ARLINGTON CITY COUNCIL
MEETING AGENDA
MAY 18, 2020 AT 6:30 PM
COUNCIL CHAMBERS

The City Council is provided background information for agenda items in advance by city staff, committees and boards. Many decisions regarding agenda items are based upon this information, as well as: City policy and practices, input from constituents, questions or information that has not yet been presented or discussed regarding an agenda item. If you have a concern or question, please ask to be recognized by the Mayor during the "Citizens addressing the Council" portion of the agenda– state your name and address for the record. Please keep comments under 5 minutes. Individuals wishing to speak for more than five minutes should ask to be included on the agenda in advance. All comments are appreciated, but please refrain from personal or derogatory attacks on individual

Join from PC, Mac, Linux, iOS or Android: https://meetings.ringcentral.com/j/1497079264

Or iPhone one-tap :
US: +1(469)4450100,,1497079264# (US South)
+1(470)8692200,,1497079264# (US East)
+1(623)4049000,,1497079264# (US West)
+1(720)9027700,,1497079264# (US Central)
+1(773)2319226,,1497079264# (US North)
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Meeting ID: 149 707 9264
International numbers available: https://meetings.ringcentral.com/teleconference

1. Call Meeting to Order and Pledge of Allegiance
2. Roll Call
3. **Public Hearing** – USDA, Rural Development grant application for Turn Out Gear for Arlington Fire Department
4. Approve the Agenda and any Agenda Additions

CONSENT AGENDA

The items listed for consideration will be enacted by one motion unless the Mayor, a member of the City Council, City Staff or a person in attendance requests an item to be removed from the Agenda.

5. Approval of Consent Agenda
   A) Approval of Bills
   B) Approve Renewal of 3.2 Liquor License for La Villita Mexican Supermarket
   C) May 4, 2020 Employee Relations/Personnel Committee Minutes
   D) May 4, 2020 City Council Minutes

PETITIONS, REQUESTS, & COMMUNICATIONS

6. Addressing the Council

7. Announcements

8. Communications
   A) April 13, 2020 EDA Minutes
   B) April 15, 2020 P&Z Minutes
   C) December 5, 2019 Community Center Minutes
   D) February 13, 2020 Community Center Minutes
   E) Letter regarding 405 Brooks St W

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

9. Reports
   A) Police Department April Report – Chief John Petterson
   B) Planning & Zoning 2019 Annual Report – Michael Kedrowski, P&Z Administrator
   C) Building Report – April
   D) Water Plant Maintenance Expenditures – April
   E) Financial Report – April
   F) Sibley County Tax Collection through 5/11/2020

ORDINANCES & RESOLUTIONS

10. First Reading of Ordinance No. 328 – Restrictions on the Residency of Predatory Offenders Within City Limits

11. 23-2020 – A Resolution Approving a County Streets Improvement Project Within Municipal Corporate Limits

12. 24-2020 – A Resolution Determining the Standards for On-Street Parking on the North Side of West Main Street

13. 25-2020 A Resolution Authorizing Submittal for the USDA Rural Development Communities Facility Grant Application

UNFINISHED BUSINESS

14. Discussion on OOMA Phone System – Michael Kedrowski

15. Discussion on prorating liquor licenses – Michael Kedrowski

16. Approve/Deny Capital Improvement Guide for City Council

NEW BUSINESS

17. Approve/Deny quote from DellEMC for (2) Dell Latitudes 7220 and (2) Docking Stations
    - $4,961.53

18. Approve/Deny updated Personnel Policy

19. Discussion on COVID-19 plans

20. Approve/Deny bid in the amount of $7,964 from Curb Masters, Inc. for curb replacement
    - Curb Masters, Inc. $7,964
    - Paragon Paving $12,860

21. Approve/Deny bid for seal coating
    - Pearson Bros. Inc. $51,580.62

22. Approve/Deny bid for crack filling
    - MP Asphalt Maintenance $7,500

23. Approve/Deny bid for hot patching

MISCELLANEOUS BUSINESS

Council Member Committee Updates

A) Amrhein
B) Battcher
C) Gilman
D) Hatlestad
E) Morgan

Mayor Nagel Update

Open Discussion

ADJOURNMENT

STATE OF MINNESOTA **CITY OF ARLINGTON**

COUNTY OF SIBLEY

NOTICE OF PUBLIC HEARING
On USDA, Rural Development grant application for Turnout Gear for Arlington Fire Department

NOTICE IS HEREBY GIVEN that the City of Arlington will hold a public hearing at 6:30 p.m. on Monday, May 18, 2020. The meeting will be held at Arlington Community Center Chambers, 204 Shamrock Drive, Arlington, Minnesota, 55307.

This will be an informational meeting to discuss the USDA, Rural Development grant application for Turnout Gear for the Arlington Fire Department, including economic and environmental impacts, service area, alternatives to the project, potential funding sources, including USDA Rural Development. All residents and property owners within the Arlington Fire Department Serviced Area are encouraged to attend.

All interested persons may appear at the public hearing and present their views orally or in writing.

To join by RingCentral:
Join from PC, Mac, Linux, iOS or Android:
https://meetings.ringcentral.com/j/1497079264

Or Telephone:
Dial (for higher quality, dial a number based on your current location)
+1(720)9027700 (US Central)
Meeting ID: 149 707 9264

Amy Newsom
Arlington City Administrator
204 Shamrock Drive
Arlington, MN 55307

Publish: Week of May 4, 2020
Post: May 4, 2020

OMB Number: 4040-0004
Expiration Date: 03/31/2012

Application for Federal Assistance SF-424

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
☐ Preapplication	☑ New	
☑ Application	☐ Continuation	* Other (Specify)
☐ Changed/Corrected Application	☐ Revision	

* 3. Date Received:	4. Applicant Identifier:
Completed by Grants.gov upon submission.	

5a. Federal Entity Identifier:	* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:	City of Arlington

* b. Employer/Taxpayer Identification Number (EIN/TIN):	* c. Organizational DUNS:
41-6004941	96294249

d. Address:

* Street 1:	204 Shamrock Drive
Street 2:	
* City:	Arlington
County/Parish:	
* State:	MN
Province	
* Country:	USA: UNITED STATES
* Zip / Postal Code:	55307

e. Organizational Unit:

Department Name:	Division Name:
Arlington Fire Department	

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:		* First Name:	Amy
Middle Name:			
* Last Name:	Newsom		
Suffix:			

Title: Arlington City Administrator

Organizational Affiliation:
City of Arlington

* Telephone Number:	(507) 964-2378	Fax Number:	

* Email: anewsom@arlingtonmn.com

Application for Federal Assistance SF-424

9. Type of Applicant I - Select Applicant Type:

Type of Applicant 2- Select Applicant Type:

Type of Applicant 3- Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

USDA Rural Development

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

* Title:

USDA Rural Development Community Facilities Grant

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Arlington, Sibley, MN

Add Attachments | Delete Attachments | View Attachments

*** 15. Descriptive Title of Applicant's Project:**

Arlington Fire Department Turnout Gear

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

If "Yes, provide explanation and attach.

Application for Federal Assistance SF-424

Add Attachments Delete Attachments View Attachments

16. Congressional Districts Of:

* a. Applicant: 7 * b. Program/Project: 7

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date: 06-01-2020 * b. End Date: 08-31-2020

18. Estimated Funding ($):

* a. Federal	$11,900.00
* b. Applicant	
* c. State	
* d. Local	$67,300.00
* e. Other	
* f. Program Income	
* g. TOTAL	$79,200.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- [ ] a. This application was made available to the State under the Executive Order 12372 Process for review on .
- [ ] b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- [x] c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (if "Yes", provide explanation.)**

- [ ] Yes
- [x] No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

- [x] ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:	
* First Name:	Richard
Middle Name:	
* Last Name:	Nagel
Suffix:	
* Title:	Mayor of Arlington
*Telephone Number:	(507) 964-2378
Fax Number:	
* Email:	rnagel@arlingtonmn.com
* Signature of Authorized Representative:	
* Date Signed:	

OMB Approval No. 0348-0040

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE Mayor of Arlington
APPLICANT ORGANIZATION City of Arlington	DATE SUBMITTED

USDA, Rural Development
MN 1942-A, Guide 15
(Rev. 05/2015)

Public Notification Requirements
Community Facilities

§1942.17(j) (9) - Public information:

Applicants should inform the general public regarding the development of any proposed project. Any applicant not required to obtain authorization by vote of its membership or by public referendum, to incur the obligations of the proposed loan or grant, will hold at least one public information meeting. **The public meeting must be held after the pre-application is filed and not later than loan approval**. The meeting must give the citizenry an opportunity to become acquainted with the proposed project and to comment on such items as economic and environmental impacts, service area, alternatives to the project, or any other issue identified by Rural Development. **The applicant will be required, at least 10 days prior to the meeting, to publish a Public Notice of the meeting in a newspaper of general circulation in the service area, to post a public notice at the applicant's principal office, and to notify Rural Development.**

The applicant will provide Rural Development a copy of the published notice and minutes of the public meeting. A public meeting is not normally required for subsequent loans which are needed to complete the financing of the project.

EXAMPLE LANGUAGE FOR NOTICE OF PUBLIC HEARING

(Print in newspaper 10 days prior to meeting date.)

Notice is hereby given that the <applicant> will hold a Public Hearing on <date, time, and location>.

This will be an informational meeting to discuss the <proposed project>, including economic and environmental impacts, service area, alternatives to the project, and potential funding sources, including USDA Rural Development. All residents and property owners within the <City/Proposed Service Area> are encouraged to attend.

USDA-Rural Development
MN RD 1900-D, Guide 1
(Rev. 12-2016)

Applicant Conflict of Interest Policy Certification and Disclosure

Applicant Certification: This is to certify that the City of Arlington currently has an up to date written policy on conflict of interest. At a minimum, the policy will include a requirement for those with a conflict or potential conflict to disclose the conflict/potential conflict. In addition, the policy will include a provision of prohibition of interested members of the applicant's governing body from voting on any matter in which there is a conflict and also contains a specific process defining how the governing body will manage identified or potential conflicts. A sample conflict of interest policy can be found in Appendix A, Page 25 at http://www.irs.gov/pub/irs-pdf/i1023.pdf or the League of MN Cities (www.lmc.org) has guidance and templates for use. A copy of the applicant's conflict of interest policy is to be provided as part of the applicant's certification.

Applicant Disclosure: To assure the high standards of honesty, integrity and impartiality are maintained on Federally Funded Projects, we ask you to identify any potential or planned transactions which may constitute or present the appearance of personal or organizational conflict of interest, which also includes any conflict of interest with an USDA Rural Development employees. If at any time there is change in a potential or planned transactions related to the use of Federal Funds that may constitute or present the appearance of a personal or organizational conflict of interest for this project the applicant will provide written disclosure to USDA Rural Development and identify these transactions for USDA Rural Development's concurrence.

(Complete one of the following)

☐ 1. Potential or planned transactions related to the use of Federal Funds that may constitute or present the appearance of personal or organizational conflict of interest for this project include:

_____

_____

_____

☐ 2. There are no conflicts of interest either personal or organizational anticipated for the project.

Date _____ Signature: _____
(Mayor, Board President, Chairman)

Printed Name: _____

Title: _____

For USDA Rural Development use of applicant certification and disclosure:
Specialist Comments: _____

_____ _____ _____ _____
Specialist Recommendation for Concurrence Date S/O or A/D Concurrence Date

USDA-RD
Form RD 1910-11
(Rev. 9-02)

Position 3

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT

APPLICANT CERTIFICATION
FEDERAL COLLECTION POLICIES FOR CONSUMER OR COMMERCIAL DEBTS

The Federal Government is authorized to check credit information about the applicant(s) including using the federal Credit Alert Interactive Voice Response System (CAIVRS) or its successors to check to see if the applicant(s) are delinquent or in default on a Federal debt.

The Federal Government is also authorized by law to take any or all of the following actions in the event your loan payments become delinquent or you default on your loan:

- Report your name and account information to a credit reporting agency, and the Credit Alert Interactive Voice Response System (CAIVRS).
- Assess interest and penalty charges for the period of time that payment is not made.
- Assess charges to cover additional administrative costs incurred by the government to service your account.
- Offset amounts to be paid to you from your Federal income tax refund.
- Offset amounts to be paid to you under other Federal Programs.
- Refer your account to a private collection agency to collect the amount due.
- Foreclose on any security you have given for the loan.
- Pursue legal action to collect through the courts.
- Report any written off debt to the Internal Revenue Service as taxable income.
- If you are a current or retired Federal employee, take action to offset your salary, or civil service retirement benefits.
- Debar or suspend you from doing business with the Federal Government either as a participant or principal throughout the executive branch of the Federal Government for the period of debarment or suspension.
- Refer any debt that is delinquent to the Treasury Offset Program (TOP) in accordance with the Debt Collection Improvement Act of 1996.
- Refer any eligible debt that is delinquent to the Treasury for cross servicing in accordance with the Debt Collection Improvement Act of 1996.
- Garnish your wages as allowed by the Debt Collection Improvement Act of 1996.

Any or all of these actions may be used to recover any debts owed when it is determined to be in the interest of the Government to do so.

CERTIFICATION: I/we have read and I/we understand the actions the Federal Government may take in the event that I/we fail to meet my/our scheduled payments in accordance with the terms and conditions of my/our agreement. I/we understand that the above list is not all inclusive and that the Federal Government may deem additional actions necessary to collect should I/we become delinquent.

(Signature-Individual(s))	(Date)	*(Signature-Individual(s))*	(Date)

(SEAL)

(Date)

City of Arlington
(Name of Applicant)

(Signature of Authorized Entity Official)

ATTEST:

Mayor of Arlington
(Title of Authorized Entity Official)

(Signature of Attesting Official)

204 Shamrock Drive
(Address)

City Administrator
(Title of Attesting Official)

Arlington, MN 55307
(City, State, and Zip Code)

This form is available electronically.

OMB No. 0505- 0027
Expiration Date: 12/31/2018

United States Department of Agriculture — AD-1047

Certification Regarding Debarment, Suspension, and Other Responsibility Matters Primary Covered Transactions

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552(a), as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 C.F.R. § 180.335, Participants' responsibilities. The regulations were amended and published on August 31, 2005, in 70 Fed. Reg. 51865-51880. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 0.25 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud privacy, and other statutes may be applicable to the information provided.

(Read Instructions On Page Two Before Completing Certification)

A. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, or proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (A.2.) of this certification; and

4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

B. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ORGANIZATION NAME	PR/AWARD NUMBER OR PROJECT NAME
NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)	
SIGNATURE(S)	DATE

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Instructions for Certification

(1) By signing and submitting this form, the prospective primary participant is providing the certification set out on page 1 in accordance with these instructions.

(2) The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out on this form. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

(3) The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

(4) The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(5) The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549, at 2 C.F.R. Parts 180 and 417. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

(6) The prospective primary participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

(7) The prospective primary participant further agrees by submitting this form that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

(8) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the System for Award Management (SAM) database.

(9) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(10) Except for transactions authorized under paragraph (6) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

USDA, Rural Development
MN 1942-A Guide 3
(Rev. 1/06)

Position 3

CERTIFICATE OF INABILITY TO OBTAIN OTHER CREDIT

We hereby certify that we are unable to finance the proposed project from our own resources or through commercial credit at reasonable rates and terms.

The agency, will periodically reviewed borrower accounts for graduation to commercial credit. Borrowers are to refinance their loans when commercial credit is available at reasonable rates and terms.

The Agency expects borrowers to comply with graduation requirements, evidenced by the legally binding graduation clauses in the promissory note, security instrument and the loan agreement.

The borrower will be required to provide financial information upon the request of the agency.

In certain cases, prepayment restrictions or other limiting conditions will be considered in the graduation process.

Requests for additional loan funds, subordination or consent to incur additional indebtedness will not normally by approved until an outstanding graduation request is resolved.

I have read and understand the "Other Credit" and "Graduation" requirements of our agreement with the Federal Government.

_____ _____
Mayor/Chairperson Date

Attested to:_____ _____
Clerk/Secretary Date

USDA, Rural Development
MN 1942-A, Guide 8
(Rev. 1/06)

Letter of Support

City of Arlington
204 Shamrock Drive
Arlington, MN 55307

Re: USDA – Rural Development Community Facilities Application

Dear USDA Rural Development:

The City of Arlington has filed an application for financial assistance with the USDA – Rural Development. The specific purpose of this application is to provide funding for Turnout Gear for the Arlington Fire Department.

We are required to provide evidence to Rural Development of significant community support for our proposed project. All local government units within the proposed project service area are being contacted to provide a Certificate of Support. Providing the Certificate of Support does not require financial support. The Certificate of Support should include sufficient information to determine that a proposed community facility will provide needed services to the community and will have no adverse impact on other community facilities providing similar services. Please return this letter with the following "Certificate of Support" completed.

Sincerely.

Richard Nagel, Mayor of Arlington

Certificate of Support

The Arlington City Council supports the above described project. The proposed project will provide needed services and will have no adverse impact on other facilities providing similar services. Additional comments are as follows:

_____
_____
_____
_____
_____
_____
_____

_____ _____ _____
Mayor/Chairperson Date Clerk/Secretary

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.

2 If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, ''Disclosure of Lobbying Activities,'' in accordance with its instructions.

3 The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

_____ _____

(name) (date)

_____

(title)

ooo

Form RD 400-1
(Rev. 5-00)

UNITED STATES DEPARTMENT OF AGRICULTURE

FORM APPROVED
OMB No. 0575-0018

EQUAL OPPORTUNITY AGREEMENT

This agreement, dated _____ between
The City of Arlington
(herein called "Recipient" whether one or more) and United States Department of Agriculture (USDA), pursuant to the rules and regulations of the Secretary of Labor (herein called the 'Secretary') issued under the authority of Executive Order 11246 as amended, witnesseth:

In consideration of financial assistance (whether by a loan, grant, loan guaranty, or other form of financial assistance) made or to be made by the USDA to Recipient, Recipient hereby agrees, if the cash cost of construction work performed by Recipient or a construction contract financed with such financial assistance exceeds $10,000 - unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965.

1. To incorporate or cause to be incorporated into any contract for construction work, or modification thereof, subject to the relevant rules, regulations, and orders of the Secretary or of any prior authority that remain in effect, which is paid for in whole or in part with the aid of such financial assistance, the following "Equal Opportunity Clause":

During the performance of this contract, the contractor agrees as follows:

(a) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the USDA setting forth the provisions of this nondiscrimination clause.

(b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

(c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the USDA, advising the said labor union or workers' representative of the contractor's commitments under this agreement and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The contractor will comply with all provisions of Executive Order 11246 of September 24,1965, and of all rules, regulations and relevant orders of the Secretary of Labor.

(e) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, rules, regulations, and orders, or pursuant thereto, and will permit access to his books, records, and accounts by the USDA Civil Rights Office, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by Law.

(g) The contractor will include the provisions of paragraph 1 and paragraph (a) through (g) in every subcontract or purchase order, unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the USDA may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the USDA, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collections is 0575-0018. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

2. To be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the organization so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.
3. To notify all prospective contractors to file the required 'Compliance Statement', Form RD 400-6, with their bids.
4. Form AD-425, Instructions to Contractors, will accompany the notice of award of the contract. Bid conditions for all nonexempt federal and federally assisted construction contracts require inclusion of the appropriate "Hometown" or "Imposed" plan affirmative action and equal employment opportunity requirements. All bidders must comply with the bid conditions contained in the invitation to be considered responsible bidders and hence eligible for the award.
5. To assist and cooperate actively with USDA and the Secretary in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary, that will furnish USDA and the Secretary such information such as , but not limited to, Form AD-560, Certification of Nonsegregated Facilities, to submit the Monthly Employment Utilization Report, Form CC-257, as they may require for the supervision of such compliance, and that it will otherwise assist USDA in the discharge of USDA's primary responsibility for securing compliance.
6. To refrain from entering into any contract or contract modification subject to such Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and Federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by USDA or the Secretary of Labor pursuant to Part II, Subpart D, of the Executive Order.
7. That if the recipient fails or refuses to comply with these undertakings, the USDA may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the organization under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such organization; and refer the case to the Department of Justice for appropriate legal proceedings.

Signed by the Recipient on the date first written above.

_____ Recipient

_____ Recipient

(CORPORATE SEAL)

_____ Name of Corporate Recipient

Attest:

_____ Secretary

By _____ President

This form is available electronically.

Form Approved – OMB No. 0505-0027
Expiration Date: 12/31/2018

USDA

United States Department of Agriculture

AD-1049

Certification Regarding Drug-Free Workplace Requirements (Grants)
Alternative I – For Grantees Other Than Individuals

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552(a), as amended). This certification is required by the regulations implementing §§ 5151-5160 of the Drug-Free Workplace Act of 1998 (Pub. L.100-690, Title V, Subtitle D: 41 U.S.C. § 8101 et seq.), and 2 C.F.R. Parts 182 and 421. The regulations were amended and published on June 15, 2009, in 74 Fed. Reg. 28150-28154 and on December 8, 2011, in 76 Fed. Reg. 76610-76611. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the grant.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud privacy, and other statutes may be applicable to the information provided.

(Read Instructions On Page Three Before Completing Certification)

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

2. Establishing an ongoing drug-free awareness program to inform employees about –

   a. The dangers of drug abuse in the workplace;

   b. The grantee's policy of maintaining a drug-free workplace;

   c. Any available drug counseling, rehabilitation, and employee assistance programs; and

   d. The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace.

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (A.1.).

4. Notifying the employee in the statement required by paragraph (A.1.) that, as a condition of employment under grant, the employee will –

   a. Abide by the terms of the statement; and

   b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (A.4.b.) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (A.4.b.), with respect to any employee who is so convicted –

   a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

   b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or, local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A.1. through A.6.).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

PLACE OF PERFORMANCE *(Street Address, City, County, State, Zip Code)*	
Check [ ] if there are workplaces on file that are not identified here.	
ORGANIZATION NAME	PR/AWARD NUMBER OR PROJECT NAME
NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)	
SIGNATURE(S)	DATE

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

5 C.

The City of ARLINGTON

EMPLOYEE RELATIONS/ PERSONNEL COMMITTEE
ARLINGTON COMMUNITY CENTER (PHONE CONFERENCE)
May 4, 2020 5:30 PM

Join from PC, Mac, Linux, iOS or Android: https://meetings.ringcentral.com/j/1493904774

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US: +1(470)8692200,,1493904774# (US East)
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+1(773)2319226,,1493904774# (US North)
+1(469)4450100,,1493904774# (US South)
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1(470)8692200 (US East)
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+1(773)2319226 (US North)
+1(469)4450100 (US South)
Meeting ID: 149 390 4774
International numbers available: https://meetings.ringcentral.com/teleconference

1. **Call meeting to order** – Joe Morgan, Tom Hatlestad, Amy Newsom, John Petterson, Michael Kedrowski
2. **Approval of Agenda**
3. **Old Business**
   A. **Consider updated personnel policy** – discussion on adding item limiting the number of PTO hours that an employee can accrue. Consensus of the group was to limit the number of hours to a maximum of 296 hours. 256 hours of PTO accumulated per year, plus additional 40 hours. Current employees that have more than 296 hours will have 2 years to bring their hours down. Newsom will draft and send to committee before bringing to Council.
   B. **Consider making Ramacher FT City employee** – Consensus of the group to make Ramacher FT at $17 per hour plus benefits.
   C. **Discussion on employee lunch breaks- Consensus** that the City cannot require employees to leave their desks for 30 minutes but cannot be paid for their lunch

period. City strongly encourages employees to leave their desk for lunch and 15-minute breaks.

4. **New Business**
   A. **Consider changes to Community Center budget/job description of Michael Kedrowski/wage scale** – Consensus of the Committee to change the Community Center budget to have Michael take over maintenance duties at the Community Center. Also, to change his pay range to start at $21 per hour with 6 step increases. Job description and comparables will be considered at Michael's 6-month evaluation.
   B. **PD staffing update from Chief Petterson** – Chief Petterson briefed the committee on Officer Holasek's accident. The committee would like to see the Chief require the police officers to take a driving class. Chief Petterson mentioned a 1-day class in St. Cloud. Chief Petterson also updated the committee on his staff's needs for light duty.
5. **Any additional personnel concerns –** Newsom shared her concerns over the P&Z budget discrepancies regarding the building inspector. Budgeting for $55 per hour plus 30% of plan review fees, while building inspector is invoicing for $55 per hour plus 70% of plan review fees. Last contract was approved in January of 2018.
6. **Adjourn** – Consensus to adjourn at 6:20 pm.

5.D

The City of ARLINGTON

ARLINGTON CITY COUNCIL
MEETING AGENDA
MAY 4, 2020 AT 6:30 PM
COUNCIL CHAMBERS

The City Council is provided background information for agenda items in advance by city staff, committees and boards. Many decisions regarding agenda items are based upon this information, as well as: City policy and practices, input from constituents, questions or information that has not yet been presented or discussed regarding an agenda item. If you have a concern or question, please ask to be recognized by the Mayor during the "Citizens addressing the Council" portion of the agenda– state your name and address for the record. Please keep comments under 5 minutes. Individuals wishing to speak for more than five minutes should ask to be included on the agenda in advance. All comments are appreciated, but please refrain from personal or derogatory attacks on individual

Join from PC, Mac, Linux, iOS or Android: https://meetings.ringcentral.com/j/1482138181

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+1(720)9027700 (US Central)
Meeting ID: 148 213 8181
International numbers available: https://meetings.ringcentral.com/teleconference

1. Call Meeting to Order and Pledge of Allegiance

2. Roll Call

Present: Michelle Battcher, Joe Morgan, Tom Hastlestad, Richard Nagel, Rick Amrhein, Laura Gilman – via phone
Staff present: Administrator Amy Newsom, Attorney Ross Arneson – via phone
Also present: Matt Nelson, Tim Becker, Lee Ortloff, Alan Ihrke, Curt Reetz, Brent Rierson, Jon Suedbeck, Becky Suedbeck, Amy Berger, Lisa Pasvogel, Kurt Menk

3. Approve the Agenda and any Agenda Additions

Motion by Amrhein, second by Hatlestad to approve the agenda with 4 additions – **resignation of Lexi Stock from Arlington Public Library, SE senior parade, Approve/Deny Jane**

Ramacher as FT City employee, Approve/Deny job change and pay rate for Michael Kedrowski. Motion carried.

CONSENT AGENDA

The items listed for consideration will be enacted by one motion unless the Mayor, a member of the City Council, City Staff or a person in attendance requests an item to be removed from the Agenda.

Motion by Battcher, second by Hatlestad to approve the following items on the consent agenda:

4. Approval of Consent Agenda
   A) Approval of Bills
   B) April 9, 2020 A-GI Wastewater minutes
   C) April 20, 2020 City Council Minutes
   D) April 29, 2020 Special Council Meeting Minutes
   E) Accept resignation of Tony Voigt from Arlington Fire Department effective April 30, 2020
   F) **Accept resignation of Lexi Stock from the Arlington Public Library effective June 1, 2020**
   Motion carried.

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
   Jon and Becky Suedbeck and Brent Rierson addressed the Council to request that the City allow them to hold a parade for Sibley East Seniors. Map provided to Council members.
   Lisa Pasvogel addressed the Council with her concerns about Northland Drying.
   Amy Berger addressed the Council with her concerns about Northland Drying.

6. Announcements
   A) Volunteer opportunities at the local assisted living facilities
   Assisted Living and Senior facilities in town are looking for volunteers and/or activities to keep residents busy during COVID-19.

7. Communications
   A) MMPA Board Meeting Public Summary - April 2020
   B) Ambulance update email from Sara Burton, Ambulance Director
   C) Lisa Pasvogel email regarding Northland Drying

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

8. Reports
   A) Parks Committee 2019 Annual Report – Alan Ihrke, Chair
   Parks Committee Chair Alan Ihrke gave a brief verbal update on the 2019 activities of the Parks Committee including: the purchase of 4 picnic tables per year which they would like to continue in future years. New mats at Sportsmen's and Frenzel, equipment at Sportsmen's Park. Also for 2020, working with the Girl Scouts on a project at the dugout at Four Season's Park.
   B) Public Works Department – Kirby Weckworth, Maintenance Supervisor

- Written Report
  Weckworth provided a written report for Council, there were no questions on his report.
- Update on maintenance worker position
  Newsom reported that she and Weckworth would be interviewing candidates for the maintenance worker position on May 6, she and Weckworth would like to repost if none of the applicants are qualified for the position.

ORDINANCES & RESOLUTIONS

9. 22-2020 – A Resolution Accepting a Donation from the Arlington Fire Relief Association and Designating Its Use
   Motion by Battcher, second by Morgan to approve Resolution 22-2020. Battcher, Morgan, Hatlestad, Amrhein, Gilman all voted in favor. Motion carried.

UNFINISHED BUSINESS

10. Discussion on parking changes coming with CR 34 project (2021)
    - Concerns from Brau Motors, Rob Brau and County Engineer Tim Becker invited to speak
      Mayor Nagel and Administrator Newsom met with Rob Brau in the afternoon of May 4 to discuss his concerns regarding eliminating parking on the north side of CR 34. Brau voiced concerns over limiting the parking and asked about applying for a variance. County Engineer Tim Becker responded that the he estimated the City would have less than 10 percent chance of receiving a variance. Also mentioned that the City could be liable if a variance was granted and an accident occurred because of the parking variance. Consensus of the Council was to bring the resolutions to approve the project to the next Council meeting on May 18.

11. Approve/Deny City of Arlington COVID-19 ERA Utility Services Payment Agreement
    Motion by Hatlestad, second by Gilman to approve the Utility Services Payment agreement charging 0 percent interest. Motion carried.

NEW BUSINESS

12. Approve/Deny SAC/WAC Waiver for Miller Homes construction at 224 Frenzel Drive
    Motion by Morgan, second by Hatlestad to approve the SAC/WAC waiver for Miller Homes for their project valued at $220,000. Motion carried.

13. Approve/Deny $2,500 bid from American Environmental LLC to televise at Lynch Pond and CR 34
    - American Environmental LLC $2,500
    - Hydro Klean $3,500
      Motion by Battcher, second by Amrhein to approve the $2,500 bid from American Environmental LLC to televise at Lynch Pond and CR 34. Motion carried.

14. Approve/Deny repairs to City Payloader in the amount of $6,729 to Peeps Repair, Arlington

- Peeps Repair $6,729
- Titan Machinery $7,672

  After some discussion on the ability of Peeps to handle that type of repair, motion by Battcher, second by Morgan to approve the repairs to the City Payloader by Peeps. Motion carried.

15. Discussion on Water Treatment Plant
    - Requested by Councilmember Battcher, invited Curt Reetz to speak

      Reetz spoke about the maintenance needs at the Water Treatment Plant and advised Council to have distinct ground rules for engineering firm and consultants.

16. Discussion on Lift Station by SE, Lee Ortloff

    Ortloff discussed the option from Quality Flow to allow the City to pay 1/3 in 2020 ($25,696.67) and the other 2/3 in 2021($51,393.33) total $77,090.00. Morgan and Ortloff agreed that the new lift station will not solve all the flooding problems, but bigger pump will help relive some of the problems. Morgan asked if Ortloff would begin investigating where the I&I leaks are coming from. Consensus of the Council to allow Ortloff to obtain another quote for the lift station. Council will consider after CIP is reviewed.

17. Discussion on Capital Improve Plan Policy/Ranking System
    - Requested by Councilmember Morgan, allow Morgan and Newsom to create ranking system for capital improvement projects or direct Finance Committee to create ranking system
    - Request Form for Capital Improvement Projects/Equipment Purchases

    Consensus of the Council to allow Morgan and Newsom to create ranking system. Council will review and prioritize capital projects at an upcoming work session.

18. **SE Senior Parade**

    Motion by Hatlestad, second by Battcher to approve request by Suedbecks and Rierson to hold parade on May 31 for Sibley East Seniors. Jon Suedbeck explained that it would only be a few trucks/trailers. They would like support of the police department and would also like to get the local Fire Departments involved. The time will be between 1-4 pm. Motion carried.

19. **Approve/Deny Jane Ramacher as FT City employee**

    Motion by Battcher, second by Hatlestad to approve hiring Jane Ramacher as a FT Administrative Assistant beginning at $17 per hour with benefits.

20. **Approve/Deny job change and pay rate for Michael Kedrowski**

    Motion by Hatlestad, second by Morgan to approve changes to Kedrowski's job duties, including removing maintenance from Public Works and having Kedrowski do basic maintenance at the Community Center, and increasing Kedrowski's wage range from $21 per hour to $25.55. Council to reconsider the wage range after Kedrowski completes his 6-month performance evaluation. Motion carried.

MISCELLANEOUS BUSINESS

Council Member Committee Updates

A) Amrhein -Amrhein reported that he attended the Cemetery Committee meeting and Park Committee meeting on April 27. Ramacher performed research on cemetery software. The

committee has plans to view the cemetery on July 27 to consider trees, cleanup. Amrhein also followed up to Alan Ihrke's Parks Committee report. Battcher requested that the Sibley East Community Education contribution be discussed at the next Parks Committee meeting.

B) Battcher -none

C) Gilman - none

D) Hatlestad -Hatlestad had an Employee Relations Committee meeting earlier in the evening stating that the topics discussed were brought to tonight's Council meeting.

E) Morgan – Morgan asked for more information on the resident complaints regarding the pit at Northland Drying. Matt Nelson commented that the pit now has a fence around it.

Mayor Nagel Update – none

Open Discussion

ADJOURNMENT

Motion by Amrhein, second by Hatlestad to adjourn the meeting at 8:35 pm. Motion carried.

City Administrator Amy Newsom

Mayor Richard Nagel

8. A.

The City of ARLINGTON

ECONOMIC DEVELOPMENT AUTHORITY
MEETING MINTUES
MONDAY, APRIL 13 @ 5:30 P.M.

Arlington Community Center - Council Chambers

Join from PC, Mac, Linux, iOS or Android:
https://meetings.ringcentral.com/j/1496992763

Or iPhone one-tap :
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+1(470)8692200 (US East)
Meeting ID: 149 699 2763
International numbers available:
https://meetings.ringcentral.com/teleconference

1. Call to Order – The meeting was called to order at 5:33 pm by President Dean Bergersen.
   EDA members present: Howard Brinkman, Kurt Menk. By RingCentral: Dean Bergersen, Larry Sorenson, Tim Kloeckl, Tom Hatlestad
   EDA members absent: Laura Gilman
   Guests present: Tony Hoff. By RingCentral: Justin Horstman
   Staff present: EDA Director Amy Newsom. By RingCentral: Michael Kedrowski, P&Z Administrator

2. Pledge of Allegiance

3. Approval of Agenda – Motion by Sorenson to approve the agenda with the addition of an updated 2019 Loan Summary, second by Kloeckl. Motion carried.

4. Approval of Minutes
   a. March 9, 2020 – Motion by Kloeckl to approve the March 9, 2020 minutes, second by Brinkman. Motion carried.

5. Approval of Financial Reports
    a. January 2020
    b. February 2020
    c. March 2020
    d. 2019 Loan Summary

    The reports were reviewed by the Committee. Lisa Tesch provided the EDA with an updated 2019 Loan Summary because she noticed that she had forgotten to add the Hip Hop Family Shop loan. Motion by Sorenson, second by Brinkman. Motion carried.

6. New Business
    a. Approve/Deny Resolution No. 05-2020 A RESOLUTION APPROVING TERMS OF A LOAN TO LINSDAY SJOSTROM REAL ESTATE LLC. FROM THE ARLINGTON EDA FACADE IMPROVEMENT LOAN PROGRAM FOR A PROJECT AT 108 5TH AVENUE

    b. There was discussion as to details of the loan and whether it could be requested to take out another loan if additional work was to be done. It was discussed that perhaps more language could be added to the application to define what is a facade as well make some modifications to the language on the resolution. **Kloeckl** introduced Resolution No. 05-2020 A RESOLUTION APPROVING TERMS OF A LOAN TO LINSDAY SJOSTROM REAL ESTATE LLC. FROM THE ARLINGTON EDA FACADE IMPROVEMENT LOAN PROGRAM FOR A PROJECT AT 108 5TH AVENUE, **Hatlestad** seconded it. And upon poll being taken the following voted in favor of Kloeckl, Hatlestad, Sorenson, Menk, Brinkman, and none against. Nobody abstained and Councilmember Gillman was absent.

    c. Proposal to purchase parcel 31.0874.000 (former Nickel property) from Top Notch Construction.
    Justin Horstman was present at the meeting and presented his proposal to purchase parcel 31.0874.000 (former Nickel property). A letter was provided to the Committee, and he explained details of his company and how the land would be used. The company would operate year-round and store equipment used for construction and development projects. A berm would be created on the property between existing neighbors on the north, east and south sides. A building would be erected on the property housing equipment and an office space that would be roughly 50x100 feet. The land would also be used to store aggregate materials that are hauled out of the city during projects like street repairs. The Committee discussed his proposal after presentation and may consider it or find another lot of land to house his company at a later point in time.

    Horstman left the meeting.

    d. Letter from Sarah Callahan
    A letter was presented to the Committee from a resident bordering 31.0874.000 (former Nickel property. The letter addressed her concern about a commercial business being housed near her property. It was noted by the Committee to keep it in mind. It was also noted that Hoff had talked with her about his business and assured that he would work with her as well as not be too much of an inconvenience to her and her family.

e. Discussion on what the EDA can do to help businesses during COVID-19
It was discussed among the Committee members that they would like to do something to assist businesses affected by COVID-19. Gilman spoke with Newsom asking what we can do to maintain our businesses, maintain the level of shopping local. Consensus of the Board to come up with ideas and wait to act until after the virus has peaked.

7. Old Business
   a. Proposal to purchase parcel 31.0874.000 (former Nickel property) from Tony's Outdoor Services
      i. Public Hearing planned for May 11, 2020

Hoff was in attendance to address the Committee if they had any further questions at this time. It was brought into consideration by Council and recommended to have a Public Hearing scheduled at the next EDA meeting. Many of the questions asked by the Committee members could be written into the purchase agreement as stipulations on receiving the land. The Committee agreed unanimously to move on with the proposal and bring it to a Public Hearing scheduled for the next EDA Meeting May 11th.

