.

Voluntary attendance at a conference or training outside the normally scheduled hours is not compensable, even if the event is directly related to the Employee's job or paid by the City. If the Employee chooses to not attend some portion of the event or leave early, the Employee shall use PTO, compensatory time or floating holiday for that time.

Section 12.3

Job Related Licensing and Certification

Certain positions in the City require that the Employee be licensed or certified in order to legally perform the duties of that position. When licenses or certifications are required for a position, the City will pay the cost or reimburse the employee for the cost of maintaining the license or certification.

The City may also pay for other job-related professional licenses and certifications that provide job enrichment to the Employee. These opportunities are subject to City Administrator approval and budget availability.

Section 12.4

Tuition Reimbursement

This Policy is to establish a system of reimbursement of tuition paid by an Employee taking college or university courses at an accredited educational institution, toward the completion of a degree. Accreditation must be from the North Central Association for the Accreditation of Colleges and Schools or from another school whose program is recognized by the North Central Association for the Accreditation of Colleges and Schools.

Professional development opportunities are not included in tuition reimbursement.

1. Eligibility

Any Full-time, Benefits Eligible and Paid On-call Fire Department Employee may request tuition reimbursement, provided the Employee meets the following criteria:

1. The Employee must have successfully completed 12 months of employment with the City.
2. The Employee must maintain an overall "Meets Expectations" on their most recent performance evaluation and must not fall below the "Meets Expectations" rating while attending classes for which tuition reimbursement is requested. If an Employee falls below the "Meets Expectations" rating, they will not be eligible for reimbursement until the next evaluation period.
3. The Employee must have a good attendance record. Leave verified by a physician shall not count against good work attendance.
4. Employees who have been the subject of disciplinary action will not be eligible for tuition reimbursement for courses during that evaluation period. Reinstatement into the tuition reimbursement program will be evaluated based on the severity and nature of which discipline was issued.
5. Employees under criminal investigation shall not be eligible for tuition reimbursement.
6. Employees wanting to receive tuition reimbursement must provide the City Administrator a written request for reimbursement. The request shall be accompanied by a written plan for the coursework to include:
 - a. Name of the Educational Institution where coursework is to be taken;

- b. Major subject area of study;
 - c. Expected degree upon completion of coursework;
 - d. Number of courses proposed to be taken per semester;
 - e. Expected date of completion;
 - f. Current cost per credit;
7. Tuition will only be reimbursed for:
 - Courses that are related to the Employee's job; or
 - Courses within an entire degree program where the program itself is related to the Employee's position and is determined to be beneficial to the City.
 8. All courses for which tuition reimbursement is requested must be pre-approved by the City Administrator.
 9. If the City Administrator approves the written plan, the Employee must enter into a contract with the City. The contract requires the following:
 - A. An Employee who accepts tuition reimbursement shall agree to remain with the City of Ham Lake for a minimum of 3 years after graduation from the program OR 3 years after tuition reimbursement is issued, whichever date is earlier. Employees must notify the City Administrator when graduating or terminating coursework. The 3-year period may be extended by paid or unpaid leaves.
 - B. For each year after graduation or course completion, up to a maximum of four (4) years, the City shall forgive 1/3rd of the total tuition reimbursement made to the Employee. At the end of the 3rd year, the City shall forgive the entire tuition debt. Any partial years will be calculated on a pro-rated basis by month.
 - C. If the Employee separates employment from the City, the Employee shall agree to have the balance of the tuition owed deducted from any PTO, floating holidays, and/or compensatory time balance pay outs. If the deduction does not equal the balance of tuition owed, the Employee shall agree to pay off the balance by personal payment in accordance with a repayment schedule.
 10. The City shall only reimburse tuition for Employees enrolled in a degree-seeking program at an accredited institution of higher education and approved by the City Administrator.
 11. Tuition reimbursement will remain in effect as long as funds are available in the Department budget allocated for tuition reimbursement. If the allocation does not contain enough money to fund all contracted department employees, tuition will be reimbursed on a pro-rated basis so that all department employees receive an equal percentage. If the allocation is depleted, the City Administrator will notify all contracted employees that the tuition reimbursement for the current budget year is cancelled.
 12. The City will reimburse tuition to Employees after a semester is completed and the Employee provides the City Administrator with the original grade report for the course and documentation from the school for the tuition amount paid. Tuition will be reimbursed based on the following schedule.
 - a. 100% of tuition will be reimbursed if the grades of "A" or "A-".
 - b. 100% of tuition will be reimbursed if the grades of "B+", "B" or "B-".
 - c. 80% of tuition will be reimbursed if the grades of "C+", "C" or "C-".
 - d. No tuition will be reimbursed for course in which a grade of less than "C-" is received.

- e. For courses having a pass/fail option, 100% reimbursement for pass, no reimbursement for fail.
- f. In the event that an eligible Employee receives a grade of “incomplete” no refund will be forthcoming until a final grade is earned. When the requisite course work is completed and a final grade is issued, the Employee will be reimbursed in accordance with the above schedule.

13. A maximum of \$3000 and three (3) full credit courses per calendar year will be reimbursed for tuition, books, and associated fees.

Employees participating in Tuition Reimbursement do so on a voluntary basis. Travel to and from classes, time spent in class and studying, and mileage are not compensable or reimbursable.

2. Program Continuation

The City reserves the right to discontinue the program at any time, with or without notice.

Section 12.5

Recognition Program

Full Time Employees and Benefits Eligible Employees shall be recognized for their service to the City as follows:

- 5 years – Resolution
- 10 years – Resolution and \$25 gift
- 15 years – Resolution and \$35 gift
- 20 years – Resolution and \$45 gift
- 25 years – Resolution and \$55 gift
- 30 years – Resolution and \$65 gift
- 35 years – Resolution and \$75 gift
- 40 years – Resolution and \$85 gift

Paid, On-Call Firefighters shall receive their personal firefighter’s helmet upon separation following ten years of active service, and shall be recognized by resolution of the City Council in accordance with the above schedule.

Section 13.

CONDUCT

In accepting employment with the City, Employees become representative of the City and are responsible for assisting and serving the citizens for whom they work.

Employees should exhibit conduct that is professional, ethical, responsive and of standards becoming of a City Employee. To achieve this goal, Employees must adhere to established policies, rules, and procedures and follow the instructions of their Supervisor and Department Head.

Section 13.1

Basic Employee Responsibilities

City Employees are required to:

- perform their assigned duties to the best of their ability at all times and to continually strive to improve their performance;
- render prompt and courteous service to the public at all times;
- read, understand, and comply with the rules and regulations as set forth in this *Employee Handbook* as well as those of their department;
- conduct themselves with decorum toward both residents and other Employees and respond to inquiries and information requests with patience and every possible courtesy;
- report all unsafe conditions to their immediate supervisor; and
- maintain good attendance.

The foregoing is not intended as an exhaustive list of any Employee's responsibilities, but rather a general description of the most basic performance expected by the City.

Section 13.2

Ethics in Public Employment

In order to best serve the public interest and general welfare of the City of Ham Lake and its citizens, this statement of ethics is established for all Employees of the City.

Employees and Officials shall not use their position for personal gain, engage in any business or transaction or have a financial interest, direct or indirect, which is in conflict with the proper performance of their official duties.

1. Applicability

For the purpose of this Section 13.2 and 13.3, the term "official" shall include all elected and appointed officials of the City including, but not limited to, the City Council and the members of Commissions and any committees established by City. "Employee" shall include any individual employed by the City in any capacity.

2. Conflict of Interest

The credibility of local government rests heavily upon the confidence which citizens have in public officials and employees to render fair and impartial services to all citizens without regard to personal interest or political influence. Thus, City officials and Employees must scrupulously avoid any activity, which suggest a conflict of interest between their private interests and City responsibilities.

Officials and Employees of the City must not engage or have financial interest in any business or other activity, which could reasonably lead to a conflict of interest with the official's or Employee's primary City responsibilities. Examples of activities which are not in accordance with this Policy include, but are not limited to, the following:

- Taking part in a zoning or permit decision that violates the City Code;
- Entering into any sale, lease or contract in violation of Minnesota Statutes, Section 471.87 – 471.89;
- Acceptance of any gift from an interested person in violation of Minnesota Statutes, Section 471.895;
- Activities which require the official or Employee to interpret City codes, ordinances, or regulations when the activity involves matters with which the official or Employee has business and/or family ties;
- Consulting activities carried out within the City if the consulting involves any conflict of interest with the official's or Employee's City work responsibilities;
- Using an official's or Employee's authority, influence, or City position for the purpose of private or personal financial gain;
- The use of City time, facilities, equipment, or supplies for the purpose of private or personal gain;
- Use of confidential information gained in the course of employment or as an official for personal gain;
- Accepting other employment or public office where it will affect the official's or Employee's independence or judgment or require use of confidential information gained as a result of City duties;
- Conducting personal business while working for the City; and
- Accepting rebates or procuring any financial gain through the bidding process or employment of outside personnel;
- Presenting persons or associations in dealing with the City for the purposes of private or personal gain;
- Giving special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen;
- Using the City's name, logo or any other City symbol for something other than City business without approval;
- Attempting to influence other officials or other Employees in any way with money, services, or other remuneration.

Any official or Employee engaging in any activity involving either an actual or potential conflict of interest or having knowledge of such activity by another official or employee shall promptly report the activity to the City Administrator, or if such activity be by the City Administrator, to the Mayor.

The matter shall be investigated and a determination shall be made as to whether or not an actual or potential conflict exists. If the investigation determines a conflict exists, it shall be presumed that the continuation of the practice would be injurious to the effectiveness of the official or employee in carrying out his/her duties and responsibilities. In such cases the official or Employee shall immediately terminate the conflicting activity or be subject to termination of employment or removal from office.

Section 13.3
Political Activity

No elected official shall require, either directly or indirectly, any City Employee to campaign on his/her behalf as a condition of employment.

Employees shall not use City time, resources, or their position with the City in promoting or advocating the election of any individual.

No elected official or Employee shall use their authority or official influence to compel someone to apply for membership or become a member of any political organization.

No Employee or official may pay or promise to pay any assessment subscription or contribution for political purposes for someone to take part in any political activity.

Section 13.4
Code of Ethics

Employees are expected to abide by the Code of Ethics listed below:

- treat elected and appointed officials, other Employees, and the public with respect and dignity;
- be courteous in their dealings with elected and appointed officials, other Employees, and the public;
- maintain the highest standards of honesty and integrity in public and private dealings;
- recognize the interdependency of the elected and appointed officials and City staff;
- respect the decisions of elected officials and supervisors;
- do not undermine or sabotage implementation of ordinances, policies and rules that are passed;
- do not communicate personal views on City business matter to the public; and
- set a good example for others to follow.

Section 13.5
Respectful Workplace

The City of Ham Lake seeks to provide a workplace free of threats and acts of violence for its Employees, volunteers, vendors, citizens, and visitors. Violence or the threat of violence has no place in any City facility.

All Employees are expected to:

- refrain from acts of violence;
- promote safe workplace practices, including this policy;
- promptly report any dangerous, harassing, threatening or violent situations that occur in the workplace;
- refrain from any type of retaliation against a person for making a complaint, reporting violence in the workplace, or participating in an investigation of violence in the workplace.

The City does not tolerate any type of workplace violence committed by or against Employees.

Employees are prohibited from making threats or engaging in violent activities. Act of violence include, but are not limited to:

- Use of physical force and/or threat of physical force;
- Causing physical injury to oneself or another person;
- Written or verbal communications, which are of a threatening, intimidating or coercive nature;
- Vandalism or intentional destruction of City property or the property of another Employee; or member of the public;
- Committing acts motivated by, or related to, discrimination and harassment;
- Deliberate or careless conduct endangering the safety of other employees or the public;
- Possessing, carrying, or using a firearm and ammunition, or other dangerous weapons as defined while working on City property, working in any location on behalf of the City, driving on City business, riding as a passenger on City business, performing emergency or on-call work after hours on behalf of the City, attending training or conferences on behalf of the City, except where such possession or use is specifically required as part of the employee's job duties.

Acts of violence on City property or facilities, or while on City business, will not be tolerated or ignored. Employees found to be in violation of this policy will be subject to disciplinary action up to and including termination. Any unlawful act of violence committed by employees or members of the public while on City property or while using City facilities or property, will be prosecuted as appropriate.

The City intends to use reasonable legal, managerial, administrative and disciplinary procedures to secure the workplace from violence and to reasonably protect employees and members of the public.

The City reserves the right to search and inspect any and all City property.

1. Dangerous Weapons

A dangerous weapon is any instrument capable of producing bodily harm, and the use of which manifests intent to harm or intimidate another person or that warrants alarm for the safety of another person.

This includes city tools, instruments, or other implements which if used improperly and/or for anything other than their intended use could result in bodily harm, intent to harm, intimidate another person or threaten the safety of the employee and/or another person.

The Employee's Supervisor or Department Head shall have the authority to approve whether it is necessary for an Employee to be in possession of any tools or instruments to properly perform the duties of their job and whether certain tools will be provided by the City to complete work-related tasks.

2. Reporting

Employees shall be responsible for promptly reporting incidents of violence in the workplace or potentially dangerous situations to their Supervisor, Department Head, or City Administrator, and if appropriate to law enforcement authorities. A Supervisor or Department Head receiving a report of an incident from an Employee should promptly notify the City Administrator.

