



CITY OF
OTTUMWA

****AMENDED AGENDA
OTTUMWA CITY COUNCIL**

REGULAR MEETING NO. 15
Council Chambers, City Hall

June 6, 2023
5:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE

A. ROLL CALL: Council Member Hull, Pope, Roe, Galloway, McAntire, and Mayor Johnson.

B. CONSENT AGENDA:

1. Minutes from Regular Meeting No. 13 on May 16, 2023 as presented.
2. Acknowledge appointment of James Carlson to Cemetery Board of Trustees, term to expire 7/1/28; re-appointment of Joyce Kramer to Board of Library Trustees, term to expire 7/1/29; re-appointment of John Hunolt to Cemetery Board of Trustees, term to expire 7/1/30; re-appointments of Amy Norris Hernandez and Nathan Wilson to Human Rights Commission, terms to expire, 7/1/26.
3. Resolution No. 96-2023, approving the updated Salary Schedule.
4. Resolution No. 97-2023, approving the Wapello County/City of Ottumwa Law Enforcement Center Maintenance Budget for Fiscal Year ending June 30, 2024.
5. Cigarette Permit Applications for: Elliott Oil Company – Albia Road BP (1340 Albia Rd.), North Court BP (1301 N. Court St.), Pennsylvania & Jefferson BP (1147 N. Jefferson), Richmond & Ferry BP (720 Richmond Ave.), West Second BP (1049 W. Second), Casey's General Stores - #7 (1001 E. Main), #1678 (346 Richmond Ave.), #2208 (1603 W. Second), #1886 (504 W. Mary St.), Fareway Stores #648 (1325 Albia Rd.), Smokin Hot, LLC (2604 N. Court, Suite A), Walgreens #1301 (327 W. 4th St.), Dollar General #7179 (721 N. Quincy Ave.), Dollar General #2898 (921 E. Main St.), Dollar General #24713 (1235 Hutchinson Ave.), Hy-Vee #2 Fast & Fresh (2547 N. Court), Hy-Vee #2 Food Store (2453 N. Court), Hy-Vee Drugstore (1140 N. Jefferson St.), Hy-Vee #1 Food Store (1025 N. Quincy), Hy-Vee #1 Fast & Fresh (1027 N. Quincy), Walmart #1285 (1940 Venture Dr.), Smokin' Joe's Tobacco & Liquor Outlet #5 (1115 Albia Rd.), Fine Liquor & Tobacco (821 B Albia Rd.), Iowa Liquor & Tobacco (1021 E. Main St., Murphy USA #6945 (1939 Venture Drive), Ross Tobacco Shop, LLC (129 E. Second); Yesway #1012 (2508 N. Court St.), Yesway #1013 (534 Church St.), Yesway #1014 (502 W. Second St.), Yesway #1030 (1317 E. Mary St.); MAD Ave. Quik Shop (405 S. Madison Ave.).
6. Beer and/or liquor applications for: Cobblestone Hotel & Suites and Wissota Chophouse, 108 Church Street; Jade Palace, 1404 Sherwood; all applications pending final inspections.

C APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

All items on this agenda are subject to discussion and/or action.

E. IDENTIFICATION OF CITIZENS DESIRING TO COMMENT ON AGENDA ITEMS:

(When called upon by the Mayor, step to the microphone; state their name, address and agenda item to be addressed. The Mayor will invite you to address the Council when that topic is being discussed. Remarks will be limited to **three minutes or less**. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments are to be directly germane to the agenda item being discussed; if not directly germane as determined by the Mayor will be ruled out of order.)

F. PUBLIC HEARING:

1. This is the time, place and date set for a public hearing on the proposal to convey certain real property known as 1531 Mable Street, Ottumwa, Wapello County, Iowa, to Alissa Welch.
 - A. Open the public hearing.
 - B. Close the public hearing.
 - C. Resolution No. 90-2023, approving and authorizing the conveyance of certain real property known as 1531 Mable Street, Ottumwa, Iowa, to Alissa Welch for the sum of \$300.

RECOMMENDATION: Pass and adopt Resolution No. 90-2023.

G. ORDINANCES:

1. Ordinance No. 3212-2023, establishing solid waste fees for noncommercial establishments by repealing and replacing Section 31 ½ - 35 of the Municipal Code of the City of Ottumwa.

RECOMMENDATION: Pass the second consideration of Ordinance No. 3212-2023.

2. Ordinance No. 3213-2023, amending the Code of Ordinances by changing the zoning classification of property known as 526 E. Second from R-4 to C-2 in the City of Ottumwa, Wapello County, Iowa.

RECOMMENDATION: Pass the third consideration and adopt Ordinance No. 3213-2023.

3. Ordinance No. 3214-2023, amending the Code of Ordinances by changing the zoning classification of property known as 1508 Albia Road from C-1 to C-2 in the City of Ottumwa, Wapello County, Iowa.

RECOMMENDATION: Pass the third consideration and adopt Ordinance No. 3214-2023.