Hoff left the meeting.

   b. Update on Hemp Heaven
      i. Notice of Assessments from High Island Creek Watershed District
      Newsom presented the proposed assessments to the parcel which was sold to Hemp Heaven. Arneson has not filed the deed yet because Hemp Heaven has not provided proper site plans. Newsom will work with Arneson to see who will be responsible for the assessments.
   c. Marketing Ideas
   Consensus of the group to wait on this topic until Gilman is at a meeting.

   d. City Fee comparison/incentives
      i. WAC/SAC $4,825 City Council waives on case-by-case basis

A comparison between cities fees was presented before the Committee and it was decided that at some point the EDA would like to review fees and incentives before the end of 2020. Kedrowski mentioned he is working with Planning and Zoning to do so as well and will be presenting new permits that are more user friendly and easy to fill out.

   e. One Million Cups — October 14, 2020
   Still planned for October 14, but Newsom reported that they are currently being held virtually. Consensus of the group was not to host if held electronically.

8. Planning and Zoning update — Michael Kedrowski

- New permits/process – permits have been redesigned and simplified, will present to Planning and Zoning Committee and then have on agenda for Council Approval

- Scott Equipment – While preparing the land for the next stage in their expansion, they dug up into Hutch Co-Op's property. The damage will be repaired as their drainage plan comes into fruition in oncoming weeks.
- Building permits/projects – There have been 28 permits so far this year ranging from windows and siding to new construction and remodeling of homes. So far permits have totaled $6,913.62 in fees and over $773,000 in evaluations
- Scanning/digitizing previous years' resolutions and minutes – There are not digital copies of many of the files in the resolution and minute binders. Kedrowski has been looking to work on scanning, digitizing and converting to pdf and word files.
- Revisions to city code and comp plan – there are updates needed to be made both to city code and the comprehensive plan. Kedrowski has begun reviewing both the code and comp plan and will be working with Planning and Zoning Committee to suggest those revisions.

9. EDA Director update on businesses and housing
   Newsom reported that Siduri Hops must build by this summer according to their development agreement and the grant extension from DEED for their BDPI grant. The group discussed what to do if Siduri does not plan to build. Newsom to check with Attorney Arneson when we can take action to get the land back. The Board also discussed making the business pay for their own infrastructure to the site if they still plan to build.

10. Director and Board Comments

11. Adjourn – Motion by Menk, second by Sorenson to adjourn the meeting at 7:20 pm. Motion carried.

EDA Director Amy Newsom

EDA President Dean Bergersen

The City of ARLINGTON

ARLINGTON PLANNING & ZONING BOARD

MEETING MINUTES

Date: April 15, 2020 @ 7PM

1. **Call to Order** – Chairperson Nuesse called the meeting to order at 7:08 PM.

   Members Present: Brandon Brinkman, Janet Deno, Jennifer Nuesse, Jim Carlson, Councilmember Michelle Battcher
   Members Absent: Darnell Halverson, Joe Prasad
   Staff Present: Michael Kedrowski
   Guests Present: Dave Siwek, John Behnke, Chief of Police John Petterson, City Administrator Amy Newsom, Mayor Rich Nagel

2. **Pledge of Allegiance** – all recited the pledge

3. **Approval of Agenda** – Motion by Councilmember Battcher Seconded by Jim Carlson, to approve the agenda with the following additional items (listed in red). Motion carried.

   6D. Discussion about Siwek and the Seneca Trailer Park**
   6E. Rezoning of R3 subdivision in Arlington Meadows
   6F. Review and Discussion of City Code Chapter 31, Section 7: R3 Multiple Family Residential Zone

4. **Approval of Meeting Minutes**
   A. March 5, 2020 – Councilmember Battcher motioned to approve the agenda with modifications to a few grammatical/spelling errors. Jim Carlson seconded; motion carried.

5. **Public Hearings**
   A. None

6. **New Business.**
   A. Discussion on updating to Comprehensive Plan – Add code for R3 zoning, reformat, update statistics and population data once information is released, add maps, land use, other chapters/aspects please review and have input for May meeting. Kedrowski requested that the Committee begin reviewing when they have time, he will be adding revisions to meetings and input will be from the Committee and when changes are to be added it will require a public hearing.

B. Approve Changes to Permits – All permits will have a similar format and style. They will have the City Logo at the top and the cost listed right at the top. A copy of the building permit will be brought to Council for approval on April 20th.

C. Northland Drying Noise Complaints – Recently, there have been more instances about residents complaining about noise at Northland Drying. This is a violation of the noise ordinance under City Code and the Committee discussed options as well as receiving input from John Petterson of the Arlington Police Department and Matt Nelson of Northland Drying. Nelson described recent issues with noise complaints from their operations. It is important to have open communication between the City, Law Enforcement and Northland Drying, it will also be noted to keep residents nearby informed as well. To assist with noise absorption at the plant, Nelson is working on receiving quotes for fencing to abut the residential side of their lot and as new equipment is installed noise tests will be done and attempts to mitigate noise will attempt to be corrected before installation. Multiple questions were asked in response to Nelson's steps taken to reduce noise. It was stressed by the Committee that an open line of communication would best assist with progress made in recent months and if needed the Committee would address the issue once again.

D. Discussion about Siwek and the Seneca Trailer Park**

There have been trailers on the former site of Seneca Foods, Dave Siwek is the current owner and has continued to leave the possibly of leasing out the trailers to migrant workers. The lot has been vacant for the last few years, it is within an industrial zoned area and Dave is asking the Committee to help him work toward "life after Seneca" when the lease is up. Topics brought up where suggestions on a buffer between the trailers and the industrial businesses nearby, as well as upgrading/replacing the trailers in place and possibly rezoning the lot as an official trailer park. Other questions addressed were timeframes, and whether a conditional use permit would be needed. A conditional use may allow for improvements to be made, have trailers that are up to code or improve the lot for another use within the I2 zoning. As addressed in previous conversations, before taking any action more details need to be uncovered in response to the agreement of those trailers on the lot. It was asked that Kedrowski stay in touch with Siwek and Behnke on moving forward with this process. There was consensus that the City would like this land to be useable.

E. Rezoning of R3 subdivision in Arlington Meadows

Siwek has owned a parcel in town north of the racetrack and fairgrounds. This property has been zoned as R3, and has been set up for 16 units. Siwek is requesting the possibility of replotting those lots for less units or individual homes. He feels they will sell more rapidly. It was questioned whether these would be rental units or owned by the residents. Siwek and Behnke will be in touch with Kedrowski and would like to investigate less units on that parcel. If they move along with this project the land would require a public hearing and possibly be rezoned.

F. Review and Discussion of City Code Chapter 31, Section 7: R3 Multiple Family Residential Zone

In reviewing city code and the comprehensive plan, Kedrowski noticed that there is no code for R3 zoning. He has drafted a code to be reviewed by the Committee

7. Unfinished Business

A. Update on Proposed Ordinance Establishing the B-3 Commercial/Industrial District - Council wished to receive more information about a B3 district, at the time they do not feel it may be necessary to investigate.

B. Update on Nickel Property – The EDA has come to an arrangement to allow for Tony's Outdoor Services to make a proposal to go forward with the purchase of the property. It will need to be rezoned to I-1 to suit his use. A Public Hearing scheduled for the May 7th meeting. Tony's outdoor service is an excavation and contracting company. They do a lot of work for Sibley county ditches. Their services include washout repair, tree removal and invasive species control to name a few. They also do a lot of conservation work for the D.N.R. including wetland restoration, tree and brush removal and invasive species control. Hoff intends to put up a 60x80 pole shed that would have 18-foot side walls. The entrance for the shop would be facing the east and the front of the building would face County Rd 9. Tony's Outdoor Services is a company currently based outside of Henderson on his Family's Farm. They hope to bring a few jobs to town and will be moving all services to Arlington.

C. Request from Grand K, LLC on Zoning: Sign Ordinance – I have highlighted the parts of code requested to be modified by Brinkman (Howard). I did not make any decisions myself and wanted to bring it up as discussion to see what input from members of the Committee may have. The request was to allow for a sign to be hanging or projecting from the building. The Committee wished to have revisions brought to next month's meeting to be approved.

8. Review Building Permit Reports

A. March 2020

9. Educational Information

A. Covid-19 Discussion – Meetings will continue to be conducted virtually until it is safe and approved to meet in person. If requested, you may attend in person at City Hall if this is not your preferred method. There is room for social distancing in Council Chambers and we can accommodate as needed if a Public Hearing requires more attendance the Community Center main hall is available.

10. Other/Updates

A. Next meeting date/time: May 7th at 7 PM, we will be needing to have a Public Hearing about updating the Predatory Offender Ordinance which expires at the end of May. It needs to be brought to council May 18th. Keep in mind if we are able there may be a joint public hearing about Tony's Outdoor Services if we are able to cover two topics at once. If not we will have to have our own either May 7th or schedule at a date/time that works best.

11. Adjournment

Motion by Battcher, second by Deno, Adjourn at 8:40 PM.

8.C

COMMUNITY CENTER COMMITTEE MEETING
December 5, 2019 at 5:30 pm
City Council Chambers

1. Call meeting to order/roll call
   President Deb Brinkman called the meeting to order at 5:30 pm.

   Members present included: Deb Brinkman, Kurt Menk, Tim Haggenmiller, Adam Cowell
   Members absent: Amanda Feterl, Julie Warweg, Kirby Weckworth
   Staff: Amy Newsom, Community Center Coordinator
   Guests present: Mayor Rich Nagel

2. Approve agenda- motion by Haggenmiller, second by Cowell to approve agenda, motion carried.
3. Approve minutes
   a. October 1, 2019– motion by Menk, second by Haggenmiller to approve minutes from October 1, motion carried.
4. Financial Report – Members commented that they had never seen a financial report before and had several questions for Lisa Tesch. Motion by Cowell, second by Haggenmiller to approve the community center financial report.
5. New Business
   a. Approve/Deny changes to Community Center Use and Rental Policy – move to Council
      Motion by Cowell, second by Haggenmiller to approve updated policy, but check with Attorney Arneson on retaining the damage deposit for decorating violations/glass bottles/cigarettes/additional cleaning. Motion carried. Newsom to check with Attorney Arneson.
   b. Update on Community Center Attendants
      Newsom reported that she had 4 applicants for the Community Center Attendant position.
   c. Prep Sink needed to be considered Commercial Kitchen (Laura getting quotes).
      Newsom explained that the Community Center will need a prep sink in order to rent out the kitchen as a commercial kitchen. The Henderson school is very interested in using the facility on a regular basis to prepare school lunches. Newsom also received an inquiry from Chef Craig. Laura Dykhoff is obtaining quotes. Committee members requested that Laura contact Y-NOT Plumbing and Heating for a quote too.
   d. New advertising trifold
      Committee members reviewed the advertising trifold put together by Newsom. Mayor Nagel stated that the Rhythm Kings were no longer performing, and we should state more options available and that we should remove the Dugout as the alcohol provider.
   e. Schedule of meetings for 2020
      Committee will meet four times per year. February 13, 2020 at 5:30 pm; May 14, 2020 at 5:30 pm; August 13, 2020 at 5:30 pm; November 12, 2020 at 5:30 pm.
6. Old Business
   a. Discussion as to the bar alcohol providers for the Community Center (added)

Newsom informed the committee about alcohol being stored by the Dugout at the Community Center. Cowell and Mayor Nagel requested that it be put on the Council agenda. The committee also asked that Newsom check with Attorney Arneson about other options for alcohol providers at the community center.

b. Request to have the Mayor appoint 1 or 2 additional Committee members (added) Mayor Nagel will investigate appointing additional people that will be able to attend the community center committee meetings.

7. Adjourn

Motion by Cowell, second by Menk to adjourn at 6:55 pm. Motion carried.

Amy Newsom, CC Coordinator

Deb Brinkman, President

COMMUNITY CENTER COMMITTEE MEETING MINUTES
February 13, 2020 at 5:30PM
City Council Chambers

1. Meeting called to order at 5:32PM by Deb Brinkman.
   a. Roll Call:

COMMITTEE MEMBERS	
Joe Morgan- Councilmember	X
Deb Brinkman- Chair	X
Julie Warweg- Vice Chair	X
Jane Ramacher- Secretary	X
Tim Haggenmiller	X
Kurt Menk	X
Leon Dose	
Nancy Mathwig	

OTHERS IN ATTENDANCE
Michael Kedrowski- City Staff
Amy Newsom- City Admin.
Lisa Tesch- City Clerk
Corine Carney- The Dugout

   b. Election of officers, by unanimous ballot. Motioned by T. Haggenmiller, seconded by J Warweg. Motion carried.
      i. Chair—Deb Brinkman, nominated by J. Warweg, seconded by K Menk
      ii. Vice Chair—Julie Warweg, nominated by T. Haggenmiller
      iii. Secretary—Jane Ramacher, volunteered

2. Approve agenda. Motioned by J Warweg, seconded by T Haggenmiller. Motion Carried.

3. Approve minutes. December 5, 2019.
   a. Postponed, missing from meeting packet.

NEW BUSINESS

4. Financial Report. Lisa Tesch reviewed information and answered questions on the financial reports for fiscal year 2019.
   a. Clarification on how salaries are allotted from the Community Center budget versus other department budgets
      i. Request was made to evaluate the amount of time spent in the facility by the maintenance staff and other staff on responsibilities relating to the Community Center.

b. Clarification was made on the amount of capital lost during fiscal year 2019.
c. Questions regarding billing practices and funds collection were addressed and clarified. Committee was advised that subsequent agenda items will address this topic further.
d. Clarification on the meaning and/or details of specific line items and allotment of funds.
e. Questions raised regarding agreement with Dugout as an exclusive vendor and timeliness of rental payments

5. Corine Carney from the Dugout
   a. Concerns raised on quality of ice from Community Center machine.
      i. Event guests complaining about "black specks" in the ice. Drinks were discarded as a result.
      ii. Reviewed options to clean and/or maintain the ice machine and filtration.
   b. Request to use bar mats during events to mitigate fatigue of bartenders. Previously was told not to use them. Opted for a trial run to ensure no damages to flooring surfaces by consensus of the Committee.
   c. ATM- convenience for event guests, no ability to take cards at bar, few/no businesses open late in town
      i. Dugout uses Payment Alliance- no cost to obtain the ATM, portion of the ATM fee is retained by the facility on each transaction
   d. Concerns raised regarding outside alcohol and the responsibility of the attendants in effecting the removal of said alcohol.
      i. Standard operating procedure for attendants addressing alcohol brought in by event guests
      ii. Possibility of retaining damage deposit for violations
      iii. Discussed cameras as an additional deterrent and method to confirm violations of policy

6. New building reservation, rental, and invoice forms reviewed.

7. Request for additional refund for late cancellation by Roseana Messner
   a. Request denied by consensus of the Committee.

8. Sibley County Cancer Fighters, Jeri Odenthal, wine tasting liquor license
   a. Discussion regarding updating policy for wine tasting events
   b. Recommendation made to council that wine tasting liquor license be approved by consensus of the Committee.

9. Review and clarification of Rental, Deposit, and Cancellation Policies
   a. Deposits must be paid in order to reserve the date for an event
   b. Recommendation to update policy to reflect a $250.00 security deposit for any rental of Community Center by census of the Committee.
   c. Recommendation that security deposits be charged to nonprofit renters and retained in instances of late cancellation of events by consensus of the Committee.
   d. Request for clarification regarding which entity has authority over the Lion's Center, possibly the Parks Committee

i. clarification for Lion's Center rentals and security deposit retention policies is needed
ii. Clarification on rental policies for Senior Club members needed- possibly one free rental per annum

e. Craft & Gift Expo, Diane Andrade, scheduled for 3/7/2020
i. Determination, by consensus of the Committee, that security deposit and rent be paid in advance, as per written policies.

f. Committee requests that, moving forward, city staff defer to written policies in situations in which conflict arises with prior practices
i. Billing- for existing rentals with waivers and discounts, bill as per existing invoices; new rentals, moving forward, will be charged and billed per policy guidelines. Agreed by consensus of the Committee.

g. Sunday Special discounted rental rate for Sunday events- Committee requests that this be enacted into policy, if not already in place. Agreed by consensus of the Committee.
i. Research needed to determine if this has previously been enacted

OLD BUSINESS

10. Commercial Kitchen prep-sink
a. Still waiting on updated quotes due to lack of clarity on what needed to be included in original quotes- discussion postponed
b. Prep sink will be placed to the right of the range, with a splash guard between prep sink and hand sink
c. Ongoing process

11. Damage Deposit updates- Attorney Arneson advised that any policy violation is grounds to retain the security deposit, including decorating violations
a. city staff will look into options for charging a variable security deposit for nonprofits based on the expected number of event guests

12. Four (4) new attendants hired

13. Updates on alcohol providers options
a. Discussion on charging per event to a variety of vendors, rather than contracting with a single vendor in order to increase rental opportunities
b. Decision, by consensus of the Committee, to wait until contract is expired with Dugout to work with additional vendors
c. City staff will draft options for alternative policies for alcohol vendors

14. Security cameras in process of being installed, allows city staff to review video,
a. Committee requests that attendants have access to the security system in order to make monitoring easier and gathering of evidence supporting retention of security deposits. Agreed by consensus of the Committee.

15. The Committee, agreed upon by consensus, would like to be able to meet more frequently (monthly) in order to more efficiently update policies and implement them to impact budget trajectory more rapidly.

16. Meeting adjourned at 7:29PM. Motion by K Menk. Seconded by T Haggenmiller. Motion carried.

X _____

Deb Brinkman
Chair

X JM Ramacher

Jane Ramacher
Secretary

8.E

May 4, 2020

Dear Ms. Newsom,

The rental property at 405 Brooks St W is in desperate need of intervention. 9 utterly disrespectful people and 6 barking dogs creates quite the commotion, especially when the entire "clan" is loud, boisterous and foul mouthed with frequent arguing, yelling, and cussing which much of the time continues late into the night.

The appearance of the property is repulsive. They have dug up much of the boulevard and installed jagged bricks. The boulevard and tiny front yard is also polluted with hanging and stationery lawn ornaments, as well as their usually overflowing garbage can, which is never removed from the boulevard. The front of the property looks like a trashy flea market.

Please clean up this atrocity and utter disrespect for those of us who live nearby!

Sincerely,

Residents of the 400 Block and surrounding area

Cc: Mayor Rich Nagel
Cc: Chief John Petterson

9A

ARLINGTON
POLICE DEPARTMENT

Office (507) 964-5200 FAX (507) 964-2737

108 Fourth Ave N.W.
ARLINGTON, MN 55307

APRIL 2020 – *294 Recorded ICR's*

Residence Watch	38
Park Checks	38
Public Assist	29
Traffic Stops	24
Agency Assist	15
Juvenile Trouble/Truancy	14
Directed Patrol/Traffic Detail	14
Animal Calls	13
Business/Door Checks	12
Suspicious Activity	10
Informational	10
Noise Complaint	9
Ordinance Violations	7
Medical Calls	5
Driving Complaint	4
Child Protection/Custody	4
Welfare Checks	4
Found Property	4
Theft	3
Parking Violations	3
Public Relations/School Event	3
Threats	3
Harassment Complaint	3
Scams	3
Accidents	3
911 Hang-up	2
Domestic	2
Property Damage	2
Fire Call	2
Alarms	2
Adult Protection	2
Assault	1
Burglary	1
Motorist Assist	1
Civil Matters	1
Vehicle Lockouts	1
Helipad Security	1
Vandalism	1

John Petterson
Police Chief

Office (507) 964-5200 FAX (507) 964-2737

ARLINGTON
POLICE DEPARTMENT

108 Fourth Ave N.W.
ARLINGTON, MN 55307

APRIL 2020

4-1-20

- Animal Call – 100 Block 4th Ave. NW
- Parking Violation – 500 Block W. Brooks St.
- Traffic Stop – Intersection 2nd Ave. NW & W. Alden St.
- Theft – 200 Block 7th Ave. SW
- Property Damage – 200 Block 7th Ave. SW
- Found Property – Intersection W. Main St. & 2nd Ave. NW
- Welfare Check – 100 Block E. Clinton St.
- Animal Call – 100 Block Henderson Rd.
- Business Check

4-2-20

- Park Check
- Suspicious Activity – 24200 Block 387th Ave.
- Park Check
- Traffic Stop – Intersection Hwy 5 & Marion Dr. (SO)
- Informational – 100 Block 4th Ave. NW
- Informational/Med Disposal
- Public Assist – 400 Block E. Adams St.
- Directed Patrol/Traffic Detail – Henderson Rd. & 4th Ave. SE
- Suspicious Activity – Intersection E. Clinton St. & 3rd Ave. SE
- Business Check

4-3-20

- Park Check
- Park Check
- Traffic Stop – Intersection 2nd Ave. NW & W. Douglas St.
- Informational – 600 Block W. Chandler St.
- Child Protection – 100 Block E. Clinton St.
- Child Protection – 100 Block Henderson Rd.
- Medical Call/Agency Assist – 300 Block 4th Ave. NW
- Traffic Stop – Intersection W. Main St. & Hwy 5

4-4-20

- Park Checks
- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 600 Block W. Baker St.
- Directed Patrol/Traffic Detail – Hwy 5 & W. Adams St.
- Burglary – 600 Block W. Brooks St.
- Traffic Stop – Intersection Alden St. & 1st Ave. N.
- Animal Call – 300 Block E. Main St.
- Theft – 100 Block 4th Ave. NW

- Informational – Intersection 3rd Ave. SW & W. Baker St.
- Suspicious Activity – 200 Block W. Main St.
- Suspicious Activity – 500 Block 2nd Ave. NW
- Noise Complaint – 100 Block Henderson Rd.

4-5-20

- Agency Assist/Driving Complaint – Lincoln Ave. E.
- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 300 Block 4th Ave. NW
- Traffic Stop – Intersection W. Main St. & Hwy 5
- Residence Watch – 600 Block W. Baker St.
- Ordinance Violation – 700 Block W. Chandler St.
- Public Assist – 23200 Block 401st Ave.
- Directed Patrol/Traffic Detail – 9th Ave. & W. Alden St.
- Park Check
- Public Assist – 700 Block W. Main St. (SO)
- Accident – 400 Block E. Baker St.
- Informational – Intersection 5th Ave. SE & E. Baker St.
- Agency Assist/Driving Complaint – 100 Block Main St. S., Green Isle
- Driving Complaint – 800 Block W. Main St.
- Animal Call – 200 Block Frenzel Dr.

4-6-20

- Welfare Check – 40900 Block Hwy 5
- Alarm – 600 Block W. Brooks St.
- Welfare Check – 600 Block E. Brooks St.
- Scam – 800 Block W. Main St.
- Driving Complaint – 800 Block W. Main St.
- Assault/Agency Assist – 300 Block 1st Ave. S.
- Directed Patrol/Traffic Detail – Hwy 5 & W. Baker St.
- Business Check
- Park Check

4-7-20

- Park Check
- Ordinance Violation – 100 Block Henderson Rd.
- Fire Call/Agency Assist – 400 Block W. Adams St.
- Harassment Complaint – 100 Block E. Douglas St.
- Public Assist – 100 Block Henderson Rd.
- Agency Assist – Intersection Hwy 5 & W. Adams St.
- Directed Patrol/Traffic Detail – Henderson Rd. & 4th Ave. SE
- Accident – 100 Block W. Main St.
- Park Checks
- Harassment Complaint – 200 Block E. Adams St.
- Public Assist – 100 Block 1st Ave. N.
- Public Assist – 100 Block Henderson Rd.
- Business Check

4-8-20

- Park Check
- Park Check
- Driving Complaint – Intersection W. Main St. & Hwy 5
- Animal Call – Intersection Cty. Rd. 12 & Cty. Rd. 9
- Business Check/Public Relations
- Child Protection – 400 Block W. Elgin St.
- Medical Call/Agency Assist – 400 Block 7th Ave. NW
- Public Assist – 300 Block Polar Circle
- Agency Assist – 100 Block W. Main St.
- Public Relations/Parade Escort – 700 Block W. Chandler St.
- Noise Complaint – 100 Block Henderson Rd.

4-9-20

- Noise Complaint – 100 Block Henderson Rd.
- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 600 Block W. Baker St.
- Residence Watch – 300 Block 4th Ave. NW
- Helipad Security
- Noise Complaint – 100 Block Henderson Rd.
- Public Relations/Parade Escort – 400 Block W. Main St.
- Traffic Stop – Intersection 4th Ave. NE & Hwy 5
- Traffic Stop – Intersection 411th Ave. & W. Chandler St.

4-10-20

- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 600 Block W. Baker St.
- Residence Watch – 300 Block 4th Ave. NW
- Directed Patrol/Traffic Detail – Hwy 5 & W. Adams St.
- Park Checks
- Directed Patrol/Traffic Detail – Henderson Rd. & 4th Ave. SE
- Business Check
- Park Check

4-11-20

- Park Check
- Noise Complaint – 100 Block Henderson Rd.
- Found Property – 500 Block W. Douglas St.
- Traffic Stop – 100 Block 4th Ave. NW
- Directed Patrol/Traffic Detail – Henderson Rd. & 4th Ave. SE
- Agency Assist/Domestic – 300 Block Main St., Green Isle
- Domestic/Agency Assist – 700 Block Chestnut Dr.
- Suspicious Activity – 400 Block E. Adams St.
- 911 Hangup – 400 Block E. Adams St.
- Noise Complaint – 400 Block E. Adams St.
- Ordinance Violation – 700 Block W. Chandler St.

4-12-20

- Park Check
- Park Check
- Noise Complaint – 400 Block E. Adams St.
- Traffic Stop – Intersection 411th Ave. & W. Chandler St.
- Agency Assist – 100 Block 4th Ave. NW
- Directed Patrol/Traffic Detail – Hwy 5 & W. Main St.
- Public Assist – 100 Block E. Clinton St.
- Park Check

4-13-20

- Park Check
- Animal Call – 400 Block W. Baker St.
- Suspicious Activity – 300 Block 5th Ave. SE
- Public Assist – 100 Block 4th Ave. NW
- Traffic Stop – Intersection Hwy 5 & 4th Ave. NW
- Agency Assist/Driving Complaint – 200 Block Cleveland Ave., Green Isle

4-14-20

- Traffic Stop/Agency Assist – Intersection 4th Ave. SE & E. Baker St.
- Residence Watch – 300 Block 4th Ave. NW
- Residence Watch – 600 Block W. Baker St.
- Residence Watch – 400 Block Creekview Ln.
- Found Property – 300 Block 5th Ave. SE
- Public Assist – 100 Block 4th Ave. NW
- Informational – 100 Block 4th Ave. NW
- Public Assist – 500 Block 2nd Ave. NW
- Public Assist – 100 Block 4th Ave. NW
- Adult Protection – 400 Block W. Brooks St.
- Traffic Stop – Intersection 6th Ave.
- Traffic Stop – Intersection 1st Ave. S. & Henderson Rd.

4-15-20

- Residence Watch – 600 Block W. Baker St.
- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 300 Block 4th Ave. NW
- Parking Violation – 300 Block W. Main St.
- Animal Call – Intersection 1st Ave. S. & Henderson Rd.
- Public Assist – 200 Block 3rd Ave. NW
- Motorist Assist/Agency Assist – Intersection Hwy 5 & 2nd Ave. NW
- Agency Assist – 100 Block 4th Ave. NW
- Suspicious Activity – 100 Block Henderson Rd.

4-16-20

- Park Check
- Park Check
- Informational/Med Disposal
- Fire Call/Agency Assist – 400 Block W. Adams St.
- Alarm/Agency Assist – 23100 Block 401st Ave.

- Adult Protection – 400 Block 7th Ave. NW
- Agency Assist/Traffic Stop – Intersection 230th St. & 421st Ave., Arlington
- Park Check

4-17-20

- Park Check
- Parking Violation – 400 Block W. Main St.
- Driving Complaint – Intersection Cty. Rd. 9 & W. Main St.
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Business Check/Public Relations
- Public Assist/Animal Call – 100 Block Henderson Rd.
- Public Assist – 100 Block 4th Ave. NW
- Agency Assist – Jefferson Ave. E., Gaylord
- Threats – 100 Block 4th Ave. NW

4-18-20

- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 600 Block W. Baker St.
- Residence Watch – 300 Block 4th Ave. NW
- Public Assist – 100 Block 4th Ave. NW
- Animal Call – 600 Block W. Brooks St.
- Public Assist – 100 Block 4th Ave. NE

4-19-20

- Residence Watch – 600 Block W. Baker St.
- Residence Watch – 300 Block 4th Ave. NW
- Residence Watch – 400 Block Creekview Ln.
- Park Checks
- Property Damage – Intersection E. Alden St. & 4th Ave. NE
- Public Assist – 100 Block 4th Ave. NW
- Juvenile Trouble – 4th Ave. NE
- Domestic/Agency Assist – 700 Block Chestnut Dr.
- Public Assist – 400 Block 4th Ave. NE
- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 600 Block W. Baker St.
- Informational – 200 Block 7th Ave. Ave.

4-20-20

- Park Checks
- Business Check
- Residence Watch – 300 Block 4th Ave. NW
- Agency Assist – 100 Block Henderson Rd.
- Ordinance Violation – 100 Block Henderson Rd.
- Theft – 600 Block W. Chandler St.
- Directed Patrol/Traffic Detail – Hwy 5 & W. Baker St.
- Business Check

4-21-20

- Medical Call/Agency Assist – 700 Block Chestnut Dr.
- Suspicious Activity – 100 Block Henderson Rd.
- Park Check
- Park Check
- Welfare Check – 700 Block Chestnut Dr.
- Public Assist – 100 Block 4th Ave. NW
- Directed Patrol/Traffic Detail – W. Brooks St. & 8th Ave. NW
- Threats – 100 Block Henderson Rd.
- Directed Patrol/Traffic Detail – W. Brooks St. & 8th Ave. NW
- Park Checks
- 911 Hangup – 300 Block 5th Ave. SW
- Agency Assist/Traffic Stop – W. Main St. & 3rd Ave.
- Business Check

4-22-20

- Park Check
- Park Check
- Juvenile Trouble/Truancy/Welfare Check/Agency Assist – 200 Block 3rd Ave. NW
- Public Assist – 100 Block 4th Ave. NW
- Found Property – 100 Block 4th Ave. NW
- Scam – 100 Block 4th Ave. NW
- Traffic Stop – Intersection Hwy 5 & 411th Ave.
- Traffic Stop – Intersection Main St. & 2nd Ave.
- Traffic Stop – 700 Block W. Chandler St.

4-23-20

- Park Checks
- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 600 Block W. Baker St.
- Residence Watch – 300 Block 4th Ave. NW
- Juvenile Trouble/Truancy – 200 Block 3rd Ave. NW
- Ordinance Violation – 100 Block E. Main St.
- Vandalism – 400 Block E. Main St.
- Ordinance Violation – 300 Block W. Brooks St.
- Scam – 500 Block 5th Ave. SE
- Medical Call/Agency Assist – 400 Block 3rd Ave. SE

4-24-20

- Park Checks
- Residence Watch – 600 Block W. Baker St.
- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 300 Block 4th Ave. NW
- Public Assist – 200 Block 6th Ave. SW
- Directed Patrol/Traffic Detail – W. Brooks St. & 8th Ave. NW
- Public Assist/Public Relations – 100 Block 4th Ave. NW
- Suspicious Activity/Agency Assist – Intersection 2nd Ave. NE & E. Alden St.
- Business Check
- Ordinance Violation – 800 Block W. Brooks St.

4-25-20

- Park Check
- Park Check
- Noise Complaint/Agency Assist – 400 Block E. Adams St.
- Agency Assist/Suspicious Activity – Intersection 4th Ave. NE & E. Alden St.
- Public Assist – 200 Block W. Main St.
- Traffic Stop – 23200 Block 401st Ave.
- Public Assist – Intersection W. Baker St. & Hwy 5
- Traffic Stop – Intersection E. Dayton St. & 4th Ave. SE
- Animal Call/Agency Assist – 200 Block E. Dayton St.
- Park Checks
- Traffic Stop – 23200 Block 401st Ave.
- Noise Complaint – 400 Block E. Adams St.
- Accident/Agency Assist – 500 Block 4th Ave. SE
- Informational – 400 Block E. Adams St.
- Agency Assist/Traffic Stop – Intersection McGrann St. & Church St., Green Isle
- Agency Assist/Accident – Intersection Hwy 5 & 196th St., Green Isle

4-26-20

- Animal Call – 200 Block E. Clinton St.
- Public Assist/Civil Matter – 400 Block W. Main St.
- Public Assist – 800 Block W. Main St.
- Traffic Stop – Intersection 4th Ave. NE & E. Main St.
- Traffic Stop – Intersection Hwy 5 & 411th Ave. (SO)

4-27-20

- Animal Call – 100 Block Henderson Rd.
- Medical Call/Agency Assist – 500 Block W. Alden St.
- Child Protection – 42200 Block 220th St.

4-28-20

- Residence Watch – 300 Block 4th Ave. NW
- Residence Watch – 400 Block Creekview Ln.
- Park Checks
- Suspicious Activity – 800 Block W. Chandler St.

- Residence Watch – 400 Block Creekview Ln.
- Animal Call – 300 Block W. Baker St.
- Informational – Intersection Douglas St. & 6th Ave.

4-29-20

- Park Checks
- Residence Watch – 400 Block Creekview Ln.
- Residence Watch – 300 Block 4th Ave. NW
- Animal Call – 100 Block Henderson Rd.
- Harassment Complaint – 400 Block 2nd Ave. SE
- Traffic Stop – Intersection Hwy 5 & 4th Ave. NE (SO)
- Vehicle Lockout – 23100 Block Hwy 5
- Directed Patrol/Traffic Detail – W. Brooks St. & 8th Ave. NW
- Business Check
- Park Check
- Residence Watch – 300 Block 4th Ave. NW

4-30-20

- Juvenile Trouble – 300 Block 8th Ave. NW
- Civil Matter – 500 Block Circle Ln.
- Public Relations – 400 Block E. Adams St.
- Traffic Stop – Intersection Hwy 5 & W. Baker St.
- Public Assist – Intersection Main St. & 1st Ave. N.
- Threats/Agency Assist – 100 Block Henderson Rd.
- Public Assist – 700 Block Chestnut Dr.
- Park Check

John Petterson
Police Chief

The City of ARLINGTON

2019 ANNUAL REPORT OF THE PLANNING COMMISSION

The Arlington Planning Commission has been asked to submit an annual report to the Arlington Mayor and City Council Members. The purpose of the report is to highlight planning activities over the previous year. Attached to this report, for Council information, is information provided to Planning Commissioners as part of introductory information at a regular meeting.

2019 APPOINTMENTS:
The following appointments to the Planning Commission were effective in 2019:

Joe Prasad	Janet Deno	Darnell Halverson
Jim Carlson	Brandon Brinkman	Jennifer Nuesse
Dwight Grabitske	Jim Kreft	

City Council Liaison: Michelle Battcher

The following officers were elected by the Planning Commission in 2019:

Chair:	Jim Kreft/Dwight Grabitske
Vice Chair:	Dwight Grabitske/Nuesse
Secretary:	Janet Deno

2019 MEETING DATES:

The Arlington Planning Commission volunteers met 10 times from January 2019 to the present. Meetings are typically held on the first Thursday of each month at 7:00 p.m. in the Council Chambers at the Arlington Community Center. The 2019 meeting dates were as follows:

January 3	**June 9**
March 3	**July 11**
April 4	**August 1**
May 2	**October**
June 6	**November 7**

PLANNING COMMITTEE PURPOSE:

The volunteer Planning Commission is the appointed planning agency for the City of Arlington. The Planning Commission Role is to advise the Mayor and City Council on issues related to land use and property subdivision. The Planning Commission functions in three distinct capacities: Planning, Legislative (changes and additions), Regulatory (rules and regulations).

CORE INITIATIVES AND STRTEGIC DIRECTIONS:

The Planning Commission continues to pursue the following priorities:

1. Promotion of the health, safety, and welfare of the Arlington community.
2. Consistent, balanced, and methodical administration of the zoning code in response to property owner requests for: rezoning, variance, and conditional use permit issuance.
3. Consistent, balanced, and methodical administration of the subdivision code in response to property owner/developer requests for plat approval and minor subdivisions.
4. Active participation in implementation of Comprehensive Plan.
5. Establishment of relevant land use and subdivision regulations that relate to existing conditions and the vision identified within the Comprehensive Plan.
6. Creation of a detailed, accurate, and permanent record for each land use and subdivision request to be retained at City Hall for future reference and/or establishment of a common rationale for reviewing requests and administering applicable ordinances.

LAND USE AND SUBDIVISION APPLICATION PROCESSING:

The following land use and subdivision applications were processed by the Planning Commission functioning in its regulatory capacity. The processing of the Building/Land Use applications resulting in a public hearing and a recommended action by the Planning Commission to the City Council. The city may rule against a Planning Commission *recommendation*, since it is just that, a *recommendation*.

- May 2, 2019: The Planning Commission considered a request for interior yard setback variance for a property at 704 Marion Drive. The Commission held a public hearing and recommended conditional approval of the variance. The Council approved the variance.

- June 6, 2019: The Planning Commission will consider two variance requests for property at 401 Brooks Street West. One variance requests allowance of a fence in the front and street side corner yards and reduced rear yard setback. A second variance requests a two-foot encroachment into the corner street side yard to accommodate a deck relocation. The Commission is to hold a public hearing and make recommendations on the variances.

ORDINANCE AMENDMENT/CREATION:

The following ordinances and code amendments were developed, processed, and recommended by the Planning Commission functioning its legislative capacity. Ordinances once generated were heard in public and then forwarded to the Mayor and City Council for consideration of approval. The typical process followed included: issues identification, research, review, or impact on properties in Arlington, revision/adjustment, and public hearing:

None

OTHER BUSINESS: In addition to considering official requests the Planning Commission also pursued several courses which did not result in amendments, participated in training, and commented on requests pertaining to the interpretation of the code.