3. Order of Protection

Employees must notify their Supervisor, Department Head, or City Administrator when an order of protection has been obtained naming City facilities.

4. Investigation

A prompt and confidential investigation will be conducted by the City and fair consideration will be given to all facts presented. Any Employee found, after appropriate investigation, to have threatened or committed an act of violence against another Employee shall be subject to disciplinary action, up to and including termination.

5. Retaliation

Retaliation against a person for having made a complaint or report of violence in the workplace, or participating in or assisting in an investigation of violence in the workplace is prohibited. Any person who believes that he or she has been subject to such retaliation/harassment should report it promptly to their Supervisor, Department Head, or City Administrator.

6. Confidentiality

Personal information obtained in the course of an investigation under this policy shall be considered confidential and not subject to public disclosure, except as may be necessary as part of the disciplinary process or as otherwise provided by law.

Section 13.6

Harassment Prevention

The City of Ham Lake seeks to provide a workplace free of offensive conduct or harassment based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation.

All Employees are expected to:

- refrain from acts of harassment;
- promote harassment free workplace practices, including this policy;
- promptly report any harassment or harassing behavior, or situations that occur in the workplace;

- refrain from any type of retaliation against a person for making a complaint, reporting harassment in the workplace, or participating in an investigation of harassment in the workplace.

The City does not tolerate any type of harassment committed by or against Employees.

Offensive conduct or harassment occurs when:

- submission to conduct or communication of a derogatory, harassing or biased nature is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or obtaining or retaining public services/accommodations.
- submission to or rejection of conduct or communication of a derogatory, harassing or biased nature by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
- the conduct or communication of a derogatory, harassing or biased nature has the purpose or effect of substantially or unreasonably interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment, public service/accommodation environment.

Examples of sexual/gender harassment may include, but are not limited to:

- unwelcome verbal remarks, jokes or innuendoes of sexual nature or based upon gender;
- unwelcome pressure for sexual favors;
- unwelcome or unwanted sexual advances such as, but not limited to, patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact considered unacceptable by another individual;
- unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or access to public services or public accommodations;
- unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises or preferential treatment with regard to an individual's employment or access to public services or public accommodations;
- distribution or display of written materials, pictures or other graphics of a sexual or gender biased nature;
- other unwelcome behavior or words directed at an individual because of gender.

1. Reporting

Employees shall be responsible for promptly reporting incidents of harassment or harassing behavior to their Supervisor, Department Head, or City Administrator. A Supervisor or Department Head receiving a report of an incident from an Employee should promptly notify the City Administrator.

2. Investigation

A prompt and confidential investigation will be conducted by the City and fair consideration will be given to all facts represented. Any Employee found, after appropriate investigation, to have harassed another Employee shall be subject to disciplinary action, up to and including termination.

3. Retaliation

Retaliation against a person for having made a complaint or report of harassment, or participating in or assisting in an investigation of harassment is prohibited. Any person who believes that he or she has been subject to such retaliation should report it promptly to their Supervisor, Department Head, or City Administrator.

It is a violation of the law for any Supervisor or Employee to retaliate against someone who files a harassment complaint.

4. Confidentiality

Personal information obtained in the course of an investigation under this policy shall be considered confidential and not subject to public disclosure, except as may be necessary as part of the disciplinary process or as otherwise provided by law.

Section 13.7

MIS Computer Policy

The City enforces a separate “MIS Computer Policy,” which includes the use of computers (internet and email), handheld personal devices, mobile phones, radios, etc.

Section 13.8

Drug and Alcohol Free Workplace

In accordance with federal law, the City of Ham Lake has adopted the following policy on drugs in the workplace: Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is our intent and obligation to provide a drug-free, safe and secure work environment.

The unlawful manufacture, distribution, possession, or use of a controlled substance on City property or while conducting City business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.

The City recognizes drug dependency as an illness and a major health problem. The City also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use their health insurance plans or the Employee Assistance Program as appropriate.

Employees must, as a condition of employment, abide by the terms of the above policy and must report any conviction under a criminal drug statute for violations occurring on or off work premises while conducting City business. A report of the conviction must be made within five (5) days after the conviction as required by the drug-free workplace act of 1988.

The City enforces a separate “Drug and Alcohol Testing Policy” for both the Federal Department of Transportation (DOT) Regulation 49 CR § 40.25 and non-DOT required Employees.

Section 13.9

Discipline

Employees are subject to discipline when they fail to fulfill their duties and responsibilities at the level required, or when they violate City policies or work rules.

The type of discipline imposed will be based upon the nature and severity of the infraction and the conditions surrounding the incident. Disciplinary action does not have to be progressive. The City may take disciplinary action while seeking criminal or civil prosecution against an Employee.

The City retains the sole discretion to determine what behavior warrants disciplinary action and what type of disciplinary action will be imposed. Reasons for disciplinary action may be a single serious infraction or an accumulation or pattern of less serious offenses, whether related or unrelated to each other.

The following are examples of types of offenses that may warrant disciplinary action, but are not limited to:

1. Violation of any of the provisions in the Employee Handbook, City policies, departmental work rules, or safety rules;
2. Incompetence, inefficiency, ineffectiveness, or misconduct in the performance of duties;
3. Inability or unwillingness to perform the essential functions of a position, with or without reasonable accommodation;
4. Conviction of a crime directly related to the Employee's position with the City;
5. Intoxication or being under the influence of a controlled substance while on duty;
6. Failure to enroll or successfully complete a substance abuse treatment program if directed by the City;
7. Inducing or attempting to induce an Employee to commit an unlawful act or to act in violation of a policy, regulation or order;
8. Making false or misleading statements while conducting City business; or falsifying any reports, records, or documents.
9. Offensive conduct toward the public or any City Employee;
10. Dishonesty in the performance of duties;
11. Theft;
12. Falsification of time sheets;
13. Careless, destructive, negligent, or inappropriate handling, control, or use of City property or vehicle;
14. Use of any City vehicle or property for personal use or gain;
15. Excessive tardiness or absenteeism, or abuse of leave;
16. Unauthorized absence from work for a period of two (2) days;

17. Insubordination;
18. Sexual or other harassment based upon race, creed, color, religion, sex, national origin, age, marital status, sexual orientation, political affiliation, status with regard to public assistance, or disability;
19. Acts or threats of physical violence or endangering the health or safety of others;
20. Violating the data privacy rights of any employee or citizen;
21. Discrimination.

1. Type of Discipline

Disciplinary action may be in one or more of the following forms:

Oral reprimand: Supervisor discusses a work performance problem with the Employee by specifying the reason(s) for the reprimand and corrective action necessary to avoid further disciplinary action. Oral reprimands are documented and made a permanent record in the Employee's personnel file.

Written reprimand: With prior consultation with his/her Department Head or City Administrator, a Supervisor may formally discipline an Employee by providing a written reprimand to the Employee specifying reason(s) for the reprimand, previous letters of expectation, verbal or written warnings, unacceptable performance appraisals, discussion or reprimands, if any, and corrective action necessary to avoid further disciplinary action. Written reprimands are documented and made a permanent record in the Employee's personnel file.

Suspension without pay: With prior approval of the City Administrator, a Department Head may suspend, without pay, an Employee for up to 30 work days in a calendar year. The Department Head will provide the Employee with written notification specifying reason(s) for the suspension, the effective date(s) and duration of the suspension, previous letters of expectation, oral or written warnings, unacceptable performance appraisals, discussions, or reprimands, if any, and the corrective action necessary to avoid further disciplinary action. Suspensions without pay are documented and made a permanent record in the Employee's personnel file.

Suspension with pay: An employee may be placed on administrative leave with pay if the circumstances surrounding the incident are still being investigated. The City Administrator or Department Head will notify the employee in writing of the findings of the investigation and the implications for the employee. The Administrator or Department Head will note a date for lifting the administrative leave. The administrative leave can be extended beyond the noted time if necessary but must be extended in writing by the Administrator or Department Head and another date noted.

Demotion/Reduction in Pay: With prior approval of the City Administrator, a Department Head may reduce the pay of an Employee within the pay range provided for in the City's compensation plan or demote the Employee by specifying reason(s) for the reduction of pay or demotion, previous letters of expectations, verbal or written warnings, unacceptable performance appraisals, discussion or reprimands, if any, and the effective date of the pay

reduction or demotion. Demotions and reductions in pay are documented and made a permanent record in the Employee's personnel file.

Discharge: If previous disciplinary action has not served to achieve corrective results, or if the nature and extent of the Employee's behavior are such that other disciplinary action is not appropriate, the City Council upon the recommendation of the City Administrator may discharge the Employee.

The City may establish a specific Improvement Period, determined by the Employee's Department Head or City Administrator, to rectify behavior that requires disciplinary action.

2. Veteran's Preference

In the event that a discharged Employee is a veteran, the City will follow applicable Federal and State laws.

Section 13.10

Grievances

The grievance procedure is established for the purpose of resolving disputes or disagreements raised by an Employee. An Employee may utilize the following procedure if the Employee and the Employee's Supervisor cannot resolve a problem:

Step 1: If an Employee and his/her Department Head cannot resolve a problem informally, the Employee shall submit a complaint in writing to the Department Head within ten (10) working days of the date of the grievance or the Employee's knowledge of its occurrence. The Department Head shall attempt to resolve the matter and shall respond to the Employee within five (5) working days.

Step 2: If the Department Head is unable to resolve the dispute, the written complaint may be brought to the City Administrator within five (5) working days of the Department Head's answer. The City Administrator shall give a written answer to the Employee within ten (10) working days after receipt of the written complaint.

Step 3: If the City Administrator is unable to resolve the dispute, the Employee may appeal in writing to the City Council. The written appeal must be presented to the City Council within fifteen (15) working days of the City Administrator's response. The City Council's decision shall be final.

Waiver

If the Employee does not present the dispute within the time limits, the dispute indicated above shall be considered waived. If a dispute is not appealed to the next step within the time limit, it shall be considered settled on the basis of the City's last answer. If the City does not answer a written complaint or an appeal thereof, within the specified time limits the Employee may elect to treat the complaint as denied at that step and may appeal the complaint to the next step.

Employees exercising their rights under the Section 13.10 shall be free from reprisal.

Section 14.

MISCELLANEOUS POLICIES

Section 14.1

Media Relations

Media contact concerning City business is the responsibility of the City Administrator, unless delegated to the Department Head by the City Administrator or City Council. Employees are prohibited from releasing any information concerning City business to the news media without the prior consent of the Employee's Department Head or the City Administrator.

Any media inquiries concerning City personnel shall be directed to the City Administrator.

Section 14.2

Property Damage Reporting

An Employee involved in an incident that results in damage to City property or any other property during the course of conducting City business, must notify and submit a written report of the incident to their Supervisor within twenty-four (24) hours of the occurrence. **The supervisor must submit this report to Finance/HR Director within 2 working days.**

Vehicle accidents also require a copy of the Minnesota Motor Vehicle Accident Report.

Section 14.3

Personal Use of City Property

Employees shall not use City time, City-owned supplies, equipment, property, facilities for personal use or any other use that is not in the interest of the City, unless the Employee has the prior approval of the Department Head for such use. Department Heads shall only approve the use, if such use complies with City policies, does not pose a conflict of interest, and is of minimal value.

Personal commercial business activity conducted on City time or with City-owned supplies, equipment, property, or facilities is strictly prohibited.

Unauthorized removal of City property or its conversion to personal use may be cause for discipline up to and including termination.

The City also enforces separate MIS Computer and Cellular Telephone Policies.

Section 14.4

Use of City Vehicle

City-owned vehicles are to be used only by authorized City Employees or employees of host agencies for which the City is providing a worksite for official City business. Employees or host agency employees that drive or may be required to drive City vehicles and equipment are responsible for maintaining a safe driving record and for observing all traffic laws. Seat belts must be properly used at all times. Drivers must carry a current, valid driver's license that is adequate

for the type of vehicle being driven. Any Employee who operates a City vehicle without a valid driver's license will be subject to disciplinary action and possible criminal prosecution.

Employees with authorization to drive City vehicles may be subject to annual driver's license check by the City. Smoking is prohibited in City vehicles. Passengers shall be limited to City Employees or contracted consultants unless authorized by the City Administrator.

Motor Vehicle Records (MVR) of employees operating City vehicles will be requested on a yearly basis. Following below is a point-scale measuring system that will be used to evaluate each driver's MVR. The point values correspond to various types of driving convictions, similar to the system many states use for determining when a license should be suspended or revoked.

Special reviews will be held in cases where too many points have been accumulated within the stated time period. Hopefully, with this system in effect, everyone's safety consciousness will be higher, and we will be able to achieve an excellent safety record.

Minor Citation

Any moving traffic citation a driver receives unless it qualifies as a "Major Conviction" as described below. This category, however, does not include cases involving (1) Motor vehicle equipment load or size requirements; (2) Improper display or failure to display license plates; (3) Failure to sign or display registration card; or (4) Failure to have in possession a valid driver's license.

At-Fault Accidents

Any accident where the driver is designated as having caused the accident, or negligently contributed to its occurrence.

Major Conviction

Any citation that involved: (1) Driving while intoxicated or under the influence of alcohol or drugs; (2) Failure to stop and report an accident; (3) Homicide, manslaughter, or assault arising out of the operation of a motor vehicle; (4) Driving while license is suspended or revoked; (5) Reckless driving; (6) Possession of opened container of alcoholic beverages; (7) Speed contest, drag racing, or attempting to elude an officer of the law.