H. DEPARTMENTAL, BOARD, OR COMMISSION RECOMMENDATIONS/REPORTS:

**

2. Purchase of Parking Lot Light Poles for the Troeger Parking Lot Project.

RECOMMENDATION: Approve the purchase of light poles and light fixtures for the Troeger Parking Lot and Bridge View Parking Lot expansion project totaling \$16,901.28 from 3E.

I. RESOLUTIONS:

1. Resolution No. 92-2023, approve the Collective Bargaining Agreement with Ottumwa Police Union Teamster's Local #238, commencing on 7/1/23 – 6/30/28.

RECOMMENDATION: Pass and adopt Resolution No. 92-2023.

2. Resolution No. 93-2023, approving updates to Personnel Policy.

RECOMMENDATION: Pass and adopt Resolution No. 93-2023.

3. Resolution No. 94-2023, awarding the contract for demolition of the condemned property at 1054 & 1056 Tuttle to Environmental Edge, of Ottumwa, Iowa, in the amount of \$7,200.

RECOMMENDATION: Pass and adopt Resolution No. 94-2023.

4. Resolution No. 95-2023, awarding the contract for asbestos abatement and demolition of the condemned property at 301 N. Graves to Dan Laursen of Ottumwa, Iowa, for \$6,800 for Asbestos removal and \$18,000 for demolition total \$24,800.

RECOMMENDATION: Pass and adopt Resolution No. 95-2023.

5. Resolution No. 99-2023, approving the Final Plat of Christner's First Subdivision in the City of Ottumwa, Wapello County, Iowa.

RECOMMENDATION: Pass and adopt Resolution No. 99-2023.

J. PUBLIC FORUM:

The Mayor will request comments from the public on topics of city business or operations other than those listed on this agenda. Comments shall not be personalized and limited to three minutes or less. Comments not directly applicable to operations, inappropriate, or an improper utilization of meeting time, as determined by the Mayor, will be ruled out of order. When called upon by the Mayor, step to the microphone; give your name, address and topic on which to address the Council. The Council is not likely to take any action on your comments due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department, city administrator or legal counsel for response, if relevant.

K. MAYOR/CITY COUNCIL REPORT AND/OR COMMUNICATIONS

ADJOURN

***** It is the goal of the City of Ottumwa that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council meetings due to a disability as defined under the ADA, please call the City Clerk's Office at (641) 683-0621 at least one (1) business day prior to the scheduled meeting to request an accommodation. *****

****AMENDED – Removed Item H-1 - Authorize Community Development Director to Sign Order form for Placer.AI Location Services Data Program and agree to License Agreement. Will be presented at our next regularly scheduled meeting.**



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 6/5/2023 TIME: 1:00 PM NO. OF PAGES 4
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Amended Agenda for the Regular City Council Meeting #15 to be held on 6/06/2023 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO.	3183	
DEPT. ID	4717	
PGS.	4	
TX INCOMPLETE	-----	
TRANSACTION OK	916416847834	Ottumwa Courier
	916606271885	KTVO
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JOB NO.	3183	
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ST. TIME	06/05 12:57	
SHEETS	4	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	916416847834	Ottumwa Courier
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H. DEPARTMENTAL, BOARD, OR COMMISSION RECOMMENDATIONS/REPORTS:

1. Authorize Community Development Director to Sign Order form for Placer.AI Location Services Data Program and agree to License Agreement.

RECOMMENDATION: Authorize Community Development Director to sign order form for Placer.AI Location Services Data Program and agree to License Agreement, one-year subscription \$20,000, City's portion is \$10,000 after John Deere Foundation & Greater Ottumwa Partners in Progress contributed \$10,000.

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6. Beer and/or liquor applications for: Cobblestone Hotel & Suites and Wissota Chophouse, 108 Church Street; Jade Palace, 1404 Sherwood; all applications pending final inspections.

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 13
Council Chambers, City Hall

May 16, 2023
5:30 O'Clock P.M.

The meeting was called to order at 5:30 P.M.

Present were Council Member Galloway, McAntire, Hull, Pope, Roe and Mayor Johnson.

Roe moved, seconded by Galloway to approve consent agenda items: Mins. from Regular Mtg. No. 11 on May 2, 2023 and Special Mtg. No. 12 on May 9, 2023 as presented; Historic Preservation Month Proclamation; Foster Care Month Proclamation; Res. No. 67-2023, approving contract, bonds and cert. of ins. for Green St. Sewer Improv. Project – Group A; Res. No. 80-2023, approving contract, bonds and cert. of ins. for Ottumwa Campground Parking Lot & RV Dump Station Project; Res. No. 84-2023, approving lease agt. with Ottumwa Saddle Club; Res. No. 89-2023, fixing date for public hearing on disposition of City owned property at 1531 Mable St.; Res. No. 91-2023, approving three-yr. lease agt. with Ottumwa Comm. School Dist. for use of the Beach Ottumwa facilities; Beer and/or liquor applications for: Applebee's, 1303 Vaughn Dr.; all applications pending final inspections. All ayes.

