

Tyler, Minn. City Council

7 p.m. - Monday, Oct. 3, 2016 - Tyler Fire Hall

1. Call Meeting to Order

Roll Call: Council Members Present – City Administrator

2. Approve Agenda, Sept. 12, 2016 Meeting Minutes

3. Public Express

Members of the public are invited to make comment during this portion of the meeting.

4. Reports

- Correspondence
- Council Comments / Committee Reports
- Police Report
- City Attorney's Report
- Utilities Report
- Administrator's Report
- Financial Report

5. Action Items

- A. Water Meter for Multi-Family Housing
- B. Variance Request
- C. Insurance Renewal
- D. Stoney Point Electric work
- E. Personnel Policy / Job Descriptions
- F. Pull Tabs Request

6. Adjourn

Tyler City Council
Monday September 12, 2016
Tyler Fire Hall
7:00 pm (Pending)

Present, Mayor Peterson, Council Members Sanderson, Raschke, Petersen, Harper, City Administrator Wolfington, Legal Counsel Petersen, Clerk Powell, Police Chief Spindler, Mark Wilmes, George Ruhmann, Bill Tiede, Lincoln County Environmental Robert Olson, Greg Peter, Ryan Schreurs, Pat Lindeman, Keith Lindeman, Scott Rieder, and

Mayor Petersen called the meeting to order at 7:00 pm.

Approve Agenda: Mayor Peterson asked if there was any additions to the agenda, City Administrator Wolfington stated he would like to add under Action Items Fire Truck Grant a bullet for approval for the fire department to accept bids for a 1975 International pumper, and after the preliminary levy close the meeting for personnel discussion. Motion to accept agenda with additions by Sanderson seconded by Harper and pass unanimously.

Motion by Petersen seconded by Raschke and passed unanimously to approve the minutes of the August 1, 2016 meeting with the correction under the police report it should state a 45 mph speed sign put farther out west of town to help vehicles slow down not pedestrians.

Public Express: No one present

Correspondence: Nothing

Council Comments – Councilman Petersen stated that he would like to see what it would cost to upgrade the electrical system at Stony Point as it seems to get overloaded there a lot. There has been a fire or two at Stony Point also. The City Administrator will get some costs for an upgrade at Stony Point and bring them to the October 3, 2016 council meeting. Councilman Sanderson stated that he has received a few calls about the electric rates. The City Administrator stated that would be discussed later in his report.

Police Report: Police Chief Spindler was present for the police report. There were 73 calls of service. It was a busy month. Chief Spindler stated that the vehicle replacement in previous years had been every six years the 2009 pickup is going on seven years. Chief Spindler is getting some quotes on a replacement of an F150 or Dodge Ram which are coming in around \$30,000 and he would like it delivered around the 1st of the year. Chief Spindler has someone interested in buying the 2009 pickup already. Chief Spindler has been working with MNDOT on painting of lines on Highway 14. The 45 mph sign coming into town is not really an option. Chief Spindler also stated that he was looking at software for the computers that are to be in the police vehicles. A couple weeks ago he went and had a display of the program with Lincoln County and they are looking into grants for the software. Council woman

Raschke asked about the signs for the u turns downtown. Chief Spindler stated that he had called two companies about the signs and one promised to get back to him but he hasn't heard yet. Chief Spindler also stated that the City does not have no u turn codes in place right now.

City Attorney Report: Nothing

Administrator Report-Utility Report: Administrator Wolfington presented a Sunday liquor application for the Timber Taverne. Scott Rieder owner of the Timber Taverne was present and stated he would like to be open for football games usually from 11:30 am to 8:30 pm on game days and 3 nights for three of the Vikings games. He will also have food for sale. Motion by Petersen seconded by Sanderson and passed unanimously to allow Timber Taverne to be open on Sundays.

Administrator Wolfington stated that the City had issued a conditional use permit to Bill Tiede to allow him to have cattle on the west side of town. Administrator Wolfington stated that the cattle were out about six times. Bill Tiede stated that he would like the council to know it is one cow that is getting out and it has been in the ditch each time and the cow gets out about the same time between 12:15pm and 2:00pm each time. Tiede stated that he does have an electric fence and it is working. The council feels the owner is doing everything that can be done.

Blight Property: Administrator Wolfington stated that he had checked the property on Highway 14 and many of the vehicles have been removed from the exterior of the building. Administrator Wolfington is looking for direction from the council on what they would like to have done. City Attorney Petersen stated that the council can ask for an order from the judge to go pick up the cars and there will be an expense to the order. There are a lot of other things on the property also but Attorney Petersen could not see anything on city owned property. Motion by Raschke seconded by Harper and passed unanimously to pursue further action to get the property cleaned up on Highway 14. Administrator Wolfington stated that he had also gotten a list of about 12 other nuisance properties from Chief Spindler and felt half of them were commercial. Administrator Wolfington had visited with one landlord and stated they would get things cleaned up. Administrator Wolfington would like to personally visit with one of the other nuisance property owners as he feels that would get things cleaned up. Council woman Raschke asked if the commercial properties could be talked to and asked to clean things up with winter coming on.

Pole Testing: Utility Inspection Services are in the area doing pole testing for Lyon Lincoln Electric. Their services use a small drill and bore into the core of the pole to determine its density and identify if any rotting is occurring. The cost of the testing is \$12.75 per pole and there is about 760 poles in the City of Tyler. Council man Harper suggested the City do 200 poles the first time and see what the replacement plan is for any of the bad poles. Then it would only take 4 years for the pole testing not 8. Councilman Petersen stated he would like something put in the budget for putting some of the city lines underground. Councilman Petersen would like to know how much it would cost to do one block of putting lines underground in the city limits.

Zoning Application: At the last council meeting it was questioned what information was on the building permit application used by the city. The application includes setback information, the regulations of fences, the height of fences and the fees of various permits.

Golf Club Agreement: The agreement has been signed between the Tyler Golf Club and the City of Tyler

Electric Rates: City Administrator Wolfington stated that he has been investigating the electric rates. He has visited with Heartland and they feel the City is at a good rate. There will not need to be any raise next year if the City keeps going at the rate they are.

Motion by Petersen, seconded by Sanderson and passed unanimously to approve paying of the bills for September 2016.

Fire Truck Grant: Public Hearing open for public comments on the purchase of a new fire truck with grant monies from USDA. No one present for the public hearing.

General Fund Money to pay for Fire Truck: The USDA funds are not available to the City of Tyler until after the closing on October 4, 2016 at 3:00 pm. The Fire Truck is ready for delivery. Motion by Petersen, seconded by Harper and passed unanimously to approve using general funds to pay for the new fire truck until the loan is closed for USDA funds and then the monies will be replaced in the General Fund.

The Fire Department would also like council approval to accept sealed bids for their 1975 International pumper truck. Motion made by Petersen seconded by Harper and passed unanimously to allow the fire department to accept sealed bids for the 1975 International pumper truck to be opened at the November council meeting.

Ryan Schruers the new owner of Morning Sun Apartments was present to discuss the water meter charges for the multi family apartments. There is currently one meter for the complex. After some discussion it was decided Administrator Wolfington will look at all multi family dwellings in the City of Tyler and see how they are charged and bring the information to the next council meeting.

Lincoln County Environmental Robert Olsen was present to explain the Ditch 33 project. The city has been assessed \$45,856.28. This can be paid in installments or in one lump sum Olsen does not know the amount of the installments but will let the City know the amount when he knows. The Ditch 33 drains into the basin south of town. The City Council has until November to consider how they would like to pay this. Robert Olsen also stated that Lake Benton Lake Improvement has some curly pond weed in the bay area at Stony Point. The DNR is aware of the weed. The Lake Benton Improvement District will be working on which alternative to get rid of the weed is the best.

Personnel Policy: The Personnel Committee has met and discussed changes to the City of Tyler Personnel Policy. The recommendations are to change three areas

Section 5 the new policy would read 5:05 Overtime. Employees should not work overtime or accrue compensatory time except in emergency situations or peak workload periods. Overtime or compensatory time shall be accrued for time worked on a paid holiday, or after 40 hours of actual work has already been performed in a seven day work period. In all other instances overtime accrual shall be in accordance with the Fair Labor Standards Act, to the extent that it may apply to particular employees. Department Heads are expected to monitor hours to avoid the scheduling or use of overtime to the greatest extent possible. All overtime require prior authorization by the Department Head or City Administrator.

5.05.01 Compensation for overtime and compensatory time: Employees have the option of accumulating compensatory time or receiving paid overtime for time worked on a paid holiday, weekend, or after 40 hours of actual work has already been performed in a regular work week, with the exception of the Police Department. For full-time police officers, all hours in excess of 84 hours (should be 80 hours as of 6-1-12), in a two-week pay period will be compensated at one and one half of their regular rate of pay. After some discussion it was decided to rewrite this part of the policy with the 40 hours of actual work as this is confusing when it pertains to PTO and overtime worked together in the same 40 hours.

Section 6: 6.05.01 An employee may accumulate a maximum of 240 hours in their EIB. If an employee's accumulation reaches 240 hours the employee is not allowed to transfer unused PTO hours into their EIB until their EIB accumulation is below 240 hours. An employee that has accumulated more than 240 hours by the date of September 12, 2016 will be eligible to keep those extra hours until they are used. If those employees fall below the 240 hours of EIB, they will be limited to the 240 hours maximum.

6.07.01 EIB Compensation. An employee leaving the City in good standing that was employed by the City of Tyler after October 1, 2014 will receive a percentage of their EIB based on the following schedule; 5 year 20%, 10 year 30% and 20 year 50%.

6.07.01 EIB Compensation for employees before Oct 2014. An employee that is employed with the City of Tyler before the date of October 1, 2014 will be eligible to receive 100% EIB compensation.

Section 8: Item 8.03.03 Process: The City will generally use progressive discipline; however, there may be circumstances where progressive discipline is not appropriate. The City of Tyler is an at will employer and without cause the City of Tyler may discharge an employee at any time without following the progressive discipline process. Notwithstanding the City of Tyler will follow State Statute 197.46 as it relates to any employee with Veterans Preference.

8.03.03 Suspension without pay. An employee will be suspended without pay at the discretion of the City Administrator for up to 30 days. The suspension can be extended with City Council action.

The City of Tyler will continue to provide only health benefits during the period of the suspension.

Councilman Harper suggested only be stricken from this sentence.

After some discussion it was decided to have the personnel policy tabled until the next council meeting.

Resolution 2016-08 was presented to set the preliminary levy for 2017. Motion made by Harper seconded by Sanderson and passed unanimously to set the preliminary levy at \$282,355.38 which would be a 6% increase.

Motion by Petersen seconded by Raschke and passed unanimously to set the Truth in Taxation meeting for December 5, 2016 at 7:00 pm at the Tyler Fire Hall, Tyler, Minnesota.

The next meeting is October 3, 2016.

Motion by Petersen seconded by Harper and passed unanimously to adjourn the meeting and go into closed session for personnel.

Approved: Mervyn Peterson, Mayor

Attested: Barb Powell, City Clerk

Tyler City Council / Oct. 3, 2016

To: Tyler City Council
From: Robert Wolfington, City Administrator
Re: Administrator's Report
Date: Oct. 3, 2016
Subject: Administrator's Report

Lincoln-Pipestone Rural Water – I received notification from Lincoln Pipestone Rural Water about an increase to the capacity charge per gallon from \$7.50 to \$9.00.

Sept. 23, 2016

LPRW has reviewed capacity charges for both bulk users, as well as rural users, and have determined that an increase is warranted to meet the needs of debt service and capital expenditures. Capacity charges have increased from \$7.50 per gallon, to \$9.00 per gallon, effective August 29, 2016. I have included below the motion that was passed by our Board at the August meeting. This will only affect those municipalities/bulk purchasers that choose to increase current peak daily capacities.

M/S DeWilde/Ufkin to raise the capacity charge to \$9.00 per gallon for municipalities, and \$10,000.00 per 50,000 gallons for rural users, effective 8/29/16. LPRW will honor any pending rural customer cost estimates at former rates. LPRW will honor existing quote provided to City of Edgerton until December 31, 2016. Any requests for water service received after 8/29/16 will be issued the proposed new rate. Roll call vote: 9 Ayes, 1 Nay (Lonneman) and 1 Absent. Motion carried.

*Jason Overby
General Manager
Lincoln-Pipestone Rural Water System*

Final Pay Estimate – The final pay estimate for the 2016 portion of the Seal Coating project has been submitted. The total of \$3,586.19 will complete the payment of \$71,723.70 for the street project.

Dean Beck took the sweeper and picked up the loose rock to finish the project for the year and he said he feels good about the product we got from ASTECH. At this time I would recommend moving forward with the Final Pay Estimate.

Overtime – During the last City Council meeting, councilman Ivan Petersen requested information on how much overtime is being generated in the city. I am currently working on a report that I will present to the council Monday night.