Incident

Includes Minor Citation, At-Fault Accident, and Major Conviction definitions above.

Standards:

Action Level: 4 points. Time period considered: The past three years. However, major convictions, as defined above, are counted back as far as five years.

<u>Citation Categories:</u>	<u>Points</u>
Minor, no accident involved	1
At-Fault Accident	2
Major (within 3 years)	6
Major (4-5 years ago)	3

Required Action:

If an employee received 5 or more points during the review of their MVR, the Administrator and Department Head will review this record with the employee to determine appropriate action which may include suspension of driving privileges for City vehicles, limited driving privileges for City vehicles, or other appropriate action as determined by the Administrator and Department Head.

Section 14.5

Telecommunications

City telecommunications devices are in place to conduct official City business.

Employees must make every effort to not charge personal long distance calls to the City. In the event an Employee needs to make a personal long distance call, they must use a personal calling card. Employees making a personal long distance call, without a personal calling card, shall reimburse the City for the cost of the call(s).

Local personal calls should be made only when necessary and preferably during the Employee's scheduled breaks.

1. Email and Voicemail

Employees are required to check their email and voicemail messages on a daily basis on regular workdays, preferably several times throughout the day.

Voicemail greetings and email responses must indicate if an Employee is not available to respond in a timely manner and when a response can be expected.

2. Mobile Telecommunications Use

Mobile technology, including phones, pagers, and other wireless devices shall be administered in accordance with the City's "MIS Policy".

Employee's with personal mobile telecommunications devices should use them only when necessary and preferably during the Employee's scheduled breaks.

Section 14.6

Keys and Security

Employees are responsible for securing their workstation work area at the end of each day and that the office, confidential files, etc., are properly secured. Employees entrusted with keys are required to maintain their safekeeping and to return them before receiving their last paycheck when employment with the City is terminated.

Section 14.7

Smoking

The City provides a non-smoking work environment in accordance with the Minnesota Indoor Clean Air Act.

Employees who choose to smoke must do so on their regularly scheduled breaks or lunch periods. No additional time will be allowed for smoking.

Section 14.8

OFFICIALS UNDER WORKERS COMPENSATION ACT

Pursuant to Minnesota Statutes Section 176.011, Subd. 9 the elected officials and commissioners of the City and those municipal officers appointed for a regular term of office are hereby included in the coverage of the Minnesota Workers' Compensation Act.

Section 15.

SAFETY

Section 15.1

Workplace Safety

The City seeks to maintain a safe and hazard-free work environment.

Employees are required to develop safe work habits and to contribute to the safety of themselves, their co-workers and the general public.

The City will provide Employees with safe and healthful working conditions through the following means:

- A. Each Department or work area appoints a representative to the Safety Committee. The Committee creates, maintains and recommends a safety program in compliance with all applicable Federal, State and local laws.
- B. The City reviews every occupational illness and injury, and every incident which results in damage to City property, and it takes action to ensure that unsafe work methods, unsafe work sites and unsafe equipment are identified and made safe.
- C. All Employees are required to fully comply with the Safety Program as administered by the Safety Committee.
- D. Department Heads and other management and Supervisory Employees are responsible for implanting the Safety Program by training their Employees in safe work methods and by enforcing compliance with safety standards set by the Safety Committee.
- E. Department Heads are responsible for providing all Employees with safety equipment and safety clothing that the City feels is necessary for Employees to perform their duties in a safe manner.

To be successful, the City's safety and health program must be the shared responsibility of all Employees. Employees are required to:

- A. Immediately report injuries to their Supervisor.
- B. Immediately report to a Supervisor all unsafe equipment, practices or procedures which pose a threat to the safety of Employees or others;
- C. Cooperate with and assist in the investigation of accidents to identify the causes and to prevent recurrence;
- D. Be active in department safety programs;
- E. Actively participate in Safety training;
- F. Read the safety information that is provided to by their Supervisor; and
- G. Observe and promote safe work habits.

The City also enforces separate "Safety Policies" in compliance with all Federal and State laws.

Section 15.2

Safety Boots/Clothing

Employees in Public Works will be reimbursed per calendar year, for the purchases of steel toed boots/shoes for use on the job for the City, based on the schedule adopted by the City Council.

All Employees assigned to Public Works are required to wear steel toe, puncture-resistant soled shoes or boots that meet current ANSI (Z41.1, 1983) safety standards. The safety shoe or boot must be in good repair.

In order to receive reimbursement, the Employee must complete the appropriate claim form, attach original receipts and proof of purchase of appropriate boots/clothing, and submit it to the Department Head for consideration and approval.

Employees assigned to Public Works are not allowed to wear canvas shoes, sneakers, sandals, flip-flops, or similar type footwear while on the job.

Public Works Employees must wear a shirt and long pants at all times.

Section 15.3

Injury Reporting

Employees injured in the course of performing job-related duties for the City, they are required to:

- A. Immediately report to their Supervisor all accidents and injuries occurring within the course of their employment.

*The Supervisor will submit a First Report of Injury and Supervisor's Report of Accident forms to the **Finance/HR Director** within two (2) working days.

- B. Immediately report to their Supervisor all unsafe practices or conditions observed.

- C. An incident of death or dismemberment must be reported to the Administration Department immediately, regardless of the day and time of the incident.

Section 15.4

Exposure to Hazardous Substances

Any employee routinely exposed to hazardous substances or harmful physical agents as defined in the Minnesota Employee Right to Know Act of 1983 shall be trained before being assigned or reassigned work exposing him to such substances or agents and shall be given training annually thereafter. Training shall include an explanation of how and where information about hazards is stored in the workplace, how the hazards are labeled, and where to obtain specific information. The Administrator shall provide for such training and for compliance with the Minnesota Employee Right to Know Act of 1983, including the establishment of specific policies to insure compliance with the state law and regulations. An employee acting in good faith has the right to refuse to work under conditions which the employee reasonably believes present an imminent danger of death or serious physical harm to the employee.

Section 16.

CODE OF PERSONAL CONDUCT

Section 16.1

Language

On the job, all municipal employees work in an environment where public service is central to their jobs. The use of profane, vulgar or crude language in the workplace can be offensive both to other employees or to members of the public who happen to be within earshot. Common sense should be applied by all employees in choosing the words that they use in the workplace. If a co-worker, supervisor or a member of the public requests or suggests that an employee refrain from using particular vulgar, profane or crude words, such a request or suggestion should be followed.

Section 16.2

Attitude

Every governmental agency requires a chain of command. It is not good for overall employee morale or efficiency for employees to see or hear about a co-worker who verbally abuses another employee or a supervisor. In verbal discourse among employees that is not in the presence of others, regardless of rank or position, care should be taken to avoid being verbally abusive by such means as using words, tone of voice, body language or loudness to attempt to intimidate or embarrass others.

Section 16.3

Demeanor

When engaging in conversations, meetings or other interaction that is in full view and/or earshot of other persons, employees should act toward others just as they act when in private conversations, meaning that they avoid loud, abusive or profane language. If disagreements develop, where possible they should be carried into a private office setting to avoid disturbing others and must remain respectful.

Section 16.4

Respect

All persons under another's supervision, all co-workers, all supervisors and others coming into contact with City employees deserve to be treated with respect. Care should be taken to avoid insulting language, making light of a person's problem or question, or ignoring persons seeking information or answers.

Section 16.5

Interaction with Visiting Public

Members of the public are the taxpayers who pay the salaries of public employees, and public employees are here to serve them. Care should be taken to promptly wait on those who appear without appointments, to be punctual with those who appear with appointments, and to patiently and courteously explain answers to any questions. It must be remembered that members of the public are frequently unfamiliar with governmental regulations and practices, and often need extra

explanations for their questions. If a visitor becomes rude or unruly, a supervisor may be summoned to deal with the situation.

Section 16.6

Ambassadors off the Job

All public employees are representatives of the City whether at work or out in the public. No public employee should use reference to his or her position to intimidate or impress others. In addition, public employees should be careful to avoid situations in which they are around or near illegal activity, and should take care to observe reasonable standards of decorum and personal conduct.

Adopted 5-18-09

Revised 12-7-09 (Sections 10.3 Vacation Leave and 10.4 Sick Leave)

Revised 9-6-11 (Section 10.5 PTO and various sections to add PTO provisions)

Revised 10-3-11 (Incorporated PTO into various sections)

Revised 12-19-11 (Section 11.8 Short Term Disability)

Revised 7-1-13 (Section 10.5 Extended Medical Bank)

Revised 9-3-13 (Section 11.1 Insurance Benefits)

Revised 12-2-13 (Section 11.1 Insurance Benefits)

Revised 8-4-14 (Section 11.1 Insurance Benefits & Sections 10.2 and 10.2 Floating Holiday and required vacation time)

Revised 8-18-14 (Section 11.1 Insurance Benefits)

Revised 10-19-15 (Section 11.8 Short Term Disability Insurance)

Revised 8-7-17 (Section 11.1 Insurance Benefits)

Revised 11-6-18 (Section 10.2 Holiday Leave)

Revised 7-1-19 (Section 8 – Compensation)

Revised 12-2-19 (Section 10.3 - Vacation Leave, 10.4 - Sick Leave, 10.5 - Paid Time Off) and other updates and inconsistencies

Revised 5-1-23 (Section 3.2 – Equal Employment Opportunity, Section 3.3 – Recruitment and Selection Process, Section 4.1 – Employment Records, Section 4.2 – Performance Evaluations, Section 5.1 – Work Schedule, Section 8.6 – Overtime Pay/Compensatory Time, Section 9.2 – Resignation, Section 9.4 – Advance Resignation/Retirement Notice Program, 9.5 – Reduction in Work Force, 9.8 – Good Standing, 10.2 – Holiday Leave, 10.3 – Paid Time Off, 11.1 – Insurance Benefits, 11.7 – Post-Retirement Health Care Savings Plan, 12.5 – Recognition Program, 14.2 – Property Damage Reporting, 15.3 – Injury Reporting)

April 14, 2023

Denise Webster
City Administrator
City of Ham Lake, MN
15544 Central Ave NE
Ham Lake MN 55304

Denise,

Please consider this letter my formal resignation from the City of Ham Lake. Over some time, I have realized that I am just not a good fit for my position here. My final day of work will be April 27, 2023, according to the 10 day notification requirement per the Employee Handbook to be considered leaving in good standings.


I thank you for your understanding. Please let me know what the process will be for receiving my last paycheck, remaining benefits, and Paid Time Off hours.

Thank you for the support you have provided during my tenure with the City of Ham Lake.

Respectfully,

Teri McMahan

Memorandum

Date: April 25, 2023
To: Mayor and Councilmembers
From: David A. Krugler, City Engineer 
Subject: Radisson Sunset Estates

Introduction:

An inspection of the Radisson Sunset Estates development project was completed on April 12, 2023.


Discussion:

All of the Development Agreement Work Items that were guaranteed by the performance security have been completed.

Recommendation:

It is recommended that the project be accepted and that the one-year maintenance period commences, and it is recommended that the performance security, in the amount of \$44,250, be released after the maintenance security, in the amount of \$24,200, is posted by the Developer with the City.

Memorandum

Date: April 25, 2023
To: Mayor and Councilmembers
From: David A. Krugler, City Engineer 
Subject: Catchers Creek of Ham Lake

Introduction:

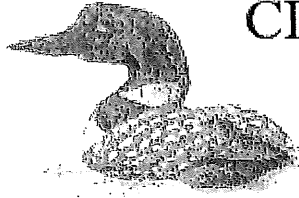
An inspection of the Catchers Creek of Ham Lake development project was completed on April 12, 2023.

Discussion:

All of the Development Agreement Work Items that were guaranteed by the performance security have been completed.

Recommendation:

It is recommended that the project be accepted and that the one-year maintenance period commences, and it is recommended that the cash performance security, in the amount of \$13,320, be released after the maintenance security, in the amount of \$13,320, is posted by the Developer with the City.



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
Fax (763) 434-9599

CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, APRIL 24, 2023

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: March 13, 2023

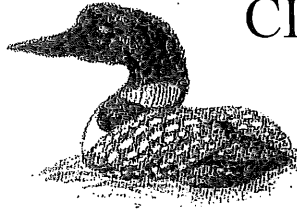
PUBLIC HEARINGS: None

NEW BUSINESS:

1. Andrew Buddensiek of ANB Auto LLC requesting a Certificate of Occupancy to operate a used car dealership at 15903 Lincoln Street NE

COMMISSION BUSINESS:

1. City Council Update



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
Fax (763) 434-9599

CITY OF HAM LAKE PLANNING COMMISSION MINUTES MONDAY, APRIL 24, 2023

The Ham Lake Planning Commission met for its regular meeting on Monday, April 24, 2023 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Commissioners Brian Pogalz, Dave Ringler, Jeff Entsminger, Scott Heaton and Erin Dixon

MEMBERS ABSENT: Commissioners Kyle Lejonvarn and Jonathan Fisher

OTHERS PRESENT: Building and Zoning Clerk Jennifer Bohr

CALL TO ORDER: Chair Pogalz called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:

Motion by Ringler, seconded by Entsminger, to approve the minutes of the March 13, 2023 Planning Commission meeting as written. All present in favor, motion carried.