McAntire moved, seconded by Roe to approve agenda as presented. All ayes.

City Admin. Rath provided an update on Gallagher Wage Study; goal is completion of study by end of May; city council mtgs. are open to the public and we encourage all to attend, but do want to remind everyone that council operates under a set of rules to keep mtgs. running smoothly and an efficient use of everyone's time.

Mayor Johnson inquired if anyone from the audience wished to address an item on the agenda. Josh Kirby requested to speak about Item G-2.

This was the time, place and date set for public hearing to adopt Amendment No. 3 to *Our Ottumwa 2040* Comprehensive Plan and providing Plan Updates. Comm. Dev. Dir. Simonson reported this amendment extends Zoning Districts which are partially compatible with neighborhood mixed-use and public/semi-public/institutional land use categories in the Zoning Compatibility Matrix of the Future Land Use Plan. No objections rec'd. Galloway moved, seconded by McAntire to close public hearing. All ayes.

Hull moved, seconded by Roe that Res. No. 87-2023, adopting Amendment No. 3 to *Our Ottumwa 2040* Comprehensive Plan and providing Plan Updates, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on proposed Ord. No. 3212-2023, est. solid waste fees for noncommercial establishments by repealing and replacing Section 31 ½ - 35 of the Muni Code of the City of Ottumwa. Simonson reported current rate structure exp. July 1, 2023; new fees include an increase of \$2.82 per month (or 14.7%). This increase accounts for the increase in landfill tipping fee, contract increase for Bridge City Sanitation, fuel surcharge paid to Bridge City Sanitation and admin. costs. This increase will show on citizens water bills. No objections rec'd. Pope moved, seconded by Galloway to close public hearing. All ayes.

McAntire moved, seconded by Pope to pass first consideration of Ord. No. 3212-2023, est. solid waste fees for noncommercial establishments by repealing and replacing Section 31 ½ - 35 of the Muni. Code of the City of Ottumwa. All ayes.

Roe moved, seconded by Galloway to pass second consideration of Ord. No. 3213-2023, amending Muni. Code of City of Ottumwa by changing zoning classification of property 526 E. Second from R-4 to C-2 in the City of Ottumwa, Wapello County, IA. All ayes.

Pope moved, seconded by Hull to pass second consideration of Ord. No. 3214-2023, amending Muni. Code of City of Ottumwa by changing zoning classification of property 1508 Albia Rd. from C-1 to C-2 in the City of Ottumwa, Wapello County, IA. Mr. Kirby was also available for any questions. Motion carried 4-1. Ayes: Galloway, McAntire, Hull, Pope. Nays: Roe.

Hull moved, seconded by McAntire to approve submission of grant application to Bureau of Justice Assistance to participate in 2023 Bulletproof Vest Partnership Program, and auth. Mayor or Chief of Police to sign any related docs. Lt. Hucks was available for any questions. All ayes.

Roe moved, seconded by McAntire to auth. Finance Dir. to proceed with issuing Request for Proposals (RFP) regarding general audit services for City of Ottumwa. Finance Dir. Nisar reported our current provider, Anderson Larkin, gave notice to the City on March 31 that they would no longer be able to provide said services. They provided a few firms to reach out to, but none are local, but still in IA. RFP would solicit services for the next five yrs (FY27/28). Roe asked about a timeline as we are coming up on FY23 End in the next month and Nisar feels we can do this fairly quickly. All ayes.

Hull moved, seconded by Roe that Res. No. 69-2023, approving CO No. 1 through No. 4 and accepting work as final and complete for replacement of the City's Phone System through Marco Technologies, LLC, be passed and adopted. Rath reported original contract amt. was \$122,933.64 and budgeted out of Capital Projects Fund. With all CO factored, new contract sum \$130,741.73. All ayes.

Pope moved, seconded by McAntire that Res. No. 81-2023, approving CO No. 3 and accepting work as final and complete and approving final pay request for Milner St. Reconstruction Project, be passed and adopted. PW Dir. Seals reported CO No. 3 decreases contract by \$117,342.47 for qty. adj.; new contract sum \$2,396,206.35. All ayes.

McAntire moved, seconded by Galloway that Res. No. 82-2023, approving Amendment to Design Contract between City and Willett Hofmann & Assoc. for City Hall Improv. Project, be passed and adopted. Seals reported bids rec'd for original scope were rejected due to cost over engineer's est. Discussed updating scope to reflect a few changes and rebid. Major scope changes proposed are to remove full remodel of restrooms on 2nd and 3rd floors; reduce the number of heating and cooling zones from twelve to eight; use force account for lighting improvement in basement, second and third floors; reduce construction phasing for first floor construction by relocating employees; selecting material alternatives. Original base contract \$275,750; amendment increases contract \$22,000; new contract sum \$297,750. All ayes.

Hull moved, seconded by Roe that Res. No. 83-2023, approving submission of application for IA Airport Capital Improv. Program (ACIP) and Certifying Elig. Requirements for fiscal yrs. 2024-2028, be passed and adopted. Dir. of Airport Operations Wheaton reported annual plan is submitted to IA DOT that normally secures 85% funding with 15% local match. All ayes.