Additional Items Discussed/Addressed

- Rental Code
    - A list of property owners was compiled, the Committee highlighted certain framework standards and invited rental property owners to provide feedback.
- Industrial Park Location(s)
- Fence Standards (setbacks, CUP's etc.)
- B-3 Commercial District
- Outdoor Storage
- Comprehensive Plan
    - What is it, why do we have it, who is responsible for implementing it FEBRUARY
    - Land Use (redevelopment, future land use, stability and change and investment areas) APRIL

PLANNING GOALS:

The Planning Commission is working on the following goals for the 2019 calendar year:

Planning function

- Administer the Comprehensive Plan as zoning requests and opportunities arise.
- As directed assist in reviewing existing orderly annexation agreement with Arlington Township.

Legislative function

- Update the zoning and subdivision code to maintain consistency with the 2014 Comprehensive Plan.

Regulatory function

- Review requests for variances, rezoning, text amendment, and conditional use permits in a timely, consistent, and professional manner in the process prescribed by the zoning and/or subdivision ordinance.
- Implement strategies within the Comprehensive Plan that relate to land use and subdivision of property.

2019 BUILDING PREMIT REPORT

MONTH	VALUATION	PERMIT FEE
JANUARY	$57,374.36	$8883.34
FEBRUARY	$6,322.00	$100.00
MARCH	$228,000.00	$1724.49
APRIL	$59,500.00	$1,674.53
MAY	$457,400.00	$3,859.97
JUNE	$212,430.00	$4,470.68
JULY	$102,599.74	$1,374.88
AUGUST	$586,761.36	$4,509.91
SEPTEMBER	$318,525.00	$2,638.17
OCTOBER	$158,870.00	$1,772.97
NOVEMBER	$41,171.00	$500.00
DECEMBER	$1,016,400.00	$6,666.04
Total:	**$3,245.353.46**	**$24179.98.**

APRIL REPORT 2020						
PERMIT #	NAME	PROJECT ADDRESS	CONSTRUCTION - WORK TYPE	CONTRACTOR	VALUATION	PERMIT FEES
A2020- 28	MAMER CONSTRUCTION	705 OLIVE ST.	RESIDENTIAL - MECHANICAL NEW HOME	FLARE HEATING & AIR CONDITIONING, INC.	$ 11,800.00	$191.70
A2020- 29	MAMER CONSTRUCTION	646 OLIVE ST.	RESIDENTIAL - MECHANICAL NEW HOME	FLARE HEATING & AIR CONDITIONING, INC.	$ 11,800.00	$191.70
A2020- 30	ADAM & SARAH COWELL	307 W. CHANDLER ST.	RESIDENTIAL - REROOF	CACKA ROOFING	$ 6,600.00	$51.00
A2020- 31	SHAYLYN WARREN	403 7TH AVE. NW	RESIDENTIAL - REROOF	WINN EXTERIORS, LLC	$ 8,500.00	$51.00
A2020- 32	PETER ARCHER	114 E. CLINTON ST.	RESIDENTIAL - REROOF	FREDIN CONSTRUCTION & REMODELING	$ 5,800.00	$51.00
A2020- 33	JAMES & TRACEY BROCKOFF	701 OLIVE ST.	RESIDENTIAL - REROOF	DEXTER KUPHALL CONSTRUCTION LLC	$ 8,500.00	$51.00
A2020- 34	SIBLEY LODGE 209	105 4TH AVE. NW	COMMERCIAL- REMODEL	TIM ROHWER	$ 15,000.00	$233.62
A2020- 35	ARLINGTON ANIMAL CLINIC	402 W. ALDEN ST.	LAND USE - SIGNAGE	LYLE BRAUN	$ -	$0.00
A2020- 36	NORTHLAND DRYING	100 HENDERSON ROAD	COMMERCIAL- SLAB	CMC CONSTRUCTION	$ 26,000.00	$374.21
A2020- 37	JOHN SEPIEN	841 7TH AVE. NW	RESIDENTIAL - REROOF	HIGH ISLAND CONSTRUCTION	$ 3,000.00	$51.00
A2020- 38	JOHN TRAXLER	208 E. MAIN ST.	RESIDENTIAL - REROOF	NONE LISTED	$ 4,000.00	$51.00
A2020- 39	JAMES & TRACEY BROCKOFF	701 OLIVE ST.	LAND USE - STORAGE SHED	NONE LISTED	$ 2,300.00	$0.00
A2020- 40	CHAD SCOTT	302 5TH AVE NW.	LAND USE - STORAGE SHED	NONE LISTED	$ 2,000.00	$0.00
A2020- 41	JESSICA & THOMAS ANDERSON	401 W. BAKER ST.	RESIDENTIAL - WINDOW INSTALLATION	NONE LISTED	$ 995.00	$51.00
A2020- 42	PENDING		RESIDENTIAL -		$ -	$0.00
A2020- 43	KIRBY & JAMIE WECKWORTH	802 W. BROOKS ST.	RESIDENTIAL - REMODEL	PV CONSTRUCTION	$ 20,000.00	$299.12
A2020- 44	PENDING		RESIDENTIAL -		$ -	$0.00
A2020- 45	BRANDON BARTH	309 W. CHANDLER ST.	RESIDENTIAL - RESIDE	NONE LISTED	$ 3,200.00	$51.00
A2020- 46	TYLER DEBLOIS	111 HENDERSON RD.	RESIDENTIAL - PLATFORM/DECK	NONE LISTED	$ 1,500.00	$49.20
TOTAL					$ 130,995.00	$ 1,747.55

Arlington, MN — Apr-20

Water Plant Maintenance Expenditures

Date	Vendor List	Description	Total
04/04/20	Y-Not Plumbing & Htg.	Repair to unit heaters	$98
4/1-4/30	Venders (1)	Misc. Invoices under $50 (1)	$42
		Total	**$140**

Water System Maintenance Expenditures

Date	Vendor List	Description	Total
04/11/20	Water Conservation Services, Inc.	Cost to locate a water main break	$612
		Total	**$612**

Wastewater Plant Maintenance Expenditures

Date	Vendor List	Description	Total
04/11/20	Tech Sales Co.	Annual calibration of influent flow meter	$375
04/22/20	Menards	Ceiling tiles for wastewater facility office	$197
4/1-4/30	Venders (2)	Misc. Invoices under $50 (5)	$108
		Total	**$680**

Wastewater System Maintenance Expenditures

Date	Vendor List	Description	Total
04/11/20	USA BlueBook	Sludge Judge and marking paint for locates	$178
04/18/20	USA BlueBook	Marking paint for locates	$64
04/28/20	Quality Flow Systems, Inc.	Annual service check of liftstations	$1,050
4/1-4/30	Venders (1)	Misc. Invoices under $50 (2)	$12
		Total	**$1,304**

Total Expenditures

Water Plant Maintenance	**$140**
Water System Maintenance	**$612**
W/W Plant Maintenance	**$680**
W/W System Maintenance	**$1,304**
Total For This Month	**$2,735**
Total Maintenance Dollars Spent Year-to-Date (January 1, 2020 to End of This Report Month)	**$9,116**
Annual Maintenance Budget (Jan. 1, 2020 - Dec. 31, 2020)	**$18,932**
Percent Maintenance Budget Spent Year-to-Date	**48%**

9.E

Year to Date: April 30, 2020

General Fund

		2020 Budget	YTD Spending	Balance	%Budget
101	**Administration**				
	Council	$ 44,400.00	$ 10,232.69	$ 34,167.31	23.05%
	Administration	$ 277,596.00	$ 69,673.28	$ 207,922.72	25.10%
	Elections	$ 6,000.00	$ 1,733.72	$ 4,266.28	28.90%
	Assessing	$ 10,930.00	$ -	$ 10,930.00	0.00%
	Legal Services	$ 14,792.00	$ 3,695.00	$ 11,097.00	24.98%
	Planning & Zoning	$ 64,331.00	$ 38,385.83	$ 25,945.17	59.67%
	Buildings/ Plant	$ 18,300.00	$ 3,577.05	$ 14,722.95	19.55%
	Total	**$ 436,349.00**	**$ 127,297.57**	**$ 309,051.43**	**29%**
101	**Public Safety**				
	Police Department	$ 432,337.00	$ 157,490.52	$ 274,846.48	36.43%
	Fire Stations & Bldgs.	$ 30,095.00	$ 698.00	$ 29,397.00	2.32%
	Civil Defense	$ 1,240.00	$ 400.00	$ 840.00	32.26%
	Animal Control	$ 600.00	$ 121.40	$ 478.60	20.23%
	Total	**$ 464,272.00**	**$ 158,709.92**	**$ 305,562.08**	**34.18%**
101	**Public Works/ Streets**				
	Public Works	$ 280,332.00	$ 88,861.08	$ 191,470.92	31.70%
	Street Lightning	$ 10,000.00	$ 4,156.19	$ 5,843.81	41.56%
	Total	**$ 290,332.00**	**$ 93,017.27**	**$ 197,314.73**	**32.04%**
101	**Parks & Recreation**				
	Parks & Rec Areas	$ 73,254.00	$ 3,061.64	$ 70,192.36	4.18%
	Libraries	$ 30,778.00	$ 1,407.48	$ 29,370.52	4.57%
	Total	**$ 104,032.00**	**$ 4,469.12**	**$ 99,562.88**	**4.30%**
101	**Other**				
	Arli-Dazzle	$ -	$ -	$ -	
	Economic Development	$ 32,025.00	$ 8,562.34	$ 23,462.66	26.74%
	Other Financing/ Transfers	$ 313,000.00	$ -	$ 313,000.00	0.00%
	Total	**$ 345,025.00**	**$ 8,562.34**	**$ 336,462.66**	**2.48%**
	General Fund Total	**$ 1,640,010.00**	**$ 392,056.22**	**$ 1,247,953.78**	**23.91%**

Special Fund

	2020 Budget	YTD Spending	Balance	%Budget
Public Safety				

Year to Date: April 30, 2020

201	Fire Fund	$	131,125.00	$	42,691.87	$	88,433.13	32.56%
202	Ambulance Fund	$	298,656.00	$	32,910.52	$	265,745.48	11.02%
	Total	**$**	**429,781.00**	**$**	**75,602.39**	**$**	**354,178.61**	**17.59%**
	Other							
102	Tax Abatement	$	7,125.00	$	-	$	7,125.00	0.00%
203	Community Center	$	100,744.00	$	36,869.77	$	63,874.23	36.60%
204	EDA Loan Programs	$	10,300.00	$	41,735.00	$	10,300.00	405%
205	Revolving Loan Fund	$	250.00	$	60,000.00	$	(59,750.00)	24000.00%
206	Small Cities Dev. Prgm	$	-	$	-	$	-	0.00%
207	Cemetery Fund	$	7,115.00	$	600.98	$	6,514.02	8.45%
208	Cemetery Perpetual	$	-	$	-	$	-	0.00%
210	Medical Center Fund	$	179,940.00	$	-	$	179,940.00	0.00%
	Total	**$**	**305,474.00**	**$**	**139,205.75**	**$**	**166,268.25**	**45.57%**
	Special Funds Total	**$**	**735,255.00**	**$**	**214,808.14**	**$**	**520,446.86**	**29.22%**

Enterprise Fund

			2020 Budget		YTD Spending		Balance	%Budget
601	Water	$	425,716.00	$	118,454.24	$	307,261.76	27.82%
602	Sewer	$	290,386.00	$	39,868.86	$	250,517.14	13.73%
603	A-GI Sewer	$	517,700.00	$	129,753.68	$	387,946.32	25.06%
604	Electric	$	1,944,515.00	$	576,771.72	$	1,367,743.28	29.66%
605	Storm Sewer	$	98,460.00	$	63,342.90	$	35,117.10	64.33%
	Enterprise Fund Total	**$**	**3,276,777.00**	**$**	**928,191.40**	**$**	**2,348,585.60**	**28.33%**

Reserve Fund

			2020 Budget		YTD Spending		Balance	%Budget
401	Capital Equip Fund (CIP)	$	313,700.00	$	130,699.30	$	183,000.70	41.66%
410	Econ Dev Authority	$	-	$	-	$	-	0.00%
	Total Reserve Withdrawal	**$**	**313,700.00**	**$**	**130,699.30**	**$**	**183,000.70**	41.66%

Construction Fund

			2020 Budget		YTD Spending		Balance	%Budget
421	2019 Street Improvement	$	-	$	6,356.12	$	(6,356.12)	
	Construction Fund Total	**$**	**-**	**$**	**6,356.12**	$	(6,356.12)	

Debt Fund

			2020 Budget		YTD Spending		Balance	%Budget
314	2009 GO Improvement	$	53,000.00	$	45,841.83	$	7,158.17	86.49%

Year to Date: April 30, 2020

315	2012 GO Improvement	$ 9,409.00	$ 7,935.15	$ 1,473.85	84.34%
317	2015 GO Improvement	$ 100,827.00	$ 87,737.75	$ 13,089.25	87.02%
318	2017 Improvement	$ 84,591.00	$ 73,418.53	$ 11,172.47	86.79%
321	2019 GO Improvement	$ 35,500.00	$ 36,624.50	$ (1,124.50)	103.17%
350	Ambulance Certificate	$ 18,234.00	$ 17,676.00	$ 558.00	96.94%
351	2020 Fire Tanker	$ 91,485.00	$ 1,913.00	$ 89,572.00	2.09%
352	2014 Fire Tanker	$ 59,634.00	$ 59,634.25	$ (0.25)	100.00%
360	Hospital Bond	$ 268,710.00	$ 500.00	$ 268,210.00	0.19%
	Debt Fund Total	**$ 721,390.00**	**$ 331,281.01**	**$ 390,108.99**	45.92%

	2020 Budget	YTD Spending	Balance	%Budget
TOTAL EXPENSES	$ 6,687,132.00	$ 2,003,392.19	$ 4,683,739.81	29.96%

Townships

	2020 Collection to date (1/1/20-5/11/20)	2019 Collection (1/1/19-5/31/19)	
Alfsborg	32,011.86	$ 78,585.42	41%
Arlington	59,176.76	$ 90,251.20	66%
Bismarck	33,992.87	$ 91,623.36	37%
Cornish	30,412.87	$ 67,837.24	45%
Dryden	32,730.15	$ 80,284.73	41%
Faxon	44,508.79	$ 96,199.83	46%
Grafton	41,885.54	$ 108,617.48	39%
Green Isle	42,056.27	$ 87,232.97	48%
Henderson	74,101.86	$ 119,918.72	62%
Jessenland	44,259.51	$ 88,707.21	50%
Kelso	28,081.81	$ 67,975.61	41%
Moltke	34,040.36	$ 88,199.55	39%
New Auburn	25,333.71	$ 63,581.07	40%
Severance	20,508.75	$ 53,449.70	38%
Sibley	53,513.79	$ 109,976.74	49%
Transit	37,049.91	$ 74,383.05	50%
Washington Lake	47,270.79	$ 126,018.33	38%

Cities

	2020 Collection to date (1/1/20-5/11/20)	2019 Collection (1/1/19-5/31/19)	
Arlington	371,030.46	$ 521,619.95	71%
Gaylord	504,107.37	$ 916,657.65	55%
Gibbon	196,097.63	$ 298,820.34	66%
Green Isle	208,588.22	$ 309,632.04	67%
Henderson	227,644.08	$ 313,229.87	73%
New Auburn	90,261.24	$ 154,954.65	58%
Winthrop	188,629.90	$ 445,587.72	42%

School Districts

	2020 Collection to date (1/1/20-5/11/20)	2019 Collection (1/1/19-5/31/19)	
108	16,639.27	$ 36,526.19	46%
716	133,090.78	$ 296,701.14	45%
2159	22,540.59	$ 60,467.52	37%
2310	815,726.40	$ 1,707,641.39	48%
2365	245,091.16	$ 558,967.62	44%
2397	251,404.54	$ 371,800.44	68%
2859	69,424.56	$ 104,310.24	67%

Watersheds

	2020 Collection to date (1/1/20-5/11/20)	2019 Collection (1/1/19-5/31/19)	
Buffalo Creek	$ 2,204.25	$ 3,111.73	71%
High Island	$ 105,980.22	$ 58,775.97	180%

*Note - HI Watershed dramatically increased their assessments for 2020. Therefore, they are over what they received in 2019.

ORDINANCE NO. 328

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

That the following section will be added to the City Code, Chapter 31, Zoning:

SECTION 29: RESTRICTIONS ON THE RESIDENCY OF PREDATORY OFFENDERS WITHIN CITY LIMITS.

Subdivision 1. Findings and Intent

It is the intent of this article to serve the City's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence.

Subdivision 2. Definitions

A. Designated offender means any person who is a Risk Level III predatory sex offender as defined under Minnesota Statute 244.052.

B. Permanent residence means a place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

C. Temporary residence means a place where the person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, lodges or resides for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

Subdivision 3. Sexual Predator Residence Prohibitions

A. Prohibited location of residence. It is unlawful for any designated offender to establish a permanent residence or temporary residence: a) within 2,000 feet of any school, licensed day care center, park, ball park, public trail or playground; or b) within 1,000 feet of any designated public school bus stop, place of worship which provides regular educational programs (i.e. Sunday school), or other places where children are known to congregate.

B. Prohibited activity. It is unlawful for any designated offender to participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, or wearing an Easter Bunny costume on, or preceding Easter. Holiday events in which the offender is the parent or guardian of the children involved, and no non-familial children are present, are exempt from this paragraph.

Subdivision 4. Measurement of distance

For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence of the designated offender to nearest outer property line of a school, designated public school bus stop, day care center, park, playground, place of worship, or other place where children regularly congregate.

Subdivision 5. Exceptions

A designated offender residing within a prohibited area as described in this section does not commit a violation of this section if any of the following apply:

A. The person was a minor when he/she commited the offense and was not convicted as an adult.

B. The person is a minor.

C. The school, designated public school, bus stop, or day care center within 2,000 feet of the person's permanent residence was opened after the person established the permanent residence or temporary residence, and reported and registered the residence pursuant to Minnesota Statute 243.166 or 243.167.

D. The residence is also the primary residence of the person's parents, grandparents, siblings, spouse, or children.

Subdivision 6. Property Owners Prohibited from Renting Real Property to Certain Sexual Offenders

A. It is unlawful to let or rent any place, structure, or part thereof, mobile home, trailer or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence of temporary residence pursuant to this section, if such place, structure or part thereof, mobile home, trailer or other conveyance, is located within a prohibited location zone described in this section.

B. If a property owner discovers or is informed that a tenant is a designated offender after signing a lease or otherwise agreeing to let the offender reside on the property, the owner or property manager must evict the offender.

Subdivision 7. Violations and Penalties

Any violation of this section shall be subject to the penalties and enforcement actions under City Code: Chapter 31, Section 28.

This ordinance shall become effective immediately upon publication.

For City of Arlington

_____
By Richard Nagel
Its Mayor

_____
By Amy Newsom
Its City Administrator

First Reading: _____
Second Reading:_____
Published: _____

The City of ARLINGTON

Councilmember [NAME]introduced the following resolution and moved for its adoption:

RESOLUTION 23-2020

A RESOLUTION APPROVING A COUNTY STREETS IMPROVEMENT PROJECT WITHIN MUNICIPAL CORPORATE LIMITS

WHEREAS plans for Project No. 072-634-005 showing proposed alignment, profiles, grades, and cross-sections for the construction, reconstruction, or improvement of County State Aid Highway No. 34 within the limits of the City of Arlington as a State Aid Project have been prepared and presented to the City; and

NOW THEREFORE, BE IT RESOLVED, the City of Arlington Council approves the attached plans for a county streets improvement project within municipal corporate limits.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember [SECOND]and upon poll being taken thereon the following voted in favor thereof: [IN FAVOR]; and the following voted against the same: [AGAINST]; and the following abstained: [ABSTAIN] and the following were absent: [ABSENT].

RESOLUTION 23-2020

MOTIONED BY:

SECONDED BY:

COUNCILMEMBER	YEA	NAY	ABST	ABSNT
Amrhein				
Battcher				
Gilman				
Hatlestad				
Morgan				

The City of ARLINGTON

Councilmember [NAME]introduced the following resolution and moved for its adoption:

RESOLUTION 24-2020

A RESOLUTION DETERMINING THE STANDARDS FOR ON- STREET PARKING ON THE NORTH SIDE OF WEST MAIN STREET

WHEREAS the County of Sibley has submitted to the Commissioner of Transportation the plans and specifications for the improvement of West Main Street from 6th Avenue NW to Trunk Highway 5; and

WHEREAS, State Aid funds will be expended on the improvements of this street; and

WHEREAS, the approved State Aid Standards as applicable to this project limit and restrict all parking to that which is parallel with the curb; and

NOW THEREFORE, BE IT RESOLVED, that the City of Arlington shall require that parking of all vehicles within the corporate limits on the north side of West Main Street, State Aid Route No. 34, be parallel with the curb in accordance with the State Aid Standards.

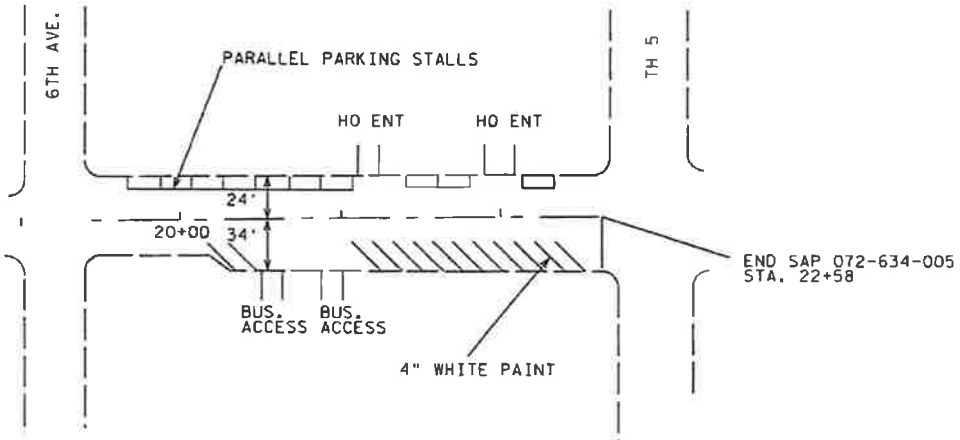
The motion for the adoption of the foregoing resolution was duly seconded by Councilmember [SECOND]and upon poll being taken thereon the following voted in favor thereof: [IN FAVOR]; and the following voted against the same: [AGAINST]; and the following abstained: [ABSTAIN] and the following were absent: [ABSENT].

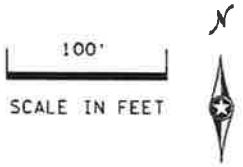
RESOLUTION 24-2020

MOTIONED BY:

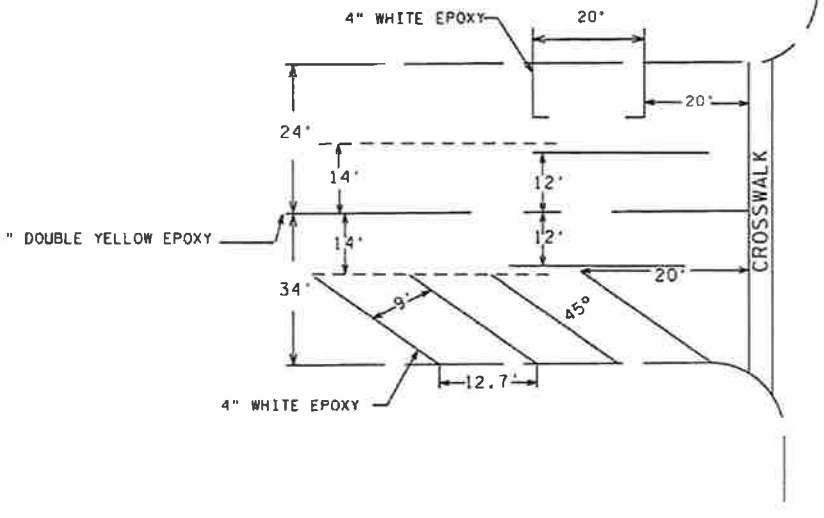
SECONDED BY:

COUNCILMEMBER	YEA	NAY	ABST	ABSNT
Amrhein				
Battcher				
Gilman				
Hatlestad				
Morgan				





EXISTING PAINT DETAIL ℄ TH 5



NO PARKING
(A) IN FRONT OF A PUBLIC OR PRIVATE DRIVEWAY
(B) WITHIN AN INTERSECTION
(C) WITHIN TEN FEET OF A FIRE HYDRANT
(D) ON A CROSSWALK
(E) WITHIN 20 FEET OF A CROSSWALK AT AN INTERSECTION
(F) WITHIN 20 FEET OF THE DRIVEWAY ENTRANCE TO ANY FIRE STATION AND ON THE SIDE OF A STREET OPPOSITE THE ENTRANCE TO ANY FIRE STATION WITHIN 75 FEET OF SAID ENTRANCE WHEN PROPERLY SIGN-POSTED.
(G) WITHIN 30 FEET OF A STOP SIGN
(H) WHERE PROHIBITED BY M.S. §169.34
(I) CONTRACTOR TO MATCH EXISTING STRIPE CONFIGURATION

THE CITY SHALL COMPLY WITH ANY STATUTE OR RULE HEREAFTER ADOPTED WITH RESPECT TO PARKING

DATED THE _____ DAY OF _____, 2020

ATTEST: CITY OF ARLINGTON, MINNESOTA

_____ _____
CITY ADMINISTRATOR MAYER

_____ _____
COUNTY ADMINISTRATOR COUNTY BOARD CHAIR

The City of ARLINGTON

Councilmember [NAME]introduced the following resolution and moved for its adoption:

RESOLUTION 25-2020

A RESOLUTION AUTHORIZING SUBMITTAL FOR THE USDA RURAL DEVELOPMENT COMMUNITIES FACILITY GRANT APPLICATION

WHEREAS the City of Arlington seeks to enter into a USDA Rural Development Communities Facility Grant to partially cover the cost of Arlington Fire Department turnout gear; and

WHEREAS notice of a public hearing was published in the City newspaper of record on May 7, 2020; and

WHEREAS such public hearing was held, in fulfillment of the grant application requirements, on May 18, 2020; and

NOW THEREFORE, BE IT RESOLVED by the City Council of Arlington, Minnesota as follows:

1. That the attached Application is hereby approved for submittal. A copy of the proposal and budget is attached to this Resolution and made a part of it.
2. The grant amount being sought is $11,900 or a lesser amount, depending on the determination of USDA Rural Development.
3. The Fire Chief, City Administrator, and Mayor are designated the Authorized Representatives for the City.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember [SECOND]and upon poll being taken thereon the following voted in favor thereof: [IN FAVOR]; and the following voted against the same: [AGAINST]; and the following abstained: [ABSTAIN] and the following were absent: [ABSENT].

RESOLUTION 25 -2020

MOTIONED BY:
[CLICK TO ENTER TEXT]

SECONDED BY:
[CLICK TO ENTER TEXT]

COUNCILMEMBER	YEA	NAY	ABST	ABSNT
Amrhein				
Battcher				
Gilman				
Hatlestad				
Morgan				

14.

Mike Kedrowski

From:	Derek Garner <derek.garner@ooma.com>
Sent:	Wednesday, May 13, 2020 1:14 PM
To:	Mike Kedrowski
Subject:	Here's the info you requested Ooma Office #1 VoIP 7 years in a row PC Magazine, Consumer reports. Your quote is ready!
Attachments:	Pricing Brochure.pdf

ooma office
business class phone system

2020 Business Choice Award: # 1 Ooma Office 7 years in a row!

https://www.pcmag.com/news/business-choice-awards-2020-voice-over-ip-voip-providers

Ooma case studies
https://www.ooma.com/office/business-phone-case-studies/

Ooma Office demo
https://www.ooma.com/uploads/video/office/webcast-demo-officemanager.mp4

Proposal:

$20 per extension (phone) per month

5 users = 100$ monthly plus tax
One time fee 180$ (5 Yealink SIPT21P phones)
1st month free
60 day risk free trial period

Free number with each extension added
Free eFax for each extension
Free toll free number
Free conference bridge per extension

24/7 US customer support Only
No contract month to month no hidden fees

Big business features:
Virtual receptionist, extension dialing, conferencing, music-on-hold and much more.

Keep your number:
Port your current phone number for free or choose a new local or toll free number. (Replace your phone provider with Ooma and save $$$!)

Use mobile phones:
Make and receive calls as if you were in the office, using the Ooma Office mobile app for iOS and Android.

Yealink (Supports up to 4 callers at once per phone connected)
SIP-T21P E2 (Phones are preprogrammed ready to use)

(When purchasing IP phones from corporate directly the Ooma Office Business system with the lynx adapters is not needed to purchase)

- **Note IP Phones must be ordered from Ooma Office Directly.**

Features

- UNLIMITED CALLS TO THE US AND CANADA
- Free Toll Free Number
- Free local number per user
- Free Virtual Fax
- Free Conference Bridge (10 rooms with up to 10 callers per room)
- Free Virtual Receptionist
-Multi level Virtual Receptionist
-Modes for business during and after hours
-Call Park
-7-digit dialing
-Blind transfer
-Supervised transfer
-Multi-ring
-Intercom
-Text SMS

-Hunting
-Roll over
-Extension Monitoring
-Anonymous Call blocking
-Call flip
-Call Park
-Virtual extensions
- Free Call Log
- Speed Dial
- Call Presence / Extension Monitoring
- Free Mobile App per extension (make/receive calls even outside your office shows business number)
- Free Caller ID
- Free Call Forwarding
- Free Voicemail per user
- Free Voicemail to Email per user extension
- Extension Dialing
- Free Call Groups
- Ring Groups
- Unlimited Lines (never busy signal)
- Music on Hold/Transfer
- Free Number Transfer

These are some of the features included and there's plenty more! We expanded our free calling to Mexico and Puerto Rico as well!

Even if your Internet and/or power goes out at your office, Ooma Office will still be working! You will never miss any business at all which is great! Your callers will be able to call your number, navigate through the Virtual Receptionist or go straight to your cell phone if not roll to a voicemail. You also capture every single call with our call log feature. So you never miss ANY business with Ooma Office. If you are using a cell phone, you will be able to make and receive calls with your business number and call them back using your smartphone, so your business is not disrupted you can even transfer calls with the mobile app as well.

Ooma Office Double Discount 60 day risk free trial period. (Depending on area ask for details limited supplies)

You can test it out with a free Temporary number through Ooma. That way you can try the product before making any change at all with your current provider. It would be a 60 day risk free trial period with a full money back guarantee.

Another option we would simply have your current provider do a call forwarding over to us. So everyone is calling you the SAME way, but on the back end you are using Ooma and trying it out before transferring your number over. Once you are happy with your experience we will then take the next step and port your numbers over to Ooma for free. We guarantee you no down time at all. If you are unhappy for some ODD reason you have the option to simply mail it back and receive a 100 % full money back guarantee.

While supplies last.

Best Regards,

Derek Garner
Corporate Office
(650) 285-4494 (Direct Extension)
M-F 8a-5p (pst)
Derek.Garner@ooma.com

ooma office

The most reliable, easiest to use, simplest to install business phone service.

At only $19.95/user/month choosing Ooma Office is a smart call.

Service is only $19.95 per month/ per user

Each Ooma Office account includes:

1. a local phone number to use as your main line (toll free numbers also available)
2. a direct dial number and fax number for each user
3. a conference call number

Compare Ooma Office features

Calling

Unlimited calling within U.S./Canada and to Mexico and Puerto Rico	✓
Low international rates	✓

Office features

Virtual receptionist (multi-level)	✓
Call park	✓
E911 service	✓
Extension dialing	✓
Internet fax (forwards to email)	✓
Voicemail	✓
Voicemail forwarding to email	✓
Call forward on outage	✓
Ring groups	✓
Music-on-hold	✓
Conference dial-in	✓
7 Digit Dial	✓
Plus many more features	✓

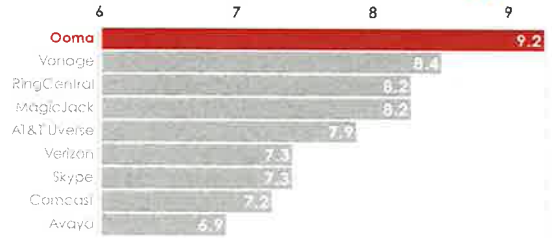
Mobility features

Mobile App	✓
Call forwarding	✓
Multi-ring	✓

Selected by the readers of PCMag as the #1 VoIP Provider 5 years running.

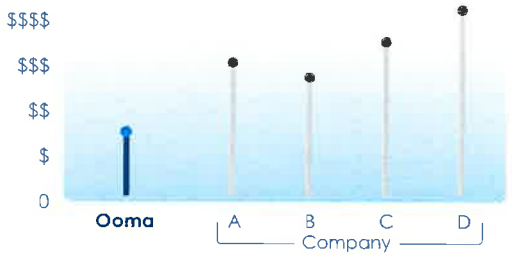
Business Choice: VoIP Services 2018

Ooma vs. Key Competitors



Save an average of 60% over competing business phone services.

3 year cost of ownership (3 lines, 5 extensions)



The most reliable, easiest to use, simplest to install business phone service.

No contracts. Keep your number. Call Automation. The features go on and on. All of this for $19.95 per month per user. It's no wonder we keep winning awards.

Automate incoming calls

Our virtual receptionist can route and message callers so you never miss another business opportunity.

Mobile app

If you're on-the-road, answer business calls from an app, not your personal phone number.

Keep your phone number

Or pick a new number in almost any area code for free.

Advanced features

With Call Park moving a call to another Ooma phone is easy.

Wireless setup

Depending on your needs, you may be able to wirelessly set up your phones. You also have 24/7 support if you need it.

How Ooma Office stacks up to its competitors[1]

AT&T Business	Ooma	Vonage
$70.00/month + per user	**$19.95/month per user**	**$29.99/month/user. Based on 1-4 lines.**
9th place 2018 PC Mag Business Choice Award (Uverse)	**1st place 2018 PC Mag Business Choice Award (5 years in-a-row)**	4th place 2018 PC Mag Business Choice Award
Toll Free Number for add'l $14.00/month	**Free Toll Free Number with 500 minutes a month**	Toll Free Number for add'l $39.99/month
1 year contract	**No long term or annual contracts**	Month to month available
Available International Calling	**Low International Rates**	Available International Calling
Mon-Fri 8am-6pm	**24/7 Support**	24/7 Support

FAQs

What do I need?

All you need is a high-speed Internet connection (cable or fiber optic) and a regular phone.

Can I transfer my phone number?[2]

In most areas you can port your existing phone number to Ooma. Best of all, porting is free! You must maintain the current phone service until the porting process is completed, usually 1-2 weeks.

Do you support 911 calls?[3]

Yes. Ooma collects your address when you activate online and uses this information for emergency response.

Whether you have 2, 20, or 200 employees, the system easily expands.

Ooma Linx

Use the Ooma Linx to wirelessly connect additional telephone lines to your Ooma Office Base Station via DECT 6.0 technology.

Ooma Office Mobile App

Make and receive calls as if you were in the office with the free Ooma Office Mobile App.

[1]Service offerings and pricing described are as of March 21, 2018. Pricing and features are subject to change. [2]Transfer of your existing phone number not available in all locations. The number transfer process takes approximately 10 business days from the time you confirm your transfer request. If you would like to transfer your existing phone number to Ooma, do not disconnect your phone service until the number transfer has been confirmed. [3]Ooma E911 service operates differently from non-Internet 911 service. See **http://www.ooma.com/911** for details. Some alarms, faxes and other devices may not be compatible. Additional terms apply, see **http://www.ooma.com/smb/termsandconditions**.

City of Arlington Liquor Liscense Fees

Prorate for days closed: 77 days (March 16th – June 1st)

Roughly: $3.56 a day * 77 = $274.12

This would be a discount off the renewal fee for the period running from July 1 – June 30, 2021

BEER/LIQUOR LICENSES	
Temporary 3.2 Malt Liquor License	$50 per event
Liquor License - On Sale	$1,300
Liquor License - Off Sale	$100
Liquor License – On Sale – Partial Year	$450 (applies to Raceway)
Setup License	$20
3.2 Malt Liquor - On Sale	$80
3.2 Malt Liquor - Off Sale	$25
Temporary 1-4 Day On Sale Liquor License	$50 per event
Caterer's Permit	$50 per event
Sunday Liquor License	$100
Community Center Liquor License - On Sale	$1,000 (7/01-6/30 mid-year cycle est.by State of MN)

The City of ARLINGTON

CAPITAL IMPROVEMENT GUIDE FOR CITY COUNCIL
Policy effective May 18, 2020

Purpose

The City of Arlington's Capital Improvement Program (CIP) strives to reflect the goals of systematically planning, scheduling, managing, monitoring, and financing capital projects to ensure cost-effectiveness and conformity with established policies. The CIP guides the funding and construction of all public improvements constructed by the City, including roads, water lines, parks, and municipal buildings. The CIP reflects a balance between capital replacement projects that repair, replace, or enhance existing facilities, equipment or infrastructure and capital facility projects that significantly expand or add to the City's existing fixed assets. Attention will be given to the utilization of resources and grants in a manner that will maximize the City's capacity to complete the capital improvements.

This policy can be used as a guide for City Council to prioritize capital improvement projects. The policy should be used as the methodology for ranking the needs and merits of projects. This policy will identify all funding sources and asset categories. The prioritization process will be utilized for analytical comparison of the costs and benefits of individual projects and will be used to evaluate projects against one another on their relative merits.