NEW BUSINESS:

Andrew Buddensiek of ANB Auto LLC requesting a Certificate of Occupancy to operate a used car dealership at 15903 Lincoln Street NE

Andrew Buddensiek of ANB Auto LLC was present. Mr. Buddensiek stated he chose this location because he can display 8-10 cars inside of the building in addition to having up to seven cars displayed outside. Mr. Buddensiek stated he wants to have an indoor showroom to prevent theft and to keep the vehicles out of the elements. Mr. Buddensiek stated traffic generated by the business will be minimal as business will be conducted primarily by appointment. Mr. Buddensiek stated he will be updating the ventilation system to be code compliant, striping the parking lot and putting up a sign. Commissioner Heaton completed the inspection; a copy which is on file. Commissioner Heaton stated the building is located in an industrial park and the location is a good fit for what Mr. Buddensiek wants to use it for. Commissioner Heaton stated there is large, open areas for displaying cars; the parking lot needs to be striped and marked for handicap parking but is in good condition overall. Commissioner Heaton stated the ventilation system will need to be updated to comply with the 2020 Minnesota Mechanical Code. Chair Pogalz stated Building Official Mark Jones recommended approval of the Certificate of

Occupancy with conditions. **Motion by Heaton, seconded by Entsminger, to recommend approval of Andy Buddensiek's request for a Certificate of Occupancy to operate a used car dealership at 15903 Lincoln Street NE per the business and site plans provided subject to installing a ventilation system compliant with the 2020 Minnesota Mechanical Code, meeting the 2020 Minnesota State Fire Code for indoor storage of vehicles, striping the parking lot, adding an assessible parking space and meeting all City, State and County requirements. All present in favor, motion carried.** *This application will be placed on the City Council's Monday, May 1, 2023 agenda.*

COMMISSION BUSINESS:

City Council Update

Commissioner Entsminger informed the Commissioners that the City Council concurred with the recommendation to approve the site plan for the expansion project in Flamingo Terrace manufactured home park. There will not be a Commissioner present at the May 1, 2023 City Council meeting.

ADJOURNMENT:

Motion by Heaton, seconded by Dixon, to adjourn the Planning Commission meeting at 6:08 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk



CITY OF HAM LAKE

PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

Phone (763) 434-9555 Fax (763) 235-1697

Date of Application 04-17-2023

Date of Receipt 4-17-23
Receipt # 95756

Meeting Appearance Dates:
Planning Commission 4-24-23

City Council 5-1-23

Please check request(s):

- Metes & Bounds Conveyance
- Sketch Plan
- Preliminary Plat Approval*
- Final Plat Approval
- Rezoning*
- Multiple Dog License*

- Commercial Building Site
- Certificate of Occupancy
- Home Occupation Permit
- Conditional Use Permit (New)*
- Conditional Use Permit (Renewal)
- Other

**NOTE: Advisory Signage is required for land use alterations and future road connections. This application also requires a Public Hearing. Such fees shall be deducted from deposit.*

Development/Business Name: _____

Address/Location of property: 15903 LINCOLN ST NE HAM LAKE MN 55304

Legal Description of property: _____

PIN # 17-32-23-34-0019 Current Zoning IP Proposed Zoning —

Notes: Used car dealership - Indoor and outdoor vehicle display

Applicant's Name: ANDREW BUDENSLEK

Business Name: ANB AUTO LLC

Address 15903 LINCOLN ST NE

City HAM LAKE State MN Zip Code 55304

Phone _____ Cell Phone 612-747-2390 Fax _____

Email address ANBAUTO4U@GMAIL.COM

You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.

SIGNATURE [Signature] DATE 4-17-2023

- FOR STAFF USE ONLY -

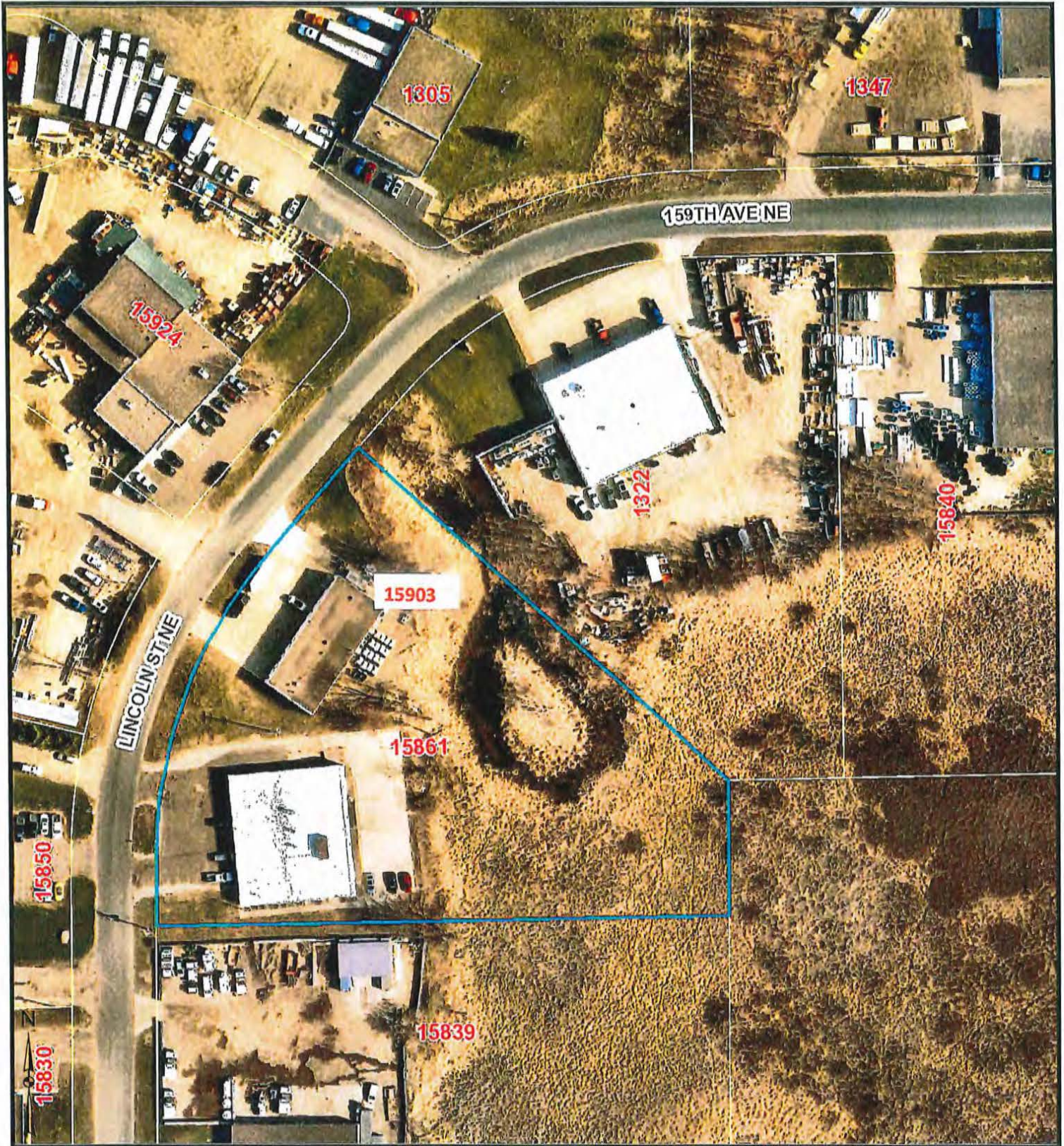
ACTION BY: Planning Commission 4-24-23
City Council _____

PROPERTY TAXES CURRENT YES NO

Anoka County Parcel Viewer



Anoka County Parcel Viewer



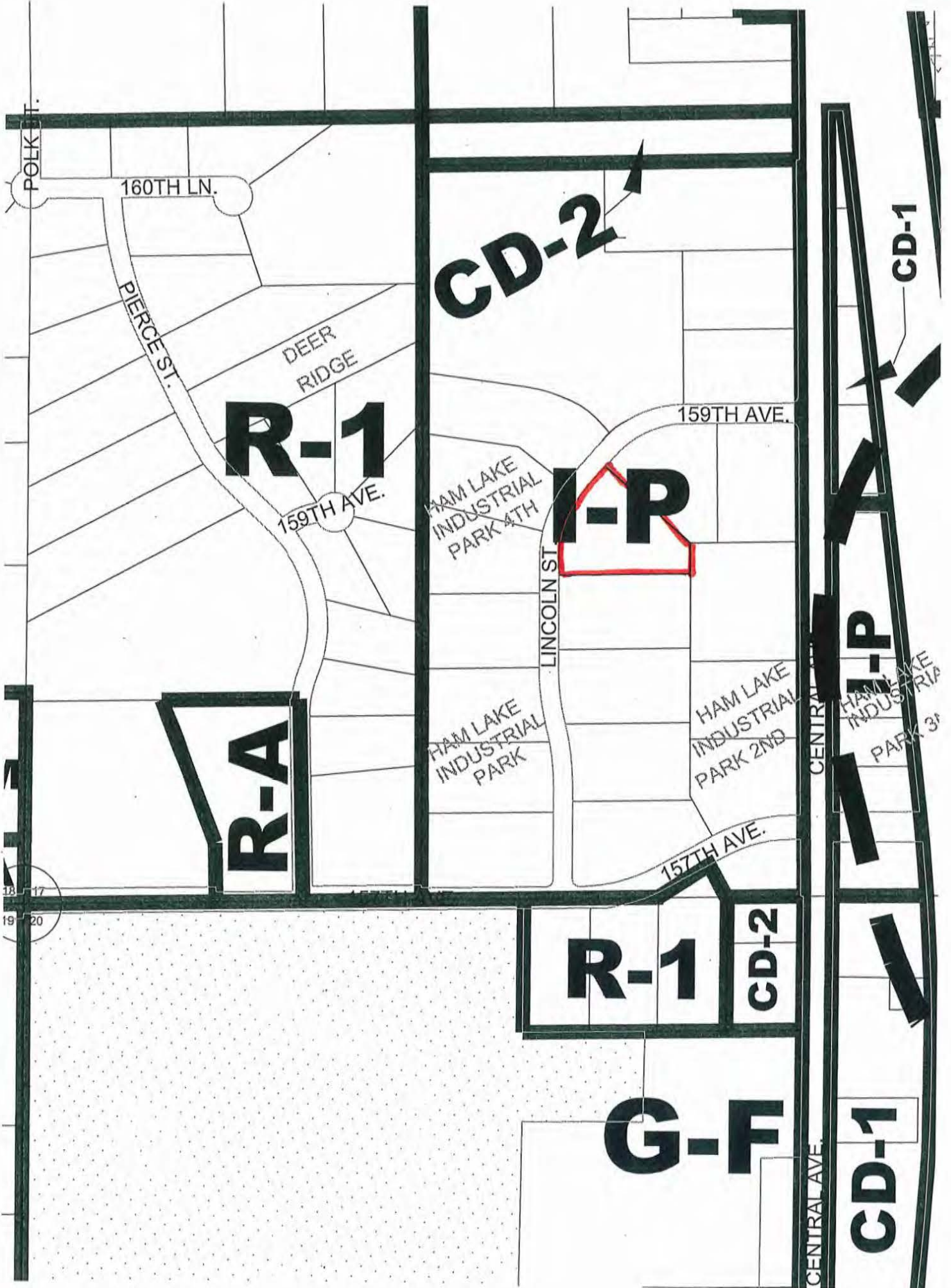
Parcel Information:

17-32-23-34-0019
 15861 LINCOLN ST NE
 HAM LAKE
 MN 55304
 Plat: HAM LAKE INDUSTRIAL PARK FOURTH ADDITION

Approx. Acres: 2.47954992
 Commissioner: JULIE BRAASTAD

Owner Information:

JASPER HOLDINGS INVESTMENTS LLC
 330 S SECOND AVE STE 370
 MINNEAPOLIS
 MN
 55401



POLK ST.

160TH LN.

PIERCE ST.

DEER RIDGE

R-1

159TH AVE.

HAM LAKE INDUSTRIAL PARK 4TH

I-P

159TH AVE.

LINCOLN ST.

HAM LAKE INDUSTRIAL PARK

HAM LAKE INDUSTRIAL PARK 2ND

HAM LAKE INDUSTRIAL PARK 3RD

R-A

157TH AVE.

R-1

CD-2

G-F

CD-1

CD-1

CENTRAL AVE.

18 17
19 20

ANB AUTO LLC
15903 LINCOLN ST NE
HAM LAKE MN 55304

NARRATIVE FOR ANB AUTO LLC

The business is selling cars. It will be myself and one employee working at this location. We plan on having up to seven cars outside and up to 8 cars inside. We do not service cars only sell them. This is a low traffic business and majority of our clients will show up by appointment. ANB Auto LLC will abide by the, per section 314, indoor displays of the 2020 Minnesota State fire code. We will also abide by the per section 510, Hazardous Exhaust System, of the 2020 Minnesota Mechanical Code before we place any cars inside building for sale. The lot will be striped for legal parking including handicap parking spot. The listed business hours will be Monday through Thursday 10:00am till 6:00pm, Friday 10:00am till 5:00pm and Saturday by appointment.