City of Tyler
Bills for OCTOBER 2016

GENERAL FUND

ADMINISTRATION	FOR	AMOUNT
A&B	COPIES	\$87.00
BLUE CROSS BLUESHIELD	BARB	\$1,056.68
DUST TEX	RUGS FOR CITY HALL	\$45.00
FRONTIER	SENIOR CENTER 247-4249	\$60.07
FRONTIER	CITY HALL 247-5556	\$407.28
GOV OFFICE	WEB	\$500.00
HOPE DEVELOPMENTAL SERVICES		\$17.00
LEAGUE OF MN CITIES	PROPERTY CASUALTY	\$3,061.80
ONE OFFICE SOLUTIONS	PAPER AND TRAYS ETC	\$200.00
MEDIACOM	INTERNET AND CABLE	\$89.95
MN LIFE	BARB	\$1.00
PETERSEN LAW OFFICE	PROFESSIONAL SERVICES	\$1,250.00
PRUDENTIAL	LIFE INSURANCE	\$5.44

LIBRARY

AMAZON	BOOKS	\$312.19
BAKER & TAYLOR	BOOKS	\$100.38
BLUECROSS BLUE SHIELD	CARLA	\$634.00
DIAMOND LAKE BOOK CO		\$322.05
DUST TEX	RUGS	\$45.00
FRONTIER		\$51.07
HOPEDEVELOPMENTAL	CLEANING SERVICES	\$17.00
GALE	BOOKS	\$55.00
MN LIFE	CARLA	\$1.00
STAN CAMPBELL	BOOKS	\$67.80
PRUDENTIAL	LIFE INSURANCE	\$5.44

STREETS

LEAGUE OF MN CITIES	PROPERTY	\$541.00
SHEEHAN MACK	PARTS	\$158.75
TE UNDERGROUND	TILE BORE SCHAK TRUCKING	\$3,665.00
TE UNDERGROUND	GRAVEL FOR ALLEYS	\$1,920.00

PROFESSIONAL SERVICES

AIRPORT

PARKS AND REC

BRUENDERS	GAS FOR MOWER	\$250.00	Estimate
LEAGUE OF MN CITIES	PROPERTY	\$12,431.00	
RECREATION SUPPLY	DROPSHIP=POOL CLEANER	\$405.84	

POLICE

BLUECROSS BLUESHIELD	JOHN AND ERIC	\$1,268.00	
BP	GAS	\$350.00	Estimate
FRONTIER		\$57.07	
KNUDSENS	GAS AND OIL CHANGE	\$125.00	Estimate
LEAGUE OF MN CITIES	PROPERTY	\$4,316.00	
MN LIFE	JOHN & ERIC	\$2.00	
NEVE'S		\$402.79	
PRUDENTIAL	LIFE INSURANCE	\$10.88	
VERIZON		\$58.07	

FIRE

BRUENDER'S	GAS	\$45.00
HOPE DEVELOPMENT	CLEANING	\$5.24
LEAGUE OF MN CITIES	PROPERTY	\$2,797.00
TE UNDERGROUND	VACUUM EXCAVATOR FLOOR DRAIN	\$100.00

UTILITY FUND

ELECTRIC	FOR	AMOUNT
BLUECROSS BLUESHIELD	HEALTH INS	\$987.60
BORDER STATES		\$801.56
BRUENDERS	GAS	\$55.00
FRONTIER	PHONE	\$75.42
HACH	BUFFER SOLIN	\$66.20
HEARTLAND		\$29,600.00
FRANK ELLIS	CLOTHES WASHER	\$75.00
LEAGUE OF MN CITIES	PROPERTY	\$4,602.84
LYON LINCOLN ELECTRIC	SCHUNEMAN	\$576.80
LYON LINCOLN ELECTRIC	GEORGE JORGENSEN	\$772.62
MN LIFE	LIFE INS	\$1.00
PRUDENTIAL	LIFE INSURANCE	\$5.44
TE UNDERGROUND	JERRY JAGT SECONDARIES	\$931.00
WESTERN AREA POWER		\$23,875.65
VERIZON	NEW PHONES AND MONTHLY BILL	\$151.61
UNUM	INSURANCE	\$20.97

Estimate

19 MTH 6 GU/HOURS 15 1/2 REG HOURS
22 MTH 6 GU/HOURS 21 1/2 REG HOURS

Estimate

WATER

BLUECROSS BLUESHIELD	HEALTH INS	\$987.60
BRUENDERS	GAS	\$55.00
FASTENAL	HCS KIT	\$109.63
FRONTIER	PHONE- WATERTOWER	\$51.59
FRONTIER	507-247-5176	\$75.42
PRUDENTIAL	LIFE INSURANCE	\$5.44
LEAGUE OF MN CITIES	PROPERTY	\$3,612.84
LINCOLN PIPESTONE RW	2808000@ 2.36	\$6,626.88
MN LIFE		\$1.00
RVTL	COLIFORM	\$25.00
SHEEHAN MACK		\$33.68
TE UNDERGROUND LLC	VACUUM EXCAVATOR FLOOR DRAIN	\$100.00
TE UNDERGROUND LLC	6" TILE BORE SCHAK TRUCKING	\$3,665.00
VERIZON	NEW PHONE AND MONTHLY BILL	\$151.61
UNUM	LIFE INS AND DISABILITY	\$20.97

SEWER

BLUECROSS BLUESHIELD	HEALTH INS	\$987.60
FRONTIER	PHONE	\$75.42
HACH	SODIUM, DISSOLVED OXYGEN	\$66.20
LEAGUE OF MN CITIES	PROPERTY	\$5,440.84
MN LIFE		\$1.00
PRUDENTIAL	LIFE INSURANCE	\$5.44
VERIZON	NEW PHONE AND MONTHLY BILL	\$75.42
UNUM	LIFE INS AND DISABILITY	\$20.97

REFUSE

BLUECROSS BLUESHIELD	HEALTH INS	\$987.60
BRUENDERS	GAS	\$55.00
FRONTIER	PHONE	\$75.42
LEAGUE OF MN CITIES	PROPERTY	\$3,496.84
LYON COUNTY LANDFILL		\$3,200.00
MN LIFE		\$1.00
PRUDENTIAL	LIFE INSURANCE	\$5.44
UNUM	LIFE INS AND DISABILITY	\$20.97
VERIZON	NEW PHONE AND MONTHLY BILL	\$151.61

Estimate

GAS

BLUECROSS BLUESHIELD	HEALTH INS	\$987.60
BRUENDERS	GAS FOR VEHICLES	\$55.00
APGA	ASSOCIATION DUES	\$432.80
FRONTIER	PHONE	\$75.42
FRONTIER	GAS STATION	\$51.59
GROEBNER	Z BRACKET	\$432.34
MN LIFE		\$1.00
LEAGUE OF MN CITIES	PROPERTY	\$3,416.84
NEW ULM		\$1,450.00
PARADIGM	MN CAER PROGRAM	\$915.00
PRUDENTIAL	LIFE INSURANCE	\$5.44
RICH'S P&H	LITE PILOT LIGHTS	\$210.00
THRIFTY WHITE	POLISH REMOVER	\$4.68
VERIZON	NEW PHONE AND MONTHLY BILL	\$151.61
UNUM	DISABILITY AND LIFE INS	\$20.97

Estimate

DIVIDED EQUALLY

ARB	COPIES CONTRACT	\$50.00
ALPHA WIRELESS		\$38.80
BP	GAS	\$85.00
G&K SERVICES	SHOP TOWELS ETC	\$121.61
GOPHER STATE	TICKETS	\$35.00
NORTHERN	EAR PLUGS, INDOUST PDY,	\$287.85
ONE OFFICE		\$600.00
SHARE CORP	FOAMING CLEANER	\$335.96
TYLER OIL		\$1,800.00

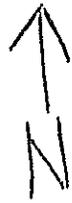
Estimate

UTILITY FUND TOTAL \$104,160.55
GRAND TOTAL \$141,459.34

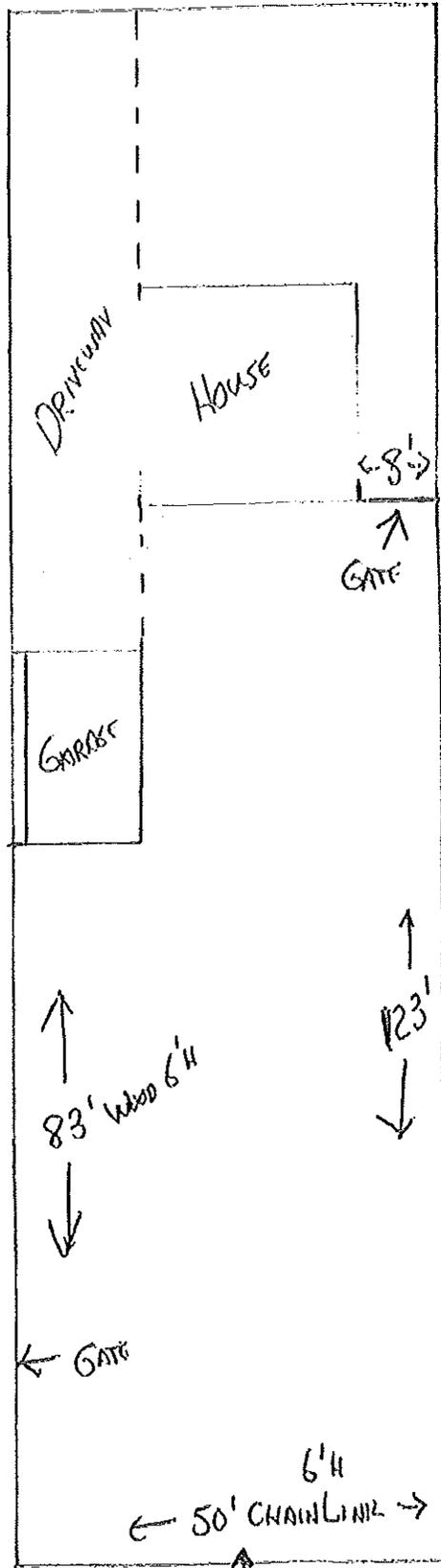
CITY OF TYLER ZONING PERMIT APPLICATION

230 North Tyler Street, Tyler, MN 56178
Phone: 247-5556 Fax: 247-5557

Name SCOTT RICEGR		Date Received 4/21/15	
Address 513 E. HUGHES TYLER, MN 56178			
Home Phone Number 507-530-0134		Other Phone Number 507-247-5560	
Type of Construction (please check)		Zoning District (please check)	
<input type="checkbox"/>	Addition	<input checked="" type="checkbox"/>	Residential
<input type="checkbox"/>	Deck/Patio	<input type="checkbox"/>	General Business
<input checked="" type="checkbox"/>	Fence (specify material) CHAIN LINK 6' WOOD 6'	<input type="checkbox"/>	Downtown
<input type="checkbox"/>	Garage	<input type="checkbox"/>	Commercial-Industrial
<input type="checkbox"/>	New or Manufactured Home	<input type="checkbox"/>	Agricultural
<input type="checkbox"/>	Storage Building	<input type="checkbox"/>	New Commercial Construction
Size of Proposed Structure		Setback from Property Lines	
Height: (Accessory Bldg. Max. Sidewall 10')		Front: N/A	
Width:		Rear: ON PROPERTY LINE	
Length: (Accessory Bldg. Max. Length 40')		Side: ON PROPERTY LINES	
Estimated Cost of the Project \$3,000⁰⁰			
I hereby certify that the information contained in this building permit application is correct. I agree to do the proposed work in accordance with all laws and ordinances. I understand that this permit is valid for a period of twelve months.			
<div style="display: flex; justify-content: space-between;"> Scott Ricegr 4/16/16 </div>			
Applicant's Signature and Date			
FOR OFFICE USE ONLY- Must be reviewed by Utility Department and City Administrator			
Recommend Approval: Water/Waste/Streets: _____ Electric: _____ N. Gas: _____			
Approved by City Administrator: _____			



50'



180'

DRIVEWAY

HOUSE

Garage

83' Wood 6'H

123' Wood 6'H

6'H
50' CHAINLINK

10' GATE

8' GATE
6' H

APPLICATION VARIANCE PERMIT

APPLICANT SCOTT RIEDER PHONE 567-530-0134 DATE 9/16/16

STREET ADDRESS 513 E. HAGGGS

LEGAL DESCRIPTION: ADDITION

LOT 004 BLOCK 017
(If more space is required for legal description, please attach a typed copy)

REQUIRED EXHIBITS: Drawing showing the property and structure in question showing lot size and boundaries and buildings with dimensions.

DESCRIBE PROPOSED LOCATION OF STRUCTURE REQUIRING VARIANCE:

I WILL BE CONSTRUCTING A 6'H WOOD FENCE ON THE EAST & WEST BORDERS OF MY YARD FROM THE BACK OF MY HOUSE TO THE BACK OF MY YARD TO THE SOUTH.