Galloway moved, seconded by McAntire that Res. No. 85-2023, setting fee for annual permits for trash enclosures in City parking lots, be passed and adopted. Seals reported Ord. No. 3184-2021 amended City Code to allow privately owned or leased trash dumpsters or receptacles in City parking lots. Recommended that annual fee be set at \$300 per year due in January. Permit application and fee shall be submitted to City Clerk's office. All ayes.

Roe moved, seconded by McAntire that Res. No. 88-2023, approving and auth. execution of a Consent to Assignment of an Agt. for Private Development from Asbury Mgr., LLC to Asbury Heights, LLC, be passed and adopted. Simonson reported on April 18, 2023, City entered DA for construction of 30 units of affordable housing on two sites (Asbury & Sherwood). The agt. was with Asbury Mgr., LLC. Financing of project requires assignment of agt. to a separate entity, Asbury Heights, LLC. This assignment does not change any terms of agt. or expected deliverables. All ayes.

Mayor Johnson inquired if anyone from the audience wished to address an item not on the agenda. There were none.

There being no further business, Galloway moved, seconded by Pope that the mtg. adjourn. All ayes.

Adjournment was at 6:30 P.M.

CITY OF OTTUMWA, IOWA

ATTEST:

Richard W. Johnson, Mayor

Christina Reinhard, CMC, City Clerk

Published in the Ottumwa Courier on May 27, 2023.



June 6, 2023

TO: Ottumwa City Council Members

FROM: Richard W. Johnson, Mayor

SUBJECT: APPOINTMENT TO CITY BOARDS AND/OR COMMISSIONS

Recommend appointment to the Cemetery Board of Trustees, term to expire 07/01/2028 due to a vacancy.

James Carlson
1419 Sunrise Circle

Recommend re-appointment to the Board of Library Trustees, term to expire 07/01/2029.

Joyce Kramer
#4 Country Club Place

Recommend re-appointment to the Cemetery Board of Trustees, term to expire 07/01/2030.

John Hunolt
147 E. Court

Recommend re-appointments to the Human Rights Commission, term to expire 07/01/2026.

Amy Norris Hernandez
57 Kingsley Drive

Nathan Wilson
503 Indian Trail Road

CITY OF OTTUMWA
Biographical Data for Appointment to City Advisory Board

The information contained on this form is for the use of the Mayor and City Council in order to fill vacancies on City Advisory Boards Commissions, Committees, or Task Forces.

Biographical forms may be submitted at any time during the year; however, they will be purged January 31 of each year. If you have not been appointed to an advisory board during the preceding year, and still desire appointment, please resubmit an updated biographical form or advise in writing that the initial form is still usable.

Board, Commission, Committee, or Task Force to which appointment is desired:

Cemetery

Name: James Carlson Telephone: 641-455-8993

Email: (optional) jmcrc195364@yahoo.com

Address: 1419 Sunrise Circle ZIP: 52501

Business: retired Telephone: _____

Address: _____ ZIP: _____

Date Available for Appointment any E-Mail: _____

Present occupation: retired

Previous Employment: Iowa DHS, Ottumwa Housing Authority

Answer the following: (Use additional sheets if necessary)

Community Service:

(List boards, commissions, committees and organizations currently serving or have served on, offices held and in what city).

Southern Iowa Mental Health Center Board past
Retired Senior Volunteer Program Board past
Area Agency on Aging Board past
Ottumwa Housing Authority Board past
Iowa Junior High most parent? volunteer past
Wapello County Historical Society Board past
First Lutheran Church Board past
Travelers Protective Association

Please list any professional or vocational licenses or certificates you hold.

Personal:

(Have you ever worked for the City of Ottumwa?)

Yes _____ No _____
Ottumwa Housing Authority

(If yes, please list dates and names of departments)

Are you related to any employee or appointee of the City of Ottumwa? (If yes, please indicate name and relationship.)

Yes _____ No

Rules of law and ethics prohibit members from participating in and voting on matters in which they pay have a direct or indirect financial interest. Are you aware of any potential conflicts of interest which may develop from your occupation or financial holdings in relation to your responsibilities as a member of the advisory body to which you seek appointment). (If yes, please indicate any potential conflicts).

Yes _____ No

Are you aware of the time commitment necessary to fulfill the obligations of the advisory body to which you seek appointment?

Yes No _____

Please furnish brief written responses to the three following questions: (Use additional sheets if necessary.)

1. What is there specifically in your background, training, education, or interests which qualifies you as an appointee?

extensive experience with community issues

2. What do you see as the objectives and goals of the advisory body to which you seek appointment?

make recommendations to the city regarding the operation of Ottumwa Cemetery

3. How would you help achieve these objectives and goals? What special qualities can you bring to the advisory body?

work with other board members and staff

I hereby certify that the following information is correct to the best of my knowledge.