Andy Buddensiek – Owner
ANB Auto LLC
612-747-2390
Anbauto4u@gmail.com

April 24, 2023

CITY OF HAM LAKE

STAFF REPORT

To: Members of the Planning Commission

From: Mark Jones, Building Official

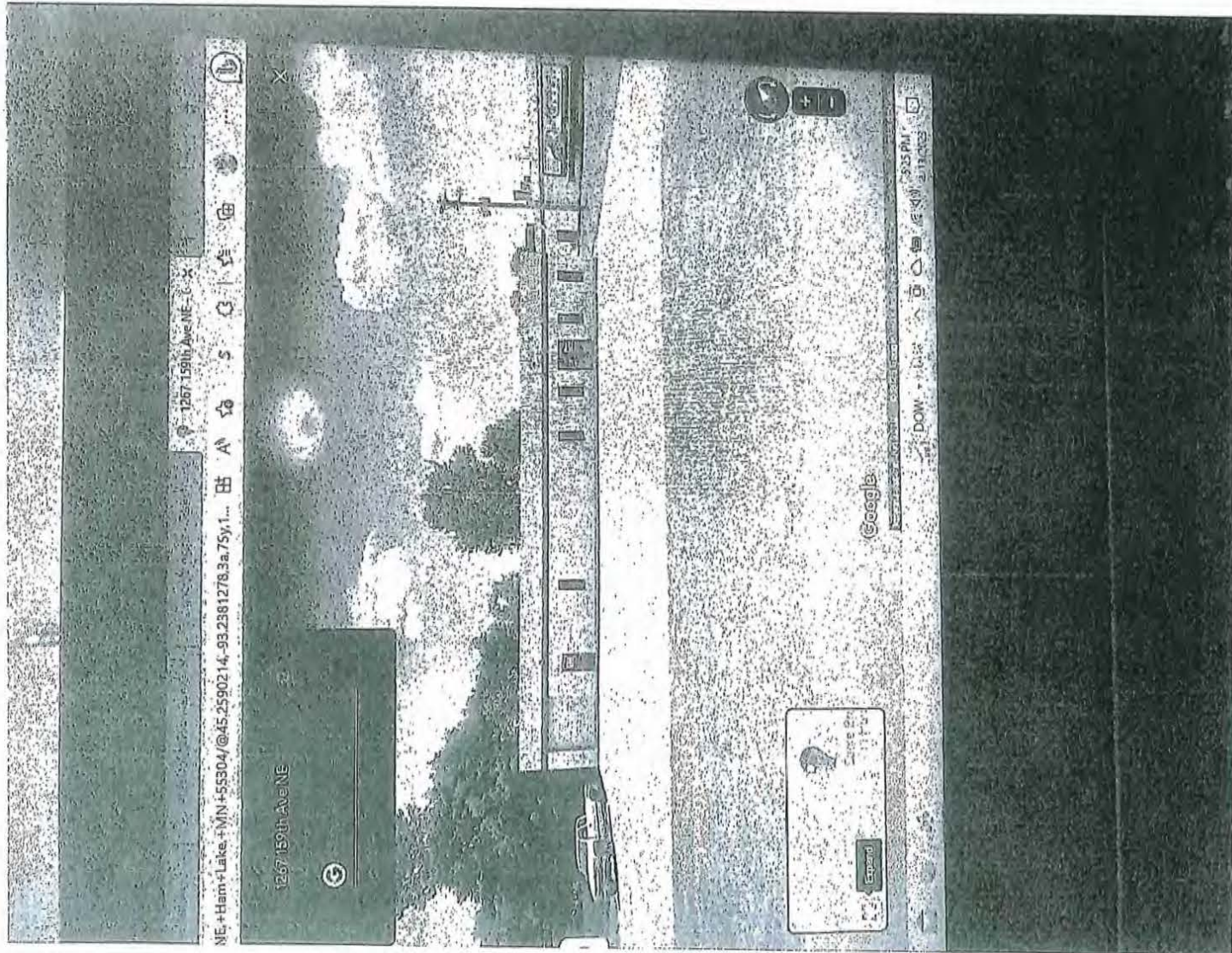
Subject: Certificate of Occupancy for ANB Auto LLC

Introduction/Discussion:

Andy Buddensiek of ANB Auto LLC is leasing the building at 15903 Lincoln Street NE for used motor vehicle sales. Mr. Buddensiek will display cars for sale outdoors as well as indoors. This type of occupancy is a change of use of the building and under Article 9-150.2, if the occupancy of any parcel of land changes under conditions in which the new occupant will or is likely to conduct activities which will generate a significant change ... in structural components ... of a given parcel, the new occupant shall be required to obtain a new Certificate of Occupancy prior to commencing activity. The building was not built for use as an indoor car sales display room, and, currently, it does not comply with the Minnesota Mechanical Code for ventilation of hazardous exhaust. Vehicles for indoor display also need to meet the Minnesota Fire Code.

Recommendation:

I recommend approval of new Certificate of Occupancy on the conditions that a code compliant ventilation system be installed to exhaust hazardous vapor, gas and fumes from the building and indoor storage of the vehicles meet Minnesota Fire Code requirements of batteries being disconnected, fuel in fuel tanks of each vehicle not exceed one-quarter tank of fuel or five gallons (which ever less), no fueling or defueling be done within the building and fuel tanks and fill openings are closed and sealed to prevent tampering.



1267 159th Ave NE - C X



1267 159th Ave NE



Google

1267 159th Ave NE, Hamlet, MN 55304

2:25 PM

25.1 KM

25.1 KM

25.1 KM

25.1 KM

25.1 KM

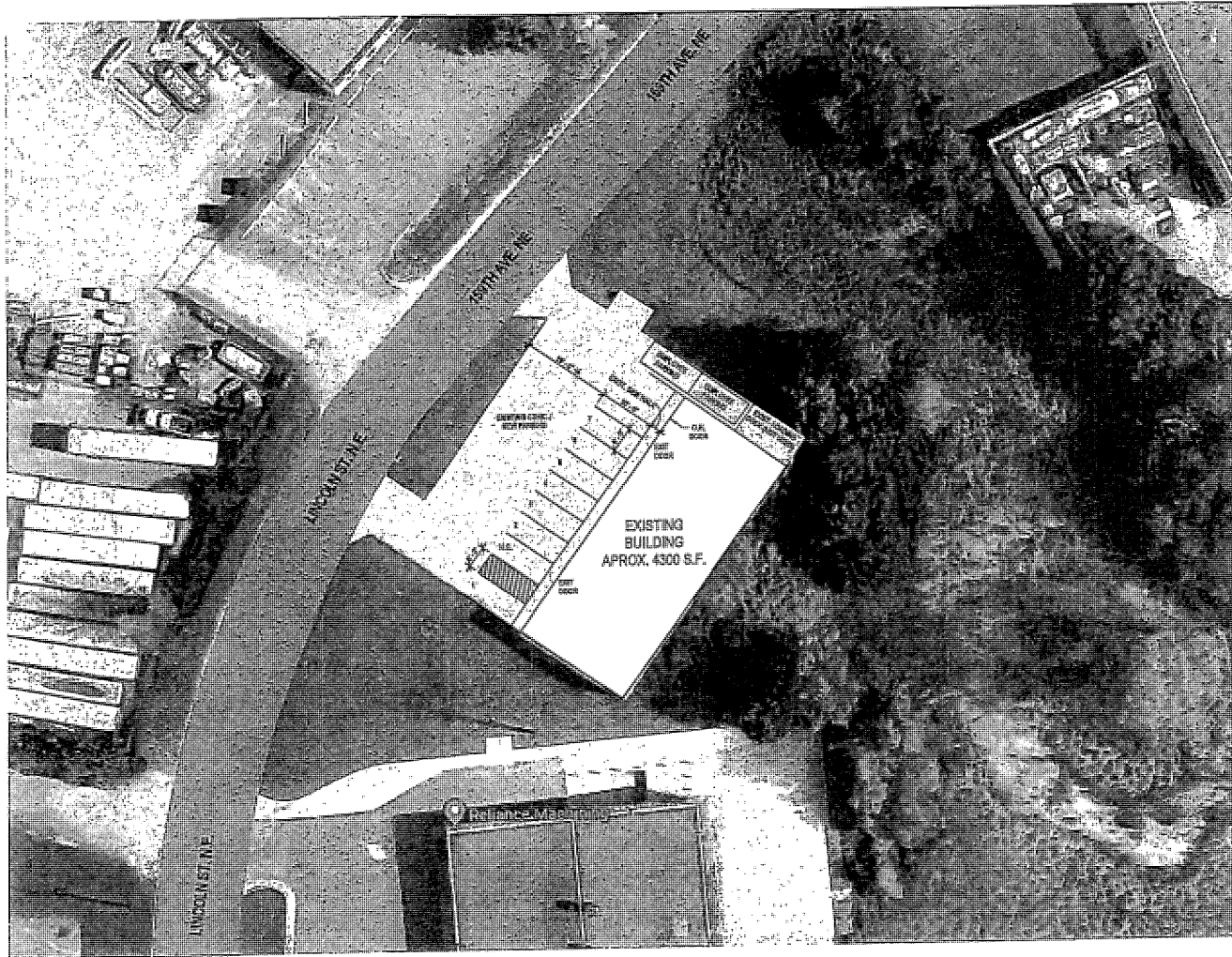
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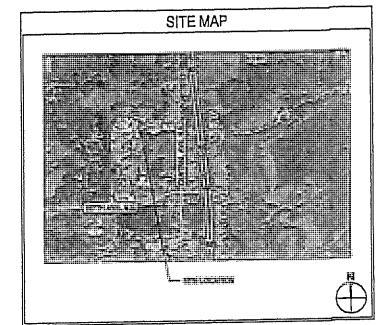
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Preliminary Site Plan



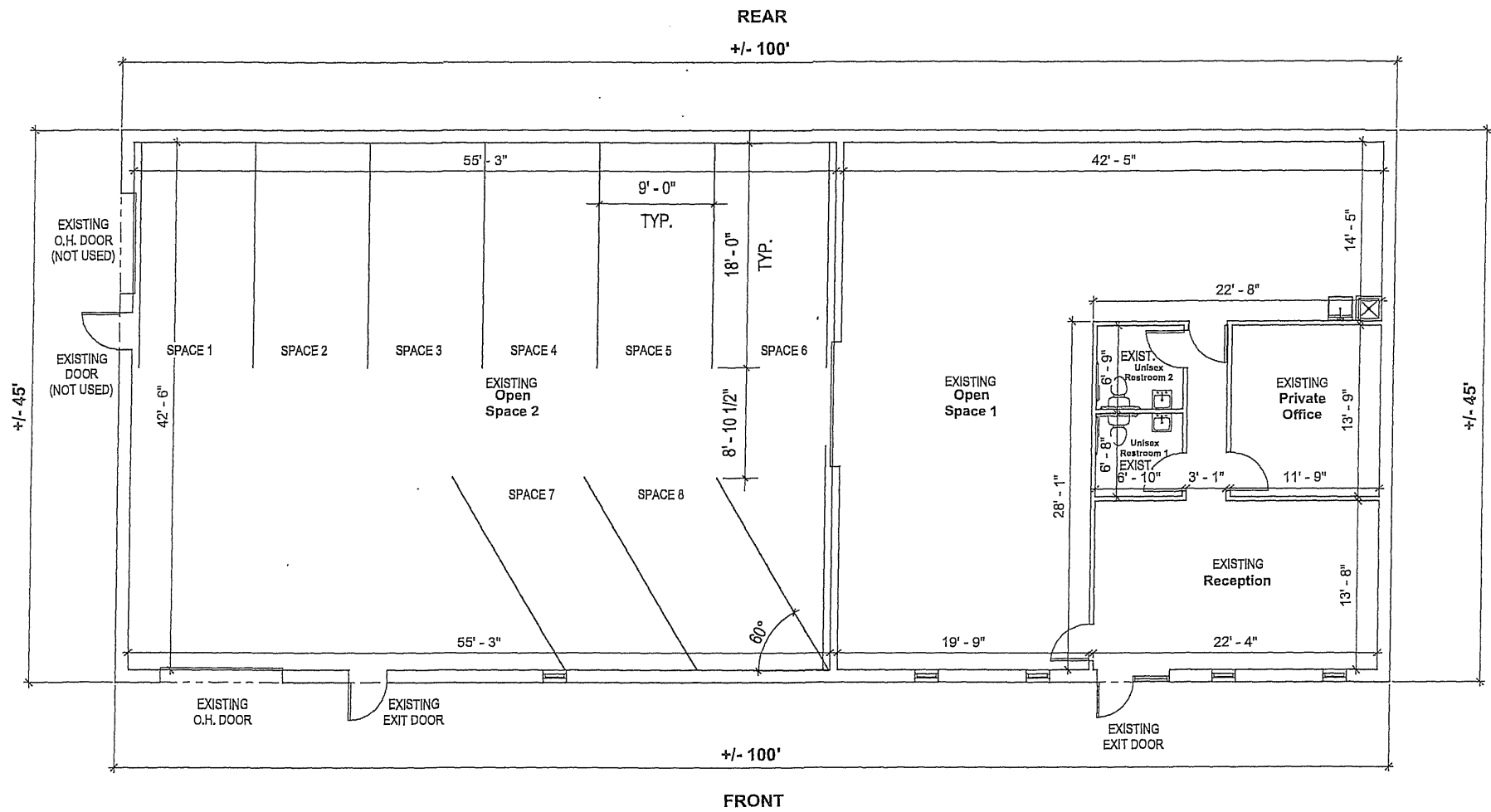
15903 Lincoln Street Northeast - SITE

project no. -
 drawn by -
 reviewed by - 04.14.2023

SPACE PLAN

15903 Lincoln Street Northeast | Ham Lake, MN | 55304

SP00



1 FLOOR PLAN
14-14



15903 Lincoln Street Northeast - SITE

project no. -
 drawn by -
 reviewed by - 04.14.2023

FLOOR PLAN

15903 Lincoln Street Northeast | Ham Lake, MN | 55304

SP01

9-150 Changes in Usage or Occupancy and Accessory Uses

9-150.1 Non-Conforming Uses A *non-conforming use* is a land use which, by virtue of its having been in existence at the time of a code change, is not currently compliant with any provision of the City Code. A *non-conforming use* may continue to exist, but, except in the limited conditions described below, may not be altered (except to effect repairs restoring the pre-existing condition) or expanded unless to a conforming use. If a *non-conforming use* is abandoned or not used because of unrepaired damage for any period of twelve consecutive months, it shall no longer be permitted to exist in a non-conforming status.