I. Capital Improvement Program (CIP) Defined

The City of Commerce's (City) Capital Improvement Program (CIP) is defined as the City's short-range financial plan for the repair and/or construction of municipal infrastructure, with a focus on sustainability that will help the City meet current and future fiscal and environmental needs. CIP includes most projects that involve non-annual maintenance and/or repairs over Five Thousand Dollars ($5,000). The term infrastructure in this Council Policy refers to capital assets within the City's span of responsibility and includes but is not limited to, streets and related right-of-way features,

storm water and drainage systems, water and sewer systems, public buildings and facilities such as libraries, parks, recreation and community centers. Capital investments are not only necessary for the construction of all parts of municipal infrastructure to ensure the long-term functionality and useful life of the City's infrastructure but can also act as a catalyst to stimulate economic development.

II. The Importance of Infrastructure

Well maintained infrastructure can help stimulate the City's economic prosperity. A well planned CIP and well maintained infrastructure can be a tool that motivates private investment within the City's residential, commercial, and industrial neighborhoods. For example, well maintained streets and efficiently timed traffic signals provide for quick and safe delivery of commercial goods and services, as well as providing more comfortable travel experience for motorists. Additionally, the quality of neighborhood infrastructure will directly determine the livability of a residential neighborhood, and the ability to sustain and grow business in commercial and industrial areas. The community's health, safety, and natural environment all depend on available and quality infrastructure. Decisions about capital investments affect the availability and quality of services that can be provided within the public and private sectors.

Infrastructure can also have an effect on the quality of life in residential neighborhoods. Infrastructure should allow fair, transparent, and equitable services to all. Prioritizing CIP projects that create infrastructure that directly affect residents should take into consideration social, economic, and geographic disadvantaged communities or communities that have low levels of access and or use of City services.

III. CIP Request List

CIP projects are generated from a request list and implemented through interdepartmental cooperation. The requests are generated from various departments, the City Administrator, as well as the City Council. At times CIP projects are implemented through partnership with private development. Furthermore, there are some funding sources which have restricted use provisions which must be taken into consideration as part of the developing the budget for certain projects within the CIP. Funding for CIPs can come from multiple sources, including various grants, CIP allocation from General Funds, State, Federal or Regional Funding sources, and in some cases private development funds. Annually each department develops a request list based on information provided by elected officials, community based organizations, residents, operations and maintenance staff, and other stakeholders.

CIP requests are compiled due to the need to repair, replace, improve, or construct a new facility, road, or other infrastructure based on failing condition, lack of a facility, excessive use or maintenance, or health and safety issues. The needs are usually divided into categories and the needs are evaluated and appropriately grouped for consideration as part of the proposals for the new fiscal year CIP budget submittal. Prior to initiating a planning phase, all projects competing for funding, and being submitted for budget consideration, will undergo project ranking as outlined in this policy. The CIP project is reassessed in detail during the planning phase, and if needed, reprioritized based on the updated scope, cost, schedule and available funding. The CIP project can also be reprioritized in the case of an emergency. Projects will be reorganized to stay within budget.

A. Project Funding

Projects that are not within a restricted funding category will compete for capital outlay funds, General Funds or bonds proceeds in accordance with this CIP prioritization policy. Although capital needs from the restricted funds or revenue-producing departments are often separate from the General Fund, the capital investments of all City departments should be planned together to allow better coordination of capital projects in specific parts of the City over time. Citywide coordination of capital project planning can increase the cost-effectiveness of the City's program by facilitating a holistic approach to infrastructure investments.

B. Project Phases

To ensure projects are properly prioritized, all CIP projects will be separated into the following phases within each project category:

1. Needs Assessment (Prior to Inclusion in the CIP Budget): This process is for rating and prioritizing a need before the project is submitted for the inclusion to the budget. Departments will group the needs with similar scope, funding sources and functional category, when appropriate, and establish a project score. The proposed project will be scored based on available information of the asset. The score will be used to determine whether or not to include the project into the next fiscal year CIP budget.

2. After CIP Budget: This process will be used for scoring and prioritizing projects that have been approved for inclusion in the CIP budget. The following will be used in the evaluation for ranking:
    a. Planning and pre-design – includes assessment of the existing condition or absence of the asset, development of a feasibility study and preliminary scope, schedule, and budget

b. Design- includes development of construction plans, specifications, environmental document, contract documents, and detailed cost estimate for the CIP project
c. Construction – includes site preparation, utilities placement, equipment installation, construction, environmental mitigation and project closeout

C. Prioritization Factors

Based on the prioritization factors listed below, Council will prioritize capital needs and projects for available budgetary resources. The seven (7) Prioritization Factors that will be used for scoring projects are as follows:

1. **Risk to Health, Safety and Environment**
2. **Asset Condition, Annual Recurring Cost and Asset Longevity**
3. **Community Investment and Economic Prosperity**
4. **Sustainability and Conservation**
5. **Funding Availability**
6. **Project Readiness**
7. **Department Support**

Before utilizing these prioritization factors each department will incorporate the following considerations as the basis for ranking:

a. Mandated project
b. Maintenance project consistent with approve replacement schedule
c. Project is directly linked to goals and polices, land use, transportation, parks and trails, and community facility section of the Comprehensive Plan
d. Project improves efficiency
e. Project responds to general public health, safety and welfare
f. Project leverages state and federal funds
g. Replacement due to disaster or loss
h. Project provides a new service that does not duplicate other public and/or private services
i. Project does not duplicate other public and/or private facilities
j. Other criteria established by the City Council

IV. Prioritization Factors

1. **Risk to Health, Safety, and Environment and Regulatory or Mandated Requirements**:
   a. **Risks** - Project avoids or minimizes the risk to health, safety, and environment associated with the infrastructure based on conditions

assessment of the asset or lack of an asset, that may include the age, size, material, capacity , and history of failure of the infrastructure

b. **Urgency** - Urgency of the project to reduce the potential hazards to the public, property and environment
c. **Legal Mandate** - Project is required by legal mandate or consent decree
d. **Regulatory** - Project is required by other regulatory requirements
e. **Court Ordered** - Project is necessary to comply with court orders and settlements or avoids plausible legal claims
f. **Planning Documents** - Project complies with General Plan, Community Plan, Regional and/or approved City-wide master plan or Green Zones Implementation Plan
g. **Improves ADA** - Improves the path-of-travel within an existing facility to bring it current to Americans with Disabilities (ADA) standards
h. **Public Safety** - this factor will also evaluate the potential in reducing the risks to the staff's health and safety minimizing the failure or maintenance of the existing deficient infrastructure
i. **Emergency** - Emergency construction and/or repairs

For example, scoring projects higher that result in;

i. Reduction in accidents, main breaks, sewer spills and flooding problems
ii. Improved structural integrity and reliability of infrastructure
iii. Mitigation of health and environmental hazards
iv. Fewer or less severe mobility related accidents
v. Reducing emergency response times to minimum operational standards
vi. Addressing consent decrees, court orders, settlements and/or other legal mandates
vii. Compliance with the City's Comprehensive Plan

2. <u>Asset Condition, Annual Recurring Cost and Asset Longevity</u>:

a. **Deficient Services** - Existing conditions and capacity to meet the basic level of services is deficient
b. **Standard Conditions** - Avoids potential failure due to standard conditions
c. **Overall Reliability** - The project improves the overall reliability of the capital asset and infrastructure system
d. **Major Delay Implications** - There are major implications of delaying the project such as significant future cost, or negative community impacts
e. **Reduce Operations and Maintenance** - The extent to which the project reduces City operations and maintenance expenditures
f. **Increase Useful Life** - The project increases the longevity of the capital

asset or extends the useful life of the asset in the long term

For example, scoring projects higher that result in:

i. Reducing frequency and cost of repairs and bring the facility to current standards
ii. Reducing both maintenance requirements and energy consumption or the need for periodic cleaning

3. **Community Investment and Economic Prosperity**:
   a. **Economic Development** - The project contributes toward economic development and revitalization efforts
   b. **Community Impact** - The project reduces or avoids impact to the community when infrastructure fails
   c. **Underserved Communities** - The project will benefit underserved communities including those with low income households, low community engagement and low mobility or access to transportation systems
   d. **Blight** - The project will eliminate blight and/or provide significant aesthetic improvement

   For example, scoring projects higher that:

   i. Implement an economic strategy to attract new employment centers or revitalize existing ones in areas where unemployment is above the city median

4. **Sustainability and Conservation**:
   a. Sustainability - The project improves the health of the community and natural environment.
   b. Remove contamination and other hazards to public health and environment.

   For example, scoring projects higher that:

   i. Promote community walk-ability and use of bicycles or public transit
   ii. Promote community use of locally-sourced products and services.

5. **Funding Availability**:

   a. **Cost Sharing** - The greater a project leverages City funds against grant funds or cost sharing from outside entities, the greater priority the project will receive
   b. **Funding Needs** - Project's rank is increased based on assessment of the amount of funding needed to complete the current project phase and the entire project
   c. **Secured Grants** - If grant funding has already been secured, the greater

priority the project will receive

d. **Local Bundle** - The project reduces construction cost by potentially bundling with adjacent projects
e. **Inter-Agency Bundle** - The project provides for partnering or bundling opportunities with other local, state, or federal agencies (leverage resources)

For example, scoring a project higher for:

i. A roadway project that provides for the replacement a deteriorated storm drain
ii. A streetscape project that also provides street lighting at critical intersections
iii. Scoring projects higher that bring grant funds from an outside agency and scoring projects lower that rely solely on City funds.

6. **Project Readiness**:

a. **Project Ready** - The project is ready to enter into the phase corresponding to the funding proposed. For example, a design-build project with a completed environmental document will score higher than a design-build project without a complete environmental document.
b. **Expeditious Delivery** - The project will be scored based upon the delivery method. A project that can be delivered most expeditiously will be preferred.
c. **Non-Engineering Assessment** - Assessment of non-engineering issues involved in completing the project (significant environmental issues, project complexity, and level of public support). For example, projects with complex environmental issues or known significant legal challenges will be scored lower than projects without said complications.
d. **Studies and Reports** - The project already has a completed feasibility study and/or preliminary design report
e. **Multi-Priority Factors** - The project fulfills the prioritization factors described above across multiple scoring categories.

7. **Department Support**

a. **Department Priority Project** – Allows Departments to score projects based on the priority need for the Department.

For Example, scoring a project higher (10 points) for having the highest priority and scoring subsequent projects lower for those projects that are less of a priority for the department.

V. Conditions:

1. Emergency projects will automatically have 100% priority score.

2. The resultant ranking list for each category and phase of needs and CIP projects will be reported to the City Council as part of the annual CIP budget, with recommendations for funding.

3. Upon approval of the CIP budget by the City Council, staff will begin the completion of each project phase according to the priority ranking from this prioritization process up to the total amounts authorized by the City Council for each project category. Outside grant funding opportunities will be pursued for each project per the results of the priority ranking.

4. The priority score will be updated as the conditions of each project change or other new information becomes available. For instance, if grant funding becomes available for a lower ranked project, the priority score would be re-evaluated with this new information. When changes occur that would alter a project's priority ranking, the priority list will be revised. The City Council will receive an informational brief of changes to the priority list at mid-year, and the annual updated list will be part of the completion of its current phase, approved by the City Council.

5. City Administrator, at his/her discretion may provide oversight or make recommendations regarding the priority of projects submitted to the City Council for approval regardless of ranking.

Review of this policy by the appropriate committee will be performed one year after implementation of this policy and bi-annually thereafter to identify additional enhancements.

Implementation of this Council Policy is not intended to release or alter the City's current or future obligations to complete specific CIP projects by specified deadlines, as may be imposed by court order, or order of any federal, state or local regulatory agency.

Exhibit A
Prioritization Factor Scoring Sheet

1. Risk to Health Safety, and Environment and Regulatory or Mandated Requirements:

Scoring in this category assigns points based on the projects ability to avoid or minimize the risk to the health and safety, and environment associated with infrastructure and reduces potential hazards to the public, property or environment and allow for emergency repairs. Projects required by legal mandate, court order, regulatory requirements such as ADA required upgrades, and planning documents would be scored in under this prioritization factor.

Score Scale:

Lowest Risk	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Highest Risk

2. **<u>Asset Condition, Annual Recurring Cost and Asset Longevity</u>**:

Scoring in this category is assigned points based on the projects ability to address existing conditions that are deficient in meeting basic service levels and would cause major implications in delaying the project such as increased project cost or negative community impacts. Projects that reduce operations and maintenance and increase useful life of an asset would also be scored under this prioritization factor.

Scoring Scale:

Lowest Deficiency	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Highest Deficiency

3. **Community Investment and Economic Prosperity**:

Scoring in this category is based on the projects ability to serve as a catalyst for economic development, have positive impacts on the community.

Scoring Scale:

Lowest Investment	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Highest Investment

4. Sustainability and Conservation

Scoring in this category assigns points to projects based on the utilization of sustainable designs, promote community walkability, use locally sourced products/services.

Lowest Sustainability	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Highest Sustainability

5. Funding Availability

Scoring in this category assign points based on the ability to leverage City funds with other funding sources, rather or not grant funding has been obtained or is available for the project and rather projects can be bundled with other projects or other agency projects to reduce cost.

Scoring Scale:

Lowest Leveraging of Funds	1	2	3	4	5	6	7	8	9	10	Highest Leveraging of Funds

6. Project Readiness

Scoring in this category assigns points based on the ability to begin a project by already completing any preliminary work, reports, or plans needed to begin the phase for which funding is requested.

Scoring Scale:

Project is not Ready	1	2	3	4	5	6	7	8	9	10	Project is Ready

7. Department Support

Scoring in this category is assigned points based on the Departments priority ranking for all projects in which funds were requested for the Fiscal Year, with the Departments most important project receiving the highest amount of points.

Scoring Scale:

Lowest Department Priority Project	1	2	3	4	5	6	7	8	9	10	Highest Department Priority Project

Exhibit B
Overall Project
Prioritization Factor Rating

Project Name		
Prioritization Factor	**Total Prioritization Score**	**Out of Possible Prioritization Score of:**
1. Risk to Health, Safety and Environment		20
2. Asset Condition, Annual Recurring Cost and Asset Longevity		15
3. Community Investment and Economic Prosperity		15
4. Sustainability and Conservation		20
5. Funding Availability		10
6. Project Readiness		10
7. Department Support		10
Total Project Score		**100**

Exhibit C
CIP Project Rankings

Name of Project	Requesting Department	Total Prioritization Score	Amount of Funding Requested
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12			
13			
14			
15.			
17.			
18.			
19.			

DELL EMC

A quote for your consideration.

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your **Premier page**, or, if you do not have Premier, use this **Quote to Order**.

Quote No.	**3000061073189.1**	Sales Rep	Meredith Jeane
Total	**$4,961.53**	Phone	(800) 456-3355, 80000
Customer #	530019117963	Email	Meredith_Jeane@Dell.com
Quoted On	May. 13, 2020	**Billing To**	JAMES NOXON ARLINGTON POLICE STATION 204 W SHAMROCK DR ARLINGTON, MN 55307-9800
Expires by	Jun. 11, 2020		
Deal ID	20050327		

Message from your Sales Rep

Please contact your Dell sales representative if you have any questions or when you're ready to place an order. Thank you for shopping with Dell!

Regards,
Meredith Jeane

Shipping Group

Shipping To

JAMES NOXON
ARLINGTON POLICE STATION
204 W SHAMROCK DR
ARLINGTON, MN 55307-9800
(507) 225-6636

Shipping Method

Standard Delivery

Product	Unit Price	Qty	Subtotal
Gamber-Johnson Docking Station with Lind Power Supply (No RF) - docking station - VGA	**$487.61**	**2**	**$975.22**
Dell Latitude 7220	**$1,833.57**	**2**	**$3,667.14**

Subtotal:	**$4,642.36**
Shipping:	**$0.00**
Estimated Tax:	**$319.17**
Total:	**$4,961.53**

Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

Shipping Group Details

Shipping To

JAMES NOXON
ARLINGTON POLICE STATION
204 W SHAMROCK DR
ARLINGTON, MN 55307-9800
(507) 225-6636

Shipping Method

Standard Delivery

		Qty	Subtotal
Gamber-Johnson Docking Station with Lind Power Supply (No RF) - docking station - VGA	$487.61	2	$975.22

Estimated delivery if purchased today:
Jun. 09, 2020
Contract # C000000012056
Customer Agreement # 97222

Description	SKU	Unit Price	Qty	Subtotal
Gamber-Johnson Docking Station with Lind Power Supply (No RF) - docking station - VGA	A9777899	-	2	-

		Qty	Subtotal
Dell Latitude 7220	$1,833.57	2	$3,667.14

Estimated delivery if purchased today:
Jul. 07, 2020
Contract # C000000012056
Customer Agreement # 97222

Description	SKU	Unit Price	Qty	Subtotal
Dell Latitude 7220 Rugged, CTO	210-ATEF	-	2	-
8th Generation Intel Core i5-8365U Processor (4 Core,6MB Cache,1.6GHz,15W)	379-BDQV	-	2	-
Win 10 Pro 64 English, French, Spanish	619-AHKN	-	2	-
No AutoPilot	340-CKSZ	-	2	-
No Productivity for Federal and Premier	630-AAXE	-	2	-
Intel Core i5-8365U with u-blox NEO-M8 GPS card 8GB Memory	338-BTPT	-	2	-
No Out-of-Band Systems Management - vPro Disabled	631-ACHF	-	2	-
8GB 2133MHz LPDDR3 Memory	370-AFCZ	-	2	-
M.2 256GB PCIe NVMe Class 40 Solid State Drive	400-BGWQ	-	2	-
11.6", FHD (1920 x 1080), 1000 Nit Outdoor-Readable, AG/AS/AP, Glove-Capable Touchscreen	391-BEVG	-	2	-
Intel Wi-Fi AX200 Wireless Driver, No Bluetooth	555-BFLL	-	2	-
No Bluetooth	555-BCYM	-	2	-
Intel AX200 Wireless Card Rugged	555-BFJX	-	2	-
DW5821E Snapdragon X20 4G/LTE Wireless WAN card for Verizon (Windows 10)	556-BCDY	-	2	-
Dell WWAN Bracket Bar for Rugged	575-BCBR	-	2	-
2-cell 34wH) Lithium Ion Primary Battery	451-BCCD	-	2	-
45 Watt AC Adapter	450-AEHK	-	2	-
No Security Software	650-AAJS	-	2	-
No Media	620-AAOH	-	2	-
US Power Cord	537-BBBL	-	2	-

Latitude Rugged 7220 Getting Started Guide	340-COCF	-	2	-
US Order	332-1286	-	2	-
No Carrying Case	460-BBEX	-	2	-
No Secondary Battery	451-BCOI	-	2	-
Safety/Environment and Regulatory Guide (English/French Multi-language)	340-AGIK	-	2	-
Custom Configuration	817-BBBB	-	2	-
System Regulatory Label	389-DRXP	-	2	-
Regulatory Label (WWAN)	389-DRXR	-	2	-
Windows 10 Additional Software	658-BEPO	-	2	-
Shipping Material, Shuttle	340-AQMD	-	2	-
Directship Info Mod	340-CKTD	-	2	-
No Option Included	340-ACQQ	-	2	-
No Mouse	570-AADK	-	2	-
No Removable CD/DVD Drive	429-AATO	-	2	-
ENERGY STAR Qualified	387-BBNJ	-	2	-
BTO Standard shipment Air	800-BBGF	-	2	-
No UPC Label	389-BDCE	-	2	-
5 MP HD IR webcam /8 MP rear camera with Flash and Dual Microphone	319-BBHH	-	2	-
WLAN/WWAN Chassis with NFC	321-BEVT	-	2	-
Connector for I/O Expansion	750-ABNN	-	2	-
Mini Serial Port	325-BDNX	-	2	-
No Option Included	340-ACQQ	-	2	-
Full Security Options (FPR, Contacted SC, Contactless SC)	461-AAHE	-	2	-
No Removable CD/DVD Drive	429-AATO	-	2	-
Dell Limited Hardware Warranty Initial Year	997-6988	-	2	-
Mail In Service after Remote Diagnosis, 3 Years	997-6989	-	2	-
Configuration Services, Bottom Placement, Hardware Details Asset Label	365-1695	-	2	-

Subtotal:	**$4,642.36**
Shipping:	**$0.00**
Estimated Tax:	**$319.17**
Total:	**$4,961.53**

Important Notes

Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to Tax_Department@dell.com or ARSalesTax@emc.com, as applicable.

Governing Terms: This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at www.dell.com/terms or www.dell.com/oemterms), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

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Offer-Specific, Third Party and Program Specific Terms: Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on www.dell.com/offeringspecificterms ("Offer Specific Terms").

In case of Resale only: Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

In case of Financing only: If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

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The City of ARLINGTON

PERSONNEL POLICY HANDBOOK

Adopted by the Arlington City Council on May 18, 2020

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SECTION 1 – INTRODUCTION

1.1 Purpose

The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of the City of Arlington. They should not be construed as contractual terms. All employees of the City of Arlington are "employees at-will". The policies are not intended to cover every situation that might arise and can be amended at any time at the sole discretion of the City Council. These policies supersede all previous personnel policies.

Since employees are considered "at-will", except as otherwise prohibited by law, the City of Arlington has the right to terminate any employee, at any time for any or no reason. Employees may similarly terminate employment at any time for any reason.

Violations of this policy may be grounds for discipline up to and including termination.

1.2 Organization and Authority

It shall be the policy of the City Council to carry out the contents of these policies and control the administrative services through the City Administrator and department heads in accordance with the City's Code where applicable and other provisions herein specified.

1.3 Scope

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

1. Elected Officials.
2. The City Attorney.
3. Members of City Boards, Commissions, and Committees.
4. Consultants, Contractors, and Contractual Service Providers.
5. Volunteer personnel, except for paid on-call firefighters and EMT's.

If any specific provisions of this Personnel Policy conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

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

1.4 Equal Employment Opportunity

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

SECTION 2 – CITYWIDE WORK RULES & CODE OF CONDUCT

2.1 Conduct as a City Employee

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

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

- Always perform assigned duties to the best of their ability.
- Always render prompt and courteous service to the public.
- Read, understand, and comply with the rules and regulations as set forth in these Personnel Policies as well as those of their departments.
- Conduct themselves with decorum toward both residents and staff.
- Respond to inquiries and information requests with patience and every possible courtesy.
- Report all unsafe conditions to their immediate supervisor.
- Maintain good attendance.
- Refrain from obscene, uncivil, or boisterous language.

2.2 Attendance & Absence

Attendance is an essential function of every City position. The operations and standards of service in the City of Arlington require that employees be at work unless valid reasons warrant absence. In order for a team to function efficiently and effectively, employees must be on the job.

Employees who are going to be absent from work or training sessions are required to notify their department head as soon as possible in advance of the absence. In case of unexpected absence, employees should call their department head before their scheduled starting time. If the department head is unavailable, the employee should leave a message that includes a telephone number where he/she can be reached and/or contact any other individual who was designated by the department head. Failure to use the established reporting process is grounds for disciplinary action. Department heads may establish more specific reporting procedures.

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

2.3 Attendance Requirements for Fire and Ambulance Members

Proper training for Ambulance and Fire Department members is an essential function of the job therefore, members are expected to attend regular meetings of their respective departments. Ambulance and Fire Department members who are absent from regular meetings more than five (5) times in a calendar year will be subject to disciplinary action, including termination. Any discipline in relation to this policy will be conducted under the provisions outlined in Section 16.

2.4 Tardiness

Employees are expected to be ready for work at their designated starting time. If unavoidable circumstances will delay the employee, the employee must contact their department head as far in advance as possible and advise when they will be able to arrive to work. Excessive tardiness cannot be tolerated and may result in termination of employment.

2.5 Access To and Use of City Property

Any employee who has authorized possession of keys, tools, cell phones, pagers, or other City-owned equipment must register his/her name and the serial number or identifying information of the equipment with the department head. All such equipment must be returned and accounted for by any employee leaving employment with the City in order to resign in good standing.

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

2.6 Sale of City Property and Handling Payments

The sale of any City-owned property, or property in the possession of the City, must first be approved by the City Council. Payments for the sale of City-owned property, or property in the possession of the City, are to be made to City administrative staff only. Cash payments are not to be accepted by City employees unless those payments are made to

administrative staff working at City Hall during regular hours of operation.

2.7 Appearance

Department heads may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people. Each employee is expected to use good judgment in attire, and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace.

All employees are expected to be well groomed. For safety reasons, Fire Department Members must be clean-shaven (no beards) with short sideburns. Mustaches of reasonable proportions will be allowed.

Safety glasses shall be provided at City expense, as required by law. Safety shoes shall be provided to appropriate employees at City expense at the rate of one pair per year at a maximum cost per employee, as set by the City from time to time.

Police officers will be reimbursed for clothing that is purchased for required uniforms, up to an amount to be set by Council Resolution from time to time. A new full-time officer will receive the first two years of his/her uniform allowance upon being successfully hired. The employee is to use the first two years of the allowance to outfit their person with the appropriate department uniform. The uniform allowance will then not be available to the new employee until their third year of employment. If the officer is unable to successfully complete the initial training period, the employee will be expected to reimburse the City for fitted items (boots, pants, etc.).

2.8 Conflicts of Interest

City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be a perceived or actual conflict of interest. This policy shall be liberally construed in favor of protecting the public interest by a full disclosure of conflicts of interest. The following shall be prohibited activities:

- No employee, or member of his/her immediate family, shall have a financial interest in, or derive profit from, any matter upon which the employee is required to act in discharge of his/her official duties and fails to disqualify him/herself from acting or participating.
- No employee shall use, or permit the use of, any person, funds, or property under his/her official control, direction, or custody, or any of the City's funds or property for a purpose which is, or to a reasonable person would appear to be, for the private benefit of the employee.
- No employee shall have a material interest, personally or through a member of his/her immediate family, in business entities doing or seeking to do business with the City, except with full disclosure and consent of the City Administrator or City Council. No employee shall influence, or attempt to influence, the selection of, or the conduct of business with the City.
- No employee shall solicit or receive anything of monetary value from any persons or entity where it has been solicited, received, or given with the intent to give or obtain special consideration or influence as to any action by such employee in his/her official capacity; provided that nothing shall prohibit contributions, including political contributions, which are reported in accordance with applicable law, or which are accepted on behalf of the City, or an honorarium, travel or other expenses reimbursed to any employee as a result of a speaking engagement or personal appearance made as a result of that person's official position.
- No employee shall disclose or use any information gained by reasons of his/her official position for the immediate or anticipated personal gain or benefit of the employee, or any other person or entity; provided that nothing shall prohibit the disclosure or use of the information which is a matter of public knowledge, or which is available to the public on request.
- No employee shall deprive the City or its agencies of their original files. All original work products generated or obtained by a City Official on City time shall be the property of the City of Arlington and shall remain so after an employee leaves City employment. Examples of work product include but are not limited to, research, investigative reports, computer files, legal briefs, official letters, and memoranda.
- No person seeking employment or promotion in the municipal service shall either directly or indirectly give, render, or pay any money, service, or other valuable consideration to any person or account of, or in connection

with, the test, appointment, promotion, or proposed appointment or promotion.

- The appointment of any person, when such person is related to any elected or appointed officer or employee of the City, or an appointment of a candidate who is related to current City personnel who have the ability to influence the employment, promotion and salary or performance evaluation of another relative is to be avoided whenever possible.

If an employee has any question about whether such a conflict exists, he/she should consult with the City Administrator.

2.9 Falsification of Records

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

2.10 Personal Telephone Calls

Personal telephone calls are to be made or received only when truly necessary. They are not to interfere with City work and are to be completed as quickly as possible. Any personal long-distance call costs will be paid for by the employee. Please refer to the cellular phone use policy for information on use of cellular phones.

2.11 Personal Mail

Employees may purchase postage from the City for use on their personal mail items. Personal mail items may be included with the City's daily delivery of mail to the US Post Office, but employees may not use the City as a mailing address for personal mail.

2.12 Fax

Employees may use the City's fax machine on lunch breaks, rest breaks, before work hours, or after work hours to fax personal communications. No charge will apply to local faxes. Employees will be responsible for the cost of long-distance faxes.

2.13 Political Activity

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

2.14 Solicitation

No solicitation shall be allowed on City time for any individual, group, company, cause, or organization. The City encourages its employees to support community and charitable causes on their own time.

2.15 Smoking

All City buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that no person will smoke tobacco, or other substances, or use smokeless tobacco while in a City facility or vehicle.

Smoking of any kind, including pipes, cigars, cigarettes, vaping with e-cigarettes, and the use of chewing tobacco is prohibited for employees while on duty. Employees 21 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

2.16 Alcohol

Employees shall not consume, or be under the influence of, alcohol while working or operating City vehicles, machinery, or equipment.

Emergency Personnel who have consumed more than two drinks of alcoholic beverages in the previous four hours shall not respond to an emergency call.

SECTION 3 – DEFINITIONS

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

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

Benefits
Privileges granted to qualified employees in the form of paid leave and/or insurance coverage.

Benefit Earning Employees
Employees who are eligible for at least a pro-rated portion of City provided benefits. Such employees must be year-round employees who work at least 20 hours per week on a regular basis.

City
Refers to the City of Arlington.

City Council
The elected Mayor and five City Council members.

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

Department Head
An employee who is responsible for managing a department or division of the City. The City Administrator shall be considered the department head for any City employees who are themselves a department head.

Emergency Personnel
A Fire, Ambulance, or Police Department Member or Officer.

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

Employee Relations Committee
A committee established by the City Council to aid in dealing with employee issues.

Exempt Employee
Employees who are not covered by the overtime provisions of the federal or state Fair Labor Standards Act.

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

Fiscal Year
The period from January 1 to December 31.

Full-time Employee
Employees who are required to work forty (40) or more hours per week, year-round, in an ongoing position.

Hours of Operation

The City's regular hours of operation are Monday through Friday, from 8:30 a.m. to 5:00 p.m.

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

Official City Business
The performance of duties that is necessary to the operation of the City.

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

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

Public Employees Retirement Association (PERA)
Statewide pension program in which all City employees meeting program requirements must participate in accordance with Minnesota law. The City and the employee each contribute to the employee's retirement account.

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

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

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

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

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

Training Period/Probationary Period
A twelve-month period at the start of employment with the City, or at the beginning of a promotion, reassignment, or transfer, that is designated as a period within which to learn the job. The training period is an integral extension of the City's selection process and is used by supervisors for closely observing an employee's work.

Training begins on your first day of employment with an orientation process in which you will learn about City policies and procedures, take a tour of the city, and meet co-workers. Then you will begin to learn your job by training with your supervisor or a co-worker. In the first few months, you will meet with your supervisor frequently to discuss your progress, and at six months you will have a formal review.

An employee serving his/her initial probationary period may be disciplined at the sole discretion of the City, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

Nothing in this policy handbook shall be construed to imply that after completion of the probationary period, an employee has any vested interest to continued City employment.

Time served in temporary, seasonal, volunteer, or interim positions are not considered part of the probationary period. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked, and the probationary period will be extended by the length of time taken.

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

Workweek
For most employees, a workweek is seven consecutive 24-hour periods. For Police Department employees, a workweek is fourteen consecutive 24-hour periods. For most employees, the workweek will run from Saturday through the following Friday. For Police Department employees the workweek will run from Saturday through the second Friday. With the approval of the City Administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g. fire department, parks, and recreation department).

SECTION 4 – EMPLOYEE RECRUITMENT & SELECTION

4.1 Scope
The City Administrator, with the help of the Employee Relations Committee or other Council Committees, will manage the hiring process for positions within the City. While the hiring process may be coordinated by the City Administrator, the City Council is responsible for the final hiring decision and must approve all hires to City employment. All hires will be made according to merit and fitness related to the position being filled. No hiring process will begin without first being approved by the City Council.

4.2 Features of the Recruitment System
The City Administrator, with the help of the Employee Relations Committee or other Council Committees, will determine if a vacancy will be filled through an open recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis. Most position vacancies will be filled through an open recruitment process.

Application for employment will be made on application forms provided by the City. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the City Administrator or Council Committee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position. The deadline for application may be extended by the City Administrator.

All applications and related material shall be submitted to and shall remain with the City Administrator. Applications will first be reviewed by the City Administrator and the Department Head of the department an applicant is applying for. All applications will be kept in the "Active" file for a period of six (6) months. If an applicant desires to keep their application active beyond that time, he/she will be required to bring the existing application up-to-date or fill out a new application. Whether an applicant is or is not interviewed, his/her application will continue to be kept active for a six (6) month period and will be again considered if another position becomes available.

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

4.3 Rejection of Applications
Applications for positions may be rejected by the City Administrator for any one of the following reasons:

- Lack of specified minimum qualifications required.
- Applicant's lack of physical, mental, or personal prerequisites deemed necessary for the effective performance of the duties and responsibilities of a position.
- Reference and/or investigation of the applicant prove unsatisfactory.

- Past employment history with the City.
- Applicant has directly or indirectly rendered or promised to give money, payment, service, or valuable item to any person in connection with appointment.
- Incomplete application form, falsification of information, or failure to provide required application information.
- Has a record of unsatisfactory employment.
- Has a recent history of untreated excessive use of alcohol, narcotics, or other drugs which may affect work performance.
- Such other causes and reasons deemed sufficient.

4.4 Testing and Examinations

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

Internal recruitments will be open to any City employee who: (1) has successfully completed the initial training period; (2) meets the minimum qualifications for the vacant position; and (3) currently is, and for the past year has been, in good standing with the City.

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

4.5 Pre-Employment Medical Exams

The City Council may determine that a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of any City position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.

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

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

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

4.6 Selection Process

The selection process will be a cooperative effort between the City Administrator or Employees Relations/Council Committee and the hiring department head, or all three, subject to final hiring approval of the City Council. Any, all or none of the candidates may be interviewed.

The process for hiring seasonal and temporary employees may be delegated to the appropriate department head with each hire subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the department head at any time, subject to City Council approval.

4.7 Background Checks

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

4.8 Felonies
The City will not hire a person who was previously convicted of a felony.

All police officer applicants must meet the minimum selection standards of the Minnesota Peace Officers Standards and Training Board. Minnesota Statute §626.87.

SECTION 5 – TRAINING PERIOD

5.1 Purpose
The training period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the employee's work and for training the employee in work expectations. Training periods apply to new hires, transfers, promotions, and rehires. It shall be used for making any necessary adjustments to the position and for rejecting any employee whose performance does not meet the required work standards. An employee may be dismissed at any time and without cause during the training period.

5.2 Duration
All original and promotional appointments shall be subject to a training period of twelve (12) months for all employees, except for Emergency Personnel, from the date of appointment to the respective position. Fire fighters are subject to a training period of twenty-four (24) months and all other Emergency Personnel are subject to a training period of twelve (12) months. At any time during the training period, the employee may be subject, but not limited, to disciplinary action, suspension, lay-off, demotion, transfer or dismissal. An employee so dismissed will not have the right to appeal unless the employee is covered by the Veteran's Preference Law, in which case the employee may request a hearing pursuant to Minnesota Statute 197.46, or any law amending or replacing that law.

5.3 Completion of Training Period
A performance evaluation will be completed and reviewed with the employee before the end of the training period. The department head or City Administrator shall then make a recommendation to the Employee Relations Committee for the termination of the training period. Final decision and notice shall be provided by the City Council upon recommendation of the Employee Relations Committee.

During the City Council's annual consideration of salary increases, an employee is not eligible for step increases while in training period.

5.4 Extension of Training Period
The Employee Relations Committee may, upon recommendation of the City Administrator, extend the training period up to an additional six (6) months. The employee shall be notified of the reason for the extension, a reason which shall be directly related to performance within the position. The training period may also be extended due to leave of absence or suspension without pay.

5.5 Benefits during the Training Period
An employee during the training period will not be paid for any absence from work with the exception of legal paid holidays, jury duty, sick and funeral leave. Vacation leave will be granted (per Leaves policy) and can be used after initial six months of the training period and pursuant to City Council approval. Insurance benefits shall commence from the start date of the employee, however, any waiting periods shall be according to the terms of the insurance benefits.

SECTION 6 – ORGANIZATION

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

A job description is prepared for each position within the City. Each job description will include: position title, department, department head's title, FLSA status (exempt or nonexempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisory direction or guidance provided to position. Good attendance and compliance with work rules and policies are essential functions of all City positions.

Prior to posting a vacant position the existing job description is reviewed by the City Administrator or designee and the hiring department head to ensure that the job description is an accurate reflection of the position and that the stated job qualifications do not present artificial barriers to employment. A current job description is provided to each new employee. Department heads are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the City Administrator.

6.2 Assigning and Scheduling Work

Assignment of work duties and scheduling work is the responsibility of the department head subject to the approval of the City Administrator.

6.3 Job Descriptions and Classifications

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

6.4 Layoff

The City Administrator will maintain a seniority list. In the event that it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the City before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the Employee Relations Committee, subject to approval of the City Council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoff.

SECTION 7 – HOURS OF WORK

7.1 Work Hours

Work schedules for employees will be established by department heads with the approval of the City Administrator. The regular work week for employees is five eight-hour days, 8:30 a.m. to 5:00 p.m., in addition to a half-hour unpaid lunch period, Monday through Friday, except as otherwise approved by the City Administrator in accordance with the customs and needs of the individual departments. The police department will operate on separate irregular shift pattern.

7.2 On Call Hours

Due to the need to maintain essential City services, many employees will be required to be available "on call" to work in emergency situations. The employee who is serving on call time shall have the duty to remain close enough to the workplace to be able to report to work as soon as possible, or within 30 minutes after being called to do so. The employee shall be able and fit to respond to an emergency call during the employee's on call shift. The employee shall also remain in a location to be contacted by phone or beeper. It shall be the duty of the employee to inform the dispatcher of the phone number or radio at which the employee can be reached during the on-call shift.

An employee shall receive a base payment for the week on call during a pay period for the inconvenience of remaining available to the City for emergencies. In addition to the hourly on call pay, the employee shall be paid at the overtime pay rate for actual time worked in response to an emergency call during the employee's on call shift. To compensate the employee for travel and preparation time for being called in for emergencies, the employee shall be paid a minimum of one hour of overtime pay per call. If the work time spent on a call exceeds one hour, the employee will be paid at the overtime pay rate for the actual time worked.