James M. Carbo
Signature

5-29-23
Date

You are invited to attach additional pages or submit supplemental information which you feel may assist the Mayor and City Council in their evaluation of your application.

WHEN COMPLETED MAIL ORIGINAL TO:

OFFICE OF THE MAYOR
Ottumwa City Hall
105 E Third Street
Ottumwa, IA 52501

**YOUTH BOARD
MEMBER APPLICANT ONLY**

Name of School

Year

**HUMAN RIGHTS COMMISSION
MEMBER APPLICANT ONLY**

The Human Rights Commission seeks to model service leadership and respect in its work with Commission members and the community. List your experience working on diverse teams, public bodies, or committees, and skills related to intergroup dialogues and team building with diverse communities:



One of the goals of the City Council is to balance advisory board appointments with respect to areas of expertise, advocacy experience, community involvement, profession, education, race, creed, ethnicity, color, sex, sexual orientation, gender identity, national origin, age, religion, disability and geographic identification. Addressing any or all of these factors in your application will help the Mayor and City Council assess your application.

OPTIONAL

The following information is desirable but not required for appointment. Please complete any of the information requested below to the best of your knowledge. Failure to fill in any or all of the information does NOT disqualify applicants from consideration.

Areas of expertise	<u>public assistance related</u>
Advocacy experience	<u>social work</u>
Community involvement	<u>Iowa DHS, OHA</u>
Current profession	<u>retired</u>
Highest level of education	<u>B.S + grad. hrs in management & social work</u>
Race	<u>w</u>
Creed	<u></u>
Ethnicity	<u></u>
Color	<u></u>
Sex	<u>m</u>
Sexual orientation	<u>m</u>
Gender identity	<u>m</u>
National origin	<u>Swedish-American</u>
Age	<u>80</u>
Religion	<u>Lutheran</u>
Disability	<u></u>

received
5-23-23 10:34 AM

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of : Jun 6, 2023

Administration
Department

Barbara Codjoe
Prepared By
Barbara Codjoe
Department Head

Phil Ritt
City Administrator Approval

AGENDA TITLE: Resolution #96-2023 - Approve updated Salary Schedule

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt resolution #96 - 2023

DISCUSSION: Changes are as follows:

- 1) Salary set for the Aviation Service Supervisor passed by resolution 272-2022 on 11/15/2022 added to the schedule.
- 2) Salary increase for Director of Community Development passed at City Council meeting on 05/02/2023.
- 3) Salary increase for the Assistant Library Director as passed at the Board of Trustees meeting on Monday 05/08/2023 updated on schedule.

Source of Funds: N/A

Budgeted Item: Budget Amendment Needed:

RESOLUTION NO. 96-2023

RESOLUTION APPROVING UPDATED SALARY SCHEDULE

WHEREAS, the Aviation Services Supervisor salary has been added as passed by resolution 272-2022 on 11/15/2022; and

WHEREAS, the Director of Community Development salary has been corrected as per increase passed at City Council meeting on 05/02/202; and

WHEREAS, the Assistant Library Director salary was set by the Library Board of Trustees on 05/08/2023.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ottumwa, Iowa, that the three positions of Aviation Service Supervisor, Director of Community Development and Assistant Library Director are accurately reflected; and

BE IT FURTHER RESOLVED, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution.

APPROVED, PASSED AND ADOPTED, this 6th day of June, 2023.

CITY OF OTTUMWA, IOWA

Richard W. Johnson, Mayor

ATTEST:

Christina Reinhard, City Clerk

CITY OF OTTUMWA SALARY SCHEDULE
Fiscal Year 2023

The compensation schedule identified below reflects the base wage or salary for individuals in the identified non-represented¹ position. The wage or salary identified below or in the compensation schedule (grade and step) is the base pay and does not reflect an individual employee's longevity or other compensation modifiers now or in the future.

DEPARTMENT HEADS

CITY ADMINISTRATOR
\$153,026*

DIRECTOR OF FINANCE
\$116,002*

DIRECTOR OF PUBLIC WORKS
\$109,054*

POLICE CHIEF
\$103,022*

FIRE CHIEF
\$102,814*

DIRECTOR OF COMMUNITY DEVELOPMENT
\$97,510.40*

DIRECTOR OF PARK, RECREATION & CEMETERY
\$90,854*

DIRECTOR OF HUMAN RESOURCES
\$88,233*

DIRECTOR OF AIRPORT SERVICES
\$83,262*

DIRECTOR OF LIBRARY SERVICES
\$82,014.40 (updated 04/11/2022)*#

CITY CLERK
\$67,122*

OTHER SUPERVISORY POSITIONS

ASSISTANT DIRECTOR OF LIBRARY SERVICES
\$55,972.80 (updated 04/11/2022)*#

LANDFILL SUPERVISOR
\$60,008*@

¹ Non-Represented is an employee not covered or identified under a Collective Bargaining Agreement (CBA)

AVIATION SERVICES SUPERVISOR

\$83,262*

*Compensation is rounded to the nearest whole dollar.