A residential dwelling (and ancillary features on the lot) located in a zoning district that does not include residential uses as a permitted or conditional use may be structurally altered to expand the residential use, provided that:

- a. No such alteration would tend to preclude the construction of future commercial service roads that are likely to be constructed over the parcel in the future; and
- b. The livability requirements of this code relating to SSTS and other space will continue to be met on the upland portion of the lot, and
- c. The expansion requires no variances from setback regulations; and
- d. The alteration is not intended to nor will it promote usage of the structure for multiple-family housing.

Notwithstanding the foregoing language, a parcel containing a structure originally constructed as a single-family dwelling in areas zoned CD-1, CD-2, CD-3 or CD-4 that converts to a non-residential use may return to use as a single-family dwelling if the non-residential use terminates. This exception to the normal non-conforming use limitations applies only to structures that were in existence as of January 1, 2014.

Self-storage facilities located in areas zoned CD-1 may be expanded in accord with the provisions of Article 9-220.2 (c) of this Code.

9-150.2 New Occupancy Other than *Residential Land Uses*, if the occupancy of any parcel of land changes under conditions in which the new occupant will or is likely to conduct activities which will generate a significant change in the parking, drainage, water usage, traffic, signage size, structural components or vegetation of a given parcel, the new occupant shall be required to obtain a new *Certificate of Occupancy* prior to commencing activity. The *Zoning Officer* shall determine whether or not a new *Certificate of Occupancy* is required for any given land use.

Meeting Date: May 1, 2023

CITY OF HAM LAKE

STAFF REPORT

To: Mayor and Councilmembers

From: Andrea Murff, Finance/HR Director

Subject: Discussion on Potential Conduit Debt Opportunity.

Introduction/Discussion:

Dorsey & Whitney reached out with a Conduit Revenue Bond opportunity partnering with the City of East Bethel to issue tax-exempt bonds for Nexus Diversified Community Services to build a residential treatment facility in the City of East Bethel. Nexus Diversified is requesting a total of \$17M in bond funding of which The City of East Bethel is financing \$10M and Nexus Diversified requesting \$7M from the City of Ham Lake.

The City has the authority to issue Conduit Revenue Bonds and will act as a conduit between the borrower, Nexus Diversified, and the purchaser of the bonds. A Conduit issuance does not affect the City's outstanding debt balances or ratio since any liability for this issuance does not fall on the City. The liability would be the responsibility of borrower. The benefit of using this financing instrument to the borrower is a lower interest rate on the principal. The City will benefit by obtaining a fee for the issuance.

Dorsey & Whitney has advised Nexus Diversified is set to pay the City anywhere from \$10,000 to \$20,000 for our issuance with them cautioning to lean towards the lower end of the fee. Any fees incurred due to bond issuance would be paid by Nexus Diversified

The City has done previous Conduit issuances in 2016 for Davinci Academy of Arts and Science and Parnaassus Preparatory School.

Included is the memo from Dorsey & Whitney for more information.

Discussion:

I will need to know if the Council would like to get more information about the bond from Dorsey & Whitney on May 15 and the amount we should ask for this service.

MEMORANDUM

TO: Mayor and City Council

CC: Andrea Murff, Finance Director

FROM: Rhonda Skoby
Nate Canova

DATE: April 25, 2023

RE: Proposed issuance of conduit revenue bonds for Nexus Diversified Community Services

The City of Ham Lake (the "City") has received a request from Nexus Diversified Community Services (the "Borrower") that the City issue tax-exempt bonds in the approximate amount of \$7,000,000 and loan the proceeds thereof to the Borrower to finance a portion of the acquisition, construction, and equipping of a residential treatment facility located in East Bethel (the "Project"). The Borrower has requested the City of East Bethel to finance the other portion of the Project in the estimated amount of \$10,000,000. After completion of the acquisition, the Borrower will lease the Project to its affiliate, Nexus Family Healing.

Bonds issued by cities and counties pursuant to Minnesota Statutes, Sections 469.152 through 469.165, as amended (the "Act"), are common methods in the State of Minnesota of obtaining federally tax-exempt financing for revenue-producing enterprises. Because the interest on certain bonds issued by political subdivisions of the State are exempt from federal income taxes, the Borrower will be able to finance a portion of its project at a lower interest rate than a conventional financing would allow. This will have a beneficial impact on the Borrower's cash flow and enhance the Borrower's ability to provide services and create economic development in and around the City. When a bank agrees to be the lender, issuing less than \$10 million of Bonds per city also allows for a better "bank qualified" interest rate which further helps the Borrower.

Authority of Municipalities to Issue Revenue Debt

The City is authorized pursuant the Act to issue bonds to defray the cost of any "project" as defined at Section 469.153, subdivision 2 of the Act. These types of financings are commonly referred to as "conduit" transactions because the City acts as a conduit between the purchasers of the Bonds and the Borrower. The bonds are issued by the City and sold to the bond purchasers (in this case, proposed to be Bremer Bank). The proceeds of the sale of the bonds are then loaned to the Borrower pursuant to a Loan Agreement in which the Borrower agrees to make payments pursuant to the Loan Agreement corresponding to the payments on the bonds.

Revenue Bonds Are Not Constitutional Debt of the Issuing Municipality

The City is not liable for repaying the bonds and the bonds are payable only from the amounts paid by the Borrower under the Loan Agreement. In fact, bonds issued pursuant to the

If issued, the proposed bonds would count against the City's \$10,000,000 limit for purposes of bank qualification, leaving approximately \$3,000,000 available for other bonds issued by the City during 2023. Although it is our understanding that the City does not presently intend to issue any of its own bonds during 2023, the bond documents for the proposed financing will require the Borrower to reimburse the City for any additional interest expense resulting from the City being unable to designate its bonds as bank qualified if the City does, for any reason, issue its own bonds during 2023.

City Revenues

The City may charge the Borrower an issuance fee for its services in connection with Bond financing.

Fees and Expenses

If the City issues the proposed Bonds, the Borrower will be required to pay all direct and indirect expenses of the City and indemnify and hold the City harmless against any liability related to the issuance of the Bonds. As the City's bond counsel, Dorsey would prepare the bond documents and represent the City's interests in the financing, but our fees (as well as the fees of all other parties involved with the financing) would be paid by the Borrower.

Procedures for Issuing Revenue Bonds

A public hearing is required in order to issue conduit bonds of this type. Accordingly, we would ask the City Council to hold two meetings on this matter.

At the first meeting, the City Council would consider a resolution calling for a public hearing on the Bonds and preliminarily authorizing their issuance.

At a subsequent council meeting, the City Council would hold the public hearing and consider a resolution authorizing the City to issue the Bonds and authorizing the Mayor and City Administrator to execute the Bonds, the related documents and closing certificates. Dorsey would publish a notice of public hearing in the City's official newspaper, at least 14 days before the public hearing.

In addition to public hearing and meeting requirements, the State of Minnesota Department of Economic Development must approve the Project and the Bonds. Our firm will work with the City and the Borrower to complete an application for State approval.

Our Role as Bond Counsel

Our office will prepare each of the documents and proceedings necessary to close the transaction in order to ensure compliance with the necessary state and federal legal requirements. On the day of closing and issuance of the Bonds we intend to issue our opinion stating, among other things, that all steps required to be taken by the City to issue the Bonds have been completed, that interest on the Bonds is exempt from taxation under the Code, and that the Bonds are not general obligations or indebtedness of the City within the meaning of any

constitutional or statutory limitation, and do not constitute or give rise to a pecuniary liability of the City or a charge against the general credit or taxing powers of the City.

I look forward to discussing the proposed bond issue with you at the May 15 Council Meeting. Please feel free to call (612-492-6932) or email (skoby.rhonda@dorsey.com) if there is further information that would be helpful in advance of the meeting.

Act are statutorily prohibited from being debt of the City within any state constitutional provision. The Act provides statutory protection to the City in Section 469.162, which reads:

Subdivision 1. **Restrictions on payment.** Revenue bonds issued under sections 469.152 to 469.165 shall not be payable from nor charged upon any funds other than the revenue pledged to their payment, except as provided in this section, **nor shall the municipality or redevelopment agency issuing the same be subject to any liability on them.** No holder of the bonds shall ever have the right to compel any exercise of the taxing power of the municipality or redevelopment agency to pay the bonds or the interest thereon, except as provided in subdivision 2¹, nor to enforce payment of them against any property of the municipality or redevelopment agency except those projects, or portions thereof, mortgaged or otherwise encumbered under the provisions and for the purpose of sections 469.152 to 469.165.

The documents providing for the loan from the City to the Borrower, the bond itself, and the authorizing proceedings for the bonds will clearly state the non-liability of the City in order to put bond purchasers on notice that the bonds shall not constitute debt of the City. In particular, Section 469.162 of the Act requires that the Bonds “recite in substance that the bond, including interest thereon, is payable solely from the revenue pledged to its payment.”

No City funds or tax dollars are being provided to or on behalf of the Borrower. The Borrower is responsible for reimbursing the City for any direct costs incurred related to the issuance of the Bonds, including costs for publication of notice or other expenses. Our fees as Bond Counsel to the City will be paid directly by the Borrower. The City will not bear any expenses in connection with its role in the financing.

Bank-Qualification

The Bonds are proposed to be issued as “bank-qualified bonds.” Bank-qualified bonds are a subset of tax-exempt bonds that were created to encourage banks to invest in tax-exempt bonds from smaller, less-frequent municipal bond issuers.

Section 265(b)(3) of the Internal Revenue Code (the “Code”) permits partial deductibility of a financial institution’s interest expense allocable to acquiring tax-exempt bonds if, among other things, the tax-exempt bond is issued by an issuer that does not reasonably anticipate issuing in excess of \$10,000,000 in tax-exempt bonds during the calendar year of the bond issue (i.e., a qualified small issuer). Bonds issued in accordance with Section 265(b)(3) are, therefore, referred to as “bank-qualified bonds” or, more technically, as “qualified tax-exempt obligations.”

With bank-qualified bonds, issuers obtain lower rates by selling bonds to investors that realize the tax-exempt benefit. As a result, bank-qualified bonds typically carry a lower rate than non-bank-qualified tax-exempt bonds.

¹ Subdivision 2 has been repealed.

Meeting Date: May 1, 2023

CITY OF HAM LAKE

STAFF REPORT

To: Mayor and Councilmembers

From: Andrea Murff, Finance/HR Director

Subject: Discussion on Position Classification and Compensation Study

Introduction/Discussion:

Our current pay structure is composed of job grades and steps. The grade of a position is based on a point system determined by the State of Minnesota Job Evaluation System. This system lists different common government positions and the tasks they perform. These grade points determine base salary for each position with a starting wage and top wage. The steps in the pay scale are incremental increases in wages to help leverage employee performance and retain employees by giving pay increases. These steps also help determine a starting wage and top wage for each positions' salary base.

The last Compensation Study was completed for employees in 2004. It is recommended by industry professionals a study be done every 5 years to remain competitive in the job market, to retain quality employees and ensure the City is in compliance with the pay equity statues and reporting.

This State's Job Match Evaluation System was last updated in 2019.

It is my recommendation a new Position Classification and Compensation Study be done to help ensure we are paying employees competitively and fairly for both new and existing employees. This does not necessarily mean increased for all, but makes the current pay scale more aligned with State Standards and Pay Equity Reporting. It will also help us evaluate whether a current position is in the right point system by re-evaluating job descriptions and tasks and ease the burden of what to pay a new position with the City since the current point system would be updated.

I have included in this packet a copy of the Abdo Proposal to help explain more of what goes into a compensation study, a portion of the Minnesota Job Evaluation System, and our current pay scale.