I WILL ALSO BE CONSTRUCTING A 6'H CHAIN LINK FENCE

CERTIFICATION: ALONG THE SOUTH BORDER TO JOIN THE EAST & WEST WOOD FENCES.

I hereby certify that I am the applicant named herein and that the information given above and on the exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will conform to the project plan contained herewith. I further understand, if granted, the Variance Permit shall lapse and become null and void one year following the date on which the Variance Permit becomes effective, unless construction is commenced and diligently pursued toward completion.

I AM THE: OWNER X LESSEE _____ PURCHASER _____ AGENT _____

SIGNATURE OF APPLICANT Scott Rieder

CONDITIONAL REQUIREMENT: (Zoning Board of Appeals use only)

Zoning Board of Appeals Ruling:

APPROVE _____ DENY _____ APPROVE ON CONDITION _____

DATE: _____

Chairman, Board of Appeals

Zoning Administrator

Kullen M. Stanek
 130 North Tyler Street
 Tyler, MN 56178
 Phone: 507-247-5581
 Fax: 507-247-5582
kullen@beckagencyinc.com
www.beckagencyinc.com



Date: September 16, 2016
 To: Council Members
 City of Tyler
 From: Kullen M. Stanek
 Beck Agency
 Subject: City of Tyler Policy Renewal of October 10, 2016

Ladies & Gentlemen:

The policy of insurance for the City of Tyler renews with the League of Minnesota Cities Insurance Trust for an annual term of October 10, 2016 through October 10, 2017.

The following is a comparison summary of the coverage, limit, and premium for the 2016/2017 and 2015/2016 years:

<i>Coverage</i>	<i>Limit</i>			<i>Premium</i>		
	2016/2017	2015/2016	+ / - / =	2016/2017	2015/2016	+ / - / =
<i>Property</i>	\$6,409,904	\$5,492,645	+917,259	\$21,931	\$21,575	+\$356
<i>Mobile Property</i>	\$743,450	\$583,483	+\$159,967	\$3,452	\$3,029	+\$423
<i>Municipal Liability</i>	\$2,000,000	\$1,500,000	+\$500,000	\$12,685	\$13,234	-\$549
<i>Automobile Liability</i>	\$1,500,000	\$1,500,000	=	\$2,951	\$3,020	-\$69
<i>UM / UIM</i>	\$200,000	\$200,000	=	Included	Included	=
<i>Automobile Physical Damage</i>	Blanket	Blanket	=	\$3,373	\$2,707	+\$666
<i>Crime</i>	\$250,000	\$250,000	=	Included	Included	=
<i>Employee Dishonesty / Faithful Performance</i>	\$250,000	\$250,000	=	\$374	\$355	+\$19
<i>Airport Liability</i>	\$1,000,000	\$1,000,000	=	Included	Included	=
<i>Total Premium</i>	N/A	N/A	N/A	\$44,766	\$43,920	+\$846

The overall impact of the premium is a 1.9% increase over last year. The components driving this increase are the amount of coverage for municipal property and mobile property has increased somewhat substantially by \$1,077,226 and the addition of the new 2017 Freightliner Fire Truck.

The council will once again need to discuss and determine the city's position regarding the waiver of the statutory liability limits. It has been the City's practice to waive the statutory liability limits thereby providing the policy's full liability limit to apply to any given loss.

Sincerely,

A handwritten signature in black ink, appearing to read "Kullen M. Stanek". The signature is written in a cursive style with a large, sweeping initial "K".

Kullen M. Stanek

Tyler City Council / Oct. 3, 2016

To: Tyler City Council
From: Robert Wolfington, City Administrator
Re: Administrator's Report
Date: Oct. 3, 2016
Subject: Stony Point – Electric Work

At the previous City Council Meeting, the Tyler City Council gave direction to see what it would take to get the electric work out on the City owned portion of Stony Point up to date. Tyler Electric has done work out at Stony Point and I contacted Wally Dybdahl about what it would take to get the site up to date.

Please find attached an estimate on what the cost would be. The estimate also includes electrical work that would be ready for a potential bath house or storm shelter that is being explored for the site.

TYLER ELECTRIC
293 N TYLER STREET
PO Box 322
TYLER, MN 56178
(507)247-5819
(507)247-5805 (FAX)

September 30, 2016

To: City of Tyler

From: Wally Dybdahl

Re: Camper Peds – Stony Point

We will upgrade the existing service and install a 800 amp I-line main service.

We will trench and supply twenty-nine 50-30-20 camper peds at Stony Point.

This price includes all trenching, wire and labor to upgrade the campground.

State inspection fee included.

\$26,600.00

The service will be big enough for a future bathhouse also.

If you have any questions, please call me at 507-530-6480. Thank you.

Personnel Policy

City of Tyler, MN

Adopted Dec. 7, 2006
Amended Oct. 3, 2016

DRAFT

CITY OF TYLER PERSONNEL POLICY TABLE OF CONTENTS

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SECTION 1- GENERAL

1.01. Purpose. The purpose of this policy is to establish a uniform and equitable system to govern the relationship between employees and the City of Tyler. The personnel policy manual defines how employees are recognized and compensated, and explains what is expected from individual employees. The City Council has the right to amend, in whole or in part, any or all of the provisions contained in this personnel policy.

1.02. Governing Laws. It is the intent of the City Council to be in compliance with the laws governing employment as set forth in Minnesota Statutes. If any provision of this policy is in conflict with such laws, the Minnesota Statutes shall prevail.

1.03. Applicability of Policies.

1.03.01. Personnel Covered. Except as otherwise authorized and specifically provided, this policy applies to all employees of the City except the following:

- a. All elected officials;
- b. Members of city boards, commissions, and committees;
- c. Volunteer firefighters and other volunteer personnel;
- d. Emergency employees;
- e. Any individual providing services on a contractual basis.

1.03.02. Provisions Superseded. No provision of this Policy is intended to violate, supersede, or conflict with any applicable Constitutional right, statute or regulation, whether state or federal, or any provision of a collective bargaining agreement in effect between the City and any of its employees. If any provision of this policy is in conflict with such laws, the right, statute or regulation shall prevail.

1.04. Disclaimer. Employment with the City of Tyler is at-will. The content of this policy in no way constitutes a binding contract between the City of Tyler and its employees.

SECTION 2- DEFINITIONS

As used in this Personnel Policy and Procedure Manual, the following terms shall have the meaning ascribed to them in this section:

2.01. Benefits. Privileges granted to an employee in the form of leaves of absence, insurance, or pay received in lieu of accrued leave upon termination of employment.

2.02. Compensatory Time. Time off in an amount that is equal to the number of irregular or occasional overtime hours worked.

2.03. City Council. The Tyler City Council.

2.04. Discipline. Corrective actions taken to control an employee's conduct.

2.05. Elected Official. Those City Officials selected by vote of the constituency.

2.06. Employee. An employee who has completed an initial probationary period and who fills a position that is continuous in nature on either a full- or part-time basis.

2.07. Exempt Employee. Employees not covered by the Fair Labor Standards Acts.

2.08. Extended Illness Bank (EIB). The number of hours an employee has earned that may be taken with pay, due to a serious health condition of the employee or the employee's immediate family. This time can be used after being out for more than three consecutive days; a physician's certification may be required to use time from the EIB.

2.09. Full Time Employee. Employees regularly scheduled to work at least 32 hours per week year-round.

2.10. Holiday. Those days as officially declared by the City Council, State of Minnesota, and the Federal Government.

2.11. Jury Duty Leave. Time off granted an employee who is summoned for jury duty or as a witness in an action in any court, provided, however, an employee shall receive compensation in a proceeding in which such employee is party or has an interest.

2.12. Layoff. A separation or permanent or probationary employees necessitated by lack of work, lack of funds, the abolition of a position, organizational changes or any other management reason without delinquency or misconduct on the employee's part.

2.13. Military Leave. Time off for personnel recurring temporary active duty with a reserve unit of the United States Army, Navy, Marine Corps, Coast Guard or a National Guard Unit.

- 2.14. Non-Exempt Employee.** Employees covered by the Fair Labor Standards Acts.
- 2.15. Part Time Employee.** Employees scheduled to work less than 35 hours per week on a year-round basis.
- 2.16. Paid Time Off (PTO).** Hours earned that may be taken off with pay for any reason.
- 2.17. Policies.** Rules and regulations approved by the Tyler City Council.
- 2.18. Probation.** The first six months of employment with the City or the first six months in a new position for a regular City employee. This period is designated as a trial period and is considered the last part of the selection process.
- 2.19. On-Call.** Time when an employee will be required to remain within cell phone range of a 40 mile radius of the city limits and within an emergency response time of not more than 30 minutes from the time of the original call.
- 2.20. Overtime.** Hours worked in excess of 40 hours within a seven five day work period or any extra hours worked while on-call.
- 2.21. Seasonal/Temporary Employee.** An employee who works during only part of the year to assist in seasonal work such as: lifeguarding, snow plowing, mowing, etc.
- 2.22. Resignation.** A voluntary separation from City service by the employee.
- 2.23. Severance Pay.** Payout of accrued and unused PTO and EIB benefits to permanent employees leaving City service in good standings.
- 2.24. Suspend.** To temporarily relieve an employee from duties of employment. The suspension may be accompanied by a written notice of intent to dismiss.
- 2.25. Veteran.** Any person defined as a veteran by Minnesota Statutes, Section 197.477.
- 2.26. Veteran's Preference.** Preference granted to Veterans by Minnesota Statutes, Section 43A.11, 197.455, and 197.46 as amended.

SECTION 3- EMPLOYMENT POLICIES

3.01. Appointments. Appointments to municipal service will be made by the Council on the basis of merit and fitness for the position. When required by law or by the Council, merit and fitness will be determined by written, oral, or other examinations designed to evaluate the ability of the candidate to successfully perform the position for which the examination is held. When the candidate appointed is already an employee of the City, the appointment will be considered a promotional appointment.

3.02. Non-Discrimination Policy. It is the policy of the City of Tyler to provide equal opportunity to all persons without regard to race, color, creed, national origin, religion, gender, marital status, status with regard to public assistance, age, or disability. No person shall be discriminated against with reference to employment in any way forbidden by law. It is the responsibility of all supervisory employees to ensure adherence to this policy.

3.03. Residency Requirements. Pursuant to M.S. 415.16, Subdivision 2, the City of Tyler has the authority to request certain employees to live within a reasonable distance of the community if there is a demonstrated job-related necessity. All employees within the police department shall live within a five-mile radius of the Tyler city limits.

3.04. Re-Employment. Hiring of employees who have previously resigned will be determined on an individual case basis, depending on the employee's work record, circumstances of his/her leaving, etc. Any person seeking re-employment must apply and be processed as any other applicant. No preferential treatment or consideration will be given to those applying for re-employment solely on the basis of the applicant having been previously employed by the City, nor will the necessity of any form or procedure be eliminated by virtue of the applicant having been employed by the City.

3.05. Ex-Offender Policy. Conviction of a felony or misdemeanor does not, by itself, constitute an absolute bar to employment with the City of Tyler.

3.05.01. Considerations. The relationship between the nature of the act resulting in a conviction and the desired position will be considered. For example, an applicant convicted of embezzlement or theft would not be referred to a position that requires the handling of money. The nature of the offense, how long ago the offense occurred, and if the applicant has served the required period of incarceration will also be taken into account.

3.05.02. Offenses that Disqualify Applicants from Employment. Applicants that have been arrested and convicted of an offense that could be potentially harmful to employees are barred from all employment with the City of Tyler. These offenses include, but are not limited to: rape, drug dealing, armed robbery and murder.

3.06. Hiring Process. All appointments to municipal service shall be made after the following steps have been taken, in the order set forth below:

3.06.01. Advertisement for Position. Upon declaring a vacancy or the need for a city employee, the City shall post the job opening for a period of ten days or more.

3.06.02. Application Procedure. All individuals seeking employment with the City of Tyler shall complete and sign an employment application prior to being given consideration for employment. All completed application forms shall be returned to the City Council or City Administrator for review and processing.

3.06.03. Development of 100 Point Scoring System. Before reviewing applications a 100-point scoring system will be developed in order to objectively rank applicants. Scores shall be awarded for education, experience, and other objective factors which are relevant to the position. Veterans shall receive additional points for their military service, in accordance with Minnesota State Statute §43A.11.

3.06.04. Selections of Finalists. Using the 100-point scale, finalists will be selected and interviewed. Only those applicants who are interviewed will be notified when a position is filled.

3.06.05. Background and Reference Checks. The City shall conduct a reference check on any designated finalist. A background check may also be conducted concerning any finalist.

3.06.06. Pre-Employment Examination. The City of Tyler may require medical & psychological examinations, along with drug & alcohol testing as a condition of employment for a candidate or candidates receiving a conditional offer of employment.