#Current compensation as established by the Board of Library Trustees

@Current compensation as established by the Solid Waste Commission

GENERAL SERVICE EMPLOYEES

No one at present (02)

Secretary (04)

Administrative Assistant**

GSB1	GSB2	GSB3	GSB4	GSB5	GSB6
17.65	18.55	19.44	20.46	21.44	22.57

Zoning Technician (06)

GSC1	GSC2	GSC3	GSC4	GSC5	GSC6
18.55	19.44	20.46	21.44	22.57	23.62

No one at present (08)

GSD1	GSD2	GSD3	GSD4	GSD5	GSD6
19.44	20.46	21.44	22.57	23.62	24.59

Payroll & Benefits Manager (10)

Risk / Purchasing Manager

Grants Administrator / Accounts Receivable Accountant

GSE1	GSE2	GSE3	GSE4	GSE5	GSE6
20.46	21.44	22.57	23.62	24.59	26.09

No one at present (12)

GSF1	GSF2	GSF3	GSF4	GSF5	GSF6
21.44	22.57	23.62	24.59	26.09	27.39

Data Communications Supervisor (14)

Street Maintenance Supervisor

Park Maintenance Supervisor

Sewer Maintenance Supervisor

Traffic Maintenance Supervisor

Lab Supervisor

GSG1	GSG2	GSG3	GSG4	GSG5	GSG6
22.57	23.62	24.59	26.09	27.39	28.74

Recycling Coordinator (16)

Planner I

Zoning and Housing Coordinator

Garage Supervisor

GSH1	GSH2	GSH3	GSH4	GSH5	GSH6
23.62	24.59	26.09	27.39	28.74	30.17

	Operations Supervisor (WPCF) (18)					
	Maintenance Supervisor (WPCF)					
	Airport Facilities Manager					
	Graphic Information System (GIS) Administrator					
	GSI1	GSI2	GSI3	GSI4	GSI5	GSI6
	24.59	26.09	27.39	28.74	30.17	31.66
	Accountant (20)					
	GSJ1	GSJ2	GSJ3	GSJ4	GSJ5	GSJ6
	26.09	27.39	28.74	30.17	31.66	33.28
^	Police Sergeant (21)					
	GSS1	GSS2	GSS3	GSS4	GSS5	GSS6
	28.70	29.97	31.30	32.70	34.16	35.75
	Engineering Supervisor (22)					
	GSK1	GSK2	GSK3	GSK4	GSK5	GSK6
	27.39	28.74	30.17	31.66	33.28	34.92
	Deputy Fire Chief (24)					
	GSL1	GSL2	GSL3	GSL4	GSL5	GSL6
	28.74	30.17	31.66	33.28	34.92	36.68
^	Police Lieutenant (25)					
	GST1	GST2	GST3	GST4	GST5	GST6
	31.30	32.70	34.16	35.75	37.36	39.08
	Public Works Operations Superintendent (26)					
	GSM1	GSM2	GSM3	GSM4	GSM5	GSM6
	30.17	31.66	33.28	34.92	36.68	38.47
^	City Engineer (30)					
	GSN1	GSN2	GSN3	GSN4	GSN5	GSN6
	41.53	43.61	45.71	48.06	50.47	52.99
^	Assistant City Engineer (28)					
	GSO1	GSO2	GSO3	GSO4	GSO5	GSO6
	37.15	39.02	40.96	43.02	45.16	47.41
^	Senior Planner (32)					
	GSP1	GSP2	GSP3	GSP4	GSP5	GSP6
	37.17	39.04	40.98	43.02	45.19	47.44
^	Information Technology Manager (34)					
	GSQ1	GSQ2	GSQ3	GSQ4	GSQ5	GSQ6

35.55	37.31	39.18	41.15	43.20	45.37
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^ WPCF SUPERINTENDENT (36)

GSR1	GSR2	GSR3	GSR4	GSR5	GSR6
35.27	37.04	38.89	40.83	42.87	45.01

**Administrative Assistant is also currently an HR Coordinator. An additional \$5,000 per year in 2020 (\$2.40 per hour) was provided for the HR Coordinator responsibilities.

- 2021 2% COLA - \$2.45 an hour
- 2022 2% COLA - \$2.50 an hour

^ This will not be in line with other Pay Codes – It is not the 5% above previous pay grades.

FOREMAN PAY – additional \$2 an hour

PART-TIME EMPLOYEES

AIRPORT LINE TECHNICIAN (50)

Year 1: (ALT1)	\$13.00
Year 2: (ALT2)	\$14.00
Year 3: (ALT3)	\$15.00

SEASONAL/CONTRACTED EMPLOYEES

(This includes all departments with no exceptions unless approved by the City Administrator.)