In all cases where an emergency arises, the employees who are on call in the affected department shall be called first, unless special skills are needed that can only be supplied by other employees who are not on call or who are in another department. The opportunity to earn overtime pay is another compensation for serving on call and must not be denied to

the on-call employees unless absolutely for the benefit of the City.

Each employee that is on call shall be for one calendar week at a time. Employees shall not swap on call time without obtaining approval of the City Administrator.

7.3 Meal Breaks and Rest Periods

A paid fifteen (15) minute paid break is allowed within each four (4) consecutive hours of work. An unpaid thirty (30) or sixty (60) minute lunch period is provided when an employee works eight or more consecutive hours. The employee, at their discretion and in coordination with their Department, can select an unpaid thirty or sixty-minute lunch break as long as the Department has adequate employee coverage. Employees are expected to use these breaks as intended and will not be permitted to save these breaks in order to adjust work start time, end time or lunchtime. Departments with unique job or coverage requirements may have additional rules, issued by the department head and subject to approval of the City Administrator, on the use of meal breaks and rest periods.

7.4 Timecards

All employees that report to the shop must properly enter their timecard into the time clock at the beginning and end of each shift. Employees are expected to clock in no earlier than five minutes before the start of their scheduled work shift and are expected to clock out no later than five minutes after the end of their scheduled work shift, except in emergency situations. Paid time off should be indicated by reason (vacation, holiday). Overtime and any duty other than normal work shift hours must also be entered on the timecard by use of the time clock. If the employee clocks out more than 7.5 minutes after the normal work shift should have ended because of City needs, the time in excess of 7.5 minutes after the normal end of shift shall be paid at the overtime rate. All other employees must fill out a timecard approved by the City Administrator.

7.5 Adverse Weather Conditions

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will be allowed to use accrued vacation time or compensatory time; or with department head approval may modify the work schedule or make other reasonable schedule adjustments.

Sworn police officers and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective department head or the City Administrator.

7.6 Emergency Personnel Response Time

Fire and Ambulance Emergency Personnel who are required to respond to emergency calls must be able to respond within eight (8) minutes of the call.

Police who are required to respond to emergency calls must be able to respond within twenty (20) minutes of the call.

SECTION 8 – COMPENSATION

8.1 General

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

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

Employees are responsible for notifying the Deputy Clerk of any change in status including changes in address, phone number, names of beneficiaries, marital status, etc.

Under the Minnesota Wage Disclosure Protection law, employees have the right to tell any person the amount of their own wages. While the Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

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

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

8.2 Direct Deposit and Paychecks

As provided for in Minnesota law, all employees are required to participate in direct deposit. Paychecks are issued every two weeks; except for Library, Council, Ambulance and Fire personnel who are paid on a monthly, quarterly, semi-annual or annual basis. When paydays fall on a holiday, checks will be issued the day before the holiday. If the payday is the Friday after Thanksgiving, paychecks will be issued the Wednesday before Thanksgiving.

Paystubs will be distributed to email addresses as designated by each employee.

8.3 Time Reporting

Full-time, non-exempt employees are expected to work the number of hours per week established for their position. In most cases, this will be 40 hours per workweek. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked, and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a biweekly basis. Each time reporting form must include the signature of the employee and department head. Reporting false information on a time sheet may be cause for immediate termination.

8.4 Overtime / Compensatory Time

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

Non-Exempt (Overtime-eligible) Employees:

Most overtime-eligible employees will be compensated at the rate of time and one-half for all hours worked over 40 in one workweek. Police Department employees will be compensated at the rate of time and one-half for all hours worked over 86 in one work period. Vacation, sick leave and paid holidays do not count toward "hours worked". Compensation will take the form of either time and one-half pay or compensatory time. Compensatory time is paid time off at the rate of one and one-half hours off for each hour of overtime worked.

For most employees the workweek begins at 12:00 a.m. (midnight) on Saturday and runs until the following Friday night at 11:59 p.m. with a 40-hour workweek expected. Employees of the Police Department will have a work period which begins at 12:00 a.m. (midnight) on Saturday and runs until the second Friday night at 11:59 p.m. with an 86-hour work period expected. Department heads may establish a different workweek based on the needs of the department, subject to the approval of the City Administrator.

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

Overtime earned will be paid at the rate of time and one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment.

The maximum compensatory time accumulation for any employee is 40 hours per year. Once an employee has earned 40 hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Deputy Clerk will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves employment at the hourly pay rate the employee is earning at that time.

Exempt (non-overtime-eligible) Employees:
Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountancy, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means that they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City of Arlington will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or accident.
- The employee is in a position that earns sick leave, receives a short term disability benefit or workers' compensation wage loss benefits and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the City in which the employee does not work a full week. In this case, the City will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness or injury, but:
    - Paid leave has not been requested or has been denied.
    - Paid leave is exhausted.
    - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The City of Arlington may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The City of Arlington will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the City any amounts received by the employee as jury fees or witness fees.

If the City inadvertently makes an improper deduction to the weekly salary of an exempt employee, the City will reimburse the employee and make appropriate changes to comply in the future.

All employees, in all departments, are required to work overtime as requested by their department heads as a condition of

continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

8.5 Leave Policy for Exempt Employees

Exempt Employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. The normal hours of business for exempt employees are Monday through Friday, 8:30 a.m. to 5 p.m., plus evening meetings as necessary.

Exempt employees are required to use paid leave when on personal business or away from the office for four (4) hours or more, on a given day.

Absences of less than four (4) hours do not require use of paid leave as it is presumed that the exempt member regularly puts in work hours above and beyond the normal 8:30 a.m. to 5 p.m. Monday through Friday requirement. Exempt employees must communicate their absence to the City Administrator or his/her designee.

If one of the above employees regularly absents themselves from work under this policy and it is found that there is excessive time away from work which is not justified, the situation will be handled as a performance issue. If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the City. Additional notification and approval requirements may be adopted by the City Administrator for specific situations as determined necessary.

From time to time, exempt positions may require work beyond forty (40) hours per week. In recognition for working extra hours, these employees may take some time off during their normal working hours with department head approval. The time off for extra hours will not be on a one-for-one basis.

8.6 Attendance at Council Meetings

Non-exempt employees who attend City Council meetings at the request of the City Council or City Administrator to report on City operations shall receive two (2) hours of compensation time.

Employees who attend Council meetings without the request of the City Council will be considered to volunteer their time to attend such meetings.

SECTION 9 – ROUTINE EMPLOYEE PERFORMANCE

9.1 General

The City Administrator shall be primarily responsible for evaluating routine employee performance, with input as appropriate from the department head. The Employee Relations Committee shall be responsible for evaluating the routine employee performance of the City Administrator.

In the case of routine job performance corrections, the City Administrator shall be the final authority in correcting the employee and putting a written notice of said correction or, if appropriate, written reprimand, in the employee's file. The City Administrator shall report such actions to the Employee Relations Committee at least quarterly.

9.2 Appeals

If an employee job performance criticism is first brought to the attention of the Employee Relations Committee, the Committee will immediately report such criticism to the City Administrator for investigation and action on the part of the City Administrator, who shall then report said action back to the Committee as quickly as possible.

The Committee shall have no power to override the decisions of the City Administrator regarding routine job performance corrections. However, if the Committee deems it appropriate, the Committee may ask the City Administrator for further comment and background facts regarding the employee job performance issues and may recommend further or altered action on said issue to the general City Council. It should be the philosophy to allow the City Administrator to perform his normal function as supervisor of the City employees on a day to day basis.

In the case of serious employee misconduct, which may or may not include possible criminal charges, the City Administrator shall act as a factfinder and report the matter to the Committee for further review and investigation. The City Attorney should also be immediately contacted to participate in the process, to make sure that the appropriate legal warnings are given to the employee before the employee is questioned on the incident. The Committee shall conclude its investigation with a recommendation to the City Council for action according to the discipline procedures established in the City's personnel policies

9.3 Privacy

It is understood that all discussion and written records of employee job performance, allegations of misconduct, or criminal acts shall be strictly confidential, and conducted only in meetings closed to the general public. As required by state law, the only information to be discussed at open meetings of the Committee or the City Council will be any final actions taken to discipline the employee with the basic grounds for the said action.

SECTION 10 – ANNUAL PERFORMANCE REVIEWS

10.1 General

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

Performance reviews are to be scheduled on a regular basis, at least annually. The form, with all required signatures, will be retained as part of the employee's personnel file.

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

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

10.2 Process

The City Administrator or designee shall conduct all performance reviews and all performance reviews will be discussed with the employee. The City Administrator may conduct the review with the employee's department head.

The Employee Relations Committee will review the City Administrator's evaluations and pass them onto the City Council for final review and any positive or negative actions based on said evaluations.

The Employee Relations Committee will be the primary evaluator of the City Administrator, and they shall pass along their evaluation of the City Administrator to the City Council for action.

10.3 Grievances

An employee may grieve a performance review to the Employee Relations Committee.

The Employee Relations Committee shall have no power to override the decisions of the City Administrator regarding performance reviews. However, if the Committee deems it appropriate, the Committee may ask the City Administrator for further comment and background facts regarding the performance review and may recommend further or altered action on said issue to the general City Council. The decision of the City Council is final.

While the employees do not have the right to change their performance review, they may submit a written response to the review, which will be attached to the performance review.

SECTION 11 – BENEFITS

11.1 Health, Short-Term Disability, and Life Insurance

The City may contribute a monthly amount toward group health, short-term disability and life insurance benefits for each eligible employee and his/her dependents. The amount to be contributed and the type of coverage will be determined annually by the City Council.

11.2 Retirement

The City participates in the Public Employees Retirement Fund (PERA) to provide pension benefits for its eligible employees. The City and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the City matches the employee's social security and Medicare withholding).
Employees are also eligible to take part in the Minnesota Deferred Compensation Plan. The City does not provide a match

11.3 Workers Compensation Insurance

The City provides workers compensation insurance at City cost as required by law to cover disabilities due to work related injury or illness. The terms of the policy and state law govern the specific types of coverage provided.

11.4 Part-Time, Temporary and Seasonal Employees

Part-time, temporary and seasonal employees shall receive no benefits of any kind other than basic payroll and workers compensation insurance coverage and those negotiated with the City Council.

SECTION 12 – HOLIDAYS

The City observes the following official holidays for all regular full-time employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day	Christmas Day

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter.

In addition to the official holidays, the City Administrator may determine from time to time, in keeping with the City needs, to allow half of the City workforce to take a half day paid holiday the afternoon of December 24th and the other half of the workforce to take a half day paid holiday the afternoon of December 31st. If the City offers this additional holiday, the employees shall be given the right to choose the half day they prefer, but any conflict shall be resolved in favor of the employees with seniority. In addition, the City may require that all the employees in a department take the same half day off. If the City offers these extra half day paid holidays, but some employees cannot take either half day off due to City needs, those employees who cannot take advantage of either half day off shall receive compensation time for four (4) hours instead.

When a holiday falls on a Sunday, the following Monday will be the "observed" holiday and when a holiday falls on a Saturday, the preceding Friday will be the "observed" holiday for City operations/facilities that are closed on holidays.

Full-time employees will receive pay for official holidays at their normal straight time rates, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Part-time employees will receive no holiday pay. Any employee on a leave of absence without pay from the City is not eligible for holiday pay.

Premium pay of 1.5 times the regular hourly wage for non-exempt employees required to work on a holiday will be for hours worked on the "actual" or "observed" holiday.

Employees wanting to observe holidays other than those officially observed by the City may request either vacation leave or unpaid leave for such time off.

SECTION 13 – LEAVES

13.1 Annual Leave

Annual leave replaces, and is in lieu of, individual sick leave, vacation leave, and funeral leave, and combines them into on single benefit program.

Annual leave can be used for any reason, subject to existing request and approval procedures. As with all paid time off programs, supervisors must ensure that service to the public and work requirements are not adversely impacted.

13.2 Medical Certification

Good attendance is an essential job function for all city employees. If unplanned absences are excessive, a doctor's certification may be required. The doctor's certification is to state the nature and duration of the illness or injury and verify that the employee is unable to perform the duties and responsibilities of his/her position.

A statement attesting to the employee's ability to return to work and perform the essential function of the job and a description of any work restrictions may also be required before the employee returns to work.

13.3 Accrual Rates for Annual Leave

2018 Accrual Rates:

Years of Service	Annual Accrual Rate	January Accrual	Per Pay Period Accrual
Hire - 2 years	136 hours	32	4
3 - 5 years	160 hours	56	4
6 - 10 years	200 hours	96	4
11 - 15 years	216 hours	112	4
16 – 20 years	232 hours	128	4
21+ years	256 hours	152	4

13.4 Paid Time Off

Paid Time Off (PTO) replaces vacation and sick leave beginning in 2018. The only requirement for the use of PTO is that it be approved through your supervisor so that your absence does not create a hardship for the department.

Probationary employee use of PTO will be in consultation with the City Administrator. Any time off during probation, except for funeral leave, will be taken from the employee's future PTO balance.

The City of Arlington will cap the amount of PTO leave at 296 hours per year. Employees will have until May 18, 2022 to get below 296 hours. Any hours over 296 after May 18, 2022 will be forfeited.

Employees must take 40 consecutive hours of PTO each year.
PTO will be accrued through an annual allocation in January and four hours per pay period for the remainder of the year. The January allocation will vary depending on your years of service.

Employees hired prior to January 1, 2018, will retain current sick leave balances as of December 17, 2018 to be titled "Catastrophic Sick Bank", and available for use when three or more days absence is required. Employees that retire with a balance in the Catastrophic Sick Bank will be eligible to have a portion of the sick leave paid out at their hourly rate as of December 18, 2017, and at percentages provided for in the prior sick leave policy.

Employees leaving the City in good standing for a resignation or retirement are eligible for a payout of their accrued leave up to the maximum accrual amount or one and a half of their annual accruals. Employees will have the option to direct this money into a Healthcare Savings Account, 457 Deferred Compensation Plan (subject to IRS maximum deferral regulations and Minnesota Law) or receive a payout after taxes.

Towards year end, employees whose actual years of service of contract period exceed two years are eligible to designate up to 48 hours of unused PTO for payment into a Healthcare Savings Account or 457 Deferred Compensation Plan, as long as the employee has used at least 30% of the annual leave accrual in the current year.

Annual leave will accrue on a pay-period basis up to a maximum of one-and-one-half times the employee's maximum annual accrual rate as noted above. Employees may carry over any annual leave that does not exceed the stated cap. No additional accrual will occur above the cap.

Annual leave will not accrue during unpaid leaves.

13.5 Catastrophic Sick Bank

Employees hired prior to January 1, 2018, who have accrued sick leave will retain sixty-five (65) percent of their sick leave balance to be used as "catastrophic sick bank" until the balance is exhausted. Catastrophic sick bank can be used for any doctor certified extended leave that would have been covered under the previous sick leave policy. An extended leave for purposes of this policy is defined as one requiring an employee to be out of work for more than three (3) consecutive days.

If an employee knows he/she will be out for more than three (3) consecutive days before the absence, he/she will be eligible to use the deferred sick leave from the first day. For example, if an employee has a scheduled surgery where he/she knows – in advance – he/she will be out for two (2) weeks, the employee will be able to use hours from the deferred sick leave bank starting on the first day of the absence. If an employee is out and expects to return within three (3) days, he/she will use Annual Leave. If the medical condition extends beyond the three (3) days, the deferred sick leave bank will be applied retroactively, and any annual leave used will be restored to the employee's annual leave balance.

Once the catastrophic sick bank is exhausted, employees will use annual leave for all absences covered by the annual leave program. Any deferred sick leave balance remaining when an employee leaves city service will expire. The City will not pay out any hours that may remain in the deferred sick leave bank at termination.

13.6 Returning to Work After a Medical Absence

After a medical absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

The City has the right to obtain a second medical opinion to determine the validity of an employee's workers'

compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The City will arrange and pay for an appropriate medical evaluation when it has been required by the City.

13.7 Current Vacation Balances
Unused vacation balances shall be converted to annual leave on an hour for hour basis.

13.8 Severance Pay
Employees leaving the City in good standing will receive 100 percent of their annual leave balance as compensation (applicable taxes will be withheld). Employees have the option of directing those dollars into a 457 deferred compensation plan (subject to IRS maximum deferral regulations and Minnesota law).

13.9 Unpaid Leave
Unpaid leaves may be approved in accordance with the City personnel policies. Employees must normally use all accrued annual leave prior to taking an unpaid leave.

If the leave qualifies under Parenting Leave or Family and Medical Leave, the employee may retain a balance of forty (40) hours when going on an unpaid leave. Any exceptions to this policy must be approved by the City Administrator.

13.10 Annual Leave Conversion
Annual leave will be eligible for conversion to a 457 deferred compensation plan on an hour-for-hour basis (subject to IRS maximum deferral regulations and Minnesota law) annually with the following conditions. Up to 40% of the annual leave balance, not to exceed eighty (80) hours, may be converted each year provided the employee has used as least 30% of his/her annual accrual during the current calendar year and has a balance of at least 176 hours.

The minimum balance requirement will be determined as of the first payroll in December. Payment will be based on the employee's current hourly rate on December 1.

Conversion to deferred compensation will occur in the second payroll of the following year with specific dates to be determined by the Administrator's Office each year. The City Administrator, or Deputy City Clerk, will notify all employees in November of each year as to the dates and conversion options. Regular rate for the purpose of this policy is the employee's straight time rate not including overtime, pay differentials, out-of-class, on-call or any other additions to regular pay.

13.11 Funeral Leave
Employees will be permitted to use up to three (3) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. This paid leave will not be deducted from the employee's vacation or sick leave balance.

Immediate family shall be defined as an employee's or an employee's spouse's, child foster child, brother, sister, stepbrother, stepsister, father, mother, step father, step mother, grandchild, grandmother, and grandfather.

The actual amount of time off, and funeral leave approved, will be determined by the department head or City Administrator depending on the individual circumstances (such as the closeness of the relative, arrangements to be made, distance to the funeral, etc.).

13.12 Military Leave
State and federal laws provide protections and benefits to City employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay,

seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of 15 days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the City as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the City at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of annual leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

Employees will be granted up to ten (10) working days of unpaid leave whose immediate family member is a member of the United State armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Unless the leave would unduly disrupt the operations of the City, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

13.13 Jury Duty

Regular full-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the City in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued annual leave or compensatory time to make up the difference.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the Clerk of Court so the City will be able to determine the amount of compensation due for the period involved.

Part time, temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty, but can take a leave without pay subject to department head approval.

13.14 Court Appearances

Employees will be paid their regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with City employment,

minus mileage reimbursement, must be turned over to the City.

13.15 Job Related Injury or Illness
All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and arrange for a medical appointment.

Worker's compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

13.16 Administrative Leave
Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the City Administrator with the approval of the City Council.

13.17 Victim or Witness Leave
An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony as a victim or witness, or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, is entitled to reasonable paid time off from work to attend criminal proceedings related to the victim's case. [See Safety Leave under the Sick Leave Policy for additional information on leave benefits available to employees and certain family members.]

13.18 Elections / Voting
An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for purposes of serving as an election judge, provided that the employee gives the City at least ten (10) days written notice.

All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote during the morning of election day. Employees wanting to take advantage of such leave are required to work with their supervisor to avoid coverage issues. Employees are responsible to go directly to, vote and return to the City workplace directly from the employee's designated polling place.

13.19 Regular Leave without Pay
The City Administrator may authorize leave without pay for up to thirty (30) days. Leave without pay for greater periods may be granted by the City Council to a maximum of one (1) year.

Normally an employee while on leave without pay will not earn employee benefits. However, the City's contribution toward health, dental and life insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays or annual leave. Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and annual leave based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued annual leave and compensatory time

must normally be used before an unpaid leave of absence will be approved.

To qualify for leave without pay, an employee need not have used all deferred sick leave earned unless the leave is for medical reasons. Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the City.

Employees returning from a leave without pay for a reason other than FMLA will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the City Administrator subject to approval of the City Council.

13.20 Family and Medical Leave (FMLA)

The Family and Medical Leave Act (29CFR Part 825) provides certain employees with up to 12 workweeks of unpaid, job-protected leave a year, and requires group health benefits to be maintained during the leave as if employees continued to work instead of taking leave.

The FMLA applies to all public agencies, including state, local and federal employers, and local education agencies (schools). TO be eligible for FMLA leave, an employee must work for a covered employer and:

- Have worked for that employer for at least 12 months; and
- Have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and
- Work at a location where at least 50 employees are employed at that location or within 75 miles of the location.

13.21 Reasonable Unpaid Work Time for Nursing Mothers

Nursing mothers will be provided reasonable unpaid break time for nursing mothers to express milk for nursing her child for one year after the child's birth. The city will provide a room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

13.22 Light Duty/Modified Duty Assignment

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the City Administrator on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the City Administrator. The City Administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, he/she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he/she is unable to perform the essential functions, duties, and requirements of the position. This notice **must** be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the City's job description along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the City Administrator.

The City may require a medical exam conducted by a physician selected by the City to verify the diagnosis,

current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the City Administrator whether to assign light duty work to the employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months.

If the City offers a light duty assignment to an employee who is out on worker's compensation leave, the employee may be subject to penalties if he/she refuses such work.
The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

13.23 Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy
The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth.

- More frequent restroom, food, and water breaks.
- Seating.
- Limits on lifting over 20 pounds and/or Temporary transfer to a less strenuous or hazardous position, should one be available.

Unless such accommodations impose an undue hardship on the City. The City will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

SECTION 14 – RESPECTFUL WORKPLACE POLICY

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

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

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

If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their department head about the incident as soon as possible.

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

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

Discriminatory behavior includes inappropriate remarks about, or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, or status with regard to public assistance.

Offensive behavior may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disrespectful language, or any other behavior regarded as offensive to a reasonable person. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and department head what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction. Although the standard for how employees treat each other and the general public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their department head or the City Administrator.

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

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

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

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

14.5 Possession and Use of Dangerous Weapons

Possession or use of a dangerous weapon, defined as an object which, as used, may be anticipated to produce death or great bodily harm, is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

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

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

investigation.

- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

14.6 Employee Response to Disrespectful Workplace Behavior

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

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

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

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

Step 2. If, after what is considered to be a reasonable length of time (no longer than 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the City Administrator or the Mayor.

14.7 Department Head's Response to Allegations of Disrespectful Workplace Behavior

Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

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

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

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

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

Step 3. The department head must notify the City Administrator about the allegations.

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

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

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

14.8 Special Reporting Requirements
When the department head is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

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

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

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

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

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

SECTION 15 – SEPARATION FROM SERVICE

15.1 Resignations
Employees wishing to leave the City service in good standing must provide a written resignation notice to their department head, at least ten (10) working days before leaving. Exempt employees must give thirty (30) calendar days' notice. The written resignation must state the effective date of the employee's resignation.

Failure to comply with this procedure may be cause for denying the employee's severance pay and any future employment with the City.

15.2 Severance Pay
Employees who leave the employment of the City in good standing by retirement or resignation will receive pay for 100% of earned unused accrued PTO.

Earned unused accrued vacation leave will be defined as vacation earned and paid out at retirement/resignation on a pro-rated basis. (Example: An employee who retires or resigns in good standing at the end of March and had a balance of 120 vacation hours on January 1st will be paid out for 30 hours, because that would have been the amount (3/12) of vacation earned during the year.)

If an employee retires or resigns and has already taken and been paid for more vacation time than earned, the employee shall reimburse the City for excess pay.

SECTION 16 – DISCIPLINE

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

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

16.2 No Contract Language Established
This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

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

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

The following are descriptions of the types of disciplinary actions:

Oral Reprimand

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

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

Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected or the behavior has not consistently improved in a reasonable period of time. Serious infractions may require skipping either the oral or written reprimand, or both.

Written reprimands are issued by the department head with prior approval from the City Administrator.

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

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

Suspension With or Without Pay

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

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

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

Demotion and/or Transfer

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

Salary

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

Dismissal

The City Council may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with City standards.

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

SECTION 17 – GRIEVANCE PROCEDURE

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

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated and the remedy requested, to the proper department head within twenty-one (21) days after the alleged violation or dispute has occurred. If the employee grieving is a department head, then to grievance should be sent directly to the City Administrator (Step 2). The department head will respond to the employee in writing within seven (7) calendar days.

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

Step 3: If the grievance has not been settled in accordance with Step 1 or 2, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the Employee Relations Committee within seven (7) days after the City Administrator's response is due. The Employee Relations Committee will review the grievance and will make a recommendation to the City Council, which shall have final authority to resolve the grievance.

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

The following actions are not grievable:

1. Pay increases or lack thereof; and
2. Merit pay awards.

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

SECTION 18 – EMPLOYEE EDUCATION & TRAINING

18.1 General
The City promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop

and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Any terms within this section calling for approval of the City Administrator, in cases where the City Administrator is the employee requesting the education benefit shall require the approval of the City Council.

18.2 Policy
The City will pay for the costs of an employee's participation in training and attendance at professional conferences, provided that attendance is approved in advance under the following criteria and procedures:

Job-Related Training & Conferences
The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job-related.

Continuing Legal Education (CLE) or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the City.

The department head and the City Administrator are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

Job-Related Meetings
Attendance at professional meetings costing $100 or less and are directly related to the performance of the employee's work responsibilities do not require the approval of the City Administrator. Advance department head approval is required to ensure adequate department coverage.

Request for Participation in Training & Conferences
The request for participation in a training session or conference must be submitted in writing to the employee's department head on the appropriate form. All requests must include an estimate of the total cost (training session, travel, meals, etc.) and a statement of how the education or training is related to the performance of the employee's work responsibilities with the City.

Requests totaling more than $100 must be approved by the employee's department head and the City Administrator. Documentation approving conference or training attendance will be provided to the employee with a copy placed in the employee's personnel file.

Payment information such as invoices, billing statements, etc., regarding the conference or training should be forwarded to accounting for prompt payment.

Out of State Travel
Attendance at training or conferences out of state is approved only if the training or conference is not available locally. All requests for out of state travel are reviewed for approval/disapproval by the City Council.

Not to Exceed Figure
Payment of training and/or conference expenses must not exceed the budgeted amount per department per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the City Council.

Compensation for Travel & Training Time

Time spent traveling to and from, as well as time spent attending a training session or conference, will be compensated in accordance with the federal Fair Labor Standards Act.
Travel and other related training expenses will be reimbursed subject to the employee providing necessary receipts and appropriate documentation.

18.3 Memberships and Dues
The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the City. Normally, one City membership per agency, as determined by the City Administrator is allowed, providing funds are available.

Upon separation of employment, individual memberships remain with the City and are transferred to another employee by the City Administrator.

18.4 Travel & Meal Allowance
If employees are required to travel outside of the area in performance of their duties as a City employee, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred. However, the City will not reimburse employees for meals connected with training or meetings within City limits, unless the training or meeting is held as a breakfast, lunch or dinner meeting.

Employees who find it necessary to use their private automobiles for City travel and who do not receive a car allowance will be reimbursed at the prevailing mileage rate as established by the allowable IRS rate for the current year.

Maximum expenses for meals, including sales tax and gratuity, will be reimbursed according to this policy:

If meals are included in tuition or registration fees and/or only a fraction of the day is authorized for travel, the per diem or expense allowance will be reduced as follows, unless documented otherwise:

In-State			Out-State		
Breakfast	-	*$10.00*	*Breakfast*	-	*$12.00*
Lunch	-	*$15.00*	*Lunch*	-	*$17.00*
Dinner	-	*$20.00*	*Dinner*	-	*$23.00*

Breakfast allowance shall be authorized for metro departures prior to 8:00am and dinner allowance shall be authorized for metro arrivals after 7:00pm. Allowances within these parameters are the responsibility of the Department Head consistent with the facts and good judgement applied to each travel expense claim.

No reimbursement will be made for alcoholic beverages. Tips at a maximum rate of 18% will also be reimbursed only if tip is itemized on appropriate receipt. These are maximum limits and not flat allowances. Actual costs, supported by receipts, shall be the basis for reimbursement.

18.5 Tuition Reimbursement
To be considered for tuition reimbursement the employee must be in good standing and have been employed by the City for at least one year. All requests for tuition reimbursement will be considered on a case-by-case basis by the City Administrator, with final approval/disapproval provided by the City Council.

Courses taken for credit at an approved educational institution must meet the following criteria to be approved for reimbursement:

- Courses must be directly related to the employee's present position (whether required for a degree program or not); OR

- Courses must be directly related to a reasonable promotional opportunity in the same field of work as present position (whether part of a degree program or not). AND

The City will pay the cost of tuition upon successful completion (C grade or better; "pass" in a pass/fail course) of the approved course for full-time employees. The maximum reimbursement per course will be based on an average course cost at the University of Minnesota. Employees may elect to attend a more costly school provided they pay the difference in cost. Employees must reimburse the City if they voluntarily leave employment within twelve (12) months of receiving tuition reimbursement from the City.

Tuition reimbursement for an individual employee will not exceed $1,000 per year.

SECTION 19 – OUTSIDE EMPLOYMENT

The potential for conflicts of interest is lessened when individuals employed by the City of Arlington regard the City as their primary employment responsibility. All outside employment is to be reported to the employee's immediate department head. If a potential conflict exists based on this policy or any other consideration, the department head will consult with the City Administrator. Any City employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee's City job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-City employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with City employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the City's regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- The employee must not use City equipment, resources or staff in the course of the outside employment.
- The employee must not violate any City personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the City. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- No employee will work for another employer, or for his/her own business, while using paid sick leave from the City for those same hours.
- Department heads may establish more specific policies as appropriate, subject to the approval of the City Administrator.

City employees are not permitted to accept outside employment that creates either the appearance of or the potential for a conflict with the development, administration or implementation of policies, programs, services or any other operational aspect of the City.

SECTION 20 – DRUG FREE WORKPLACE

20.1 General Policy
In accordance with Federal Law, the City of Arlington 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. It is the City's intent and obligation to provide a drug-free, safe and secure work environment.
- The unlawful manufacturing, 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 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, as appropriate.
- Employees must, as a condition of employment, abide by the terms of this 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.

20.2 Testing
The City reserves the right to test for drugs and alcohol according to Minnesota State Statutes 181.950 – 181.957, or any laws amending or replacing such laws, as follows:

- The City may request or require pre-employment, reasonable suspicion, random, post-accident, and follow-up/return to duty drug and/or alcohol testing of employees in positions requiring the possession of a Commercial Driver's license and defined as safety sensitive.
- The City shall use the services of a testing laboratory that meets one of the criteria for drug testing as defined in MN Statute 181.953, subd. 1. A testing laboratory that is not certified by the National Institute on Drug Abuse shall follow the chain-of-custody procedures prescribed in MN Statute 181.953, subd. 5. A testing laboratory shall conduct a confirmatory test on all samples that produced a positive test result on an initial screening test. The laboratory must disclose written test results to the City which indicate the drugs, alcohol, or drug or alcohol metabolites tested for and whether the test produced negative or positive results.
- Before requesting an employee or job applicant to undergo drug or alcohol testing, the City shall provide a form on which to acknowledge that the employee or job applicant has seen the City's drug and alcohol testing policy. The employee or job applicant will be given a written copy of the test results, and if positive, will be given an opportunity to explain any positive test results. In addition, the employee or job applicant may request a confirmatory retest of the original sample at their own expense. The City will pay for the cost of pre-employment, post-accident, random and reasonable suspicion testing that is requested or required. The employee must pay for the cost of all requested confirmatory retests, return-to-duty and follow-up testing.
- If a job applicant refuses to undergo drug or alcohol testing requested or required by the City, no such test shall be given, and the job applicant shall be deemed to have withdrawn the application for employment. If an employee refuses to undergo drug or alcohol testing requested or required by the City, no such test shall be given, and the employee may be discharged from employment on grounds of insubordination.
- Where there has been a positive test result in a confirmatory test/retest, the City will withdraw the offer of employment to a job applicant. Where there has been a positive test result in a confirmatory test/retest regarding current employees, the City may do the following:

1. On a first positive test result, the employee will be given an opportunity to participate in either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate. Participation in a counseling or rehabilitation program will be at the employee's own expense. If the employee either refuses to participate in the counseling or rehabilitation program or fails to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program, the employee may be discharged from employment.
2. On a second positive test result, the employee will be disciplined; including, but not limited to, discharge from employment.

- The City will not disclose the test result reports and other information acquired in the drug or alcohol testing process to another employer or to a third party individual, governmental agency, or private organization without the written consent of the employee tested, unless permitted by law or court order.
- The City of Arlington will make a continuing good faith effort to maintain a drug-free workplace through the implementation of this policy.

SECTION 21 – VEHICLE USE POLICY

21.1 Purpose & Need
The purpose of this policy is to establish responsibility and authority for vehicle use and operation.

21.2 City Use of Personal Vehicles
All employees of the City will be paid mileage for use of their personal vehicles and reimbursed for all related legal parking costs while conducting official City business. The mileage rate will be that as set by the IRS. However, employees are encouraged to use available City vehicles whenever possible while conducting official City business.

City vehicles shall be used only under these circumstances:

- City vehicles shall be used for official City business only. Employees and/or agents who are authorized to use a City vehicle are prohibited from using vehicles for personal purposes.
- Only authorized City employees and/or agents are allowed in City vehicles unless the use is for authorized official City business.
- All individuals driving any City vehicle shall have on their person a current valid driver's license of the class appropriate for the vehicle being driven.
- All appropriate reports/forms must be completed and given to the City Administrator whenever a vehicle is involved in an accident, as wells as being reported to the Police Department.
- It is the responsibility of all employees and or/agents to report policy/procedure abuse to the appropriate authority.
- All vehicle use after regular work hours needs to be granted by the City Administrator.

This criterion does not apply to employees and/or agents whose job requires response to a fire scene, crime scene or other situation which threatens human life (primary emergency response.)

Normal personal commuting mileage from home to work or work to home is not reimbursable.

21.3 Emergency Response
The use of private vehicles to respond to the scene of an emergency, including fire and ambulance calls, should always be avoided. All employees and/or agents whose job requires response to a fire scene, ambulance call, crime scene or other situation which threatens human life (primary emergency response), shall do so while in a

City of Arlington emergency vehicle. All State of Minnesota traffic laws shall be followed for any emergency responder traveling to the station in their private vehicle to mount up on an emergency vehicle.

21.4 Driving Policy
This policy applies to all employees who drive a vehicle on city business at least once per month, whether driving a city-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The City expects all employees who are required to drive as part of their job to drive safely and legally while on City business and to maintain a good driving record.

The City will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first work day after any temporary, pending or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter. The City will determine appropriate action on a case-by-case basis.

21.5 Seat belts
The City recognizes that seat belts are extremely effective in preventing injuries and loss of life. The City cares about its employees and wants to make sure that no one is injured or killed in a tragedy that could have been prevented by the use of seat belts. Therefore, all employees of the City must wear seat belts when operating a city-owned vehicle, or any vehicle on city business; and all occupants are to wear seat belts or, where appropriate, child restraints when riding in a city-owned vehicle, or in a personal vehicle being used for city business.

SECTION 22 – CELLULAR PHONE AND MOBILE ELECTRONIC DEVICES

22.1 General
Existing and future generations of technology provide opportunities for employees to work more efficiently and effectively using cell phones and mobile devices (for example, smart phones, personal pocket computer devices), and other technology that has yet to be invented. This policy addresses City-purchased and employee purchased cell phones and electronic mobile devices. The purpose of this policy is:

- To provide guidance with regard to who has cell phone and mobile device privileges and City expectations of those employees.
- To provide a framework for City purchasing of existing and future communication technology.
- To provide guidance to department directors in evaluating which positions can benefit from such technology.
- To provide a process for purchasing said technology in a way that protects City assets.
- To address employee purchased personal electronic devices used at work.

22.2 General Policy
Cellular telephones are intended for the use of City employees in the conduct of their work for the City. Department heads, with the approval of the City Administrator, will determine which positions would benefit significantly from a City-provided cell phone or mobile electronic device. This evaluation will be based on the benefit to the City for providing such a device, the scope of position responsibilities, the frequency with which the employee is away from the office/work space, the need to be able to contact the employee on immediate or short notice, and the employee's role in emergency response. The cost of such devices needs to be balanced with the benefit or gain to the City.

Use of public resources by City employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances.

A City-issued cell phone (including mobile devices with cell phone capabilities) is not intended to be an employee's primary phone or as a long-distance provider for employees. Limited incidental and occasional personal use of a City cell phone may be permitted with the consent of the department head. These calls should be limited to a short reply. Frequent and/or lengthy calls for personal reasons during work time are a violation of this policy. Usage of City-owned cell phones (including mobile devices with cell phone capabilities) for personal long-distance calls is not allowed because phones are provided to more efficiently perform job duties and not as an additional personal benefit to the employee. In addition, any personal use may cause the City to exceed the plan's allotted monthly minutes and/or to incur roaming charges. The City has the right to review cell phone/device records and if it is determined that there has been excessive personal use; the employee will be required to pay their proportionate share of the bill(s). Employees may also be disciplined for excessive personal use.

In no instance will it be deemed acceptable for an employee to use a cell phone or mobile device to make harassing, threatening, or intimidating calls, personal or otherwise.

Employees are expected to keep their City-issued cell phone turned on at certain times to assure that they can be reached.

Cell phones should not be used when a less costly alternative phone service is convenient and readily available. These devices may be taken-out-state and used for business purposes only.

The City will not purchase extra services for cell phones and mobile devices that are not related to the work performed by the employee. Employees are not to access and/or download online features (such as ring tones, games) to their cell phones or mobile device. This conduct would be considered a violation of this policy and the employee may be required to reimburse the City for any expenses incurred and would be subject to discipline.

Computers or other electronic devices (City or personal) may not be used at any time while driving, including any time when the vehicle is part of traffic (except when in accordance with City policies and State law). If an employee, while driving a City vehicle (or a personal vehicle for work) must use a mobile communications device, a hands-free device must be used. Only in the case of an emergency is the use of a mobile communications device without a hands-free device permitted.