3.06.06.01. Purpose. In all cases, the purpose of medical and psychological examinations is to determine a person's fitness to perform a specific job. "Medical & Psychological Examinations" includes both physical and psychological examinations and tests administered by licensed medical practitioners. Medical examinations will be carried out according to guidelines of applicable state and federal laws.

3.06.06.02. Payment. Medical examinations requested by the City of Tyler shall be paid by the City of Tyler.

3.06.06.03. Data Practices. All medical data considered confidential under Minnesota Statute shall be maintained in an Employee's medical file.

3.06.06.04. Results. The physician shall notify the City Administrator whether the applicant is medically able to perform the job. The City Administrator shall provide the examination results to the candidates. Applicants that have been rejected for employment based on the examination results may request a further explanation from the physician.

3.06.07. Offer of Employment. Upon an applicant's successful completion of the reference check, background check, and other necessary examinations, the City shall offer employment to the applicant deemed most suited for the position.

3.07. Probationary Period. All employees will be subject to a probationary period unless otherwise authorized by the City Council.

3.07.01. Purpose. The probationary period is regarded as an integral part of the selection process and will be utilized for observing the employee's work, for securing the most effective adjustment of the employee to the position, and for rejecting any employee whose performance does not meet the required work standards.

3.07.02. Duration. Upon hiring of an individual, a probationary period of six months will take effect from the first day of work.

3.07.03. Extension of Probationary Period. A probationary employee may have their probationary period extended if their work is not satisfactory to warrant the recommendation of granting regular status and/or they are absent for more than ten consecutive working days.

3.07.04. Termination. An employee may be terminated at any time during the probationary period if, in the opinion of the Council (or designee), the employee is unable or unwilling to perform the duties satisfactorily or if the employee's work habits or dependability do not warrant continuation in the position. The employee so terminated will not have the right to appeal unless they are a veteran, in which case the procedure prescribed in Minnesota Statute Section 197.46 shall be followed.

3.07.05. Completion of Probationary Period. Upon completion of the probation period, the Department Head will provide the Council with a written recommendation indicating whether the services of the employee have been satisfactory and whether the employee should be continued. If the notification states that the employee will be continued, the employee shall become a permanent employee at the end of the probationary period.

3.08. Performance Evaluations. Employees will normally have their performance evaluated annually. Performance evaluations are based on job descriptions and result-oriented performance standards; the evaluation is intended to assist the employee in

reaching their maximum potential. Copies of the performance evaluation are kept in the employee's personnel file as long as the employee is employed with the City.

3.08.01. Appeal. An employee who disagrees with their evaluation has the right to respond in writing; the employee's response will be with the evaluation.

3.09. Employee Records. Records containing information pertinent to City 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.

3.09.01. Public Data. The following personnel information on all present and former employees, except for present employees involved in undercover law enforcement, is considered public data:

- a. Name
- b. City and county of residence
- c. Job title and description
- d. Work location and telephone number
- e. Badge number
- f. Honors and awards received
- g. Dates of first and last employment
- h. Education and training background
- i. Veteran status
- j. Actual gross salary and salary range
- k. Additional compensation over and above base salary job title
- l. Actual gross pension
- m. Value and nature of employer paid benefits
- n. Status and final outcome of any disciplinary action, including supporting documentation
- o. Status of any complaints or charges and whether or not they resulted in disciplinary action
- p. Data which accounts for the employee's work time

3.09.02. Private Data. During the course of employment, an employee will be asked to provide information, which is classified by state law as either private or confidential. Private data is information that generally cannot be given to the public, but can be given to the subject of the data. Confidential data is information, which generally cannot be given to either the public or the subject of the data.

SECTION 4- EMPLOYEE CODE OF CONDUCT

4.01. Purpose. The City of Tyler believes that proper operation of government requires that employees be independent, impartial, and responsible to the citizens of Tyler. It is the purpose of this policy to establish ethical standards of conduct for all employees of the City.

4.02. Accepting Gifts or Loans. Employees should not solicit or receive anything of monetary value from any persons or entity with the intent to obtain special consideration or influence.

4.03. Clothing Allowance. Utility Department employees must wear the proper safety equipment at all times. The City will reimburse Utility Department employees for prescription safety glasses and provide each Utility Department employee with a \$250 clothing allowance per year. The clothing purchased by the City must be worn during work hours only.

4.04. Confidential Information. No employee should disclose or use any confidential information to further the employee's private interest. Employees should not accept outside employment or involvement in an activity that will require the employee to disclose or use confidential information.

4.05. Credit Card. Authorized employees may use certain credit cards issued in the name of the City when purchasing supplies, equipment, or gasoline that is necessary in order to carry on City business. Employees must sign the original purchase receipt and submit it to the Billing Clerk as soon as possible after the purchase. Any employee found to be abusing this policy may be subject to disciplinary action, including personal liability for the expenses charged to the credit card.

4.06. Customer Service. It is important that the City provide excellent service to its citizens, while showing the utmost courtesy. The show of abuse or discourtesy to a resident or any member of the public reflects upon the City and is unacceptable. If an employee believes they have been subjected to verbal abuse, the altercation should be reported immediately to their Department Head for investigation.

4.07. Firearms. Employees, except sworn employees of the Police Department are prohibited from carrying or possessing firearms while working on behalf of the City.

4.08. Outside Employment. Employees may not engage in any outside employment which may hinder impartial or objective performance of their public duties, be incompatible with their City employment, or impair their efficiency on the job. Outside work shall be regarded as secondary to regular City employment and shall not interfere with the availability of employees for emergency or on call duty. Outside work that may conflict with on call duty must be cleared with the City Administrator.

4.09. Political Activity. In the interest of promoting efficiency and preserving political neutrality in the conduct of municipal business, employees are prohibited from engaging in political activity while on City time or while discharging City responsibilities.

4.10. Smoking. The Minnesota Clean Indoor Air Act governs smoking within City buildings, offices, vehicles, and work sites. Employees are not allowed to smoke in these areas and may only smoke during rest and lunch breaks. Smoking in unapproved areas or during unapproved times may result in disciplinary action.

4.11. Use of Public Property. No employee of the City should use or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for unauthorized private use, for profit, or as part of secondary employment. Revenue from authorized public property sales must be transferred into the appropriate City fund(s).

4.11.01. Utility Department Conditions. Utility employees are authorized to use City-owned vehicles and equipment for personal use. Utility employees may not use City-owned vehicles and equipment for nonprofit organizations, family members, and friends without prior approval of the City Administrator.

4.12. Work Product. No employee should deprive the City or its agencies of their original files. All original work products generated or obtained by a City employee on City time is the property of the City of Tyler. Examples of work product include: research, investigative reports, legal briefs, official letters, and memoranda.

4.13. Enforcement. Employees found to be in violation of this policy may be subject to disciplinary action up to and including termination of employment.

SECTION 5- COMPENSATION

5.01. General Policy. The City Administrator, or designee, will develop the compensation plan based on uniformity of pay for each class, comparisons of similar positions with cities in the same labor markets, and job performance. Salaries for all City employees are set on an annual basis by the City Council based on the recommendation of the Personnel Committee. Wage adjustments made on the basis of this review shall be in lieu of adjustments made on the basis of the cost of living factor. Compensation for seasonal and temporary employees shall be set by the City Administrator at the time of hire or on an annual basis.

5.02. Work Hours. Work schedules for personnel will be established by the appropriate Department Head subject to the approval of the Council in accordance with the needs of the City.

5.03. Rest Periods and Lunch Breaks. Every employee will be granted a fifteen minute break period in each half of the employee's shift and an hour lunch break.

5.04. Paydays. Employees will be paid on a bi-weekly basis on alternate Fridays. When a payday falls on a holiday, employees shall receive their pay on the preceding work day.

~~**5.05. Overtime.** Employees should not work overtime or accrue compensatory time except in emergency situations or peak workload periods. Overtime or compensatory time shall be accrued for time worked on a paid holiday, weekend, or after eight hours of actual work has already been performed on a regular business day. In all other instances overtime accrual shall be in accordance with the Fair Labor Standards Act, to the extent that it may apply to particular employees. Department Heads are expected to monitor hours to avoid the scheduling or use of overtime to the greatest extent possible. All overtime requires prior authorization by the Department Head or City Administrator.~~

5.05. Overtime. Employees should not work overtime or accrue compensatory time except in emergency situations or peak workload periods. Overtime or compensatory time shall be accrued for time worked on a paid holiday, or after 40 hours of work has already been performed in a seven day work period. In all other instances overtime accrual shall be in accordance with the Fair Labor Standards Act, to the extent that it may apply to particular employees. Department Heads are expected to monitor hours to avoid the scheduling or use of overtime to the greatest extent possible. All overtime requires prior authorization by the Department Head or City Administrator.

5.05.01. Compensation for Overtime and Compensatory Time. Employees have the option of accumulating compensatory time or receiving paid overtime for time worked on a paid holiday, weekend, or after eight hours of actual work has already been performed on a regular business day 40 hours of work has been performed or equivalent PTO hours are used in a regular work week, with the exception of the Police Department. For full-time police officers, all hours in excess of 80 hours in a two-week pay period will be compensated at one and one-

half of their regular rate of pay. Part-time police officers are exempt from overtime pay. A Utility Department employee shall be compensated in one of the following ways:

- a. Paid at the rate of one and one-half their regular rate of pay for time worked on a paid holiday, weekend, or after eight hours of actual work has already been performed on a regular business day.
- b. Granted compensatory time at one and one-half times their regular rate for time worked on a paid holiday, weekend, or after eight hours of actual work has already been performed on a regular business day.

5.05.02. Compensatory Time. An employee who has accrued compensatory time will be permitted to the use time if they have given advanced notice and it does not unduly disrupt City operations.

5.06. On-Call Time. Utility Department employees will receive \$15 per week-day and \$30 per weekend day on-call pay for each week on-call and are compensated a minimum of two hours or actual hours worked, whichever is greater for call outs. Utility Department employees will also be compensated with an additional day off when on-call on a holiday. Police Department employees will receive \$100.00 on-call pay per pay period and are compensated a minimum of two hours or actual hours worked, whichever is greater for call outs. An extension or early report to a regularly scheduled shift does not qualify the employee for the two hour minimum.

5.07. Employees who are Volunteer Firefighters. City employees who are also members of the Tyler Fire Department have the right to decide for themselves whether or not they should respond to a fire call while on the job as a City employee. If they believe the call is not potentially life threatening, they are expected to remain on the job. If the employee believes the call is life-threatening and their absence from work will not place the City or fellow workers in jeopardy, the employee is encouraged to respond.

5.07.01. Payment of Wages. City employees who are members of the Tyler Fire Department shall have no reduction of wages for the actual time spent responding to an emergency call. City employees who are members of an outside fire department are not entitled to the hourly wage paid by the City of Tyler for the actual time responding to an emergency call.

SECTION 6- PAID TIME OFF AND EXTENDED MEDICAL LEAVE BANK

6.01. Eligible Employees. Regular full-time and part-time employees who work at least twenty hours a week are eligible for Paid Time Off (PTO). Seasonal and temporary employees, as defined in the City personnel policy shall be excluded as eligible employees. Probationary employees may not use PTO until successful completion of the probationary period. If an employee is terminated during their probationary period, the employee shall forfeit any accrued, unused PTO at the time of termination.

6.02. Paid Time Off Benefit. PTO may be used for any of the following reasons:

- a. Vacation
- b. Personal or family illness, including family and medical leave
- c. Medical or dental appointments
- d. Severe weather
- e. Child care/elder care
- f. Personal business
- g. Observance of religious holidays
- h. Military leave extending beyond fifteen working days

6.03. Amount Earned. The following chart provides information on PTO accumulation for full-time and part-time employees. Years of service are calculated from the anniversary date of employment.

Years of Service	Employee PTO Hours Earned (As a percentage of annual hours worked)
0 to 1 year	.05769
2 through 7 years	.07692
8 through 14 years	.09615
15+ years	.11538

6.04. Use of PTO. PTO is available to eligible employees to provide opportunities for rest, relaxation, personal pursuits, and for absences due to illness or injury. For absences due to illness or injury, after three consecutive work days of absence, the employee may elect to continue to use PTO or may use Extended Illness Bank hours. All PTO shall be at the employee's straight time rate of pay. PTO may be used in half-hour increments with prior approval from the Department Head.

6.04.01. PTO for Planned Events. PTO for planned events such as vacations, personal days off, and other foreseeable situations is to be scheduled in advance with the approval of the Department Head. PTO requests will normally be granted for the period requested by the employee, but the Department Head may deny a request if the time off interferes with vital City operations.

6.04.02. PTO for Illness or Injury. When PTO for an illness or injury is necessary, the Department Head shall be notified by the employee as soon as possible. The City of Tyler reserves the right to require a physician's certification for the use of PTO for illness or injury. The physician's certification is to be obtained at the employee's expense.