Proposal for a Position Classification and Compensation Study for
City of Ham Lake

15544 Central Avenue NE
Ham Lake, Minnesota 55304

Proposed By:

Leah Davis, CPA
Partner | *Abdo*
leah.davis@abdosolutions.com
Direct Line 507.524.2347

Mankato Office

100 Warren Street, Ste 600
Mankato, MN 56001
P 507.625.2727
F 507.388.91399

Edina Office

5201 Eden Avenue, Ste 250
Edina, MN 55436
P 952.835.9090
F 952.835.3261

Executive Summary



**Andrea Murff, Finance Director/Human Resource Director
City of Ham Lake**
15544 Central Avenue NE
Ham Lake, Minnesota 55304

Dear Andrea,

Thank you for the opportunity to submit this proposal to the City of Ham Lake (the City) for partnering with your team on a Position Classification and Compensation Study. Based on our experience with the type of work outlined in the proposal, we're confident our experience and expertise will allow us to address your needs and goals and exceed your expectations.

Abdo's success has been driven by utilizing staff that is experienced and well trained in governmental planning, human resources, payroll, compensation systems, and operations. We understand that there are certain factors that are most important to the City in the selection of a consultant. Factors like our attention to detail, overall project approach, management plan and the quality of work and outcomes are just a few of the ways we set ourselves apart in our abilities and value to your City.

Our approach to this project is to engage with City staff to ensure we have an exceptional understanding of the project, each individual's role in the project, overall expectations and needs, as well as exceptions to standard operations. Throughout the project, there will be periodic meetings with City staff to share information, solicit input and provide updates. Based on our experience, we will structure each phase of the project to emphasis efficiencies and streamline processes. By spending time on the front-end evaluating positions, goals, objectives and needed deliverables, the end product for the City will be one that provides analysis and recommendations for a marketable, consistent, compliant, and forward-thinking compensation structure.

Executive Summary Continued

ABILITY TO SUCCESSFULLY COMPLETE ALL REQUIREMENTS - A component of our mission statement is a philosophy that we will assist clients in reaching their maximum potential through open communications and teamwork. This means we will do the following for you:

- Present to you a clear project plan
- Use portal technology to share and collaborate documents
- Provide an environment that solicits and welcomes ideas and strategies from the City team
- Present recommendations in clear, concise and non-technical terms to all members of the City team
- Return phone calls and emails promptly

EXPERIENCE WITH SIMILAR PROJECTS - We believe our experience with similar projects and our expertise in governmental planning, human resources, payroll, compensation systems, process and planning is greater than any other CPA or financial advisory firm in Minnesota.

UNDERSTANDING OF THE PROJECT AND ABILITY OF THE FIRM TO COMPLETE THE EXPECTED SCOPE OR WORK ON SCHEDULE AND WITHIN BUDGET - Abdo is committed to a team environment that gives us the ability to complete projects on time and on budget. We leverage our staff to ensure the work is being completed by the appropriate individuals and reviewed by a partner of Abdo. We understand the parameters and expectations of this project and will complete the expected scope of work on schedule and within budget.

ACCOMPLISHING PROJECT OBJECTIVES - Our approach to a project is heavily dependent on communication and technology. We believe that listening to your needs, concerns and challenges is of the utmost importance for a successful project. Our experience and knowledge of City government operations allows us to provide independent assessment and recommendations, lighting a clear path forward for City leadership. We use portal technology to securely share and collaborate on documents. This allows us to expedite our work, provide answers to staff questions quickly and communicate instantaneously with City staff.

We look forward to meeting with you to discuss our proposal and appreciate this opportunity to present Abdo for your consideration.

Abdo



Leah Davis, CPA
Partner, Abdo

Project Plan and Timeline

For most organizations it is very important to work with a firm that has a clear implementation process that will provide frequent and consistent progress updates. Abdo has included update meetings with the City Management team proposed in the project plan. These meetings will be designed to provide project updates, solicit comments, review progress, and address any challenges. Abdo utilizes resources available with our entire team to ensure projects are completed within the provided timelines.

PROJECT PHASE	TIMELINE
<p>Introduction and Project Orientation</p> <p>The first step to this project is to review and analyze data provided by the City. This includes the existing job descriptions and current compensation model, and any other data the City has available. After this review, we will meet with the City Management team to discuss overall project expectations, outcomes, and timelines. We believe it is important to hold a kickoff meeting with the City Management team, either virtually or in-person, to discuss the project timelines and process as well as to identify City expectations, identify current compensation challenges, and define strategic project goals. This is also an opportunity for the City Management team to ask for clarification on the project and address any questions they may have.</p>	<p>DAY 1 – 15</p> <p><i>Depending on City Availability</i></p>
<p>Comprehensive Job Description Updates and Review</p> <p>Beginning with the existing City job descriptions, we will engage with City staff, using our internally developed Job Analysis Questionnaire survey tool, to solicit specific job duties and requirements for each position. Using the information collected, we will assist or lead, based on the City's preference, necessary job description updates to ensure accurate reflection of current job duties, experience requirements, cognitive requirements and physical requirements for each position.</p> <p>All job descriptions will also be reviewed for compliance with the Fair Labor Standards Act (FLSA) and the Americans with Disabilities Act (ADA/ADAA) and formatted to ensure consistency. Final drafts will be presented to City leadership and City Council for final review and approval.</p>	<p>DAY 16 - 45</p>
<p>Position Classification Evaluation</p> <p>Using the City's job descriptions and the Hay Method pointing methodology (see Appendix A for more information on the Hay Methodology), which we have utilized for over 10 years, and in collaboration with City leadership, we will evaluate and assign position point values for each City position and organize positions into hierarchical order, based on point assignment.</p>	<p>DAY 46 - 55</p>
<p>Labor Market Employers Criteria and Selection</p> <p>Our team will solicit input from City leadership to develop a list of comparable organizations, based on size, geography, and City services, to be used in the wage analysis.</p>	
<p>Compensation Analysis</p> <p>Abdo will complete a full wage/compensation market survey, utilizing the 2022 Minnesota Local Government Salary and Benefit Survey put out by the League of Minnesota Cities as well as direct wage data surveys and private sector compensation resources, where applicable. This analysis will include recommendations for maintaining marketable wage scales into future years as well as evaluating approaches to longevity recognition.</p>	<p>DAY 56 - 70</p>

PROJECT PHASE	TIMELINE
<p>Classification & Compensation System Development and Compliance Testing The overall structure of the compensation study and system structure will be reviewed and updated according to the compensation and performance management philosophies of the City and will include identification of current or potential pay compression, pay equity, and collective bargaining issues. Once the proposed structure is completed, all data will be tested for compliance with Federal and State regulations, including Minnesota Pay Equity reporting for all municipal entities.</p>	<p>DAY 71 – 90</p>
<p>Final Documents and System Presentation All documents will be reviewed with the City Management team in draft format before finalization and distribution. Final reporting will include comprehensive project findings, recommendations, description of overall methodology utilized in the project, data analysis, and estimated implementation costs and process. The City will be provided with all tools and resources to administer and maintain the proposed compensation model into the future. Once approved by the City Management team, report findings and recommendations will be presented, in person or virtually, to the City Council for review and discussion.</p>	<p>DAY 91 – 110 <i>Depending on City Availability</i></p>
<p>Implementation and System Administration Training/Support Our team will develop and lead a customized compensation system implementation and maintenance program for leadership and staff. Training will include suggestions for appropriately awarding step increases and documented plan administration best practices.</p>	<p><i>Following City Council approval of program</i></p>
<p>Develop Position Reclassification and Review Policy - <i>Optional</i> We will work with internal leadership to develop a formal position review and reclassification request policy to consistently evaluate future requests for position scoring or compensation changes.</p>	<p><i>Optional & only as directed by the City</i></p>
<p>Post Contract Support Services - <i>Optional</i> On an as needed basis, Abdo will be available to review new or significantly altered job descriptions, including determination of points and salary ranges for the position, as well as provide documentation support for future pay equity reporting to the Minnesota Department of Management.</p>	<p><i>Optional & only as directed by the City</i></p>

Hay Methodology Information

As part of our position analysis and classification, positions will be scored using a plan adapted from the Hay Method. The model assigned each position a score in the following categories (adapted from the State of Minnesota 2009 Hay Manual): Know-How, Problem Solving, Accountability, and Special Conditions. The following information provides a summary of factors and considerations used to apply this classification method.

Know-How represents the knowledge, skills and abilities an employee needs to be successful in a particular job. The Hay evaluation method places the greatest emphasis on Know-How. Know-How is defined as an expert skill, information or body of knowledge that imparts an ability to cause a desired result. The Know-How category is the most heavily weighted category. If a position is more easily learned, the position will point toward the lower end of the scale.

Know-How category is further divided into three parts: Depth and Breadth of Job-Specific Knowledge (aka Technical and Specialized Know-How and Job-Specific Knowledge); Integrating Know-How (aka Managerial Breadth or Know-How); and Human Relation Skills (aka Human Relations Know-How). A number is assigned for total Know-How points by making several separate choices for each of the three elements described and an overall assessment.

Job-Specific Knowledge includes the position's requirements for knowledge and skills related to practices, procedures, specialized techniques and professional disciplines. It also includes basic and job-specific supervisory and managerial KSAs, when appropriate. This aspect of Know-How does not make distinctions among differently-sized managerial jobs nor does it include human relation skills. It is important to remember that this element measures the requirements of the position, not the qualifications of an incumbent.

Integrating Know-How considers the need to integrate and manage progressively more diverse functions and is used to rank managerial breadth and scope, from similar to very different functions. When required, basic and job-specific supervisory and managerial knowledge, skills and abilities are included in the Job-Specific part of a Know-How rating. The overall size of an organization directly influences the number of managerial breadth categories, because the organizational size often reflects requirements for increased managerial complexity and diversity.

Human Relation Skills is the third element of a job's Know-How rating. It is the active, practicing interpersonal skills typically required for productive working relationships to work with, or through, others inside and/or outside of the organization to get work accomplished. It assumes that each job requires a foundation of basic human relations skills. To be effective, an employee must typically be proficient at the highest level of Human Relations Skill regularly required for the position.

Problem Solving is the process of working through details of a problem to reach a solution. Problem solving may include mathematical or systematic operations and can be a gauge of an individual's critical thinking skills. Problem Solving measures the intensity of the mental process that uses Know-How to: (1) identify, (2) define, and (3) resolve problems. It is a percentage of Know-How, reflecting the fact that "you think with what you know." This is true of even the most creative work. Ideas are put together from something already there. The raw material of any thinking is knowledge of facts, principles and means.

Problem Solving – continued

Context includes the influences or environment that limit or guide decision-making such as rules, instructions, procedures, standards, policies, principles from fields of science and academic disciplines. Positions are guided by organizational, departmental or functional goals, policies, objectives and practices circumscribed by procedures and instructions. In general, policies describe the "what" of a subject matter, procedures detail the steps needed to follow through on a policy (i.e., how, where, when, by whom) and instructions outline the specific aspects of how to perform the tasks, such as the operation of a machine or how to select the appropriate letters to use in particular situations.

Thinking Challenge includes the nature of the problems encountered and the mental processes used to resolve the problems. The scale ranges from simple problems to very complex issues, with the premise that simple issues recur regularly in the same form and after a while are resolved by rote or instinct, but very difficult issues require substantial thinking and deliberation. The types of situations encountered and the processes involved in identifying, defining or resolving related problems are considered. Thinking Challenge reflects the degree of difficulty in finding improvements and adapting to changes.

Accountability does not mean being responsible for getting one's own work done. Rather, it reflects responsibility for actions and their consequences and the measured effect of the job on end results for the organization. Accountability includes three factors: Freedom to Act/Empowerment, Magnitude, and Job Impact.

Freedom to Act/Empowerment involves the degree of personal or procedural control or guidance exercised over the position. For example, what constraints are put on an employee in this job? How closely supervised is the position? What kinds of decisions are made higher up in the organization?

Magnitude is the portion of the total organization encompassed by the position's primary purpose. It's most typically indicated by the general dollar size of the area(s) most directly affected by the job, i.e., the resources over which the position has control or influence. A variety of factors are considered such as size of budget the employee is responsible for, what degree of influence is held and is this person a decision maker.

Job Impact is considered to be indirect (indirect or contributory) or direct and measurable (shared or primary). It involves the way in which the position's actions affect end results in the agency. For example, how does the employee influence the business - directly or indirectly? Does the employee provide advisory or interpretive services for others to use in making decisions? Is the job an information-recording one? Does it provide a necessary service with a relatively small effect on the business of the agency? "Contributory" and "primary" are, by far, the most frequently used options."

Special Conditions consider the physical effort, environmental conditions, hazard exposure, and sensory attention demands that an employee is commonly subject to in the position. For example, two positions may be assigned identical points in all other areas but the position that is regularly required to work in extreme outdoor conditions (i.e. heat or extreme cold) would receive additional points for these factors.

State Job Match Job Evaluation System

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Minnesota Management & Budget

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Introduction and Instructions

The purpose of the Local Government Pay Equity Act passed in 1984 is to correct historic gender-based wage discrimination in public employment in Minnesota. This is an ongoing process and requires ongoing compliance. The law requires that female classes not be paid consistently below male classes of “comparable value.” Comparable value is the job evaluation rating or points assigned to a job class and the focus of this booklet.

Establishing job evaluation ratings is the first step in the pay equity process. It is important to remember that comparable value or a job evaluation rating does not include seniority or performance; rather it is an evaluation of job content. Job content is measured by the skill, effort responsibility and working conditions required of the job class. In addition, job evaluation should not be interpreted strictly as a rigid “pay for points” system where each point is worth “x” dollars. Pay equity can be achieved and requirements of the law met even though some jobs with the same points do not receive exactly the same pay. The second part of the pay equity process is pay analysis and more information is available on this and compliance requirements on Minnesota Management and Budget’s (MMB’s) [Local Government Pay Equity webpage](#).