Employees are not to loan a City-issued cell phone or mobile device to another person for non-City use, except in an emergency.

22.3 Phone Care

Continued care and safekeeping of City owned cellular phones is required of all employees. Phones shall be continually protected and secured to eliminate potential damage and/or theft. Leaving phones unattended, misuse or abuse of an individual phone, or disregard for their protection (water, dust, etc.) will not be tolerated. In the case of theft or loss of phone, the employee is required to contact the City Administrator immediately. The City will pay to replace one lost/damaged phone due to negligence only. The employee will pay for additional damaged or lost phones.

22.4 Revocation and Return

Department heads may revoke the use of employee issued phones at any time for any reason. Specific considerations in revoking the use of an employee issued cellular phone include, but are not limited to, violation

of city policy, misuse of the phone, or careless treatment and or damage to the phone.

Any employee failing to return a phone at the request of the department head shall be subject to disciplinary action and monetary penalties including but not limited to, the original purchase price of the phone and continued billing expenses from the date of notice until return.

22.5 Privacy
Employees are given cell phones and mobile devices to assist them in the performance of their jobs. All equipment is the property of the City and is to be used for City purposes. Employees should have no expectation of privacy for anything they create, store, send or receive using the City's property. The City reserves the right to monitor the use of all City-owned cell phones and mobile devices.

Cellular transmissions are not secure. Employees should use discretion in relaying confidential information while using an electronic device with telephone, e-mail, texting and/or other communication capabilities.

22.6 Responsibility
Department heads are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit department head discretion to allow reasonable and prudent personal use of such telephones or equipment provided that:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained, or outside employment is served.

A department head may authorize an employee to use his/her own personal phone for City business and be reimbursed by the City for those calls. An employee will not be reimbursed for business-related calls without prior authorization from his/her department head. Department heads may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

When an employee terminates employment, the employee is responsible for returning the cell phone or mobile device to the City.

The use of cell phones and mobile devices is subject to all other City policies, for example, Personnel Policy Handbook Section 23 – Computer Usage and Section 2.5 – Access and Personal Use of City Property.

The City Administrator, or designee, will have primary responsibility for implementation and coordination of this policy. All department heads will be responsible for enforcement within their departments.

22.7 Devices Purchased at Employee Expense
Employees may purchase mobile devices at their own expense, which assist them in performing their job responsibilities. The City of Arlington is not responsible for repairs to employee-owned electronic devices.

22.8 Personal Cell Phones at Work
Employees should make every effort to assure that their personal cell phone is not disruptive to co-workers during work hours or interferes with the employee completing their own work.

Typically, the City will not reimburse an employee for incidental use of their personal cell phone for work. However, an employee can request reimbursement under extraordinary circumstances for expenses incurred on a personal cell phone bill.

22.85 Personal Cell Phone/Mobile Device Stipend
A stipend may be provided for employee-owned devices that are purchased by the employee and used for City

business. Business necessity includes meeting customer or client service expectations in a timely fashion, the need for immediate communication with department staff or others where employee job requirements take employee outside of primary work area, or if job duties support 24x7 business infrastructure and require immediate response(s) to urgent communication needs.

A cellular phone/smartphone or mobile data device allowance is offered to employees as a voluntary, non-compensatory, option and is to be based on the net cost for the City to provide the device at the level of service assigned by the department head or City Administrator. The cell phone allowance is considered non-taxable as long as the amount reimbursed is less than the employee's total monthly bill. The employee is required to bring in one monthly bill to be kept on-file to show the employee is not being reimbursed for more than their personal bill. The stipend is to be made on a disbursement check and not on a payroll check. The cell phone stipend will be discontinued during any leave of absence from the City for a month or longer duration.

The employee receiving a stipend must make the phone number available to his or her supervisor, emergency contacts and Emergency Operations Plan (EOP) call list, if the employee is a designated EOP contact. The employee acknowledges his/her personal device phone number may be published for official city business, but it should be determined by the employee's department policy.

Non-exempt employees should have no expectation of overtime or comp time for checking emails or accessing City systems after non-work hours. The City of Arlington has no general expectation for employees to check or respond to emails during non-work hours, unless explicitly required by the employee's department head.

Employees receiving a stipend for a communications device are responsible for ensuring the device is in good working order. The City is not responsible for upkeep, support or replacement of personal devices that are used for City business. Employees are responsible for all the costs associated with the cell plan they choose. For example, lost or stolen phones, phones that break or quit working, plan penalties, activation fees, excess charges, etc. are all the responsibility of the employee. The City of Arlington is only responsible for the approved cell phone/mobile device stipend.

In the event a personal cell phone breaks, quits working, or is lost/stolen, the employee must notify their department head or the City Administrator. If the employee is without a cell phone for more than one week, the City will suspend payment of the cellular phone allowance until a replacement phone has been obtained and activated.

IT support will be limited to instructions for the employee on how to sync email, schedules and tasks (if available) and use of City-supplied security products (if available). Each device syncing with City communications systems requires a Client Access License to be procured by the City. The City assumes no liability for any direct or indirect damages arising from the user's use of personal phone. The City is not responsible for any lost personal data.

SECTION 23 – COMPUTER USE POLICY

23.1 Purpose

This policy serves to protect the security and integrity of the City's electronic communication and information systems by educating employees about appropriate and safe use of available technology resources.

The City reserves the right to inspect any data, e-mails, social media content, files, settings or any other aspect of a City-owned computer or related system and will do so on an as-needed basis as determined by the City Administrator.

All employees are responsible for reading and following information that may be distributed from time-to-time by the City Administrator about appropriate precautions to protect City systems.

An employee who violates these policies may be subject to disciplinary action including revocation of certain system privileges or termination.

23.2 Personal Use

The City recognizes that some personal use of City-owned computers and related equipment has and will continue to occur. Some controls are necessary, however, to protect the city's equipment and to prevent abuse of this privilege:

- Only City employees may use city-owned equipment. Family members or friends of employees are not allowed to use city equipment or technology resources.
- Personal use must take place during non-work hours (breaks, lunch hour, before or after work). Personal use should never preempt work use.
- Reasonable use of City e-mail systems for personal correspondence is allowable, provided it does not interfere with an employee's normal work and is consistent with all provisions in this policy. Employees should treat this privilege as they would the ability to make personal phone calls during work hours.
- Reasonable use of the City's access to the Internet for personal reasons is allowable, provided it does not interfere with an employee's normal work and is consistent with all provisions in this policy.
- If employees want to use or connect their own peripheral tools or equipment to City-owned systems (such as digital cameras, PDAs, disks, cell phones, mp3 players or flash cards.), they must have prior approval from the City administrator and must follow proper procedures to make sure the City's computer is secure.
- Files from appropriate personal use of the City's equipment may be stored on your computer's hard drive, providing the size of all personal files does not exceed 50 MB. At no time may personal files that contain copyright material, such as mp3 files or photos, be stored on the city computer system. The City may inspect any data or information stored on its equipment, even if the information is personal to the employee.
- Use of City equipment or technology for personal business interests, for-profit ventures, political activities or other uses deemed by the city administrator to be inconsistent with City activities is not allowed. If there is any question about whether a use is appropriate it should be forwarded to the City Administrator for a determination.

23.3 Software, hardware, games, and screen savers

In general, all software and hardware required for an employee to perform his or her job functions will be provided by the City. Requests for new or different equipment or software should be made to your supervisor or directly to the City Administrator. The following is approved software that may be downloaded by employees without prior approval:

1. Microsoft updates as provided in automatic updates to the user
2. Anti-virus updates as provided in automatic updates to the user
3. Microsoft clipart and photo files contained on the site www.microsoft.com
4. Adobe Reader

Unapproved software or downloads (free or purchased), hardware, games, screen savers, toolbars, clipart, music and movie clips, other equipment, software or downloads that have not been specifically approved by the City Administrator may compromise the integrity of the City's computers and are prohibited.

The City Administrator may without notice remove any unauthorized programs or software, equipment, downloads, or other resources if they could harm City systems or technology performance.

If there is any question about whether software or hardware, downloads, etc. are appropriate, it should be forwarded to the City Administrator for a determination.

23.4 Electronic mail

The City provides employees with an e-mail address for work-related use. Some personal use of the City e-mail system by employees is allowed, provided it does not interfere with an employee's normal work and is consistent with all city policies.

An employee's personal e-mail (and other personal documents) may be considered "public" data and may not be protected by privacy laws. Personal e-mail may also be monitored as directed by the city administrator and without notice to the employee. Employees should not expect privacy in any activity conducted on a city-owned computer.

The following policies relate to e-mails of both business and personal content:

- Use common sense and focus primarily on using e-mail for City business. Never transmit an e-mail that you would not want your boss or other employees to read, or that you'd be embarrassed to see in the newspaper.
- Do not correspond by e-mail on confidential communications (e.g. letters of reprimand, correspondence with attorneys, medical information).
- Do not open e-mail attachments or links from an unknown sender. Delete junk or "spam" e-mail without opening it if possible, do not respond to unknown senders.
- Do not gossip or include personal information about yourself or others in an e-mail.
- Do not use harassing language, including sexually harassing language or any other remarks including insensitive language or derogatory, offensive or insulting comments or jokes in an e-mail.
- All emails must comply with all city policies, including those related to respectful workplace, harassment prevention, and workplace violence.
- Do not curse or use swear words in an e-mail.

23.5 Instant Messaging

The City does not provide employees with resources or tools to communicate by Instant Messaging (IM) when conducting city business. Employees are not allowed to use IM as a mechanism for personal communication on the City's computer or when using city equipment and are not allowed to download or install any IM software on their City computer.

23.6 Social Media

When using social media to support official city business in accordance with job duties (city's Facebook or Twitter account, etc.), individuals should clearly identify themselves as connected to the City. Personal use of social media by city staff – whether about the city or not, and whether positive or negative – will reflect on the city as a whole. Personal use of media should not violate any city policies already in existence, such as those on harassment prevention and data privacy.

23.7 Storing and transferring documents

Electronic documents, including e-mails, electronic communication and business-related materials created on an employee's home or personal computer, should be stored on a City's computer in accordance with City records retention policies and the Minnesota Data Practices Act. The following are some general guidelines that may be

useful to consider:

- Electronic communication that is simple correspondence and not an official record of City business should be deleted as soon as possible and should not be retained by employees for more than three months.
- Electronic communication that constitutes an official record of City business must be kept in accordance with all records retention requirements and should be copied to appropriate computer files for storage.
- City-related documents that an employee creates on his or her home computer or any other computer system should be copied to a City's computer files.
- Documents or electronic communication that may be classified as protected or private information under data practices requirements should be stored separately from all other materials.

If you are unsure whether an electronic communication or other document is a government record for purposes of records retention laws, or is considered protected or private under data practices, check with your department head or the City Administrator. If you are unsure how to create an appropriate file structure for saving and storing electronic information, contact the City Administrator.

Transferring data and documents between computer systems requires information to be stored on a floppy disk, CD-ROM, flash or USB drive, or other storage media. These items can also be used to transmit computer viruses or other items harmful to a city owned computer.

Anti-virus software should be installed and updated frequently on each city-owned computer to protect against these threats by automatically scanning storage media for viruses and similar concerns.

23.8 Internet

The City provides Internet access for employees for work on City business. Employees may use this access for work-related matters in a professional manner.

Occasional personal use of the Internet is acceptable within the bounds of all City policies. The following considerations apply to all uses of the Internet whether business related or personal:

- There is no quality control on the Internet. All information found on the Internet should be considered suspect until confirmed by another source.
- Internet use during work hours must be limited to subjects directly relating to an employee's job duties.
- Personal use of the Internet during non-work hours (breaks, lunch hour, before or after work) is permitted. However, employees may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races or religions, or in manners that otherwise violate city policies related to respectful workplace, data privacy, and harassment prevention. If you are unsure whether a site may include inappropriate information, you should not visit it.
- No software or files may be downloaded from the Internet unless approved in advance by your supervisor or the city administrator. This includes but is not limited to free software or downloads, maps, weather information, toolbars, music or photo files, clipart, screensavers and games.
- Employees may not participate in any Internet chat room unless the topic area is related to city business.
- The city may monitor ay employee's use of the Internet without prior notice, as deemed appropriate by the city administrator

23.9 Passwords and physical security of equipment

Employees are responsible for maintaining computer passwords and for following these guidelines:

- Your passwords should not be shared or told to other staff. If it is necessary to access an employee's computer when he or she is absent, contact the City Administrator
- Passwords should not be stored in any location on or near the computer. If necessary, store your password in a document or hard copy file that is locked when you are absent from you desk. Do not store it electronically in a palm pilot or cell phone system.

Because technology equipment is generally small and portable, employees should use caution when leaving equipment unattended. Do not leave city computer equipment in an unlocked vehicle or unattended at any off-site facility (gas station, restaurant, etc.). If your office or desk area is in a high-traffic public area, check with the technology department about appropriate security measures.

23.10 Notice of computer problems
Employees are responsible for notifying the City Administrator about computer problems or odd computer behavior. Small problems may indicate a more serious computer issue, so employees should err on the side of caution when deciding whether to raise a question or concern.

SECTION 24 – SAFETY

24.1 General
The health and safety of each employee of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. To the greatest degree possible, the City will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each department head.

24.2 Reporting Accidents and Illnesses
Both Minnesota Worker's Compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's department head is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

24.3 Exposure to Hazardous Substances
Any employee routinely exposed to hazardous substances or infectious agents as defined in the "Minnesota Employee Right to Know Act of 1983" (Laws 1983, Chapter 316, Minnesota Statues 182.65 - 182.675), and any laws amending or replacing such laws, will be trained before being assigned or reassigned to work which exposes the employee to such substances or agents, and shall be given training as needed 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 department head 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 ensure 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 reasonable believes present an imminent danger of death or serious physical harm to the employee.

24.4 Safety Equipment
The conditions of employment for some City employees require the use of certain safety equipment. Where such equipment is required, it shall be the policy of the City to furnish items as follows:

- If safety glasses are required, the City will provide them. The City will only contribute toward the

purchase of one set of glasses per employee, unless the glasses are destroyed by a workplace accident.
- The City will provide hard hats, safety vest, or other equipment deemed necessary by the Administrator.
- If special protection apparatus or special hearing or facial protectors are required in order to operate City equipment, they will be provided by the City.

When safety equipment is required by federal, state, or local rules or regulations, it shall be a condition of employment that such equipment be worn by the employee. Failure to comply with these provisions will be grounds for disciplinary action.

24.5 Unsafe Behavior
Department heads are authorized to send an employee home immediately when the employee's behavior violates the City's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

SECTION 25 – DATA PRIVACY AND EMPLOYEE RECORDS

25.1 Minnesota Data Practice Act
The City of Arlington complies with the MN Data Practices Act which governs what information is public and what is confidential. Public information shall be made available to the public upon request within a reasonable time and during regular business hours. Documents and records not specified by law as public will not be shared with any outside person or agency without the employee's informed consent or a valid court order. The Federal Equal Opportunity Commission and the MN Department of Human Rights may be authorized by federal or state law to receive private information in order to investigate specific complaints of employment discrimination. Personnel data may be given to labor organizations to the extent necessary to conduct elections, and to implement the Public Employees Labor Relations Act and well as to the Bureau of Mediation Services, when it so orders. Unless the law provides to the contrary, an employee may review their personnel file.

25.2 Right of Access
Employee personnel files are open for inspection and review during office hours. Public data on individuals is data, which, by statute, shall be accessible to the public. Public data is that which is listed in the MN Data Practices Act. All other data is private and is not accessible to the public but is accessible to the subject employee and the City Administrator.

25.3 Employee Records
Records containing information pertinent to this employment will be maintained for all employees and will be available at any time for their own review in accordance with the Minnesota Government Data Practices Act.

Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, record performance, etc.

No piece of information is retained unless required for a specific purpose. Employees have the right to know exactly what data is retained, where it is kept, and how it is used. All employee data will be received, retained and disseminated according to the Minnesota Government Data Practices Act.

25.4 Records Retention
The City of Arlington will dispose of records under Minnesota Statutes section 138.17, or any law amending or replacing that law; and has adopted the "Minnesota General Records Retention Schedule for Cities" and its subsequent revisions.

SECTION 26 – COMMUNICATIONS POLICY

26.1 Purpose
The City of Arlington strives to provide the public accurate and timely information, communicated in a professional manner, and in accordance with the laws regarding public information and data practices. This policy provides guidelines for all external communications from the City using various mediums including:

- Printed materials such as newsletters, articles, and brochures.
- Electronic materials such as email, postings to web sites and social media sites.
- Media relations such as requests for interviews, new releases, and media inquiries.

The City also recognizes that employees may sometimes comment on city matters outside of their official role as an employee of the City of Arlington. Therefore, this policy also provides guidelines for employees when communicating as a private citizen on matters pertaining to city business.

26.2 General Guidelines for All Communications (Official & Personal)
All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Any employee who identifies a mistake in reporting should bring the error to the City Administrator or Department Head. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc. Employees must follow all city policies that may apply. Examples of relevant policies include:

- **Technology and Computer Use Policy (Section 23)**. For example, city employees may use city technology for personal reasons on a limited basis provided it doesn't interfere with normal work. The City reserves the right to inspect any electronic data made by a city-owned computer or related system. This policy should be reviewed and complied with in full.
- **Respectful Workplace Policy (Section 14)**. For example, employees cannot publish information that is discriminatory, harassing, threatening, or sexually explicit. This policy should be reviewed and complied with in full.
- **Data Practices Policy (Section 25)**. For example, employees cannot disclose private or confidential information and must route data practices requests to the responsible authority. This policy should be reviewed and complied with in full.
- **Political Activity Policy (Section 2.13)**. For example, employees cannot use city resources to participate in personal political activity while on city time or while discharging city responsibilities. No employee may act in a manner that suggests that the City either supports a particular candidate or political issue or endorses the personal political opinions of the employee. This policy should be reviewed and complied with in full.

26.3 Additional Guidelines for Official City Communications
All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. All staff is responsible for communicating basic and routine information to the public in relation to their specific job duties. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department head or to the City Administrator. Any employee who identifies a mistake in reporting should bring the error to the City Administrator or other appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc.

<u>News/Media Releases</u>
Except for routine events and basic information that is readily available to the public, all news releases and requests for interviews or information from the media concerning municipal affairs are to be routed through the

City Administrator. No City employee is authorized to speak on behalf of the City without prior authorization from the City Administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, and web sites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the City Administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if you are unsure if it is a "routine" question, forward the request to the City Administrator. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as he/she can."
3. Ask the media representative's name, questions, deadline, and contact information.

Communicating on Behalf of the City

When/if the City Administrator authorizes a staff person to communicate on behalf of the City in interviews, publications, news releases, on social media sites, and related communications:

- Employees must identify themselves as representing the City. Account names on social media sites must clearly be connected to the City and approved by the City Administrator.
- All information must be respectful, professional and truthful. Corrections must be issued when needed.
- Personal opinions generally don't belong in official city statements. One exception is communication related to promoting a city service. For example, if an employee posted on the City's Facebook page, "My Family visited Sportsman's Park this weekend and really enjoyed the new playground". Employees who have been approved to use social media sites on behalf of the City should seek assistance from the City Administrator on this topic.
- Employees need to notify the City Administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that the data transmitted or stored may be subject to the data practices act.

26.4 Additional Guidelines for Personal Communications

It is important for employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business. The following guidelines apply to person communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

- Remember that what your write is public and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper.
- The City of Arlington expects its employees to be truthful, courteous and respectful towards supervisors, co-workers, citizens, customers and other persons associated with the City. Do not engage in name-calling or personal attacks.
- If you publish something related to city business, identify yourself and use a disclaimer such as, "I am an employee of the City of Arlington. However, these are my own opinions and do not represent those of the City of Arlington."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber.
- Public Safety Officials (Police, Fire, Ambulance, etc.) are encouraged not to post pictures of or

comment on accidents and/or accident scenes on social media websites, because the posting of such pictures and/or commenting may violate the City's Data Practices Policy.

- Personal social media account names or email name should not be tied to the City (e.g. CityofArlingtonCop).

The City of ARLINGTON

I, _____, an employee of the City of Arlington, Minnesota do hereby state that I have received a copy of the Personnel Policy Handbook and I agree to read it and to comply with it and any other rules and policies of the City.

I understand that violating the policies and rules set out in the handbook may lead to disciplinary action, up to and including termination.

I clearly understand that this policy handbook does not create a contract for employment with the City of Arlington, and that the City of Arlington may change or modify the policies and procedures in this handbook at any time or without prior notice.

This handbook replaces and supersedes all earlier personnel practices, policies, and guidelines.

_____
Date Employed

_____ _____
Employee Signature Date

redlined
18.

The City of ARLINGTON

PERSONNEL POLICY HANDBOOK

(Official City Copy)

3rd Edition
Adopted by the Arlington City Council on ~~September 2019~~May 4, 2020
~~Effective September 2019~~
(Amendments: 1/3/12, 9/17/12, 8/04/14, 9/02/14, 9/19/16, 3/28/17, 9/19, 5/20)

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SECTION 1 – INTRODUCTION

1.1 Purpose
The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of the City of Arlington. They should not be construed as contract terms. All employees of the City of Arlington are "employees at-will". The policies are not intended to cover every situation that might arise and can be amended at any time at the sole discretion of the City Council. These policies supersede all previous personnel policies.

Since employees are considered "at-will", except as otherwise prohibited by law, the City of Arlington has the right to terminate any employee at any time for any or no reason. Employees may similarly terminate employment at any time for any reason.

Violations of this policy may be grounds for discipline up to and including termination.

1.2 Organization and Authority
It shall be the policy of the City Council to carry out the contents of these policies and control the administrative services through the City Administrator, and department heads in accordance with the City's Code where applicable and other provisions herein specified.

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

1. Elected ~~Officials;~~Officials.
2. City ~~Attorney;~~Attorney.
3. Members of City Boards, Commissions and ~~Committees;~~Committees.
4. Consultants, Contractors and Contractual Service ~~Providers;~~Providers.
~~5. Hospital employees.~~
~~6.~~5. Volunteer personnel except for paid on-call firefighters and EMT's.

If any specific provisions of the Personnel Policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law. *(Revision to remove language 8/04/14)*

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

1.4 Equal Employment Opportunity
The City of Arlington is committed to providing equal opportunity in all areas of employment, including but not limited to hiring, demotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation and selection for training. The City of Arlington will not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission.
(Revision to add language 8/04/14)

SECTION 2 – CITYWIDE WORK RULES & CODE OF CONDUCT

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

department heads.

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

- ~~Perform assigned duties to the best of their ability at all times~~Always perform assigned duties to the best of their ability.
- ~~Render prompt and courteous service to the public at all times~~Always render prompt and courteous service to the public.
- Read, understand and comply with the rules and regulations as set forth in these Personnel Policies as well as those of their departments.
- Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report ~~any and all~~all unsafe conditions to the immediate supervisor.
- Maintain good attendance.
- Refrain from obscene, uncivil or boisterous language

2.2 Attendance & Absence

The operations and standards of service in the City of Arlington require that employees be at work unless valid reasons warrant absence. In order for a team to function efficiently and effectively, employees must be on the job. Attendance is an essential function of every city position.

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

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

2.3 Attendance Requirements for Fire and Ambulance Members

Proper training for Ambulance and Fire Department members is an essential function of the job. Because of this, members are expected to attend regular meetings of their respective departments. Ambulance and Fire Department members who are absent from regular meetings more than five (5) times in a calendar year will be subject to disciplinary action including termination. Any discipline in relations to this policy will be conducted under the provisions outlined in Section 16.

2.4 Tardiness

Employees are expected to be ready for work at the designated starting times. If unavoidable circumstances will delay the employee, the employee's department head must be contacted as far in advance as possible and advised when the employee will be able to arrive to work. Excessive tardiness cannot be tolerated and may result in termination of employment.

2.5 Access to and Use of City Property

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

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

2.6 Sale of City Property/Handling Payments

The sale of any city owned property, or property in the possession of the City, must first be approved by the City Council. Payments for the sale of city owned property, or property in the possession of the City, are to be made to city administrative staff only. Cash payments are not to be accepted by city employees unless those payments are made to administrative staff working at City Hall during regular hours of operation.

2.7 Appearance

Department heads may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people. Each employee is expected to use good judgment in attire and should present a positive image to the public. Clothing, jewelry or other items that could present a safety hazard are not acceptable in the workplace. All employees are expected to be well groomed.

Safety glasses shall be provided at City cost as required by law. Safety shoes shall be provided to appropriate employees at City cost at the rate of one pair per year at a maximum cost per employee as set by the City from time to time. Police will be reimbursed for clothing that is purchased, up to an amount to be set by Council resolution from time to time to purchase required uniforms.

A new full-time officer will receive the first two years of his/her uniform allowance upon being successfully hired. The employee is to use the first two years of the allowance to outfit their person with the appropriate department uniform. The uniform allowance will then not be available to the new employee until their third year of employment. If the officer is unable to successfully complete the initial training period, the employee will be expected to reimburse the City for fitted items (boots, pants, etc.). *(Amended 9/19/16)*

For safety reasons, Fire Department Members must be clean-shaven (no beards) with short sideburns. Mustaches of reasonable proportions will be allowed.

2.8 Conflict of Interest

City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be a perceived or actual conflict of interest. This policy shall be liberally construed in favor of protecting the public interest by a full disclosure of conflicts of interest. The following shall be prohibited activities:

- No employee or member of his/her immediate family shall have a financial interest in or derive a profit from any matter upon which the employee is required to act in the discharge of his/her official duties and fails to disqualify himself/herself from acting or participating.
- No employee shall use or permit the use of any person, funds, or property under his/her official control, direction or custody, or any of the City's funds or City property for a purpose which is, or to a reasonable person would appear to be, for the private benefit of the employee.
- No employee shall have a material interest, personally or through a member of his/her immediate family, in business entities doing or seeking to do business with the City, except with full disclosure and consent of the City Administrator or City Council. No employee shall influence or attempt to influence the selection of, or the conduct of business with the City.
- No employee shall solicit or receive anything of monetary value from any persons or entity where it has been solicited, received or given with the intent to give or obtain special consideration or influence as to any action by such employee in his/her official capacity; provided that nothing shall prohibit contributions, including political contributions, which are reported in accordance with applicable law or which are accepted on behalf of the City, or an honorarium, travel or other expenses reimbursed to any employee as a result of a speaking engagement or personal appearance made as a result of that persons' official position.
- No employee shall disclose or use any information gained by reasons of his/her official position for the immediate or anticipated personal gain or benefit of the employee or any other person or entity; provided that nothing shall prohibit the disclosure or use of the information which is a matter of public knowledge or which is available to the public on request.
- No employee shall deprive the City or its agencies of their original files. All original work products generated or obtained by a City official on City time shall be the property of the City of Arlington and shall remain so after an

employee leaves City employment. Examples of work product include but are not limited to, research, investigative reports, computer files, legal briefs, official letters and memoranda.

- No person seeking employment to, or promotion in, the municipal service shall either directly or indirectly give, render, or pay any money, service, or other valuable consideration to any person, or on account of or in connection with the test, appointment, or promotion, or proposed appointment or promotion.
- The appointment of any person, when such person is related to any elected or appointed officer or employee of the City; or an appointment of a candidate who is related to current City personnel who have the ability to influence the employment, promotion and salary or performance evaluation of another relative is to be avoided whenever possible.

If an employee has any question about whether such a conflict exists he/she should consult with the City Administrator.

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

2.10 Personal Telephone Calls
Personal telephone calls are to be made or received only when truly necessary. They are not to interfere with City work and are to be completed as quickly as possible. Any personal ~~long-distance~~long-distance call costs will be paid for by the employee. Please refer to the cellular phone use policy for information on use of cellular phones.

2.11 Personal Mail
Employees may purchase postage from the City for use on their personal mail items. Personal mail items may be included with the City's daily delivery of mail to the US Post office, but employees may not use the City as a mailing address for personal mail.

2.12 Fax
Employees may use the City's fax machine on lunch breaks, rest breaks, before work hours, or after work hours to fax personal communications. No charge will apply to local faxes. Employees will be responsible for the cost of long distance faxes.

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

2.14 Solicitation
No Solicitation shall be allowed on the City time for any individual, group, company, cause or organization. The City encourages its employees to support community and charitable causes on their own time.

2.15 Smoking
All City buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that no person will smoke tobacco or other substances or use smokeless tobacco while in a City facility or vehicle.

Smoking of any kind, including pipes, cigars, and cigarettes, vaping with e-cigarettes and the use of chewing tobacco is prohibited for employees while on duty. Employees 18 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose. *(Revision to add language 8/04/14)*

2.16 Alcohol
Employees shall not consume or be under the influence of alcohol while the employee is working or while the employee is operating a city vehicle, machinery or equipment.

Emergency Personnel who have consumed more than two drinks of alcoholic beverages in the previous four hours shall not respond to an emergency call.

SECTION 3 – DEFINITIONS

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

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

Benefits
Privileges granted to qualified employees in the form of paid leave and/or insurance coverage.

Benefit Earning Employees
Employees who are eligible for at least a pro-rated portion of City provided benefits. Such employees must be year-round employees who work at least 20 hours per week on a regular basis.

City
Refers to the City of Arlington.

City Council
The elected Mayor and five City Council members.

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

Department Head
An employee who is responsible for managing a department or division of the City. The City Administrator shall be considered the department head for any city employees who are themselves a department head.

Emergency Personnel
A Fire, Ambulance or Police Department Member or Officer.

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

Employee Relations Committee
A committee established by the City Council to aid the City Council in dealing with employee issues.

Exempt Employee
Employees who are not covered by the overtime provisions of the federal or state Fair Labor Standards Act

FICA (Federal Insurance Contributions Act)
FICA is the federal requirement that a certain amount be automatically withheld from employees' earnings. Specifically, FICA requires an employee contribution of 6.2% for Social Security and 1.45% for Medicare, or as amended from time to time. The City contributes a matching 7.65% on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers).
Fiscal Year
The period from January 1 to December 31

Full-time Employee
Employees who are required to work forty (40) or more hours per week year-round in an ongoing position

Hours of Operation
The City's regular hours of operation are Monday through Friday, from 8:300 a.m. to 5:00 p.m.

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

Official City Business
The performance of duties that is necessary to the operation of the City.

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

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

PERA (Public Employees Retirement Association)
Statewide pension program in which all City employees meeting program requirements must participate in accordance with Minnesota law. The City and the employee each contribute to the employee's retirement account.

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

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

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

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

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

Training Period/Probationary Period
A twelve-month period at the start of employment with the City (or at the beginning of a promotion, reassignment or transfer) that is designated as a period within which to learn the job. The training period is an integral extension of the city's selection process and is used by supervisors for closely observing an employee's work.

Training begins on your first day of employment with an orientation process in which you will learn about city policies and procedures, take a tour of the city, and meet co-workers. Then you will begin to learn your job by training with your supervisor or a co-worker. In the first few months, you will meet with your supervisor frequently to discuss your progress and at six months, you will have a formal review.

An employee serving his/her initial probationary period may be disciplined at the sole discretion of the City, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

Nothing in this policy handbook shall be construed to imply that after completion of the probationary period, an employee has any vested interest to continued City employment.

Time served in temporary, seasonal, volunteer or interim positions are not considered part of the probationary period. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked, and the probationary period will be extended by the length of time taken. *(Amended 9/19/16)*

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

Workweek
For most employees a workweek is seven consecutive 24-hour periods. For Police Department employees, a workweek is fourteen consecutive 24-hour periods. For most employees the workweek will run from Saturday through the following Friday. For Police Department employees the workweek will run from Saturday through the second Friday. With the approval of the City Administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g., fire department, park and recreation department). *(Amended 1/3/12)*

SECTION 4 – EMPLOYEE RECRUITMENT & SELECTION

4.1 Scope
The City Administrator, with the help of the Employees Relations Committee or other Council Committees, will manage the hiring process for positions within the City. While the hiring process may be coordinated by the City Administrator, the City Council is responsible for the final hiring decision and must approve all hires to City employment. All hires will be made according to merit and fitness related to the position being filled. No hiring process will begin without first being approved by the City Council.

4.2 Features of the Recruitment System
The City Administrator, with the help of the Employees Relations Committee or other Council Committees, will determine if a vacancy will be filled through an open recruitment or by promotion, transfer or some other method. This determination will be made on a case-by-case basis. The majority of position vacancies will be filled through an open recruitment process.

Application for employment will be made on application forms provided by the City. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the City Administrator or Council Committee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position. The deadline for application may be extended by the City Administrator.

All applications and related material shall be submitted to and shall remain with the City Administrator. Applications will first be reviewed by the City Administrator and the Department Head of the department an applicant is applying for. All applications will be kept in the "Active" file for a period of six (6) months. If an applicant desires to keep their application active beyond that time, he/she will be required to bring the existing application up-to-date or fill out a new application. Whether an applicant is or is not interviewed, his/her application will continue to be kept active for a six (6) month period and will be again considered, if another position becomes available.

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

4.3 Rejection of Applications
Applications for positions may be rejected by the City Administrator for any one of the following reasons:

- Lack of specified minimum qualifications required.

- Applicant's lack of physical, mental or personal prerequisites deemed necessary for the effective performance of the duties and responsibilities of a position.
- Reference and/or investigation of the applicant prove unsatisfactory.
- Past employment history with the City
- Applicant has directly or indirectly rendered or promised to give money, payment, service or valuable item to any person in connection with appointment.
- Incomplete application form, falsification of information, or failure to provide required application information.
- Has a record of unsatisfactory employment.
- Has a recent history of untreated excessive use of alcohol, or use of narcotics, or other drugs which may affect work performance.
- Such other causes and reasons deemed sufficient.

4.4 Testing and Examinations

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

Internal recruitments will be open to any City employee who: (1) has successfully completed the initial training period; (2) meets the minimum qualifications for the vacant position; and (3) currently is and for the past year has been in good standing with the City.

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

4.5 Pre-Employment Medical Exams

The City Council may determine that a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of any City position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.

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

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

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

4.6 Selection Process

The selection process will be a cooperative effort between the City Administrator or Employees Relations/Council Committee and the hiring department head, or all three, subject to final hiring approval of the City Council. Any, all or none of the candidates may be interviewed.

The process for hiring seasonal and temporary employees may be delegated to the appropriate department head with each hire subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the department head at any time, subject to City Council approval.

4.7 Background Checks

All finalists for employment with the City will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already

defined by state law, only the City Administrator will determine and authorize the level of background check to be conducted based on the position being filled.

4.8 Felonies
The City will not hire a person who was previously convicted of a felony.

All police officer applicants must meet the minimum selection standards of the Minnesota Peace Officers Standards and Training Board. Minnesota Statute §626.87.

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SECTION 5 – TRAINING PERIOD

5.1 Purpose
The training period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the employee's work and for training the employee in work expectations. Training periods apply to new hires, transfers, promotions, and rehires. It shall be used for making any necessary adjustments to the position and for rejecting any employee whose performance does not meet the required work standards. An employee may be dismissed at any time and without cause during the training period.

5.2 Duration
All original and promotional appointments shall be subject to a training period of twelve (12) months for all employees, except for Emergency Personnel, from the date of appointment to the respective position. Fire fighters are subject to a training period of twenty-four (24) months and all other Emergency Personnel are subject to a training period of twelve (12) months. At any time during the training period, the employee may be subject, but not limited, to disciplinary action, suspension, lay-off, demotion, transfer or dismissal. An employee so dismissed will not have the right to appeal unless the employee is covered by the Veteran's Preference Law, in which case the employee may request a hearing pursuant to Minnesota Statute 197.46, or any law amending or replacing that law.

5.3 Completion of Training Period
A performance evaluation will be completed and reviewed with the employee before the end of the training period. The department head or City Administrator shall then make a recommendation to the Employee Relations Committee for the termination of the training period. Final decision and notice shall be provided by the City Council upon recommendation of the Employee Relations Committee.

During the City Council's annual consideration of salary increases, an employee is not eligible for step increases while in training period. *(added 9/19/16)*

5.4 Extension of Training Period
The Employee Relations Committee may, upon recommendation of the City Administrator, extend the training period up to an additional six (6) months. The employee shall be notified of the reason for the extension, a reason which shall be directly related to performance within the position. The training period may also be extended due to leave of absence or suspension without pay.

5.5 Benefits during the Training Period
An employee during the training period will not be paid for any absence from work with the exception of legal paid holidays, jury duty, sick and funeral leave. Vacation leave will be granted (per Leaves policy) and can be used after initial six months of the training period and pursuant to City Council approval. Insurance benefits shall commence from the start date of the employee, however, any waiting periods shall be according to the terms of the insurance benefits.

SECTION 6 – ORGANIZATION

6.1 Job Descriptions

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

A job description is prepared for each position within the City. Each job description will include: position title, department, department head's title, FLSA status (exempt or nonexempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisory direction or guidance provided to position. Good attendance and compliance with work rules and policies are essential functions of all City positions.

Prior to posting a vacant position the existing job description is reviewed by the City Administrator or designee and the hiring department head to ensure that the job description is an accurate reflection of the position and that the stated job qualifications do not present artificial barriers to employment. A current job description is provided to each new employee. Department heads are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the City Administrator.

6.2 Assigning and Scheduling Work
Assignment of work duties and scheduling work is the responsibility of the department head subject to the approval of the City Administrator.

6.3 Job Descriptions and Classifications
Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the City Administrator.

6.4 Layoff
The City Administrator will maintain a seniority list. In the event that it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the City before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the Employee Relations Committee, subject to approval of the City Council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoff.

SECTION 7 – HOURS OF WORK

7.1 Work Hours
Work schedules for employees will be established by department heads with the approval of the City Administrator. The regular work week for employees is five eight-hour days, 8:300 a.m. to 5:00 p.m., in addition to a half-~~one~~ hour unpaid lunch period, Monday through Friday, except as otherwise approved by the City Administrator in accordance with the customs and needs of the individual departments. The police department will operate on separate irregular shift pattern.