~~**6.04.03. PTO Accumulation.** On the yearly anniversary date of their employment employees may carry over 24-40 hours to the following year. All other unused PTO hours will be transferred to the employee's Extended Illness Bank. Employees may accumulate a maximum of 480-240 hours in their EIB. Employees are not allowed to accrue PTO beyond the defined maximum accrual and will lose all unused PTO time. Payment for PTO in place of time off is not granted.~~

6.04.03. PTO Accumulation. Employees accumulate PTO based on the number of years of employment with the City of Tyler as laid out in section 6.03. Employees may accumulate a maximum of 240 hours of PTO. After PTO is used, the employee may accumulate back to the maximum of 240 hours. PTO hours carry over year-to-year.

6.04.04. Paid Holidays. When a paid holiday falls on a working day during an employee's PTO, the day of the holiday will not be counted as a PTO day.

6.04.05. Transition. Upon implementation of the PTO plan, accrued vacation will be transferred to the employee's PTO account and accrued sick leave will be transferred to the employee's EIB account.

6.05. Use of Extended Illness Bank (EIB) Hours. Eligible employees may use accumulated EIB hours for absences of more than three consecutive work days due to a serious health condition (i.e. illness, injury, or death of an immediate family member) of the employee or of the employee's spouse, children, parents, or siblings where the employee's presence is medically necessary. Immediately upon the birth or adoption of the employee's child, an employee may use five consecutive days of earned PTO and then up to four weeks of accrued EIB.

6.05.01. EIB Accumulation. An employee may accumulate a maximum of 480-240 hours in their EIB. If an employee's accumulation reaches 480-240 hours, the employee is not allowed to transfer unused PTO hours into their EIB until their EIB accumulation is below 480-240 hours. Any employee that has accumulated more than 240 hours by the date of September 12, 2016 will be eligible to keep those extra hours until they are used. If those employees fall below the 240 hours of EIB, they will be limited to the 240 hours maximum.

6.05.02. Misuse of EIB. The misuse of EIB is abuse of a benefit and constitutes theft and fraud. An employee making a false claim of EIB shall be subject to disciplinary action, which may include discharge.

6.06. Re-Hiring Employees. Upon re-employment, credit for previous PTO and EIB will not be granted. PTO and EIB accrual will be earned on the same basis as a newly-hired City employee.

6.07. Resignation. Any full-time employee leaving the City in good standing will be compensated for PTO *earned* to the date of separation. Amount of PTO paid out is calculated by multiplying their initial PTO allotment for the year with the length of their service for that year since their anniversary date (a percentage between 1 and 100) and then subtracting the amount of hours used.

To be eligible for PTO reimbursement the said employee must have served at least twelve consecutive months prior to separation and has given the City proper notice. Employees that have used more PTO than they have accrued on the date of their separation will have the additional hours deducted from their last paycheck. Such pay for accumulated PTO will be at the same rate as the hourly rate of the employee's base salary.

6.07.01. EIB Compensation. An employee leaving the City in good standing that was employed with the City of Tyler after Oct. 1, 2014 will receive a percentage of their EIB based on the following schedule:

Years of Employment	Percentage of EIB Paid
5 years	20%
10 years	30%
20 years	50%

6.07.01. EIB Compensation for employees before Oct. 2014. Any employee that was employed with the City of Tyler before the date of Oct. 1, 2014 will be eligible to receive 100% EIB compensation.

6.08. Termination. Any employee who is terminated may not use PTO in place of notice of termination and is ineligible for EIB Compensation.

SECTION 7- EMPLOYEE BENEFITS AND LEAVES OF ABSENCE

7.01. Paid Holidays. All full-time employees and probationary employees are entitled to time off with full pay on recognized holidays. Regular part-time employees who work at least twenty hours a week are entitled to time off with half pay on recognized holidays. Police Department employees that are required to work on paid holidays will receive pay for holidays at double their normal rate pay. Utility Department employees that are required to work on paid holidays will receive holiday pay and time and half of their normal rate of pay for hours worked. City Hall will be closed for business on recognized holidays.

City employees will have the following paid holidays:

- a. New Years Day
- b. Martin Luther King's Birthday
- c. President's Day
- d. Memorial Day
- e. Independence Day
- f. Labor Day
- g. Veteran's Day
- h. Thanksgiving Day
- i. Friday after Thanksgiving Day
- j. Christmas Day

7.01.01. Observance. When a holiday falls on a Saturday then the preceding Friday will be observed; when the holiday falls on a Sunday then the following Monday will be observed.

7.02. Health Insurance. The City offers health insurance to employees working 32 hours and more. The City pays for the employee's portion of the health care plan. Employee pays the remainder of the plan they chose.

7.03. COBRA. The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City of Tyler's health plan when a qualifying event would normally result in the loss of eligibility. Some common qualifying events are: resignation, termination of employment, death of an employee, a reduction in an employee's hours, leave of absence, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage at the City of Tyler's group rates plus an administration fee of 2%.

7.04. Flex Plan. The City offers a flex plan which allows the employee to take money out of their paycheck pretax to pay for health insurance premiums, out of pocket medical, dental, and vision expenses.

7.05. Worker's Compensation Act. It is the policy of the City of Tyler to provide all employees with worker's compensation benefits when injury/illness is a direct result of a work related incident. This benefit is at no cost to the employee.

7.05.01. Employee/Department Head Responsibility. The employee has the responsibility of immediately reporting a work related injury/illness to their Department Head. The employee or Department Head should immediately notify the City Administrator of the injury/illness, at which time a First Report of Injury form and an Accident Investigation form should be completed jointly between the employee and the Department Head. The First Report of Injury shall be signed by the City Administrator acknowledging that all information provided is correct.

7.05.02. Employer Responsibility. It is the responsibility of the City Administrator to submit all First Report of Injury forms within ten working days from the receipt of the First Report of Injury. Serious injury/illness or death must be reported within 24 hours of the occurrence to Berkley Administration and the State of Minnesota – Worker's Compensation Division.

7.05.03. Three Day Waiting Period. Worker's Compensation benefits are not payable during the first three days away from work. Saturdays and Sundays are counted in the three day waiting period. Employees that have accumulated EIB hours must use their EIB hours to receive their normal rate of pay during this period of absence. The employee may not elect to receive no pay for these days.

7.05.04. Benefits Payable Following Waiting Period. Once qualifying for benefits, the employee will receive approximately two-thirds of their gross earnings from the worker's compensation carrier, subject to an amount established by Minnesota Statute. An employee may elect to use EIB benefits rather than Worker's Compensation benefits by notifying the City Administrator of their election. Under no circumstances can an employee receive both EIB and Worker's Compensation if the benefits exceed the employee's normal net pay.

7.05.05. Light Duty. In order to assist an employee's recovery from a work injury, the City may require an employee to work in a light duty position, subject to the direction of the City Administrator or designee and any physicians restrictions.

7.06. Leaves of Absence. Employees may request a leave of absence from City employment under certain situations. The City Administrator may grant a leave of absence, with or without pay, taking into consideration the length of service and job performance of the employee.

7.06.01. Court Leave. When an employee performs jury duty, is subpoenaed as a witness in court, or voluntarily serves as a witness in a case in which the City is a party, the employee is entitled to compensation from the City equal to the difference between their normal rate of pay and the amount received as a juror or witness. While on such leave, an employee will continue to accrue the benefits to which they are regularly entitled.

7.06.02. Educational Leave. (Revised 7/2/07) The City will pay necessary and reasonable expenses incurred by employees to attend training sessions, workshops, or conferences. The training must be of benefit to the employee in their position with the City and will not unduly disrupt the City's operations. If the training session, workshop, or conference is held outside the state of Minnesota or South Dakota, approval from the City Council is required.

7.06.02.01. Eligible Expenses. Employees may be reimbursed for the following expenses: lodging, mileage, parking, registration, travel time, and work time up to eight hours per day (twelve hours for police officers). In order for an employee to be reimbursed, itemized receipts must accompany the reimbursement request.

7.06.02.02. Ineligible Expenses. The City will not reimburse employees for the following expenses: alcoholic beverages, fines (parking, speeding, etc.), personal entertainment, or valet services.

7.06.02.03. Meal Allowance. Employees will be paid in advance for meals that are not included in the registration. In order for an employee to receive a meal allowance, employees must submit documentation of the expenses included with the registration fee. If the employee is unable to attend the training and the meal allowance has been paid, the employee is required to reimburse the City. The meal allowance shown in the table below is based on training that occurs over multiple days; the meal allowance will be prorated for training and travel time that is less than a full working day.

Registration Includes	Meal Allowance Per Day
No Meals	\$30
One Meal	\$20
Two Meals	\$10
All Meals	\$0

7.06.03. Family and Medical Leave. The City provides personal unpaid leave for certain family and medical reasons which fall under the Family and Medical Leave Act (FMLA) of 1993. The City will not interfere with, restrain, or deny the exercise of any employee's right to family care and/or medical leave.

7.06.03.01. FMLA Use. Qualified employees may request up to twelve weeks of leave in any twelve month period. Unpaid leave may be requested for any of the following reasons:

- a. Birth, adoption, or foster care placement of a child; this entitlement expires twelve weeks after the birth or placement of a child. There is no maximum age limit for adoption or foster care placement.
- b. Care for a seriously ill spouse or other immediate family member. Caring for someone includes psychological and physical care, as well as acquiring care and sharing care duties.
- c. An employee is unable to work because of a serious health condition. Serious health condition is defined in Federal Law 29 C.F.R. 825.116, but generally included incapacity requiring absence from work for more than three days that also involves continuing treatment by a health care provider.

7.06.03.02. Use of EIB during Leave. During leave, employees must use accrued EIB hours prior to taking unpaid leave. Employees may use PTO hours if they choose. When an employee has used their total accrued EIB for a portion of family/medical leave, the employee may request an additional period of unpaid leave to be granted so that the total of paid and unpaid leave provided equals twelve weeks in a twelve month period.

7.06.03.03. Benefits during Leave. Health insurance coverage and the payment of health insurance premiums continue during this period as though the employee was working. Arrangements for payment of the employee's portion of premiums must be made by the employee through the Administration Office.

7.06.03.04. Notice Requirement. The employee should give as much advance written notice of the request for family/medical leave as possible. For foreseeable events, the employee should give at least 30 calendar days written advance notice. The notice must specify the reason for the leave, as well as a starting date and an expected return date. Planned medical treatment should be scheduled so that it will not unduly disrupt the City's operations.

7.06.03.05. Medical Certification. Certification by the employee's physician will be required for FMLA leave due to employee's serious health condition or that of a child, spouse, or parent. A second opinion may be requested by the City. If requested, the City will pay for the cost of the second opinion and select a health care provider not regularly associated with the City. The certification must be provided within fifteen

calendar days after the leave is first requested or the City will deny leave until the certification is submitted.

7.06.03.06. Reinstatement. Employees returning from FMLA leave will be reinstated to the same position and at the same rate of pay. For a leave due to an employee's own serious health condition, the City reserves the right to require a medical certificate attesting that the employee is able to return to work.

7.06.03.07. Record Retention. Records on FMLA leave will be kept along with normal payroll records except that any medical record will be maintained separately as a confidential medical record in accordance with the law.

7.06.04. Military Leave. Military leave will be granted to eligible employees in accordance with Minnesota Statutes, Section 192.26. An employee who is a member of the national guard, or any other component of the militia of the state, or who is a member of the officers' reserve corps, the enlisted reserve corps, the naval reserve, the marine corps reserve, or any other component of the military or naval forces of the United States, is entitled to leave of absence without loss of pay rate, seniority status, efficiency rating, vacation, sick leave, or other benefits for the time which such employee is engaged in training or active service not exceeding a total of fifteen days in any calendar year.

7.06.04.01. Employee Responsibility. Notice of intent to take military leave must be given to the Personnel Committee at least five working days after receipt of orders by the employee and no less than 24 hours prior to the date of leave. If orders are received at a time which would make compliance with this provision impossible, the employee shall give notice as soon as possible.

7.06.04.02. Compensation. Since the statute does not set forth any requirement that the fifteen days be consecutive, the employee may receive a leave of absence with pay for any fifteen days during a given year. If an employee has not yet used their fifteen days of paid leave when called to active duty, any unused paid time will be allowed prior to the unpaid leave of absence. In addition, the leave of absence shall be considered work time for the purposes of vacation and sick leave accrual.

7.06.04.03. Military Leave Restriction. The military leave of absence is allowed only if the employee returns to employment immediately upon being relieved from military or naval service, or is prevented from so 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 day period allowed for the military leave of absence.

7.06.05. Parental Leave. Employees working twenty or more hours per week, and who have been employed by the City of Tyler for at least twelve months, are eligible for a six week-unpaid parental leave of absence in connection with the birth or adoption of a child. The parental leave may not exceed six weeks, and must begin not more than six weeks after the birth or adoption of the child.

7.06.05.01. FMLA Leave. Parental leave counts toward FMLA leave if the employee has remaining FMLA leave time. The two leaves will run concurrently until the six weeks of FMLA leave is exhausted.