STREETS, AIRPORT, PARKS, CEMETERY & WPCF MAINTENANCE, SEASONAL CODE ENFORCEMENT (SPW) (52):

Year 1: (SPW1)	\$14.00 per hour
Year 2: (SPW2)	\$15.00 per hour

BEACH EMPLOYEES:

Seasonal Aquatics Supervisor (SAS) (54):

Year 1: (SAS1)	\$12.00
Year 2: (SAS2)	\$13.00
Year 3: (SAS3)	\$14.00

Lifeguards: (58)

Year 1: (BL1)	\$11.00
Year 2: (BL2)	\$11.50
Year 3: (BL3)	\$12.00

Water Aerobics / Swim Instructors (60)

Year 1: (WASI1)	\$11.00
Year 2: (WASI2)	\$12.00
Year 3: (WASI3)	\$13.00

Admissions: (BA1) (62)	\$10.00
Concessions: (BC1) (64)	\$10.00

Evening Janitor/Seasonal Maintenance (66):

Year 1: (BME1)	\$9.50
Year 2: (BME2)	\$9.75

Position Information

Position Name	Assistant Library Director
Department Name	Library
Department Number	410
Position Open Date	—
Reason Position Open	—
Civil Service Position (Yes or No)	NO

Change Requested

*Pay Grade - *Once City Administrator approves, this change must be approved by City Council.*

Current Pay Grade	\$54,600 (\$26.25/hour)
Proposed Pay Grade	\$55,972.80 (\$26.91/hour)
Supporting Information	Library board approved - See attached minutes
Budget Amendment Needed – Yes or No	No

Reporting Structure

Current Direct Supervisor Title	
Proposed Direct Supervisor	
Supporting Information	
Budget Amendment Needed – Yes or No	

Position Elimination – Provide Reason

Position Creation

Supporting Information	
Budget Amendment Needed – Yes or No	

Sonya Inzell
Department Head

5/23/23
Date

Barbara Coeja
HR Department

5/22/2023
Date

RJ
City Administrator

5/22/2023
Date

OTTUMWA PUBLIC LIBRARY
Board of Trustees
Minutes from the meeting held Monday, May 8, 2023

- I. President Joyce Kramer called the meeting of the Ottumwa Public Library Board of Trustees to order at 5:07 p.m. on Monday, May 8, 2023 in the meeting room of the Ottumwa Public Library, 102 W. Fourth Street, Ottumwa, IA 52501.
- II. The following Trustees were present and constitute the legal quorum necessary to transact business:
 - A. Joyce Kramer, President
 - B. LeAnn Lemberger, Secretary
 - C. Jo Rohach
 - D. Himar Hernandez

Michael Carpenter was absent.

Also in attendance was Ottumwa Public Library Director, Sonja Ferrell.
- III. LeAnn Lemberger made a motion to approve the Agenda as presented. Jo Rohach seconded the motion. The motion passed unanimously.
- IV. LeAnn Lemberger made a motion to approve the Minutes from 3/13/23. Jo Rohach seconded the motion. The motion passed unanimously.
- V. President Joyce Kramer made a motion to approve payment of the March 2023 Expenses and the April 2023 Expenses as presented. Jo Rohach seconded the motion. The motion passed unanimously.
- VI. **OLD BUSINESS:** None.
- VII. **NEW BUSINESS:**
 1. Review / Revise Hotspot Policy: Sonja indicated that there has been a dramatic increase in hotspots not being returned in the last 6-9 months and was recommending updating the policy. She noted that the majority of those that had not been returned were checked out to new patrons. She recommended switching the requirement to a person with a card at least 180 days. The hotspots are the only library item that accrues fines. Jo Rohach made a suggestion that there should be some sort of collateral or deposit fee. It was decided that a \$10 Cash deposit be required (not paid by credit card). LeAnn Lemberger made a motion to amend and approve the Hotspot Policy. Jo Rohach seconded the motion. LeAnn Lemberger suggested that this be re-visited again in 90 days. Motion was approved unanimously.

2. Annual Director Evaluation:

Sonja presented a self-evaluation with the board members regarding this past year here at the Library and the changes and improvements involving the Library. After the evaluation conversation was completed she gave an overview of the process that was taking place across the city for city employees that participated in a job description and wages survey. The city is waiting on a report from the Gallagher company on comparing wages to other cities and private entities. At city wide employee meetings it was announced that no raises or contract re-openings would take place until this report was issued. Because of this Sonja asked that any discussion of a raise be delayed until that time. She did advocate that the assistant director of the library should receive a raise as it is typically discussed at the April or May board meeting. She noted that the library staff under contract were receiving a 2.5% step increase raise in this fiscal year on their date of hire anniversary and she suggested that the same percentage be applied to the Assistant Director position. LeAnn Lemberger motioned that Allyson Kirking-Russo (Assistant Director) receive a 2.5% pay raise effective as of today May 8, 2023 and that the Board re-visit the Director's wages in 90 days. Jo Rohach seconded the motion. It was approved unanimously.

VIII. DIRECTOR'S REPORT:

The Board and Sonja all gave positive feedback regarding the Board Training State Library employee Becky Heil gave to the board of trustees for the Wapello County public libraries.

The board welcomed Himar Hernandez as the newest OPL Board of Trustees member.