7.2 On Call Hours
Due to the need to maintain essential City services, many employees will be required to be available "on call" to work in emergency situations. The employee who is serving on call time shall have the duty to remain close enough to the work place to be able to report to work as soon as possible, or within 30 minutes after being called to do so. The employee shall be able and fit to respond to an emergency call during the employee's on call shift. The employee shall also remain in a location to be contacted by phone or beeper. It shall be the duty of the employee to inform the dispatcher of the phone number or radio at which the employee can be reached during the on call shift.

An employee shall receive a base payment for the week on call during a pay period for the inconvenience of remaining available to the City for emergencies. In addition to the hourly on call pay, the employee shall be paid at the overtime pay rate for actual time worked in response to an emergency call during the employee's on call shift. To compensate the employee for travel and preparation time for being called in for emergencies, the employee shall be paid a minimum of one hour of overtime pay per call. If the work time spent on a call exceeds one hour, the employee will be paid at the overtime pay rate for the actual time worked.

In all cases where an emergency arises, the employees who are on call in the affected department shall be called first, unless special skills are needed that can only be supplied by other employees who are not on call or who are in another department. The opportunity to earn overtime pay is another compensation for serving on call and must not be denied to the ~~on call~~on-call employees unless absolutely for the benefit of the City.

Each employee that is on call shall be for one calendar week at a time. Employees shall not swap on call time without obtaining approval of the City Administrator.

7.3 Meal Breaks and Rest Periods

A paid fifteen (15) minute paid break is allowed within each four (4) consecutive hours of work. An unpaid thirty (30) or sixty (60) minute lunch period is provided when an employee works eight or more consecutive hours. The employee, at their discretion and in coordination with their Department, can select an unpaid thirty or sixty-minute lunch break as long as the Department has adequate employee coverage. Employees are expected to use these breaks as intended and will not be permitted to save these breaks in order to adjust work start time, end time or lunchtime. Departments with unique job or coverage requirements may have additional rules, issued by the department head and subject to approval of the City Administrator, on the use of meal breaks and rest periods. *(language change April 20, 2015)*

7.4 Timecards

All employees that report to the shop must properly enter their timecard into the time clock at the beginning and end of each shift. Employees are expected to clock in no earlier than five minutes before the start of their scheduled work shift and are expected to clock out no later than five minutes after the end of their scheduled work shift, except in emergency situations. Paid time off should be indicated by reason (vacation, holiday). Overtime and any duty other than normal work shift hours must also be entered on the timecard by use of the time clock. If the employee clocks out more than 7.5 minutes after the normal work shift should have ended because of City needs, the time in excess of 7.5 minutes after the normal end of shift shall be paid at the overtime rate. All other employees must fill out a timecard approved by the City Administrator.

7.5 Adverse Weather Conditions

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will be allowed to use accrued vacation time or compensatory time; or with department head approval may modify the work schedule or make other reasonable schedule adjustments.

Sworn police officers and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc) will be made by the respective department head or the City Administrator.

7.6 Emergency Personnel Response Time

Fire and Ambulance Emergency Personnel who are required to respond to emergency calls must be able to respond within eight (8) minutes of the call.

Police who are required to respond to emergency calls must be able to respond within twenty (20) minutes of the call.

SECTION 8 – COMPENSATION

(Revised: November 6, 2017)

8.1 General

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

regular pay.

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

Employees are responsible for notifying the Deputy Clerk of any change in status including changes in address, phone number, names of beneficiaries, marital status, etc.

Under the Minnesota Wage Disclosure Protection law, employees have the right to tell any person the amount of their own wages. While the Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

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

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

8.2 Direct Deposit/Paychecks

As provided for in Minnesota law, all employees are required to participate in direct deposit. Paychecks are issued every two weeks; except for Library, Council, Ambulance and Fire personnel who are paid on a monthly, quarterly, semi-annual or annual basis. When paydays fall on a holiday, checks will be issued the day before the holiday. If the payday is the Friday after Thanksgiving, paychecks will be issued the Wednesday before Thanksgiving.

Paystubs will be distributed to email addresses as designated by each employee.

8.3 Time Reporting

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be 40 hours per workweek. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours ~~worked~~worked, and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a biweekly basis. Each time reporting form must include the signature of the employee and department head. Reporting false information on a time sheet may be cause for immediate termination.

8.4 Overtime / Compensatory Time

The City of Arlington has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator will determine whether each employee is designated as "exempt" or "non-exempt" from earning overtime. ~~In general, employees in executive, administrative and professional job classes are exempt; all others are non-exempt.~~

Non-Exempt (Overtime-eligible) Employees:

Most overtime-eligible employees will be compensated at the rate of time and one-half for all hours worked over 40 in one workweek. Police Department employees will be compensated at the rate of time and one-half for all hours worked over 86 in one work period. Vacation, sick leave and paid holidays do not count toward "hours worked". Compensation will take the form of either time and one-half pay or compensatory time. Compensatory time is paid time off at the rate of one and one-half hours off for each hour of overtime worked.

For most employees the workweek begins at 12:00 a.m. (midnight) on Saturday and runs until the following Friday night at 11:59 p.m. with a 40-hour workweek expected. Employees of the Police Department will have a work period which begins at 12:00 a.m. (midnight) on Saturday and runs until the second Friday night at 11:59 p.m. with an 86-hour work

period expected. Department heads may establish a different workweek based on the needs of the department, subject to the approval of the City Administrator.

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

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Overtime earned will be paid at the rate of time and one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment.

The maximum compensatory time accumulation for any employee is 40 hours per year. Once an employee has earned 40 hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Deputy Clerk will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves employment at the hourly pay rate the employee is earning at that time.

Exempt (non-overtime-eligible) Employees:
Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountancy, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means that they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City of Arlington will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or ~~accident~~accident.
- The employee is in a position that earns sick leave, receives a short term disability benefit or workers' compensation wage loss benefits and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the City in which the employee does not work a full week. In this case, the City will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness or injury, but:
  - Paid leave has not been requested or has been ~~denied~~denied.
  - Paid leave is ~~exhausted~~exhausted.
  - The employee has specifically requested unpaid ~~leave~~leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The City of Arlington may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The City of Arlington will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the City any amounts received by the employee as

jury fees or witness fees.

If the City inadvertently makes an improper deduction to the weekly salary of an exempt employee, the City will reimburse the employee and make appropriate changes to comply in the future.

All employees, in all departments, are required to work overtime as requested by their department heads as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

8.5 Leave Policy for Exempt Employees

Exempt Employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. The normal hours of business for exempt employees are Monday through Friday, 8:30 a.m. to 5 p.m., plus evening meetings as necessary.

Exempt employees are required to use paid leave when on personal business or away from the office for four (4) hours or more, on a given day.

Absences of less than four (4) hours do not require use of paid leave as it is presumed that the exempt member regularly puts in work hours above and beyond the normal 8:30 a.m. to 5 p.m. Monday through Friday requirement. Exempt employees must communicate their absence to the City Administrator or his/her designee.

If one of the above employees regularly absents themselves from work under this policy and it is found that there is excessive time away from work which is not justified, the situation will be handled as a performance issue. If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the City. Additional notification and approval requirements may be adopted by the City Administrator for specific situations as determined necessary.

From time to time, exempt positions may require work beyond forty (40) hours per week. In recognition for working extra hours, these employees may take some time off during their normal working hours with department head approval. The time off for extra hours will not be on a one-for-one basis.

8.6 Attendance at Council Meetings

Non-exempt employees who attend City Council meetings at the request of the City Council or City Administrator to report on City operations shall receive two (2) hours of compensation time.

Employees who attend Council meetings without the request of the City Council will be considered to volunteer their time to attend such meetings.

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SECTION 9 – ROUTINE EMPLOYEE PERFORMANCE

9.1 General

The City Administrator shall be primarily responsible for evaluating routine employee performance, with input as appropriate from the department head. The Employee Relations Committee shall be responsible for evaluating the routine employee performance of the City Administrator

In the case of routine job performance corrections, the City Administrator shall be the final authority in correcting the employee and putting a written notice of said correction or, if appropriate, written reprimand, in the employee's file. The City Administrator shall report such actions to the Employee Relations Committee at least quarterly.

9.2 Appeals

If an employee job performance criticism is first brought to the attention of the Employee Relations Committee, the Committee will immediately report such criticism to the City Administrator for investigation and action on the part of the City Administrator, who shall then report said action back to the Committee as quickly as possible.

The Committee shall have no power to override the decisions of the City Administrator regarding routine job performance corrections. However, if the Committee deems it appropriate, the Committee may ask the City Administrator for further comment and background facts regarding the employee job performance issues, andissues and may recommend further or altered action on said issue to the general City Council. It should be the philosophy to allow the City Administrator to perform his normal function as supervisor of the City employees on a day to day basis.

In the case of serious employee misconduct, which may or may not include possible criminal charges, the City Administrator shall act as a ~~fact-finder~~factfinder and report the matter to the Committee for further review and investigation. The City Attorney should also be immediately contacted to participate in the process, to make sure that the appropriate legal warnings are given to the employee before the employee is questioned on the incident. The Committee shall conclude its investigation with a recommendation to the City Council for action according to the discipline procedures established in the City's personnel policies

9.3 Privacy

It is understood that all discussion and written records of employee job performance, allegations of misconduct, or criminal acts shall be strictly confidential, and conducted only in meetings closed to the general public. As required by state law, the only information to be discussed at open meetings of the Committee or the City Council will be any final actions taken to discipline the employee with the basic grounds for the said action.

SECTION 10 – ANNUAL PERFORMANCE REVIEWS

10.1 General

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

Performance reviews are to be scheduled on a regular basis, at least annually. The form, with all required signatures, will be retained as part of the employee's personnel file.

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

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

10.2 Process

The City Administrator or designee shall conduct all performance reviews and all performance reviews will be discussed with the employee. The City Administrator may conduct the review with the employee's department head.

The Employee Relations Committee will review the City Administrator's ~~evaluations, and~~evaluations and pass them onto the City Council for final review and any positive or negative actions based on said evaluations.

The Employee Relations Committee will be the primary evaluator of the City Administrator, and they shall pass along their evaluation of the City Administrator to the City Council for action.

10.3 Grievances

An employee may grieve a performance review to the Employee Relations Committee.

The Employee Relations Committee shall have no power to override the decisions of the City Administrator regarding performance reviews. However, if the Committee deems it appropriate, the Committee may ask the City Administrator

for further comment and background facts regarding the performance ~~review, and~~review and may recommend further or altered action on said issue to the general City Council. The decision of the City Council is final.

While the employees do not have the right to change their performance review, they may submit a written response to the review, which will be attached to the performance review.

SECTION 11 – BENEFITS

11.1 Health, Short-Term Disability, and Life Insurance

The City may contribute a monthly amount toward group health, short-term disability and life insurance benefits for each eligible employee and his/her dependents. The amount to be contributed and the type of coverage will be determined annually by the City Council.

11.2 Retirement

The City participates in the Public Employees Retirement Fund (PERA) to provide pension benefits for its eligible employees. The City and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the City matches the employee's social security and Medicare withholding).
Employees are also eligible to take part in the Minnesota Deferred Compensation Plan. The City does not provide a match

11.3 Workers Compensation Insurance

The City provides workers compensation insurance at City cost as required by law to cover disabilities due to work related injury or illness. The terms of the policy and state law govern the specific types of coverage provided.

11.4 Part-Time, Temporary and Seasonal Employees

Part-time, temporary and seasonal employees shall receive no benefits of any kind other than basic payroll and workers compensation insurance coverage and those negotiated with the City Council.

SECTION 12 – HOLIDAYS

The City observes the following official holidays for all regular full-time employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day	Christmas Day

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter.

In addition to the official holidays, the City Administrator may determine from time to time, in keeping with the City needs, to allow half of the City workforce to take a half day paid holiday the afternoon of December 24th and the other half of the workforce to take a half day paid holiday the afternoon of December 31st. If the City offers this additional holiday, the employees shall be given the right to choose the half day they prefer, but any conflict shall be resolved in favor of the employees with seniority. In addition, the City may require that all the employees in a department take the same half day off. If the City offers these extra half day paid holidays, but some employees cannot take either half day off due to City needs, those employees who cannot take advantage of either half day off shall receive compensation time for four (4) hours instead.

When a holiday falls on a Sunday, the following Monday will be the "observed" holiday and when a holiday falls on a Saturday, the preceding Friday will be the "observed" holiday for City operations/facilities that are closed on holidays.

Full-time employees will receive pay for official holidays at their normal straight time rates, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Part-time employees will receive no holiday pay. Any employee on a leave of absence without pay from the City is not eligible for holiday pay.

Premium pay of 1.5 times the regular hourly wage for non-exempt employees required to work on a holiday will be for hours worked on the "actual" or "observed" holiday.

Employees wanting to observe holidays other than those officially observed by the City may request either vacation leave or unpaid leave for such time off.

SECTION 13 – LEAVES

13.1 Annual Leave

Annual leave replaces, and is in lieu of, individual sick leave, vacation leave, and funeral leave, and combines them into on single benefit program.

Annual leave can be used for any reason, subject to existing request and approval procedures. As with all paid time off programs, supervisors must ensure that service to the public and work requirements are not adversely impacted.

13.2 Medical Certification

Good attendance is an essential job function for all city employees. If unplanned absences are excessive, a doctor's certification may be required. The doctor's certification is to state the nature and duration of the illness or injury and verify that the employee is unable to perform the duties and responsibilities of his/her position.

A statement attesting to the employee's ability to return to work and perform the essential function of the job and a description of any work restrictions may also be required before the employee returns to work.

13.3 Accrual Rates for Annual Leave

2018 Accrual Rates:

Years of Service	Annual Accrual Rate	January Accrual	Per Pay Period Accrual
Hire - 2 years	136 hours	32	4
3 - 5 years	160 hours	56	4
6 - 10 years	200 hours	96	4
11 - 15 years	216 hours	112	4
16 – 20 years	232 hours	128	4
21+ years	256 hours	152	4

~~2017 Accrual Rates (previous policy, for comparison):~~

~~Years of Service~~	~~January Vacation~~	~~Monthly Accrual~~
~~After 6 mos.~~	~~40 hours~~	~~96~~
~~1-5 Years~~	~~80 hours~~	~~96~~
~~5-15 Years~~	~~120 hours~~	~~96~~
~~16+ years~~	~~160 hours~~	~~96~~

13.4 Paid Time Off ~~Policy Summary~~

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Paid Time Off (PTO) replaces vacation and sick leave beginning in 2018. The only requirement for the use of PTO is that it be approved through your supervisor so that your absence does not create a hardship for the department. ~~After further consideration the funeral leave policy is not being changed and will be available in addition to PTO Leave.~~

Probationary employee use of PTO will be in consultation with the City Administrator. Any time off during probation, ~~with the exception of~~except for funeral leave, will be taken from the employee's future PTO balance.

The City of Arlington will cap the amount of PTO leave at 296 hours per year. Employees will have until May 18, 2022 to get below 296 hours. Any hours over 296 after May 18, 2022 will be forfeited.

Employees must take 40 consecutive hours of PTO each year.

PTO will be accrued through an annual allocation in January and four hours per pay period for the remainder of the year. The January allocation will vary depending on your years of service.

Employees hired prior to January 1, 2018, will retain current sick leave balances as of December 17, 2018 to be titled "Catastrophic Sick Bank", and available for use when three or more days absence is required. Employees that retire with a balance in the Catastrophic Sick Bank will be eligible to have a portion of the sick leave paid out at their hourly rate as of December 18, 2017, and at percentages provided for in the prior sick leave policy.

Employees leaving the City in good standing for a resignation or retirement are eligible for a payout of their accrued leave up to the maximum accrual amount or one and a half of their annual ~~accrual~~accruals. Employees will have the option to direct this money into a Healthcare Savings Account, 457 Deferred Compensation Plan (subject to IRS maximum deferral regulations and Minnesota Law) or receive a payout after taxes.

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Towards year end, employees whose actual years of service of contract period exceed two years are eligible to designate up to 48 hours of unused PTO for payment into a Healthcare Savings Account or 457 Deferred Compensation Plan, as long as the employee has used at least 30% of the annual leave accrual in the current year.

~~Annual leave will not accrue during unpaid leaves.~~

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Annual leave will accrue on a pay-period basis up to a maximum of one-and-one-half times the employee's maximum annual accrual rate as noted above. Employees may carry over any annual leave that does not exceed the stated cap. No additional accrual will occur above the cap.

Annual leave will not accrue during unpaid leaves.

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13.5 ~~Current Sick Leave Balances:~~ Catastrophic Sick Bank ~~Deferred Sick Leave~~

Employees hired prior to January 1, 2018, who have accrued sick leave will retain sixty-five (65) percent of their sick leave balance to be used as "catastrophic ~~deferred~~ sick bank~~leave~~" until the balance is exhausted. ~~Deferred~~ Catastrophic sick bank~~leave~~ can be used for any doctor certified extended leave that would have been covered under the previous sick leave policy. An extended leave for purposes of this policy is defined as one requiring an employee to be out of work for more than three (3) consecutive days.

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If an employee knows he/she will be out for more than three (3) consecutive days before the absence, he/she

will be eligible to use the deferred sick leave from the first day. For example, if an employee has a scheduled surgery where he/she knows – in advance – he/she will be out for two (2) weeks, the employee will be able to use hours from the deferred sick leave bank starting on the first day of the absence. If an employee is out and expects to return within three (3) days, he/she will use Annual Leave. If the medical condition extends beyond the three (3) days, the deferred sick leave bank will be applied ~~retroactively~~retroactively, and any annual leave used will be restored to the employee's annual leave balance.

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Once the catastrophic ~~deferred~~ sick ~~leave~~ bank is exhausted, employees will use annual leave for all absences covered by the annual leave program. Any deferred sick leave balance remaining when an employee leaves city service will expire. The City will not pay out any hours that may remain in the deferred sick leave bank at termination.

13.6 Returning to Work After a Medical Absence

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After a medical absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

The City has the right to obtain a second medical opinion to determine the validity of an employee's workers' compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The City will arrange and pay for an appropriate medical evaluation when it has been required by the City.

13.7 Current Vacation Balances

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Unused vacation balances shall be converted to annual leave on an hour for hour basis.

13.8 Severance Pay

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Employees leaving the City in good standing will receive 100 percent of their annual leave balance as compensation (applicable taxes will be withheld). Employees have the option of directing those dollars into a 457 deferred compensation plan (subject to IRS maximum deferral regulations and Minnesota law).

13.9 Unpaid Leave

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Unpaid leaves may be approved in accordance with the City personnel policies. Employees must normally use all accrued annual leave prior to taking an unpaid leave.

If the leave qualifies under Parenting Leave or Family and Medical Leave, the employee may retain a balance of forty (40) hours when going on an unpaid leave. Any exceptions to this policy must be approved by the City Administrator.

13.10 Annual Leave Conversion

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Annual leave will be eligible for conversion to a 457 deferred compensation plan on an hour-for-hour basis (subject to IRS maximum deferral regulations and Minnesota law) annually with the following conditions. Up to 40% of the annual leave balance, not to exceed eighty (80) hours, may be converted each year provided the employee has used as least 30% of his/her annual accrual during the current calendar year and has a balance of at least 176 hours.

The minimum balance requirement will be determined as of the first payroll in December. Payment will be based on the employee's current hourly rate on December 1.

Conversion to deferred compensation will occur in the second payroll of the following year with specific dates to be determined by the Administrator's Office each year. The City Administrator, or Deputy City Clerk, will notify all employees in November of each year as to the dates and conversion options. Regular rate for the purpose of this policy is the employee's straight time rate not including overtime, pay differentials, out-of-class, on-call or any other additions to regular pay.

13.11 Funeral Leave

Employees will be permitted to use up to three (3) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. This paid leave will not be deducted from the employee's vacation or sick leave balance.

Immediate family shall be defined as an employee's or an employee's spouse's, child foster child, brother, sister, ~~step-brother~~stepbrother, ~~step-sister~~stepsister, father, mother, step father, step mother, grandchild, grandmother, and grandfather.

The actual amount of time off, and funeral leave approved, will be determined by the department head or City Administrator depending on the individual circumstances (such as the closeness of the relative, arrangements to be made, distance to the funeral, etc.).

13.12 Military Leave

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State and federal laws provide protections and benefits to City employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of 15 days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the City as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the City at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of annual leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

Employees will be granted up to ten (10) working days of unpaid leave whose immediate family member is a member of the United State armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Unless the leave would unduly disrupt the operations of the City, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one day's duration in any

calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

13.13 Jury Duty

Regular full-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the City in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

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Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued annual leave or compensatory time to make up the difference.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the Clerk of Court so the City will be able to determine the amount of compensation due for the period involved.

Part time, temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty, but can take a leave without pay subject to department head approval.

13.14 Court Appearances

Employees will be paid their regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with City employment, minus mileage reimbursement, must be turned over to the City.

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13.15 Job Related Injury or Illness

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

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If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and arrange for a medical appointment.

Worker's compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

13.16 Administrative Leave

Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the City Administrator with the approval of the City Council.

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13.17 Victim or Witness Leave

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony as a victim or witness, or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, is entitled to reasonable paid time off from work to attend criminal proceedings related to the victim's case. [See Safety Leave under the Sick Leave Policy for additional information on leave benefits available to employees and certain family members.]

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13.18 Elections / Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for purposes of serving as an election judge, provided that the employee gives the City at least ten (10) days written notice.

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All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote during the morning of election day. Employees wanting to take advantage of such leave are required to work with their supervisor to avoid coverage issues. Employees are responsible to go directly to, vote and return to the City workplace directly from the employee's designated polling place.

13.19 Regular Leave without Pay

The City Administrator may authorize leave without pay for up to thirty (30) days. Leave without pay for greater periods may be granted by the City Council to a maximum of one (1) year.

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Normally an employee while on leave without pay will not earn employee benefits. However, the City's contribution toward health, dental and life insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays or annual leave. Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and annual leave based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued annual leave and compensatory time must normally be used before an unpaid leave of absence will be approved.

To qualify for leave without pay, an employee need not have used all deferred sick leave earned unless the leave is for medical reasons. Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the City.

Employees returning from a leave without pay for a reason other ~~than FMLA~~than FMLA will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

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Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the City Administrator subject to approval of the City Council.

13.20 Family and Medical Leave (FMLA)

The Family and Medical Leave Act (29CFR Part 825) provides certain employees with up to 12 workweeks of unpaid, job-protected leave a year, and requires group health benefits to be maintained during the leave as if employees continued to work instead of taking leave.

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The FMLA applies to all public agencies, including state, local and federal employers, and local education agencies (schools). TO be eligible for FMLA leave, an employee must work for a covered employer and:

- Have worked for that employer for at least 12 months; and
- Have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and
- Work at a location where at least 50 employees are employed at that location or within 75 miles of the location.

13.21 Reasonable Unpaid Work Time for Nursing Mothers

Nursing mothers will be provided reasonable unpaid break time for nursing mothers to express milk for nursing her child for one year after the child's birth. The city will provide a room (other than a bathroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

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13.22 Light Duty/Modified Duty Assignment

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This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the City Administrator on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the City Administrator. The City Administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, he/she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he/she is unable to perform the essential functions, duties, and requirements of the position. This notice **must** be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the City's job description along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the City Administrator.

The City may require a medical exam conducted by a physician selected by the City to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the City Administrator whether to assign light duty work to the employee. Although this policy is handled on a case-by-case basis, light duty will not generally be approved beyond six months.

If the City offers a light duty assignment to an employee who is out on worker's compensation leave, the employee may be subject to penalties if he/she refuses such work.
The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

13.23 Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy

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The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth.

- More frequent restroom, food, and water ~~breaks:~~breaks. Formatted: Font: 12 pt
- ~~Seating:~~Seating. Formatted: Font: 12 pt
- Limits on lifting over 20 pounds and/~~or~~Temporary~~or~~ Temporary transfer to a less strenuous or hazardous position, should one be available. Formatted: Font: 12 pt

Unless such accommodations impose an undue hardship on the City. The City will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

SECTION 14 – RESPECTFUL WORKPLACE POLICY

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14.1 General

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

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14.2 Applicability

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

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14.3 Abusive Customer Behavior

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

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If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their department head about the incident as soon as possible.

14.4 Types of Disrespectful Behavior

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

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

Discriminatory behavior includes inappropriate remarks aboutabout, or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, or status with regard to public assistance.

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Offensive behavior may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disrespectful language, or any other behavior regarded as offensive to a reasonable person. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and department head what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction. Although the standard for how employees treat each other and the general public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their department head or the City Administrator.

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

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

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

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

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14.5 Possession and Use of Dangerous Weapons

Possession or use of a dangerous weapon, defined as an object which, as used, may be anticipated to produce death or great bodily harm, is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

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

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

14.6 Employee Response to Disrespectful Workplace Behavior

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

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

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

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

Step 2. If, after what is considered to be a reasonable length of time (no longer than 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the

incident to the City Administrator or the Mayor.

14.7 Department Head's Response to Allegations of Disrespectful Workplace Behavior

Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

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

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

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

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

Step 3. The department head must notify the City Administrator about the allegations.

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

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

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

14.8 Special Reporting Requirements

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

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

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

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

14.9 Confidentiality

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

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14.10 Retaliation

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

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SECTION 15 – SEPARATION FROM SERVICE

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15.1 Resignations

Employees wishing to leave the City service in good standing must provide a written resignation notice to their department head, at least ten (10) working days before leaving. Exempt employees must give thirty (30) calendar ~~days notice~~days' notice. The written resignation must state the effective date of the employee's resignation.

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Failure to comply with this procedure may be cause for denying the employee's severance pay and any future employment with the City.

15.2 Severance Pay

Employees who leave the employment of the City in good standing by retirement or resignation will receive pay for 100% of earned unused accrued PTO. ~~vacation leave, and will receive pay for accumulated sick leave according to the formula under section 13.2. Employees who do not leave the City in good standing are not eligible for vacation or sick leave payout. *(Resolution 41-2010)*~~

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Earned unused accrued vacation leave will be defined as vacation earned and paid out at retirement/resignation on a pro-rated basis. (Example: An employee who retires or resigns in good standing at the end of March and had a balance of 120 vacation hours on January 1st will be paid out for 30 hours, because that would have been the amount (3/12) of vacation earned during the year.)

If an employee retires or resigns and has already taken and been paid for more vacation time than earned, the employee shall reimburse the City for excess pay.

SECTION 16 – DISCIPLINE

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16.1 General Policy

Department Heads are responsible for maintaining compliance with City standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City of Arlington. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the

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level required, including observance of work rules and standards of conduct and applicable city policies.

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

16.2 No Contract Language Established

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

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16.3 Process

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

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

The following are descriptions of the types of disciplinary actions:

Oral Reprimand

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

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

Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected or the behavior has not consistently improved in a reasonable period of time. Serious infractions may require skipping either the oral or written reprimand, or both.

Written reprimands are issued by the department head with prior approval from the City Administrator.

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

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

Suspension With or Without Pay

The City Council, upon recommendation from the City Administrator, may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate

dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans will not be suspended without pay in conjunction with a termination.

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

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

Demotion and/or Transfer

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

Salary

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

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Dismissal

The City Council may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with City standards.

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

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SECTION 17 – GRIEVANCE PROCEDURE

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17.1 General

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

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated and the remedy requested, to the proper department head within twenty-one (21) days after the alleged violation or dispute has occurred. If the employee grieving is a department head, then to grievance should be sent directly to the City Administrator (Step 2). The department head will respond to the employee in writing within seven (7) calendar days.

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

Step 3: If the grievance has not been settled in accordance with Step 1 or 2, it must be presented in

writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the Employee Relations Committee within seven (7) days after the City Administrator's response is due. The Employee Relations Committee will review the grievance and will make a recommendation to the City Council, which shall have final authority to resolve the grievance.

17.2 Waiver

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

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The following actions are not grievable:

1. Pay increases or lack thereof; and
2. Merit pay awards.

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

SECTION 18 – EMPLOYEE EDUCATION & TRAINING

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18.1 General

The City promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

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Any terms within this section calling for approval of the City Administrator, in cases where the City Administrator is the employee requesting the education benefit shall require the approval of the City Council.

18.2 Policy

The City will pay for the costs of an employee's participation in training and attendance at professional conferences, provided that attendance is approved in advance under the following criteria and procedures:

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Job-Related Training & Conferences

The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job-related.

Continuing Legal Education (CLE) or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the City.

The department head and the City Administrator are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

Job-Related Meetings
Attendance at professional meetings costing $100 or less and are directly related to the performance of the employee's work responsibilities do not require the approval of the City Administrator. Advance department head approval is required to ensure adequate department coverage.

Request for Participation in Training & Conferences
The request for participation in a training session or conference must be submitted in writing to the employee's department head on the appropriate form. All requests must include an estimate of the total cost (training session, travel, meals, etc.) and a statement of how the education or training is related to the performance of the employee's work responsibilities with the City.

Requests totaling more than $100 must be approved by the employee's department head and the City Administrator. Documentation approving conference or training attendance will be provided to the employee with a copy placed in the employee's personnel file.

Payment information such as invoices, billing statements, etc., regarding the conference or training should be forwarded to accounting for prompt payment.

Out of State Travel
Attendance at training or conferences out of state is approved only if the training or conference is not available locally. All requests for out of state travel are reviewed for approval/disapproval by the City Council.

Not to Exceed Figure
Payment of training and/or conference expenses must not exceed the budgeted amount per department per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the City Council.

Compensation for Travel & Training Time
Time spent traveling to and from, as well as time spent attending a training session or conference, will be compensated in accordance with the federal Fair Labor Standards Act.
Travel and other related training expenses will be reimbursed subject to the employee providing necessary receipts and appropriate documentation.

18.3 Memberships and Dues
The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the City. Normally, one City membership per agency, as determined by the City Administrator is allowed, providing funds are available.

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Upon separation of employment, individual memberships remain with the City and are transferred to another employee by the City Administrator.

18.4 Travel & Meal Allowance
If employees are required to travel outside of the area in performance of their duties as a City employee, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred. However, the City will not reimburse employees for meals connected with training or meetings within City limits, unless the training or meeting is held as a breakfast, lunch or dinner meeting.

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Employees who find it necessary to use their private automobiles for City travel and who do not receive a car allowance will be reimbursed at the prevailing mileage rate as established by the allowable IRS rate for the current year.

Maximum expenses for meals, including sales tax and gratuity, will be reimbursed according to this policy:

If meals are included in tuition or registration fees and/or only a fraction of the day is authorized for travel, the per diem or expense allowance will be reduced as follows, unless documented otherwise:

In-State			Out-State		
Breakfast	-	*$10.00*	*Breakfast*	-	*$12.00*
Lunch	-	*$15.00*	*Lunch*	-	*$17.00*
Dinner	-	*$20.00*	*Dinner*	-	*$23.00*

Breakfast allowance shall be authorized for metro departures prior to 8:00am and dinner allowance shall be authorized for metro arrivals after 7:00pm. Allowances within these parameters are the responsibility of the Department Head consistent with the facts and good judgement applied to each travel expense claim.

No reimbursement will be made for alcoholic beverages. Tips at a maximum rate of 18% will also be reimbursed only if tip is itemized on appropriate receipt. These are maximum limits and not flat allowances. Actual costs, supported by receipts, shall be the basis for reimbursement.

18.5 Tuition Reimbursement

To be considered for tuition reimbursement the employee must be in good standing and have been employed by the City for at least one year. All requests for tuition reimbursement will be considered on a case-by-case basis by the City Administrator, with final approval/disapproval provided by the City Council.

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Courses taken for credit at an approved educational institution must meet the following criteria to be approved for reimbursement:

- Courses must be directly related to the employee's present position (whether required for a degree program or not); OR
- Courses must be directly related to a reasonable promotional opportunity in the same field of work as present position (whether part of a degree program or not). AND

The City will pay the cost of tuition upon successful completion (C grade or better; "pass" in a pass/fail course) of the approved course for full-time employees. The maximum reimbursement per course will be based on an average course cost at the University of Minnesota. Employees may elect to attend a more costly school provided they pay the difference in cost. Employees must reimburse the City if they voluntarily leave employment within twelve (12) months of receiving tuition reimbursement from the City.

Tuition reimbursement for an individual employee will not exceed $1,000 per year.

SECTION 19 – OUTSIDE EMPLOYMENT

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The potential for conflicts of interest is lessened when individuals employed by the City of Arlington regard the City as their primary employment responsibility. All outside employment is to be reported to the employee's immediate department head. If a potential conflict exists based on this policy or any other consideration, the department head will consult with the City Administrator. Any City employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee's City job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-City employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with City employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the City's regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- The employee must not use City equipment, resources or staff in the course of the outside employment.
- The employee must not violate any City personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the City. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- No employee will work for another employer, or for his/her own business, while using paid sick leave from the City for those same hours.
- Department heads may establish more specific policies as appropriate, subject to the approval of the City Administrator.

City employees are not permitted to accept outside employment that creates either the appearance of or the potential for a conflict with the development, administration or implementation of policies, programs, services or any other operational aspect of the City.

SECTION 20 – DRUG FREE WORKPLACE

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20.1 General Policy

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In accordance with Federal Law, the City of Arlington 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. It is the City's intent and obligation to provide a drug-free, safe and secure work environment.
- The unlawful manufacturing, 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 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, as appropriate.
- Employees must, as a condition of employment, abide by the terms of this 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.

20.2 Testing

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The City reserves the right to test for drugs and alcohol according to Minnesota State Statutes 181.950 – 181.957, or any laws amending or replacing such laws, as follows:

- The City may request or require pre-employment, reasonable suspicion, random, post-accident, and follow-up/return to duty drug and/or alcohol testing of employees in positions requiring the possession of a Commercial Driver's license and defined as ~~safety-sensitive~~safety sensitive.
- The City shall use the services of a testing laboratory that meets one of the criteria for drug testing as defined in MN Statute 181.953, subd. 1. A testing laboratory that is not certified by the National Institute on Drug Abuse shall follow the chain-of-custody procedures prescribed in MN Statute 181.953, subd. 5. A testing laboratory shall conduct a confirmatory test on all samples that produced a positive test result on an initial screening test. The laboratory must disclose written test results to the City which indicate the drugs, alcohol, or drug or alcohol metabolites tested for and whether the test produced negative or positive results.
- Before requesting an employee or job applicant to undergo drug or alcohol testing, the City shall provide a form on which to acknowledge that the employee or job applicant has seen the City's drug and alcohol testing policy. The employee or job applicant will be given a written copy of the test results, and if positive, will be given an opportunity to explain any positive test results. In addition, the employee or job applicant may request a confirmatory retest of the original sample at their own expense. The City will pay for the cost of pre-employment, post-accident, random and reasonable suspicion testing that is requested or required. The employee must pay for the cost of all requested confirmatory retests, return-to-duty and follow-up testing.
- If a job applicant refuses to undergo drug or alcohol testing requested or required by the City, no such test shall be given, and the job applicant shall be deemed to have withdrawn the application for employment. If an employee refuses to undergo drug or alcohol testing requested or required by the City, no such test shall be ~~given~~given, and the employee may be discharged from employment on grounds of insubordination.
- Where there has been a positive test result in a confirmatory test/retest, the City will withdraw the offer of employment to a job applicant. Where there has been a positive test result in a confirmatory test/retest regarding current employees, the City may do the following:
    1. On a first positive test result, the employee will be given an opportunity to participate in either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate. Participation in a counseling or rehabilitation program will be at the employee's own expense. If the employee either refuses to participate in the counseling or rehabilitation program or fails to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program, the employee may be discharged from employment.
    2. On a second positive test result, the employee will be disciplined; including, but not limited to, discharge from employment.
- The City will not disclose the test result reports and other information acquired in the drug or alcohol testing process to another employer or to a third party individual, governmental agency, or private organization without the written consent of the employee tested, unless permitted by law or court order.
- The City of Arlington will make a continuing good faith effort to maintain a drug-free workplace through the implementation of this policy.

SECTION 21 – VEHICLE USE POLICY

21.1 Purpose & Need

The purpose of this policy is to establish responsibility and authority for vehicle use and operation.

21.2 City Use of Personal Vehicles

All employees of the City will be paid mileage for use of their personal vehicles and reimbursed for all related legal parking costs while conducting official City business. The mileage rate will be that as set by the IRS.

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However, employees are encouraged to use available City vehicles whenever possible while conducting official City business.

City vehicles shall be used only under these circumstances:

- City vehicles shall be used for official City business only. Employees and/or agents who are authorized to use a City vehicle are prohibited from using vehicles for personal purposes.
- Only authorized City employees and/or agents are allowed in City vehicles unless the use is for authorized official City business.
- All individuals driving any City vehicle shall have on their person a current valid driver's license of the class appropriate for the vehicle being driven.
- All appropriate reports/forms must be completed and given to the City Administrator whenever a vehicle is involved in an accident, as wells as being reported to the Police Department.
- It is the responsibility of all employees and or/agents to report policy/procedure abuse to the appropriate authority.
- All vehicle use after regular work hours needs to be granted by the City Administrator.

This criterion does not apply to employees and/or agents whose job requires response to a fire scene, crime scene or other situation which threatens human life (primary emergency response.)

Normal personal commuting mileage from home to work or work to home is not reimbursable.

21.3 Emergency Response

The use of private vehicles to respond to the scene of an emergency, including fire and ambulance calls, ~~should be avoided at all times~~should always be avoided. All employees and/or agents whose job requires response to a fire scene, ambulance call, crime scene or other situation which threatens human life (primary emergency response), shall do so while in a City of Arlington emergency vehicle. All State of Minnesota traffic laws shall be followed for any emergency responder traveling to the station in their private vehicle to mount up on an emergency vehicle.

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21.4 Driving Policy

This policy applies to all employees who drive a vehicle on city business at least once per month, whether driving a city-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The City expects all employees who are required to drive as part of their job to drive safely and legally while on City business and to maintain a good driving record.

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The City will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first work day after any temporary, pending or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter. The City will determine appropriate action on a case-by-case basis.