7.06.05.02. Reinstatement. Employees returning from parental leave will be reinstated to the same position and at the same rate of pay.

7.06.06. School Leave. Employees will be granted up to a total of sixteen hours of unpaid leave during any school year to attend school conferences or classroom activities related to the employee's child in accordance to Minnesota Statute 181.9412. When the employee cannot schedule the leave during non-working hours, the employee must give notice prior to the leave and make reasonable efforts to schedule the leave so that it does not unduly disrupt the operation of the City.

7.06.07. Unpaid Leave. Employees who are faced with a severe personal problem (which does not fall under FMLA or Parental Leave) may request an unpaid leave of absence not to exceed 240 hours. Employees are not permitted to engage in other employment while on a personal leave. No PTO, holiday, or insurance benefits accrue during unpaid leave.

7.06.03.08. Paid Time-Off Deficit use. An employee who has medical reason may use up to 40 hours of PTO beyond their current PTO allotment. If the employee uses deficit hours, they will accrue back at the rate the employee would accrue normal PTO hours. If an employment separation occurs before the employee has earned enough PTO to be back at least a zero balance, they will be responsible to pay back the remaining used PTO amount.

SECTION 8- DISCIPLINE

8.01. General. City employees are subject to disciplinary action for failing to fulfill their duties and responsibilities. The intent of this policy is to establish a standard disciplinary process for employees of the City of Tyler.

8.02. Cause for Disciplinary Action. The City Council and Department Heads have the right to impose discipline upon an employee for just cause. Just cause includes, but is not limited to, the following:

- a. Incompetence in the performance of work duties.
- b. Failure to report or refusal to work.
- c. Reporting for work under the influence of alcohol or unlawful drugs.
- d. Carelessness and/or negligence in the handling of City property.
- e. Unauthorized possession and/or use of City property.
- f. Discourteous, insulting, or abusive conduct toward the public, municipal officers, supervisors, or other City employees.
- g. Falsification of personnel records, time reports, or other City records.
- h. Failure to observe laws, regulations, or policies.
- i. Acceptance of a gift, loan, reward, discount, valuable favor, or any such thing of value under circumstances from which it could be inferred that the giver expected or hoped for preferential treatment in an official matter.
- j. Misconduct as determined by the City Council.

8.03. Process. The City will generally use progressive discipline; however, there may be circumstances where progressive discipline is not appropriate. The City of Tyler is an at-will employer and without cause the City of Tyler may discharge an employee at any time without following the progressive discipline process. Notwithstanding the City of Tyler will follow State Statute 197.46 as it relates to any employee with Veterans Preference.

The normal process is as follows:

8.03.01. Oral Warning. Oral warnings should be given for first infractions to clarify expectations and put the employee on notice that the performance or behavior needs to change. A written record of the oral reprimand will be placed in the employee's personnel file.

8.03.02. Written Warning. This notice will be issued in the event the employee disregards an oral warning. A written warning shall state the reason for the reprimand along with a description of the events/problems that led to the warning. The written warning should describe actions to be taken by the employee to correct the problem and indicate further disciplinary action if the problem continues. The warning will be given to the employee to sign acknowledging that

they have received the warning; a copy of the document will be placed in the employee's personnel file.

8.03.03. Suspension without Pay. ~~An employee will be suspended without pay subject to the approval of the City Administrator.~~ An employee will be suspended without pay at the discretion of the City Administrator for up to 30 days. The suspension can be extended with City Council action. The employee will be notified in writing of the reason for the suspension. Upon the employee's return to work, the employee will be given a written statement outlining further disciplinary action should the problem continue or reoccur. A copy of the written document will be placed in the employee's personnel file.

An employee may be suspended **pending** an investigation of an allegation. The City of Tyler will continue to provide health benefits during the period of the suspension. If the allegation is proven false after the investigation, the relevant written documents will be removed from the personnel file and the employee will receive any compensation to which they would have been due had the suspension not taken place.

8.03.04. Dismissal. An employee may be dismissed after the written warning if conduct has not improved. Immediate removal of an employee may be warranted in instances involving serious insubordination, theft, serious illegal/destructive acts while on the job, or other substantial reasons deemed appropriate. Dismissal may only occur upon approval of the City Council. Notification of dismissal shall be made in writing and contain the reason for dismissal. A copy of the written documentation will be placed in the employee's personnel file.

8.03.04.01. Probationary, Seasonal, or Temporary Employees. Probationary, seasonal, and temporary employees may be terminated at any time without cause and without the right of appeal subject to the recommendation of the Department Head.

8.03.05. Hearing. In cases of suspension or dismissal, eligible employees are entitled, upon request, to a hearing before the Council if they submit a written request within five working days of the notice of dismissal. A hearing will be held at a time determined by the Council. If the disciplinary action involves the removal of a veteran, the hearing will be held in accordance with Minnesota Statute 197.46. Any dismissal not appealed to the City Council within five working days shall be considered final.

SECTION 9- EMPLOYMENT SEPARATION

9.01. Reasons for Separation. Separation of employment is an inevitable part of personnel activity within any organization and there are many reasons for separation.

9.01.01. Resignation. Employment separation initiated by an employee who chooses to leave the organization voluntarily.

9.01.02. Dismissal. Employment separation initiated by the organization.

9.01.03. Layoff. Involuntary employment separation initiated by the organization for non-disciplinary reasons.

9.01.04. Retirement. Employee initiates voluntary retirement from active employment status.

9.02. Exit Interviews. Department Heads may conduct exit interviews at the time of employment separation. The exit interview provides an opportunity to discuss employee benefits, suggestions, complaints, and questions.

9.03. Resignation. An employee may officially resign from their position provided they have given proper notification. Unauthorized absence from work for a period of three working days may be considered a resignation from employment (not in good standing).

9.03.01. Good Standing. Employees wishing to leave the City of Tyler in good standing shall submit a written resignation to the City Administrator at least fourteen calendar days before their last working day (30 calendar days for Department Heads). Shorter notice due to unusual circumstances may be given subject to approval of the City Council.

9.03.02. Notification Process. The written resignation must state the employee's reason for leaving and effective date of resignation. An employee's separation date may not be extended by using PTO or EIB time.

9.04. Severance Compensation. The City of Tyler provides severance pay to regular full-time and part-time employees who leave the City in good standing. In the event of the death of an eligible employee, severance pay will be paid to the employee's estate.

9.04.01. PTO. Employees leaving the City in good standing will be compensated 100% for PTO *earned* to the date of separation provided the said employee has served at least twelve consecutive months prior to separation and has given the City proper notice. Such pay for accumulated PTO will be at the same rate as the hourly rate of the employee's base salary.

9.04.02. EIB. An employee leaving the City in good standing that was employed with the City of Tyler after Oct. 1, 2014 will receive a percentage of their EIB based on the following schedule:

Years of Employment	Percentage of EIB Paid
5 years	20%
10 years	30%
20 years	50%

9.04.03. EIB Compensation for employees before Oct. 2014. Any employee that was employed with the City of Tyler before the date of Oct. 1, 2014 will be eligible to receive 100% EIB compensation.

9.05. Layoffs. The City Council may layoff any employee whenever such action is necessary due to: lack of work, shortness of funds, the abolition of the position, or changes in the organization. No permanent employee shall be laid off while there are temporary or probationary employees serving in the same position.

9.06. Retirement. The City of Tyler is a member of the Public Employees Retirement Association (PERA). Employees may retire at 65 years of age; early retirement is possible for employees qualified for such in accordance with PERA regulations. It is important for retiring employees to contact the PERA office for a suitable annuity plan at least four months prior to retirement.

9.07. Leaving the City. All City property in the personal possession of the employee (cell phone, equipment, keys, tools, and original files) must be turned into the City Administrator before receiving a final pay check. Prior to leaving the City, the employee should verify that a forwarding address and telephone number is on file.

SECTION 10- GRIEVANCE PROCEDURE

10.01. General. The City provides a structured process where an employee may bring forth a grievance regarding: current policy, alleged maltreatment, violation of a policy, rule of regulation, disciplinary action carried out against the employee, etc.

10.02. Procedure. It is the policy of the City of Tyler to address all grievances of employees promptly and fairly. All grievances will be resolved as confidential personnel matters. In order to provide employees with an impartial hearing, the grievance will be addressed through the following procedures:

10.02.01. Step One. An employee having a grievance shall discuss the grievance with their Department Head or the City Administrator. Every attempt will be made to resolve the problem verbally as soon as it arises.

10.02.02. Step Two. If a solution to the grievance cannot be achieved verbally, the employee shall present the grievance in writing to the City Administrator. The employee may be accompanied by an attorney. It is the responsibility of the City Administrator to investigate the grievance, discuss the grievance with the employee, and give a written answer to the employee within ten working days.

10.02.03. Step Three. If the employee is not satisfied with the response from the City Administrator, they may forward the grievance within three working to the Personnel Committee. The Personnel Committee will review all decisions, recommendations, and relevant information within twenty calendar days after receipt of the grievance and issue a final decision in writing to the City Council.

10.03. Retaliation Prohibited. No employee shall be disciplined for seeking rectification through a grievance.

SECTION 11- SEXUAL HARASSMENT

11.01. General. The City of Tyler will not tolerate sexual harassment of its employees by anyone- supervisors, other employees, officials, or citizens. The City believes that every employee has the right to a work environment free from sexual harassment. Any employee found to have acted in violation of this policy will be subject to appropriate disciplinary action, which may include termination.

11.02. Applicability. This sexual harassment policy applies to all officials and employees of the City of Tyler, including full and part time employees, elected and appointed officials, permanent and temporary employees, employees covered or exempted from personnel rules or regulations, and employees under contract.

11.03. Definition. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, and other verbal or physical conduct of a sexual nature. These actions constitute harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment or public service.
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions such as: promotion, assignment, demotion, discipline, or discharge.
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance.
- d. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

11.04. Expanded Definition. Sexual harassment can include but is not limited to the following:

11.04.01. Unwelcome or Unwanted Sexual Advances. This is defined as: touching, patting, pinching, brushing up against, hugging, cornering, blocking, kissing, fondling, or any other similar physical contact considered unacceptable by another individual.

11.04.02. Verbal Abuse. This is defined as: comments that are sexually-oriented and considered unacceptable by another individual.

11.04.03. 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.

11.04.04. Visual Forms of Harassment. This includes: posters, letters, poems, graffiti, cartoons, drawings, and pictures or objects of nude, suggestively posed or scantily clothed women or men which are not appropriate to the work place.

11.05. Reporting Procedure. Victims of alleged sexual harassment and third persons who are aware of such harassment are encouraged to file a complaint with their Department Head, the City Administrator, or the Personnel Committee. All Department Heads are required to forward the complaint to the City Administrator or the Personnel Committee within 48 hours. In addition to filing a report of the harassment, the individual is encouraged to take the following steps:

- a. Make it clear to the harasser that the actions are unwelcome and request the person cease the unwanted actions.
- b. Document the occurrences of harassment.
- c. If the unwanted actions continue, file a complaint with a Department Head, the City Administrator, or the Personnel Committee.
- d. Document any further harassment or reprisals that occur after the complaint is filed.

11.06. Investigation. Written complaints submitted to the City will be promptly investigated by the City Administrator or the Personnel Committee. In determining whether the alleged conduct constitutes sexual harassment, the investigator will look at the nature of the sexual advances and the context in which the alleged incidents occurred.

11.06.01. Non-Employee Harassment. In cases where sexual harassment is committed by a non-employee against a city employee in the workplace, the City Attorney will take all lawful steps to ensure that the sexual harassment is brought to an immediate end.

11.07. Recommendation. Upon completion of the investigation, the City Administrator or the Personnel Committee will recommend to the City Council what actions are appropriate. If the facts support the allegations, disciplinary action up to and including dismissal may result. Employees may also be subject to disciplinary action if an employee is found to have made a false complaint or gave knowingly false information.

11.08. Confidentiality. Every attempt will be made to maintain the employee's confidentiality and provide protection against retaliation. A record of the complaint and investigative materials will be contained in a file separate from the involved employee's personnel file. If disciplinary action does result from the investigation, the results of the disciplinary action will then become part of the employee's personnel file and become public information.

11.09. Retaliation Prohibited. The City of Tyler will not tolerate retaliation or intimidation directed towards anyone who files a complaint.

SECTION 12- EMPLOYEE USE OF ALCOHOL AND DRUGS

12.01. General. Employees are expected to work with no alcohol or drugs in their bodies. The City of Tyler will not accept the risks or performance problems which substance abuse can create.

12.02. Alcohol. An employee who is intoxicated may not report to work. Alcoholic beverages should not be consumed on City premises or anywhere during work hours, rest breaks, or meals.

12.03. Drugs. An employee who is under the influence of marijuana, controlled substances, or other drugs which affect their alertness, coordination, reaction, response, judgment, decision making, or safety may not report to work. No employee shall use, sell, or possess drugs anywhere during work hours, rest periods, or meals.