The State Job Match System of job evaluation is intended as a straightforward, simple tool to help local governments effectively analyze the jobs in their jurisdictions by matching up job descriptions with descriptions for state jobs that have already been rated. Once the descriptions have been matched, a rating or “job points” can be assigned to the local government job. Job evaluation is not an exact science and if done well, will involve thorough discussion and unbiased decisions. Job analysis must be completed before pay analysis is done.

I. Description of the Job Match System & Website

Job match is a simple, inexpensive way to assign points to jobs in your jurisdiction by matching them to descriptions of state jobs found in this booklet. To make it easier, this booklet is divided into 17 job categories. In each category there are groupings of jobs. Within each group the state titles are listed from lowest to highest ranking. There are five columns on each page as follows:

- Column 1: Titles of jobs typically found in local government. Note: PES Benchmark refers to a “Public Employment Survey” done by the state’s job evaluation consultant, Hay and Associates.
- Column 2: Titles of jobs found in state government.
- Column 3: Job evaluation points assigned to state jobs using the Hay and Associates method of rating jobs.
- Column 4: The range of points for the job that is listed.
- Column 5: Overview and brief job description.

If you cannot find a match in this booklet, check our web site. There are approximately 1800 job class descriptions and point ratings for state jobs on MMB's [Classification and Job Evaluation webpage](#).

The Basics of Job Evaluation

Although the job match method is simpler than many other job evaluation systems, the same basic principles apply:

- You are evaluating job classes, not individuals who hold the job. As you review the list for a possible match, ask yourself how the job would be described if the current employee(s) in the class were all gone tomorrow and you needed to hire someone new.
- You must be as objective as possible. Don't "work backwards" by first determining how much you think classes should be paid and then finding job matches which will fit this category. Guard against sources of bias by having more than one person review job matches and/or by establishing an employee committee to discuss evaluations.
- The more employees are involved in the process of evaluating jobs, the more likely they are to understand and accept the system you use.

II. How To Use The Job Match List

Step 1. Decide who will review jobs for possible matches. This can be done by an individual or by a committee including employees, elected officials and other interested persons. You can guard against bias by having more than one person involved in the job match process.

Step 2. Gather information about job classes in your jurisdiction. This information can come from reading position descriptions, interviewing employees, interviewing supervisors, or from sending a questionnaire to employees and/or supervisors. You may want to have employees and supervisors review and revise job descriptions before beginning the job match process.

Step 3. List all classes in your jurisdiction. Next to each job class begin to identify matches between jobs in your jurisdiction and jobs described in the booklet. Your jobs will probably fall into three categories:

A. Jobs that Match or Nearly Match:

This category will probably account for about 90 percent of the jobs in your jurisdiction. If the job in your jurisdiction matches closely with the state job write the state title and the standard point rating next to the local title.

B. Slotted Jobs:

Although there is no direct match for some jobs, it is often possible to determine where the job fits in the overall hierarchy. Review the jobs which may have already been matched on your worksheet. You may be able to identify jobs which are at the same level as the one you're trying to find a match for and give it the same number of points. If you can't find a job at the same level, you may be able to determine that it fits between two jobs you have already matched. For example, you may have a job which you feel fits between a job with 200 points and another job with 250 points. You could assign a point value then somewhere between 200 and 250.

C. Multi-Function Jobs:

Your job matches with more than one of the jobs on the job match list. If duties outside of the description comprise only about 5% or less of the job, do not consider the job a multi-function job. Instead, match it with the primary function of the job. There are two methods to assign jobs that are multi-functional. The following is an example of a multifunction job and two methods to evaluate that job.

Example: Equipment Operator:	Possible matches on the list
	Highway Maint. Supervisor – 213 pts.
	Transportation Associate – 156 pts.

Method 1: Match with the Highest Rated Job

In this case the highest rated job is the Highway Maintenance Supervisor with 213 points. The rationale for this is that your job requires the employee to have the skill, effort, responsibility and working conditions of the higher rated job, even though this job is only part of the employee's duties. This option is most appropriate when the employee(s) performs the higher-rated job more than half of the time.

Method 2: Pro-rate the Points According to Time Spent

In this case you would evaluate the amount of time spent on each of the job functions and then multiply that percentage of time spent by the number of points assigned to each function.

Jobs Matched	% of Time		Job Points	Total
Highway Maintenance Supervisor	50%	X	213	107
Transportation Associate	50%	X	156	<u>78</u>
			Total Points	185

This method should not be used for only occasional work in one of the jobs and it becomes less valid if it is used to match a single job with more than two or three state jobs. Also, it would not be valid to add together total original points. For example, you would not add 213 point to 156 points and assign 369 points for the equipment operator position.

When all the jobs have been matched, review the overall ranking of jobs and the points assigned to each job to make sure it makes sense in the context of your organization.

III. Definitions: Types of Supervision

Supervision: Use of the word “supervision” indicates a greater amount of control is exercised over positions in that class than for positions in a class using the word “direction” in the definition. Supervision levels are differentiated by the specificity and application to the technical and administrative details of work assignments. Three standard levels of supervision are used:

Immediate supervision means an employee in the class works under close supervision where the work assignments are well-detailed and well-prescribed by the superior. It does not necessarily mean that the individuals are in close physical proximity to one another. Little opportunity exists to exercise personal initiative, discretion or judgment. The employee is held responsible only for the accurate and proper application of the steps of the well-established work process.

General supervision means an employee in this class is under fairly close supervision administratively, but the worker is given some latitude technically. The assignments and objectives are prescribed, but the methods are not typically reviewed or controlled while the work is in progress. The employee is expected to take the initiative in solving most problems of detail, except those which are new or unusually complex in nature.

Limited supervision provides considerable freedom from both technical and administrative oversight while the work is in progress. In addition to the previously mentioned conditions of general supervision, the employee has: freedom from control over the sequence of assignments, a substantial degree of responsibility for determining what shall be done next, and a substantial degree of independence in planning and organizing the employee’s own work.

IV. Background Information

In the back of this book, there is additional information about job evaluation factors and other job evaluation materials that may be helpful.

Section 1

Accounting

and

Finance

Accounting & Finance

<u>Possible Local Class Title</u>	<u>Possible Match With State Classes</u>	<u>State Point Rating</u>	<u>Possible Point Range</u>	<u>Brief Description of Job Class</u>
<ul style="list-style-type: none"> • Accountant • Account Clerk • Admissions Clerk • Bookkeeper • Payroll Clerk • Treasurer 	Office & Admin Spec.	117	113-125	Under general supervision, processes and maintains varied records and written materials through the selection and use of established clerical procedures requiring knowledge of program operations and procedures; may also account for receipts and disbursements of money for standard accounts.
	Office & Admin Spec. Int.	141	135-151	Under general supervision, reviews, processes, and maintains records and written materials selecting and using varied clerical procedures, performs specialized program support work and/or provides technical advice and work guidance to other office support staff as a lead worker; May process information required to secure reimbursements for the cost of care and treatment provided to patients/residents.
	Account Clerk	141	135-151	Under general supervision. Performs a combination of clerical and bookkeeping duties involving specialized knowledge of financial records and coding, inputting and accessing information in the accounting system to maintain complete bookkeeping records where scope, volume or complexity is limited; or to maintain a difficult part of an extensive bookkeeping operation; Responsible for bookkeeping in a central accounting system. Work involves the application of bookkeeping principles in maintaining financial records. May prepare payroll, invoices, purchase orders, etc.
	Account Clerk, Senior	173	162-181	Under general supervision, provides the bookkeeping and clerical services necessary to initiate and complete a functional phase of a major transactional accounting operation (such as a centralized accounts payable or receivable operation) and/or provides lead work direction to co-workers.

	Accounting Technician	203	198-213	Under limited supervision, provides technical fiscal advice and service requiring interpretation of rules and regulations relating to the accounting system including responsibility for the planning and control of expenditures for a distinct fiscal operation such as a major set of accounts, pre-audit of transactions in a major activity or cash receipts in a major facility; may provide technical advice and work guidance to office support staff as a lead worker.
	Accounting Officer	238	228-252	Under general supervision, functions as a fiscal officer of a small department, institution, or major division, or as an assistant to higher-level accounting personnel in a large fiscal operation; develops, maintains, and interprets financial information systems; analyzes and interprets fiscal data to provide a wide range of clearly-defined accounting services; may provide leadwork direction to Account Clerks, Accounting Technicians, or clerical employees engaged in fiscal operations.
<ul style="list-style-type: none"> • Purchasing Director • Business Manager • Clinic Manager 	Buyer 2	238	228-252	An employee in this class is responsible for obtaining information, preparing specifications and invitations for bids and negotiating transactions for the purchase of various kinds of materials and supplies of a complex nature. The employee is assigned a group of related items to be purchased and has independent responsibility for finding sources of supply and determining suitability of goods and equipment for purchase in relation to price, quality and conformity to specifications.
	Business Manager 1	342	314-353	Under limited supervision, plans and supervises all business functions of a medium-sized state institution to support general policies and objectives determined by the administrator; supervises employees engaged in a variety of functions.
	Business Manager 2	479	451-496	Under limited supervision, plans and manages all fiscal, service, and business operations of a large state institution to support general policies and objectives determined by the administrator; supervises employees engaged in diverse functions.

<ul style="list-style-type: none"> • Accounting Manager • Finance Director • Treasurer 	Accounting Officer Sr.	342	314-342	<p>Under limited supervision, maintains large state-federal or state-county accounts, oversees a major accounting function in a large department, or directs an accounting division of a numerous employees to coordinate the various phases of accounting services; develops procedures and policies for the work involved; usually provides leadwork for accounting professional, para-professional, and bookkeeping employees.</p>
	Accounting Supervisor, Sr.	353	323-353	<p>Employees in this class supervise a complex accounting system and maintain a large and complex system of accounts as a section chief in the finance division of a large department, large state-federal or state-county accounts in the accounting division of a large institution. Supervisory responsibility includes either effectively recommending or hiring, directing, disciplining, performance evaluation, assigning the duties, and training accounting professional, technical and clerical staff. This responsibility extends to the development of policies as well as procedures for the fiscal operation.</p>
	Accounting Supervisor Prin.	393	372-417	<p>Under limited supervision, supervises an accounting section or serves as top assistant to an accounting manager or other high-level fiscal management officer in a large state department to provide financial support for departmental policies and programs; performs related work as required.</p>
	Accounting Director	479	464-511	<p>Under limited supervision, directs all accounting functions of a large state department, agency, or institution to provide technical and supervisory financial support for policies and programs established by the department's head; supervises professional and technical accounting employees and serves as chief liaison to activity managers; performs related work as required.</p>

• Grant Project Director	Grants Specialist Coordinator	382	372-392	Under limited supervision, an employee in this class coordinates statewide grants programs by testifying as a technical expert before legislative committees and at other public forums; establishing program goals and objectives; directing the activities of consultants, project managers and other staff at all levels as they relate to the grants program; developing financial reporting systems; developing and conducting grant administration training sessions for both internal and external grant personnel; monitoring compliance of grantees; and by evaluating policies and procedures for grant administration. Performs related work as required.
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2023 COMPENSATION PLAN
For Employees Hired After September 6, 2011
NON-EXEMPT - HOURLY WAGE

COLA 3%

COMP WORTH	START	1,040 Hours 6 MONTHS	2,080 Hours 1 YEAR	4,160 Hours 2 YEARS	6,240 Hours 3 YEARS	8,320 Hours 4 YEARS
149	20.40	21.03	21.70	22.99	24.18	25.48
168	23.01	23.71	24.47	25.90	27.29	28.73
178	24.37	25.15	25.92	27.43	28.91	30.45
209	28.61	29.47	30.44	32.18	33.95	35.77
228	31.22	32.20	33.20	35.14	37.06	39.00
275	37.65	38.80	40.05	42.39	45.23	47.04

EXEMPT (SALARIED) PER MONTH

252	5,977	6,164	6,354	6,729	7,098	7,470
308	7,305	7,534	7,764	8,223	8,675	9,131
372	8,823	9,097	9,378	9,932	10,477	11,028
252	34.48	35.56	36.66	38.82	40.95	43.10
308	42.15	43.46	44.79	47.44	50.05	52.68
372	50.90	52.48	54.10	57.30	60.44	63.62

Non-exempt (Hourly)

149	On-call snowplow operator
168	Administrative Assistant II, Building Technician
178	Streets & Parks Maintenance Workers, Accounting Technician II
209	Building Clerk/Zoning Clerk, Mechanic/Operator
228	Streets and Parks Supervisor, Building Official/Inspector, Fire Inspector
275	Building and Zoning Official/Cod Enforcement Officer

Exempt (Salaried)

252	City Clerk
308	Public Works Superintendent, Finance Director, Fire Chief/Public Safety Officer
372	Administrator

Part-time/Seasonal/On-call

Position	Start	1 Year	2 Year
Warming house attendant	15.00	16.00	17.00
Public works/parks seasonal	15.00	16.00	17.00

Planning Commissioners, Park & Tree Commissioners

Attendance at a Planning or Park & Tree Commission meeting	\$	30.00	per meeting
Attendance at a City Council or other meeting	\$	20.00	per meeting
Inspections	\$	20.00	per inspection