21.5 Seat belts

The City recognizes that seat belts are extremely effective in preventing injuries and loss of life. The City cares about its employees and wants to make sure that no one is injured or killed in a tragedy that could have been prevented by the use of seat belts. Therefore, all employees of the City must wear seat belts when operating a city-owned vehicle, or any vehicle on city business; and all occupants are to wear seat belts or, where appropriate, child restraints when riding in a city-owned vehicle, or in a personal vehicle being used for city business.

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SECTION 22 – CELLULAR PHONE AND MOBILE ELECTRONIC DEVICES

22.1 General

Existing and future generations of technology provide opportunities for employees to work more efficiently and effectively ~~through the use of~~using cell phones and mobile devices (for example, smart phones, personal pocket computer devices), and other technology that has yet to be invented. This policy addresses City-purchased and employee purchased cell phones and electronic mobile devices. The purpose of this policy is:

- To provide guidance with regard to who has cell phone and mobile device privileges and City expectations of those ~~employees;~~employees.
- To provide a framework for City purchasing of existing and future communication ~~technology;~~technology.
- To provide guidance to department directors in evaluating which positions can benefit from such ~~technology;~~technology.
- To provide a process for purchasing said technology in a way that protects City assets.~~; and~~
- To address employee purchased personal electronic devices used at work.

22.2 General Policy

Cellular telephones are intended for the use of City employees in the conduct of their work for the City. Department heads, with the approval of the City Administrator, will determine which positions would benefit significantly from a City-provided cell phone or mobile electronic device. This evaluation will be based on the benefit to the City for providing such a device, the scope of position responsibilities, the frequency with which the employee is away from the office/work space, the need to be able to contact the employee on immediate or short notice, and the employee's role in emergency response. The cost of such devices needs to be balanced with the benefit or gain to the City.

Use of public resources by City employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances.

A City-issued cell phone (including mobile devices with cell phone capabilities) is not intended to be an employee's primary phone or as a long-distance provider for employees. Limited incidental and occasional personal use of a City cell phone may be permitted with the consent of the department head. These calls should be limited to a short reply. Frequent and/or lengthy calls for personal reasons during work time are a violation of this policy. Usage of City-owned cell phones (including mobile devices with cell phone capabilities) for personal ~~long-distance~~long-distance calls is not allowed because phones are provided to more efficiently perform job duties and not as an additional personal benefit to the employee. In addition, any personal use may cause the City to exceed the plan's allotted monthly minutes and/or to incur roaming charges. The City has the right to review cell phone/device records and if it is determined that there has been excessive personal use; the employee will be required to pay their proportionate share of the bill(s). Employees may also be disciplined for excessive personal use.

In no instance will it be deemed acceptable for an employee to use a cell phone or mobile device to make harassing, threatening, or intimidating calls, personal or otherwise.

Employees are expected to keep their City-issued cell phone turned on at certain times to assure that they can be reached.

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Cell phones should not be used when a less costly alternative phone service is convenient and readily available. These devices may be taken-out-state and used for business purposes only.

The City will not purchase extra services for cell phones and mobile devices that are not related to the work performed by the employee. Employees are not to access and/or download online features (such as ring tones, games) to their cell phones or mobile device. This conduct would be considered a violation of this policy and the employee may be required to reimburse the City for any expenses incurred and would be subject to discipline.

Computers or other electronic devices (City or personal) may not be used at any time while driving, including any time when the vehicle is part of traffic (except when in accordance with City policies and State law). If an employee, while driving a City vehicle (or a personal vehicle for work) must use a mobilea mobile communications device, a hands-free device must be used. Only in the case of an emergency is the use of a mobile communications device without a hands-free device permitted.

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Employees are not to loan a City-issued cell phone or mobile device to another person for non-City use, except in an emergency.

22.3 Phone Care

Continued care and safekeeping of City owned cellular phones is required of all employees. Phones shall be continually protected and secured to eliminate potential damage and/or theft. Leaving phones unattended, misuse or abuse of an individual phone, or disregard for their protection (water, dust, etc.) will not be tolerated. In the case of theft or loss of phone, the employee is required to contact the City Administrator immediately. The City will pay to replace one lost/damaged phone due to negligence only. The employee will pay for additional damaged or lost phones.

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22.4 Revocation and Return

Department heads may revoke the use of employee issued phones at any time for any reason. Specific considerations in revoking the use of an employee issued cellular phone include, but are not limited to, violation of city policy, misuse of the phone, or careless treatment and or damage to the phone.

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Any employee failing to return a phone at the request of the department head shall be subject to disciplinary action and monetary penalties including but not limited to, the original purchase price of the phone and continued billing expenses from the date of notice until return.

22.5 Privacy

Employees are given cell phones and mobile devices to assist them in the performance of their jobs. All equipment is the property of the City and is to be used for City purposes. Employees should have no expectation of privacy for anything they create, store, send or receive using the City's property. The City reserves the right to monitor the use of all City-owned cell phones and mobile devices.

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Cellular transmissions are not secure. Employees should use discretion in relaying confidential information while using an electronic device with telephone, e-mail, texting and/or other communication capabilities.

22.6 Responsibility

Department heads are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit department head discretion to allow reasonable and prudent personal use of such telephones or equipment provided that:

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- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gainedgained, or outside employment is served.

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A department head may authorize an employee to use his/her own personal phone for City business and be reimbursed by the City for those calls. An employee will not be reimbursed for business-related calls without prior authorization from his/her department head. Department heads may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

When an employee terminates employment, the employee is responsible for returning the cell phone or mobile device to the City.

The use of cell phones and mobile devices is subject to all other City policies, for example, Personnel Policy Handbook Section 23 – Computer Usage and Section 2.5 – Access and Personal Use of City Property.

The City Administrator, or designee, will have primary responsibility for implementation and coordination of this policy. All department heads will be responsible for enforcement within their departments.

22.7 Devices Purchased at Employee Expense

Employees may purchase mobile devices at their own expense, which assist them in performing their job responsibilities. The City of Arlington is not responsible for repairs to employee-owned electronic devices.

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22.8 Personal Cell Phones at Work

Employees should make every effort to assure that their personal cell phone is not disruptive to co-workers during work hours or interferes with the employee completing their own work.

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Typically, the City will not reimburse an employee for incidental use of their personal cell phone for work. However, an employee can request reimbursement under extraordinary circumstances for expenses incurred on a personal cell phone bill.

22.85 Personal Cell Phone/Mobile Device Stipend

A stipend may be provided for employee-owned devices that are purchased by the employee and used for City business. Business necessity includes meeting customer or client service expectations in a timely fashion, the need for immediate communication with department staff or others where employee job requirements take employee outside of primary work area, or if job duties support 24x7 business infrastructure and require immediate response(s) to urgent communication needs.

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A cellular phone/smartphone or mobile data device allowance is offered to employees as a voluntary, non-compensatory, option and is to be based on the net cost for the City to provide the device at the level of service assigned by the department head or City Administrator. The cell phone allowance is considered non-taxable as long as the amount reimbursed is less than the employee's total monthly bill. The employee is required to bring in one monthly bill to be kept on-file to show the employee is not being reimbursed for more than their personal bill. The stipend is to be made on a disbursement check and not on a payroll check. The cell phone stipend will be discontinued during any leave of absence from the City for a month or longer duration.

The employee receiving a stipend must make the phone number available to his or her supervisor, emergency contacts and Emergency Operations Plan (EOP) call list, if the employee is a designated EOP contact. The employee acknowledges his/her personal device phone number may be published for official city business, but it should be determined by the employee's department policy.

Non-exempt employees should have no expectation of overtime or comp time for checking emails or accessing City systems after non-work hours. The City of Arlington has no general expectation for employees to check or respond to emails during non-work hours, unless explicitly required by the employee's department head.

Employees receiving a stipend for a communications device are responsible for ensuring the device is in good working order. The City is not responsible for upkeep, support or replacement of personal devices that are used for City business. Employees are responsible for ~~all of~~all the costs associated with the cell plan they choose. For example, lost or stolen phones, phones that break or quit working, plan penalties, activation fees, excess charges, etc. are all the responsibility of the employee. The City of Arlington is only responsible for the approved cell phone/mobile device stipend.

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In the event a personal cell phone breaks, quits working, or is lost/stolen, the employee must notify their department head or the City Administrator. If the employee is without a cell phone for more than one week, the City will suspend payment of the cellular phone allowance until a replacement phone has been obtained and activated.

IT support will be limited to instructions for the employee on how to sync email, schedules and tasks (if available) and use of City-supplied security products (if available). Each device syncing with City communications systems requires a Client Access License to be procured by the City. The City assumes no liability for any direct or indirect damages arising from the user's use of personal phone. The City is not responsible for any lost personal data.
(updated May 4, 2015)

SECTION 23 – COMPUTER USE POLICY

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23.1 Purpose

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This policy serves to protect the security and integrity of the City's electronic communication and information systems by educating employees about appropriate and safe use of available technology resources.

The City reserves the right to inspect any data, e-mails, social media content, files, settings or any other aspect of a City-owned computer or related ~~system, and~~system and will do so on an as-needed basis as determined by the City Administrator.

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All employees are responsible for reading and following information that may be distributed from time-to-time by the City Administrator about appropriate precautions to protect City systems.

An employee who violates these policies may be subject to disciplinary action including revocation of certain system privileges or termination.

23.2 Personal Use

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The City recognizes that some personal use of City-owned computers and related equipment has and will continue to occur. Some controls are necessary, however, to protect the city's equipment and to prevent abuse of this privilege:

- Only City employees may use city-owned equipment. Family members or friends of employees are not allowed to use city equipment or technology resources.
- Personal use must take place during non-work hours (breaks, lunch hour, before or after work). Personal use should never preempt work use.
- Reasonable use of City e-mail systems for personal correspondence is allowable, provided it does not interfere with an employee's normal work and is consistent with all provisions in this policy. Employees should treat this privilege as they would the ability to make personal phone calls during work hours.
- Reasonable use of the City's access to the Internet for personal reasons is allowable, provided it does not

interfere with an employee's normal work and is consistent with all provisions in this policy.

- If employees want to use or connect their own peripheral tools or equipment to City-owned systems (such as digital cameras, PDAs, disks, cell phones, mp3 players or flash cards.), they must have prior approval from the City administrator and must follow proper procedures to make sure the City's computer is secure.
- Files from appropriate personal use of the City's equipment may be stored on your computer's hard drive, providing the size of all personal files does not exceed 50 MB. At no time may personal files that contain copyright material, such as mp3 files or photos, be stored on the city computer system. The City may inspect any data or information stored on its equipment, even if the information is personal to the employee.
- Use of City equipment or technology for personal business interests, for-profit ventures, political activities or other uses deemed by the city administrator to be inconsistent with City activities is not allowed. If there is any question about whether a use is appropriate it should be forwarded to the City Administrator for a determination.

23.3 Software, hardware, games, and screen savers

In general, all software and hardware required for an employee to perform his or her job functions will be provided by the City. Requests for new or different equipment or software should be made to your supervisor or directly to the City Administrator. The following is approved software that may be downloaded by employees without prior approval:

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1. Microsoft updates as provided in automatic updates to the user
2. Anti-virus updates as provided in automatic updates to the user
3. Microsoft clipart and photo files contained on the site www.microsoft.com
4. Adobe Reader

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Unapproved software or downloads (free or purchased), hardware, games, screen savers, toolbars, clipart, music and movie clips, other equipment, software or downloads that have not been specifically approved by the City Administrator may compromise the integrity of the City's computers and are prohibited.

The City Administrator may without notice remove any unauthorized programs or software, equipment, downloads, or other resources if they could harm City systems or technology performance.

If there is any question about whether software or hardware, downloads, etc. are appropriate, it should be forwarded to the City Administrator for a determination.

23.4 Electronic mail

The City provides employees with an e-mail address for work-related use. Some personal use of the City e-mail system by employees is allowed, provided it does not interfere with an employee's normal work and is consistent with all city policies.

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An employee's personal e-mail (and other personal documents) may be considered "public" data and may not be protected by privacy laws. Personal e-mail may also be monitored as directed by the city administrator and without notice to the employee. Employees should not expect privacy in any activity conducted on a city-owned computer.

The following policies relate to e-mails of both business and personal content:

- Use common sense and focus primarily on using e-mail for City business. Never transmit an e-mail that you would not want your boss or other employees to read, or that you'd be embarrassed to see in the

newspaper.

- Do not correspond by e-mail on confidential communications (e.g. letters of reprimand, correspondence with attorneys, medical information).
- Do not open e-mail attachments or links from an unknown sender. Delete junk or "spam" e-mail without opening it if possible, do not respond to unknown senders.
- Do not gossip or include personal information about yourself or others in an e-mail.
- Do not use harassing language, including sexually harassing language or any other remarks including insensitive language or derogatory, offensive or insulting comments or jokes in an e-mail.
- All emails must comply with all city policies, including those related to respectful workplace, harassment prevention, and workplace violence.
- Do not curse or use swear words in an e-mail.

23.5 Instant Messaging

The City does not provide employees with resources or tools to communicate by Instant Messaging (IM) when conducting city business. Employees are not allowed to use IM as a mechanism for personal communication on the City's computer or when using city equipment, andequipment and are not allowed to download or install any IM software on their City computer.

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23.6 Social Media

When using social media to support official city business in accordance with job duties (city's Facebook or Twitter account, etc.), individuals should clearly identify themselves as connected to the City. Personal use of social media by city staff – whether about the city or not, and whether positive or negative – will reflect on the city as a whole. Personal use of media should not violate any city policies already in existence, such as those on harassment prevention and data privacy.

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23.7 Storing and transferring documents

Electronic documents, including e-mails, electronic communication and business-related materials created on an employee's home or personal computer, should be stored on a City's computer in accordance with City records retention policies and the Minnesota Data Practices Act. The following are some general guidelines that may be useful to consider:

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- Electronic communication that is simple correspondence and not an official record of City business should be deleted as soon as possible and should not be retained by employees for more than three months.
- Electronic communication that constitutes an official record of City business must be kept in accordance with all records retention requirements and should be copied to appropriate computer files for storage.
- City-related documents that an employee creates on his or her home computer or any other computer system should be copied to a City's computer files.
- Documents or electronic communication that may be classified as protected or private information under data practices requirements should be stored separately from all other materials.

If you are unsure whether an electronic communication or other document is a government record for purposes of records retention laws, or is considered protected or private under data practices, check with your department head or the City Administrator. If you are unsure how to create an appropriate file structure for saving and storing electronic information, contact the City Administrator.

Transferring data and documents between computer systems requires information to be stored on a floppy disk, CD-ROM, flash or USB drive, or other storage media. These items can also be used to transmit computer viruses or other items harmful to a city owned computer.

Anti-virus software should be installed and updated frequently on each city-owned computer to protect against these threats by automatically scanning storage media for viruses and similar concerns.

23.8 Internet

The City provides Internet access for employees for work on City business. Employees may use this access for work-related matters in a professional manner.

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Occasional personal use of the Internet is acceptable within the bounds of all City policies. The following considerations apply to all uses of the Internet whether business related or personal:

- There is no quality control on the Internet. All information found on the Internet should be considered suspect until confirmed by another source.
- Internet use during work hours must be limited to subjects directly relating to an employee's job duties.
- Personal use of the Internet during non-work hours (breaks, lunch hour, before or after work) is permitted. However, employees may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races or religions, or in manners that otherwise violate city policies related to respectful workplace, data privacy, and harassment prevention. ~~This prohibition includes information on social media sites such as Facebook and MySpace, blogs and microblogs such as Twitter.~~ If you are unsure whether a site may include inappropriate information, you should not visit it.
- No software or files may be downloaded from the Internet unless approved in advance by your supervisor or the city administrator. This includes but is not limited to free software or downloads, maps, weather information, toolbars, music or photo files, clipart, screensavers and games.
- Employees may not participate in any Internet chat room unless the topic area is related to city business.
- The city may monitor ay employee's use of the Internet without prior notice, as deemed appropriate by the city administrator

23.9 Passwords and physical security of equipment

Employees are responsible for maintaining computer passwords and for following these guidelines:

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- Your passwords should not be shared or told to other staff. If it is necessary to access an employee's computer when he or she is absent, contact the City Administrator
- Passwords should not be stored in any location on or near the computer. If necessary, store your password in a document or hard copy file that is locked when you are absent from you desk. Do not store it electronically in a palm pilot or cell phone system.

Because technology equipment is generally small and portable, employees should use caution when leaving equipment unattended. Do not leave city computer equipment in an unlocked vehicle or unattended at any off-site facility (gas station, restaurant, etc.). If your office or desk area is in a high-traffic public area, check with the technology department about appropriate security measures.

23.10 Notice of computer problems

Employees are responsible for notifying the City Administrator about computer problems or odd computer behavior. Small problems may indicate a more serious computer issue, so employees should err on the side of caution when deciding ~~whether or not~~whether to raise a question or concern.

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SECTION 24 – SAFETY

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24.1 General

The health and safety of each employee of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. To the greatest degree possible, the City will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each department head.

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24.2 Reporting Accidents and Illnesses

Both Minnesota Worker's Compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's department head is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

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24.3 Exposure to Hazardous Substances

Any employee routinely exposed to hazardous substances or infectious agents as defined in the "Minnesota Employee Right to Know Act of 1983" (Laws 1983, Chapter 316, Minnesota Statues 182.65 - 182.675), and any laws amending or replacing such laws, will be trained before being assigned or reassigned to work which exposes the employee to such substances or agents, and shall be given training as needed 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 department head 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 ensure 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 reasonable believes present an imminent danger of death or serious physical harm to the employee.

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24.4 Safety Equipment

The conditions of employment for some City employees require the use of certain safety equipment. Where such equipment is required, it shall be the policy of the City to furnish items as follows:

- If safety glasses are required, the City will provide them. The City will only contribute toward the purchase of one set of glasses per employee, unless the glasses are destroyed by a workplace accident.
- The City will provide hard hats, safety vest, or other equipment deemed necessary by the Administrator.
- If special protection apparatus or special hearing or facial protectors are required in order to operate City equipment, they will be provided by the City.

When safety equipment is required by federal, state, or local rules or regulations, it shall be a condition of employment that such equipment be worn by the employee. Failure to comply with these provisions will be grounds for disciplinary action.

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24.5 Unsafe Behavior

Department heads are authorized to send an employee home immediately when the employee's behavior violates the City's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

SECTION 25 – DATA PRIVACY AND EMPLOYEE RECORDS

25.1 Minnesota Data Practice Act

The City of Arlington complies with the MN Data Practices Act which governs what information is public and what is confidential. Public information shall be made available to the public upon request within a reasonable time and during regular business hours. Documents and records not specified by law as public will not be shared with any outside person or agency without the employee's informed consent or a valid court order. The Federal Equal Opportunity Commission and the MN Department of Human Rights may be authorized by federal or state law to receive private information in order to investigate specific complaints of employment discrimination. Personnel data may be given to labor organizations to the extent necessary to conduct elections, and to implement the Public Employees Labor Relations Act and well as to the Bureau of Mediation Services, when it so orders. Unless the law provides to the contrary, an employee may review their personnel file.

25.2 Right of Access

Employee personnel files are open for inspection and review during office hours. Public data on individuals is data, which, by statute, shall be accessible to the public. Public data is that which is listed in the MN Data Practices Act. All other data is private and is not accessible to the ~~public, but~~public but is accessible to the subject employee and the City Administrator.

25.3 Employee Records

Records containing information pertinent to this employment will be maintained for all employees and will be available at any time for their own review in accordance with the Minnesota Government Data Practices Act.

Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, record performance, etc.

No piece of information is retained unless required for a specific purpose. Employees have the right to know exactly what data is retained, where it is kept, and how it is used. All employee data will be received, retained and disseminated according to the Minnesota Government Data Practices Act.

25.4 Records Retention

The City of Arlington will dispose of records under Minnesota Statutes section 138.17, or any law amending or replacing that law; and has adopted the "Minnesota General Records Retention Schedule for Cities" and its subsequent revisions.

SECTION 26 – COMMUNICATIONS POLICY

26.1 Purpose

The City of Arlington strives to provide the public accurate and timely information, communicated in a professional manner, and in accordance with the laws regarding public information and data practices. This policy provides guidelines for all external communications from the City using various mediums including:

- Printed materials such as newsletters, articles, and ~~brochures:~~brochures,
- Electronic materials such as email, postings to web sites and social media ~~sites:~~sites,
- Media relations such as requests for interviews, new releases, and media inquiries.

The City also recognizes that employees may sometimes comment on city matters outside of their official role as an employee of the City of Arlington. Therefore, this policy also provides guidelines for employees when

communicating as a private citizen on matters pertaining to city business.

26.2 General Guidelines for All Communications (Official & Personal)

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Any employee who identifies a mistake in reporting should bring the error to the City Administrator or Department Head. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc. Employees must follow all city policies that may apply. Examples of relevant policies include:

- **Technology and Computer Use Policy (Section 23)**. For example, city employees may use city technology for personal reasons on a limited basis provided it doesn't interfere with normal work. The City reserves the right to inspect any electronic data made by a city-owned computer or related system. This policy should be reviewed and complied with in full.
- **Respectful Workplace Policy (Section 14)**. For example, employees cannot publish information that is discriminatory, harassing, threatening, or sexually explicit. This policy should be reviewed and complied with in full.
- **Data Practices Policy (Section 25)**. For example, employees cannot disclose private or confidential information and must route data practices requests to the responsible authority. This policy should be reviewed and complied with in full.
- **Political Activity Policy (Section 2.13)**. For example, employees cannot use city resources to participate in personal political activity while on city time or while discharging city responsibilities. No employee may act in a manner that suggests that the City either supports a particular candidate or political ~~issue, or~~issue or endorses the personal political opinions of the employee. This policy should be reviewed and complied with in full.

26.3 Additional Guidelines for Official City Communications

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. All staff is responsible for communicating basic and routine information to the public in relation to their specific job duties. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department head or to the City Administrator. Any employee who identifies a mistake in reporting should bring the error to the City Administrator or other appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc. *(Language added 8/04/14)*

News/Media Releases

~~With the exception of~~Except for routine events and basic information that is readily available to the public, all news releases and requests for interviews or information from the media concerning municipal affairs are to be routed through the City Administrator. No City employee is authorized to speak on behalf of the City without prior authorization from the City Administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, and web sites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the City Administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if you are unsure if it is a "routine" question, forward the request to the City Administrator. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as he/she can."

3. Ask the media representative's name, questions, deadline, and contact information.

Communicating on Behalf of the City

When/if the City Administrator authorizes a staff person to communicate on behalf of the City in interviews, publications, news releases, on social media sites, and related communications:

- Employees must identify themselves as representing the City. Account names on social media sites must clearly be connected to the City and approved by the City Administrator.
- All information must be respectful, professional and truthful. Corrections must be issued when needed.
- Personal opinions generally don't belong in official city statements. One exception is communication related to promoting a city service. For example, if an employee posted on the City's Facebook page, "My Family visited Sportsman's Park this weekend and really enjoyed the new playground". Employees who have been approved to use social media sites on behalf of the City should seek assistance from the City Administrator on this topic.
- Employees need to notify the City Administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that the data transmitted or stored may be subject to the data practices act.

26.4 Additional Guidelines for Personal Communications

It is important for employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business. The following guidelines apply to person communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

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- Remember that what your write is ~~public, and~~public and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper.
- The City of Arlington expects its employees to be truthful, courteous and respectful towards supervisors, co-workers, citizens, customers and other persons associated with the City. Do not engage in name-calling or personal attacks.
- If you publish something related to city business, identify yourself and use a disclaimer such as, "I am an employee of the City of Arlington. However, these are my own opinions and do not represent those of the City of Arlington."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber.
- Public Safety Officials (Police, Fire, Ambulance, etc.) are encouraged not to post pictures of or comment on accidents and/or accident scenes on social media websites, because the posting of such pictures and/or commenting may violate the City's Data Practices Policy.
- Personal social media account names or email name should not be tied to the City (e.g. CityofArlingtonCop).

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(Section 26 Added 9/17/12, Revisions made 8/04/14)

The City of ARLINGTON

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I, _____, an employee of the City of Arlington, Minnesota do hereby state that I have received a copy of the Personnel Policy Handbook and I agree to read it and to comply with it and any other rules and policies of the City.

I understand that violating the policies and rules set out in the handbook may lead to disciplinary action, up to and including termination.

I clearly understand that this policy handbook does not create a contract for employment with the City of Arlington, and that the City of Arlington may change or modify the policies and procedures in this handbook at any time or without prior notice.

This handbook replaces and supersedes all earlier personnel practices, policies, and guidelines.

_____
Date Employed

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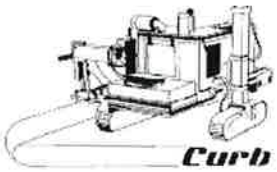
_____ _____
Employee Signature Date

Curb replacement 20.



Curb Masters, Inc.

Wednesday, May 06, 2020

Proposal - Revised 3

Project Location:	**Arlington**
Project Name:	**2020 Curb Replace**
Project Engineer:	**Kirby Weckworth**
Bids Due:	**5/5/20 12:00 AM**
Submitted By:	***Mark Callies*** ***612-366-1695 Cell***

Line	Item	Description	Quantity	Unit		Price		Extension
1		Remove Concrete Curb (No Dispose)	220	LF	@	$ 3.50	$	770.00
2		Replace Concrete Curb	220	LF	@	$ 32.70	$	7,194.00
						Bid Item Total:	$	7,964.00

Note: **DOES NOT INCLUDE:**

No Backfill, landscape Restoration or asphalt restoration if required
Staking, Grade, Base, Backfill, Removals, Traffic Control, Testing, Permits, Stoops, Steps, Trench Drains, Joint Sealers, Bollards, Signs Posts, Catch Basin Rings, Winter services or Other Accessories unless listed above.

Includes:

Remove Curb Only - Rubble disposed by others
1 Mobilization(s) additional @ $880.00 EA Acknowledge addendum #
Bond if Required, Standard Insurance, If Higher Rates, Revised Terms, or Conditions or Special Endorsements Are Required We Reserve The Right To Revise Our Bid To Reflect Such Additional Costs (If Any).
Catch Basin Adjustment up to 2 rings, if required. Additional @ $40.00 EA

Acceptance of Proposal

The Above prices are satisfactory and hereby accepted.

This Proposal may be withdrawn by us if not accepted within 30 Days.

Curb Masters, Inc.
651-455-5251

496 Farwell
651-493-3643 (FAX)

South St Paul, MN 55075
www.curbmasters.info

Curb replacement

PARAGON PAVING

QUOTATION

www.ParagonPaving.com

TO:	City of Arlington	**Phone:**	
ATTN:	Kirby Weckworth	**FAX:**	
BID DATE:	8-May-2020	**Email:**	kweckworth@arlingtonmn.com
RE:	Remove and replace curb & gutter	**Mobile**	507-964-2378

Our proposal would include the following:

Prices quoted will be honored for 30 days

Quantity: 220 Lin. Ft.

Sawcut and remove existing B618 concrete curb and gutter at six locations.
Dispose off site.
Install new B618 and flat curbing per diagram supplied.
Quote includes one mobilization.

Total $ 12,860.00

Note: Additional curb replacement (if required) to be charged at $ 56.00 per lin. Ft.

CERT - WBE Certified
Avetta/Browz Certified
Erailsafe Certified

* Bond available upon request with a 1.0% charge over proposal amount.
* Any deviations from above quantities will be executed only upon written change order and will be considered as an "extra" charge to the above quotation.

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are hereby accepted. We agree to give Paragon Company at least (7) days notice prior to commencing work. Pursuant to this proposal the buyer is agreeing to be liable for payment for the work performed and all cost of collection, including all attorney's fees, plus interest. Interest will accrue on unpaid invoices commencing 60 days following invoice date and will be charged at the rate of 1.5% per month (18% APR)

Exclusions: NO TESTING, NO WINTER CONDITIONS, NO SURVEYOR LAYOUT, NO SAND OR AGGREGATE BASE (unless quoted), NO PERMITS (unless quoted)

From the desk of.....
Richard Kelly
Vice President
Paragon Paving, Inc.
PO Box 240934
St. Paul, MN 55124
651-269-1317
651-488-1810 FAX
email: 112646@gmail.com

Accepted By Owner / Buyer

Date

21.

Pearson Bros., Inc.
11079 Lamont Avenue N.E. ~ Hanover, MN 55341
Phone: (763) 391-6622 ~~ Fax: (763) 391-6627

seal coating

ATTENTION: Kirby Weckworth
Public Works
PHONE #: 507-964-2378 City
507-380-6546 Mobile
FAX #: 507-964-5973

JOB LOCATION: City Of Arlington
ADDRESS: 204 Shamrock Drive
Arlington, MN 55307
DATE: May 5, 2020

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR: 38,493 APPROX. SQUARE YARDS OF BITUMINOUS SEAL COATING.

PRE-SEAL: Area to be swept by Pearson Bros., Inc.

LIQUID APPLICATION: Pearson Bros., Inc. will furnish and install CRS2-P Liquid Asphalt at .22-24 gallons per square yard.

AGGREGATE COVER: Pearson Bros., Inc. will install 1/8" Trap at 15-19 lbs per square yard.

ROLLING: Entire area shall be rolled with (2) Eleven (11) Wheel Pneumatic Tire Rollers.

PICK- UP SWEEP: Excess rock shall be picked up by and disposed of by Pearson Bros., Inc.

START DATE: To Be Determined **COMPLETION DATE: To Be Determined**

We Proposed Hereby to Furnish Material and Labor -- Complete in Accordance with the Above Specifications, for the Sum of: $51,580.62 38,493 sq yards @ $1.34 per sq yard

AUTHORIZED SIGNATURE: _____
TODD BARTELS
PEARSON BROS., INC.

ACCEPTANCE OF PROPOSAL -- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE: _____

DATE: _____

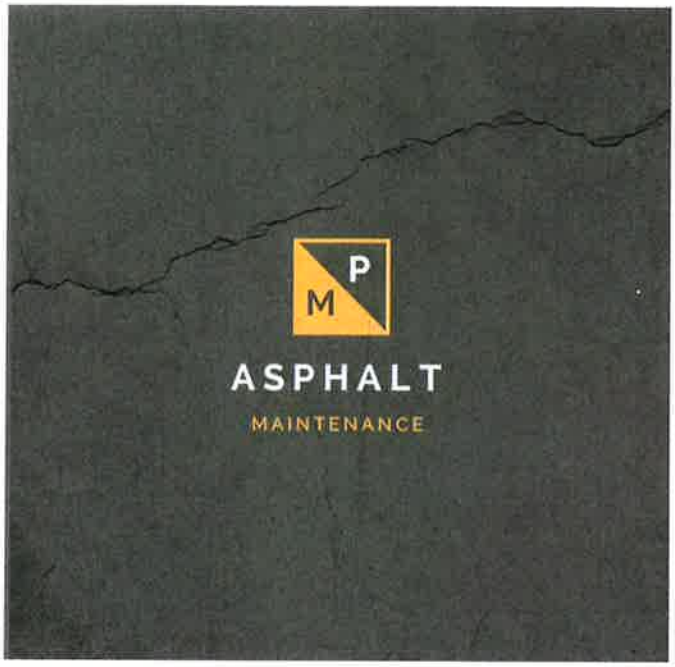
City Of Arlington

Street	Length	Width	Sq Feet	Sq Yards
			0	0
Fairview Parking Lot	0	0	0	1,560
7th Ave NW	620	37	22940	2,549
	0	0	0	0
7th Ave SW	615	37	22755	2,528
	0	0	0	0
W Douglas St	915	49	44835	4,982
Chestnut Dr	480	38	18240	2,027
4th Ave NW	355	38	13490	1,499
6th Ave NW	350	38	13300	1,478
West Elgin St	510	38	19380	2,153
W Adams St	190	37	7030	781
	710	37	26270	2,919
E Adams St	1400	40	56000	6,222
	240	49	11760	1,307
	1910	40	76400	8,489
			0	0
			0	0
			0	0
			0	0
			0	0
			0	0
			0	0
			0	0
			0	0
			0	0
			0	0
		Total		**38,493**

City is responsible to confirm all measurements - PBI charges for actual square yards

Crack filling
22.

PROPOSAL



https://mpasphalt.net

P.O. Box 118 4th St NE
Hanover, MN 55341
763-402-3526

Proposal Submitted To

Work to be Performed At

City of Arlington Crack seal

204 Shamrock Dr.
Arlington, MN 55307

Company Contact

Matt Leaf
CEO

(763) 402-3526
matt@mpasphalt.net

5/6/2020

ESTIMATE DATE: 5/6/2020

City of Arlington Crack seal
204 Shamrock Dr.
Arlington, MN 55307

https://mpasphalt.net

Crack sealing ($7,500)

Adams Sreet , West Elgin ST, 5th street

Crack sealing

Crack sealing Singular cracks that are 1/4 inch - 1" and not in alligatored areas will be routed with a mechanical routing machine 3/4 by 3/4 and thoroughly cleaned of all foreign matter with backpack or push power blower . The cracks will be properly sealed using the state-of-the-art, oil-jacketed crack sealing system with a rubberized hot pour material. In the oil-jacketed system the material is hydraulically agitated, then pressure fed through an oil-jacketed pump and injected under pressure directly into the crack at the optimum temperature to prevent decomposition of the material and to maximize adhesion. Not all cracks will be filled Cracks wider than 2" will not be filled Cracks less than an 1/8" will not be filled.

Total Bid: $7,500

CONTRACT DOCUMENTS: Specification sheets, drawings and other documentation presented in this proposal shall be part of the contract. It is the responsibility of the customer's authorized representative to be aware of the terms and conditions stated herein and of the other contract documentation.

PAYMENT TERMS: NET BALANCE DUE 30 DAYS AFTER COMPLETION OF WORK. Unpaid balances will accrue a late fee of 10% per month until paid in full. In the event of your failure to conform to the terms and conditions of this agreement, you hereby agree to pay MP Asphalt Maintenance LLC all sums earned to date. All major credit cards are accepted

Residential Driveways Payment terms: Driveways under $400 will be paid upon completion of the job if not a $25 dollar charge will be added to the total cost.

DEPOSIT: If contracted amount exceeds $15,000.00, a deposit of 1/3 of the project price is required to schedule work unless noted otherwise in this agreement.

PERMITS AND FEES: Owner is responsible for obtaining and paying for any required PERMITS, BONDS, and LICENSES, or plans required to obtain the aforementioned.

WORK ACCESSIBILITY: The price(s) quoted herein is contingent upon the work area being free of any obstructions (vehicles, dumpsters, etc) at the scheduled project start date and time. MP Asphalt Maintenance , reserves the right to adjust the agreed upon project price if the job conditions prevent MP Asphalt Maintenance work crews from starting on time and proceeding without interruption.

CLEANING EXPENSES: The owner understands that the work called for in this agreement is a

messy process. The parties agree that MP Asphalt Maintenance is not responsible for cleaning, repairing, or replacing any concrete, carpet, floor, passageway, etc., that is soiled or stained by anyone other than MP Asphalt Maintenance employees.

INDEMNITY:MP Asphalt Maintenance agrees to complete its work in a safe and workmanlike manner, and to take appropriate safety precautions. However, once installation is complete and customer takes possession of the work area, Owner/Customer understands and agrees that MP Asphalt Maintenance cannot be responsible for materials, area maintenance and safety, and therefore Owner/Customer assumes all responsibility in this regard, including but not limited to any and all personal injuries, deaths, property damage, losses, or expenses related to or in any way connected with the materials or services provided. To the fullest extent allowed by law, Owner/Customer agrees to indemnify, defend and hold MP Asphalt Maintenance and its agents harmless from any and all loss, expense, liability, or attorneys' fees in connection with any such damages or injuries occurring thereafter. Nothing contained within this paragraph means, or should be construed to mean that MP Asphalt Maintenance or others shall be indemnified for their own negligence.

CHOICE OF LAW & VENUE: To the fullest extent permitted by law, each provision of this contract shall be interpreted in such manner as to be effective and valid under Minnesota law without regard to its conflict of laws principles. To the fullest extent permitted by law.

ATTORNEY FEES & COSTS: In the event MP Asphalt Maintenance places any amounts owed under this proposal for collection with either a collection firm or attorney, MP Asphalt Maintenance shall be entitled to reasonable collection fees, attorney's fees and costs.

TAXES: All taxes are included in proposal price unless otherwise specified.

ESCALATION CLAUSE: This contract has been based on material costs at current market rates. Due to uncertain market conditions that are beyond our control and in the event of future material price increases the responsible party agrees to pay for the escalations of material without a charge order. This paragraph applies only to materials.

TIMING: Due to fluctuation in the cost of raw materials, if the current date is past 15 days from the proposal date, customer should clarify that pricing is still valid.

MATERIAL & WORKMANSHIP: All material is guaranteed to be as specified. Unless otherwise specified within this Proposal, MP Asphalt Maintenance warranties workmanship and materials for a period of 6 months from the date of completion. All work shall be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the amount set forth above. We shall not be responsible for delays caused by strikes, accidents, weather or other contingencies beyond our control. Our workers are fully insured

NON-DISCLOSURE: Customer acknowledges that information in this Proposal, including but not limited to pricing, determination of scope of work, method for evaluating parking lots, and methods of repair, constitute and include Confide MP Asphalt Maintenance Information. This Proposal shall not be shared, distributed or disseminated to any other contractor and Customer acknowledges that should it violate this provision monetary damages will not be an adequate remedy and shall be MP Asphalt Maintenance titled to injunctive relief in addition to any other remedy available in law or equity.

ALTERATIONS TO THIS PROPOSAL: Alterations or notations on or to this Proposal will not be valid unless accepted in writing by an authorized representative of MP Asphalt Maintenance

SEVERABILITY OF TERMS: Should any part of this agreement be deemed unenforceable, the remaining terms shall be severable and separately enforceable and shall remain in full force.

Sincerely,
MP Asphalt Maintenance

Matt Leaf
CEO

Acceptance: As an authorized agent for the above, I accept this proposal for $_____.

Signature:_____ Date:_____.