12.03.01. Medically Authorized Drugs. When an employee is taking medically authorized drugs or other substances that may alter job performance, the employee is under an affirmative duty to notify the appropriate authority.

12.04. Federal Assistance Plan. Employees 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 working days after the conviction as required by the Drug-Free Workplace Act of 1988.

12.05. Operating Equipment, Machinery, and Vehicles. No employee shall operate, use, or drive any equipment, machinery or vehicles for the City of Tyler while under the influence of alcohol or mood altering drugs.

12.06. Drug Testing. Employees who are responsible for driving or operating any City vehicle or equipment may be requested or required to undergo random drug or alcohol testing. The City may also require an employee to undergo a drug or alcohol test at any reasonable time if the City has reasonable suspicion that the employee:

- a. Is under the influence of drugs or alcohol while working.
- b. Caused another employee to sustain a personal injury.
- c. Caused a work-related accident.

12.06.01. Positive Result. An employee, who tests positive for a drug or alcohol test, has the right to explain a positive test result or request and pay for a confirmatory re-test.

12.07. Enforcement. Violations of this policy may result in disciplinary action including dismissal and may have legal consequences. Each situation will be evaluated on a case-by-case basis depending upon the severity and circumstances involved.

SECTION 13- COMMUNICATIONS

13.01. General. The City of Tyler provides employees with access to and use of a variety of communications resources. These resources are provided to employees in an effort to allow them to be more efficient, productive, and have access to information that is necessary for them to carry out their responsibilities as an employee of the City.

13.02. Mail. Employees may purchase postage at the City office 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.

13.03. Telephone. Personal telephone calls should be kept as brief as possible and should be made during rest or lunch breaks whenever possible. Excessive use of the City phone system for personal calls is prohibited and may lead to disciplinary action.

13.04. Fax. Employees may use the City's fax machine on rest breaks, lunch breaks, or before and after work hours to fax personal communications.

13.05. Cellular Phone. If an employee has been issued a cellular phone by the City of Tyler, that employee may use the cellular phone to make necessary personal calls. Employees must use their cellular phone in a safe manner at all times.

13.05. Internet. Employees should be aware that it is possible to track visited Internet sites. The City reserves the right to access, monitor, and disclose all Internet and online services. Employees may use the City's Internet access to reach sites of personal interest during rest breaks, lunch breaks, or before and after work hours.

13.05.01. Access of Inappropriate Internet Sites. If an employee inadvertently accesses an Internet site which is inappropriate or prohibited, the employee should immediately escape from the site.

13.06. Electronic Mail (E-Mail). The use of e-mail is not private; therefore confidential information should not be transmitted using e-mail. Although e-mail messages may appear to have been deleted, the message or the data may be stored on the computer's backup system. Stored e-mail messages and other computerized data are discoverable documents, which may be exchanged in litigation. The content of e-mail messages may subject the sender to civil liability, discipline, and criminal sanctions.

13.06.01. Inappropriate E-Mails. If an inappropriate and unsolicited e-mail message is received, it should be immediately deleted unless the message includes reference to an illegal activity. Messages referring to illegal activities should be immediately reported to the City Administrator.

13.07. Software Use. Only software purchased by or licensed to the City of Tyler may be installed on City computers. The use of software must be in compliance with the license agreement and cannot be copied to multiple computers, unless so permitted by the licensor. Employee-owned software, shareware, or freeware can only be installed on City computers with prior authorization of the City Administrator.

13.08. Virus Containment. Employees should notify the City Administrator immediately if they suspect or confirm that their computer system has been infested with a virus. Only properly trained individuals should attempt to destroy or remove a virus.

13.09. Unacceptable Use. At no time, during work hours or non-work hours, shall an employee use any of the City of Tyler's communications system to:

- a. Access, transmit, upload, download, receive, or distribute pornographic, obscene, abusive, or sexually explicit materials or materials containing unclothed or partially clothed people.
- b. Transmit or receive obscene, abusive, or sexually explicit language or profanity.
- c. Violate any local, state, or federal law or engage in any type of illegal activities.
- d. Vandalize, damage, or disable the property of another person or organization.
- e. Access the materials, information, files, or e-mail of another person or organization without permission or without a legitimate business reason.
- f. Engage in any form of gambling, wagering, betting, or selling.
- g. Reproduce or distribute copyrighted materials without proper authorization.
- h. Engage in any type of commercial enterprises, solicitation for private purposes, or promote any political or private causes unrelated to the City.
- i. Advocate or access information advocating any type of unlawful violence, vandalism, or illegal activity.
- j. Maliciously disrupt the network services, such as downloading large files or distributing computer viruses.
- k. Create unauthorized web pages or information sites.
- l. Generate messages that are, or could reasonably be considered, offensive to another on the basis of race, sex, age, sexual orientation, religious or political beliefs, national origin, marital status, public assistance status or disability.

13.10. Privacy. The City reserves the right, as is reasonably necessary, to search, review, audit, intercept, or access any employee's use of the City's communication resources. All materials created, developed, composed, sent, or received using City's resources will remain the property of the City of Tyler.

13.11. Enforcement. Use of the City's communications resources in violation of this policy may lead to disciplinary action up to and including termination of employment. In addition, violations which are of criminal nature may be referred for criminal prosecution. Employees assume personal liability for any and all violations committed while using the City's communications resources.

SECTION 14- ELECTED OFFICIAL OUT-OF-STATE TRAVEL POLICY

14.01. Purpose. The City of Tyler recognizes that its elected official may at times receive value from traveling out of the state for workshops, conferences, events and other assignments. This policy sets forth the conditions under which out-of-state travel will be reimbursed by the City.

14.02. General Guidelines. The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of the travel. In evaluating the out-of-state travel request, the Council will consider the following:

- a. Whether the elected official will be receiving training on issues relevant to the City or to their role as the Personnel Committee or as a Council Member.
- b. Whether the elected official will be meeting and networking with other elected officials from around the country to exchange ideas on topics of relevance to the City or on the official roles of local elected officials.
- c. Whether the elected official will be viewing a City facility or function that is similar in nature to one that is currently operating at, or under consideration by the City where the purpose for the trip is to study the facility or function to bring back ideas for the consideration of the full Council.
- d. Whether the elected official has been specifically assigned by the Council to visit another City for the purpose of establishing a goodwill relationship such as a "sister-City" relationship.
- e. Whether the elected Official has been specifically assigned by the Council to testify on behalf of the City at the United States Congress or to otherwise meet with federal officials on behalf of the City.
- f. Whether the City has sufficient funding available in the budget to pay the cost of the trip.

14.03. Payment. The City will pay necessary and reasonable expenses incurred by elected officials to attend training session, workshops, and conferences. The training must be of benefit to the elected official in their position with the City. Limitations may be imposed on paying for expenses for an elected official who has announced their intention to resign, not to seek reelection, or who has been defeated in an election.

14.03.01. Eligible Expenses. Elected officials may be reimbursed for the following expenses: lodging, meals, mileage, and registration. Elected Officials must use the most cost-efficient mode of travel available taking into consideration reasonable time constraints. Airfare will be reimbursed at the coach rate.

14.03.02. Ineligible Expenses. The City will not reimburse elected officials for the following expenses: alcoholic beverages, personal telephone calls, costs associated with the attendance of a family member, rental of luxury vehicles, meal expenses included in the cost of registration, or recreational expenses such as golf or tennis.

14.04. Political Events. No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.

14.05. Special Exceptions. The City Council may make exceptions to the policy depending upon circumstances unique to the trip and/or Elected Official.

Deputy Clerk

Position Title: Deputy Clerk

Purpose: Performs administrative, clerical and secretarial work in support of the daily operations for the City of Tyler. Primarily responsible for accounts payable and receivable, payroll and general record keeping and reporting requirements. Provides information to residents and the general public through phone and in person contact.

Organizational Relationship: Reports to the City Administrator-Clerk and communicates with City Council, City Staff, residents and other agencies as directed.

Hours: 36-40 hours a week / Approval needed for over-time in seasonal or emergency situations

Essential Functions:

- Provides information and assistance to citizens either in person or by phone, answers questions, receives complaints, prepares research, maintains files, makes copies, notaries papers, takes messages and refers questions to appropriate staff.
- Performs Driver and Vehicle Services. Helps to ensure compliance with all state and federal regulations.
- Responsible for assisting in ensuring election process is handled correctly. Works with election judges and other appropriate entities.
- Responsible for accounts payable and receivable transactions; generates checks for bill payment, maintains financial records and prepares reports as requested or required.
- Processes payroll, deductions, records and reports. Generates checks and benefits payable. Prepares federal and state reports, w2's, w4's, 1099's, PERA, Medicare withholding reports, sales tax reports and any other reports as needed.
- Assists in development and administration of annual budget; monitors expenditures and receipts during the year; provides reports to City Administrator as requested.
- Assists audit firm with annual audit as well as other auditors.
- Prepares bank deposits; reconciles checking register; reconciles checking and savings accounts monthly.
- Issues new and renewal business and contractor licenses, yearly animal license.
- Accepts requests for zoning permits, utility connections; delivers to administrator for final approval.
- Assists Fire Department Relief Association in administering accounting and reports.
- Responsible for schedule of City Rental Properties; collects payment.
- Prepares financial reports for the council; maintains records of minutes, ordinances and resolutions; publishes notice of special meetings and ordinances as required.
- Purchases office supplies; requests maintenance and repair as needed; administers petty cash funds.

- Records and work processes/types meeting minutes for City Council in Administrator-Clerk's absence.
- Prepares Council agendas and information packets for City Council in the absence of the Administrator; conducts routine searches of files and records as needed.
- Sorts and distributes mail for city departments.
- Performs other related duties as assigned or apparent.

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City of Tyler

Utility Billing Clerk

Position Title: Utility Billing Clerk

Purpose: Organizes, maintains and administers utility billing for city utilities. Provides information to residents and general public through phone and in person contact. Communicates with utility suppliers and utility staff.

Organizational Relationship: Reports to the City Administrator-Clerk and communicates with City Council, City Staff and citizens.

Hours: 36-40 hours a week / Approval needed for over-time in seasonal or emergency situations

Essential Functions:

- Responsible for all utility billing including bill calculation, preparation of pre-billing estimates, printing and mailing all utility bills and prepare all post-billing reports
- Posts penalties on utility billing system, calculates, prints and prepares shut off notices.
- Prepares reimbursement for Finaled customers.
- Performs Driver and Vehicle Services. Ensures compliance with all state and federal regulations.
- Creates new utility accounts and sets up billing reports in computer and in files, handles complaints and answers customer questions on utility billing.
- Updates meter reads, prepares list for meter reader.
- Receives payments, balances cash drawers and customer payments, writes receipts for various departments
- Receives and directs visitors
- Processes payroll, deductions, records and reports. Generates checks and benefits payable. Prepares federal and state reports, w2's, w4's, 1099's, PERA, Medicare withholding reports, sales tax reports and any other reports as needed.
- Prepares bank deposits; reconciles checking register; reconciles checking and savings accounts monthly.
- Issues new and renewal business and contractor licenses, yearly animal license.
- Accepts requests for zoning permits, utility connections; delivers to administrator for final approval.
- Assist with and complete as directed or assigned various financial activities such as accounts receivable, special assessments, budget schedules, etc.
- Sorts and distributes mail and prepares outgoing mail for pick up.
- Provides clerical support including the filing of documents for City Administrator-Clerk.
- Performs other duties as assigned or apparent.

Water Utility Worker

Purpose:

Position performs manual work of a semi-skilled nature involving the operation of various types of light and heavy equipment used for maintenance and construction work. Duties are normally performed with some degree of independence.

Hours: 40 hours a week / Approval needed for over-time in seasonal or emergency situations / On-call time as needed and assigned

Essential Functions:

- Maintain the daily operations of the water, waste water and storm systems in the City of Tyler.
- Maintain records for water, waste water and storm systems along with any other needed record keeping to perform the job.
- Communicates with state and federal agencies as it relates to the performance of the systems in Tyler.
- Works on the street maintenance of Tyler.
- Operates light and heavy equipment including but not limited to vehicles, trucks, tractors, mowers, street sweeper, snowplow, dump truck, front end loader and similar equipment.
- Performs maintenance, cleaning and repairs of vehicles, equipment, streets, park facilities, buildings and other municipal facilities.
- Performs municipal trash collection duties along with other municipal utility staff.
- Assists with street repair activities, including cold and hot mix asphalt patching, crack sealing and concrete repair.
- Performs snow and ice removal including plowing, sanding, loading trucks, hauling snow and cleaning of parking and sidewalk surfaces.
- Performs minor patching, plumbing, carpentry and masonry work.
- Presents professional appearance at all times and maintains a high standard of customer service.
- Assists in any other municipal work as directed by the City Administrator.
- Performs other duties as are needed.

Natural Gas Utility Worker

Purpose:

Position performs manual work of a semi-skilled nature involving the operation of various types of light and heavy equipment used for maintenance and construction work. Duties are normally performed with some degree of independence.

Hours: 40 hours a week / Approval needed for over-time in seasonal or emergency situations / On-call time as needed and assigned

Essential Functions:

- Maintain the daily operations of the Natural Gas system in the City of Tyler.
- Maintain records for natural gas systems along with any other needed record keeping to perform the job.
- Communicates with state and federal agencies as it relates to the performance of the systems in Tyler.
- Operates light and heavy equipment including but not limited to vehicles, trucks, tractors, mowers, street sweeper, snowplow, dump truck, front end loader and similar equipment.
- Performs maintenance, cleaning and repairs of vehicles, equipment, streets, park facilities, buildings and other municipal facilities.
- Performs municipal trash collection duties along with other municipal utility staff.
- Assists with street repair activities, including cold and hot mix asphalt patching, crack sealing and concrete repair.
- Performs snow and ice removal including plowing, sanding, loading trucks, hauling snow and cleaning of parking and sidewalk surfaces.
- Performs minor patching, plumbing, carpentry and masonry work.
- Presents professional appearance at all times and maintains a high standard of customer service.
- Assists in any other municipal work as directed by the City Administrator.
- Performs other duties as are needed.

General Utility Worker

Purpose:

Position performs manual work of a semi-skilled nature involving the operation of various types of light and heavy equipment used for maintenance and construction work. Duties are normally performed with some degree of independence.

Hours: 36-40 hours a week / Approval needed for over-time in seasonal or emergency situations

Essential Functions:

- Operates light and heavy equipment including but not limited to vehicles, trucks, tractors, mowers, street sweeper, snowplow, dump truck, front end loader and similar equipment.
- Performs maintenance, cleaning and repairs of vehicles, equipment, streets, park facilities, buildings and other municipal facilities.
- Performs municipal trash collection duties along with other municipal utility staff.
- Assists with street repair activities, including cold and hot mix asphalt patching, crack sealing and concrete repair.
- Performs snow and ice removal including plowing, sanding, loading trucks, hauling snow and cleaning of parking and sidewalk surfaces.
- Performs minor patching, plumbing, carpentry and masonry work.
- Presents professional appearance at all times and maintains a high standard of customer service.
- Assists in any other municipal work as directed by the City Administrator.

**CHAPTER 3.
OFFICERS AND EMPLOYEES**

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3.00. Clerk-Treasurer Combined The offices of Clerk and Treasurer shall be combined into the office of City Administrator, which shall be subject to the control and direction of the Mayor and the City Council. The City Administrator shall be responsible for performing all the duties of the office of the Clerk and all the duties of the office of Treasurer.

3.01. City Administrator. The City Administrator shall be appointed by the Council, shall receive such compensation as the Council may fix and shall serve at the pleasure of the Council.

3.01.01. Duties. The City Administrator, under the control and direction of the City Council, shall be charged with the following duties:

3.01.01.01. Supervise the management and the operation of the City office;

3.01.01.02 Supervise the administration of the health, building, streets, water, sewer, engineering and police departments, the liquor store, and City parks;

3.01.01.03. Supervise the method and manner of maintaining City accounts and for collection and payment of money within the limits provided by law and providing for periodic reports to the City Council;

3.01.01.04. Keep for the City a record of the following: real property belonging to or used by the City; plats of land within the City; special assessments; charges and assessment rolls that may be assembled or prepared

by or on behalf of the City which pertain to public improvements or property of the City.

3.01.01.05 Perform all statutory duties of a City Clerk;

3.01.01.06 Perform all other duties assigned by the Council.

3.02. Fire Chief. The Chief shall be elected by the department and approved by the City Council for a two (2) year term. The Chief's tenure of office shall depend upon his or her good conduct, his or her efficiency and the approval of the City Council. The Chief may be removed from office only for just cause and after a fair and impartial hearing before the City Council upon ten (10) days written notice to the Chief.

3.02.01 Duties and Powers of Chief. The Chief shall be the administrative head of the fire department. In such position, it shall be his or her duty to:

3.02.01.01. Establish Management Organization. Recommend the management organization of the department to the Joint Powers Board;

3.02.01.02. Control Apparatus. Have control of all fire fighting apparatus and equipment and be solely responsible for its care and condition;

3.02.01.03. Budget Committee. Head the Budget Committee of the department;

3.02.01.04 Prepare Long-Range Plans. Prepare projections describing what the fire department should accomplish during periods of 1 to 5 years. These reports shall be adjusted as frequently as changing conditions dictate and shall include predicted annual budget requests for members and equipment as well as capitol expenditures;

3.02.01.05. Reports. Make reports to the City Council or to the public as required by the Council;

3.02.01.06. Control Assignments. Control work assignments so as to properly utilize the working forces of the department;

3.02.01.07. Training. Insure the proper training of the members of the fire department. At least one (1) meeting of the fire department members and at least one (1) drill per month shall be held. Such meetings and drills may be held on the same night if sufficient time is allocated foreach. Records shall be kept of the names and the number of the firefighters present at each meeting or drill,

what each drill consists of, and any other pertinent information deemed necessary by the Council or the State Fire Marshall;

3.02.01.08 Ancillary Functions. To perform such other functions as are necessary to properly administer the fire department and as may be assigned by the Council;

3.02.01.09 Lock Boxes. Pursuant to the authority granted by the Minnesota State Fire Code, the Chief may, when he or she deems it necessary for potential life saving or firefighting purposes, order any apartment complex or other structure with a secured entry system to install a key box with appropriate keys inside to allow the fire department immediate access to the structure.

3.03. Reserved.

3.04. Police Department

3.04.01. Establishment. A police department is, by this Section, continued. The head of the department shall be known as the Chief of police and the number of additional members of the department, together with their ranks and titles, shall be determined by the Council by resolution. The compensation to be paid members of the police department shall be fixed by the Council. Members of the department shall be appointed by the Council, and be licensed peace officers in the State of Minnesota.

3.04.02. Chief of Police. The office of Chief of Police is hereby continued. He or she shall be appointed by the Council and may be removed only for cause and after public hearing. The Chief shall be under the direct supervision of the City Administrator.

3.04.02.01. Police Chief Duties. The Chief of Police shall perform all the duties by law conferred upon him or her for the preservation of the public peace. He or she shall have control over his or her department and shall be solely responsible for its care and condition. He or she shall make a report monthly to the City Council, as to the condition of the equipment and the needs of the police department. He or she may submit additional reports and recommendations at any meeting of the City Council and shall report suspensions by him or her or the police department at the first meeting of the Council following such suspensions. He or she shall be responsible for the proper training and discipline of the members of the police department, and may suspend any member for refusal or neglect to obey orders pending final action by the Council on, his or her discharge or retention.

3.04.02.02 Records. The Chief shall keep in a convenient form a complete record of his or her calls and arrests. Such record shall include the time of

same, the location and such other information as he or she may deem advisable or as may be required from time to time by the City Council or applicable laws.

3.04.03. Duties of Police. Members of the police department shall enforce the laws applicable to the City, bring violators before the court and make complaints for offenses coming to their knowledge. Members of the police department shall serve processes on behalf of the City and shall serve such notices as may be required by the Council or other authority. When the City is not a party to the proceedings involved in the process or notice, the officer shall collect the same fees as provided bylaw. All such fees shall be paid into the City treasury.

3.04.04. Uniform and Badge. Each member of the department shall, while on duty, wear a suitable badge and uniform furnished by the City, except that the Chief may authorize the performance of specific duties while not in uniform. When a member terminates membership in the department, the member shall immediately deliver to the City the badge, insignias, uniform (unless purchased by the officer by means of a clothing allowance or otherwise) and all other property of the City.**240.07 Extra Police.** In case of riot or other law enforcement emergency, the Chief of police may appoint for a specified time as many special police officers as may be necessary for the maintenance of law and order. During such term of appointment, the special police officer shall have only those powers and perform only those duties as shall be specifically assigned by the Chief of police.

3.05. Police Reserve.

3.05.01. Establishment. There is hereby created within the police department a police reserve which shall consist of such number of volunteer members as the Council deems necessary. The police reserve shall be under the control and supervision of the Chief of police. Members of the police reserve shall be appointed by the Council and may be removed by it at any time. They shall serve under the direction of the superior officers of the regular police force and such others as the Chief may appoint from their own number.

3.05.02. When assigned to duty by the Chief of police, each police reserve member shall have the same authority, duties, and obligations as regular members of the police department including the authority to issue citations except as restricted in Subd. 5 of this Subsection. Individual members may be used as deemed necessary by the Chief of police, but the entire police reserve shall not be called to duty except upon order of the Mayor.

3.05.03. Oath, Insignia. Each police reserve member shall take the oath prescribe by Minn. Stat. 358.05. Each member shall be issued a badge, suitable items

clothing and such other insignia or evidence of identification as the Chief of police may prescribe. Upon termination of membership, a member shall surrender to the City all City property issued to the member.

3.05.04. Personnel Rules. Personnel code sections and rules applicable to regular employees of the City do not apply to members of the police reserve, but each such member shall be covered as a City employee under the workers' compensation insurance policy of the City.

3.05.05. Other Restrictions . No member of the police reserve shall exercise any authority over the persons or property of others without displaying identification as such member. No police reserve member shall make arrests upon a warrant unless accompanied by a regular police officer. Only police reserve members shall use such identification or otherwise represent themselves to be members of the police reserve. No police reserve member shall carry any firearm while on duty except as specifically authorized by the police Chief.

3.06. Public Works Director. There is hereby established the office of the Public Works Director which shall be subject to the control and direction of the City Council.

3.06.01 Duties and Powers. The Public Works Director shall be charged with the following duties:

3.06.01.01. The Public Works Director shall maintain records relating to public property or improvement as the Council may by ordinance or resolution direct;

3.06.01.02. The Public Works Director shall inspect and supervise all construction, installation, repair and maintenance projects undertaken by or on behalf of the City and shall take such measures with respect thereto as may be necessary to safeguard the interest of the City and to insure compliance with plans and specifications, ordinances, rules, regulations and laws pertaining to such projects, including employing professional engineers and consultants;

3.06.01.03. The Public Works Director shall consult with, advise and assist the City Council and all other officials of the City on matters relating to the City's road, water, electrical, natural gas and sewer infrastructure;

3.06.01.04. The Public Works Director shall keep for the City a record of the following: traffic and street signs; street lights; grades and surfaces of streets; public improvements within the City; costs of construction of public improvements; plats of the sewers and water lines of the City; specifications for all street improvements, and such other records, plans, specifications, blueprints, surveys,

estimates, reports, profiles,;

3.06.01.05. The foregoing list of duties shall not be regarded as exclusive but the office of the Public Works Director shall have such other duties related or incidental thereto as may be necessary for the proper operation thereof, including, but not limited to the direction of improvements to and maintenance of the City streets, the operation of the City and sewage systems, the operation of the City electrical systems, the operation of the City's natural gas systems, the operations of the City sanitation equipment and personnel.

3.07. Personnel Policies and Criminal Histories. The City shall maintain a Personnel Policy which they shall revise from time to time as may be necessary. All individuals seeking employment with the City shall submit to criminal history check, conducted by the Tyler Police Department or by the Lincoln County Sheriff's Office at the request of the City Administrator.

Tyler City Council / Oct. 3, 2016

To: Tyler City Council
From: Robert Wolfington, City Administrator
Re: Administrator's Report
Date: Oct. 3, 2016
Subject: Pull Tabs request

The Shaokatan Sportsmen Club has applied for license for pull tabs at the Kronborg Restaurant and Lounge. Please find the application attached.

MINNESOTA LAWFUL GAMBLING
LG214 Premises Permit Application

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use LG215 Lease for Lawful Gambling Activity.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "State of Minnesota."

Mail the application and required attachments to:
 Minnesota Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: Shaokatan Sportsmen Club License Number: 02672

Chief Executive Officer (CEO) Lyle S Thompson Daytime Phone: 507-275-3006

Gambling Manager: W Blaine Kurth Daytime Phone: 507-694-1345

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Kronborg Restaurant & Lounge

List any previous names for this location:

N/A

Street address where premises is located: 101 US Hwy 14 West
(Do not use a P.O. box number or mailing address.)

City: <u>Tyler</u>	OR	Township:	County: <u>Lincoln</u>	Zip Code: <u>56178</u>
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Does your organization own the building where the gambling will be conducted?

Yes No If no, attach LG215 Lease for Lawful Gambling Activity.

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: Bank of the West Bank Account Number: 961-031721

Bank Street Address: 323 N Norman City: Ivanhoe State: MN Zip Code: 56142

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
<u>110 N Sherwood</u>	<u>Ivanhoe</u>	<u>MN</u>	<u>56142</u>
<u>211 S Sherwood</u>	<u>Ivanhoe</u>	<u>MN</u>	<u>56142</u>
		<u>MN</u>	