Gateway school students donated outdoor board games that they purchased with some Be the Light Grant money. On 5/23/2023 there will be a Family Game Night at the OPL to unveil the games for check out.

The new OPL website will be launched soon. It will be a quiet launch to work out the bugs before publicity is done on it.

A second round of Basic Computer classes are scheduled for May 18 & 25.

Allyson Kirking-Russo will be scheduling another Writing Class in the future.

DPIL (Dolly Parton Imagination Library) registration is at 724.

Reminisce Society (Date Change: Tuesday, 5/30/23) will be with Rich Tyler and Humanities Iowa, "Why Save an Old Barn".

The 11th Pages for Pennies 2023 was a huge success. Rough estimate of \$14,634 money raised. There were way more tables and definitely higher quality of books this year. Afterwards, there was 250 boxes of books for next year.

On March 27, Mediacom had shut down the Library's wi-fi without notifying the Library, due to a patron (inside the Library) who was illegally downloading materials. Sonja & Doug were able to determine a method to proceed which Mediacom agreed with in order to turn the Wi-fi back on.


On 5/17/23 (Wednesday) there will be a concert by Forrest McCurren.

A group of Walsh High School alumni have donated to the Ottumwa Public Library a park bench to be installed beside the OHS bulldog statue.

Sonja informed the board members that there are so far, 9 children programs scheduled for the Summer Reading Program 2023.

Jo Rohach made a motion to adjourn. LeAnn Lemberger seconded the motion. The motion was passed unanimously. President Joyce Kramer adjourned the meeting at 6:00 pm.

Respectfully submitted,



Sonja Ferrell
Director
Ottumwa Public Library

SF

cc: file

Attachments

received
5-23-23 1045A

5/23/2023

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Jun 6, 2023

Christina Reinhard *cjr*

Prepared By

Administration

Department

Department Head

Rp Rth

City Administrator Approval

AGENDA TITLE: Resolution No. 97-2023 - Resolution approving the Wapello County /
City of Ottumwa Law Enforcement Center Maintenance Budget for the
Fiscal Year Ending June 30, 2024.

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution No. 97-2023.

DISCUSSION: It is required by the Joint Law Enforcement Center (JLEC) Agreement for the Police Chief, County Sheriff, County Auditor, and City Director of Finance to develop a budget and the agreement for both County Board of Supervisors and City Council Approval. The Maintenance Fund is maintained by the Wapello County Auditor, who has provided the estimates for the budget.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed: No

RESOLUTION NO. 97-2023

A RESOLUTION APPROVING THE WAPELLO COUNTY / CITY OF OTTUMWA LAW ENFORCEMENT CENTER MAINTENANCE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2024.

WHEREAS, the City of Ottumwa and Wapello County jointly occupy a facility known as the Law Enforcement Center; and

WHEREAS, the City of Ottumwa and Wapello County have entered into a Joint Law Enforcement Center Agreement regarding facility maintenance; and

WHEREAS, an annual budget has been prepared and forwarded to the City for consideration.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT:

The annual budget for the fiscal year ending June 20, 2024 as set forth in the attached summary is hereby approved and the Mayor is authorized to execute on behalf of the City of Ottumwa.

APPROVED, PASSED, AND ADOPTED, this 6th day of June, 2023.

CITY OF OTTUMWA, IOWA

Richard W. Johnson, Mayor

ATTEST:

Christina Reinhard, City Clerk

2023-2024 WAPELLO COUNTY/CITY OF OTTUMWA LAW ENFORCEMENT CENTER MAINTENANCE BUDGET

FUND 15 - DEPARTMENT 14

RESOURCES: BEGINNING FUND BALANCES and INCOME	LINE	(A) Actual Fiscal Year Beginning July 1, 2021	(B) Re-Estimated Fiscal Year Beginning July 1, 2022	(C) Fiscal Year Beginning July 1, 2023	REQUIREMENTS: EXPENDITURES AND ENDING FUND BALANCE	LINE	(A)	(B)	(C)
							Actual Fiscal Year Ending June 30, 2022	Re-Estimated Fiscal Year Ending June 30, 2023	Fiscal Year Ending June 30, 2024
	1					1			
	2					2			
	3				430-Natural Gas	3			
	4				431-Electric Power	4			
	5				432-Water	5			
	6					6			
COUNTY SHARE PER SQ. FT.(D)	7				441--Building Repair/Maint	7	4,784	5,595	8,000
CITY SHARE PER SQ. FT.(D)	8				442-Fixed Plant Equipment	8	44,956	42,805	45,000
COUNTY SHARE MISC (8)	9				445--Plumbing Equipment	9	30,524	39,240	20,000
CITY SHARE MISC (8)	10			7,687	462--Real Property Insurance	10	14,401	16,898	18,000
EXCESS FROM HOUSING (B)(line 26)	11	10,489	4,440	10,000	Inter-Fund Transfer	11			
INTEREST EARNED ON FUND (C)	12	368	12,459	2,500		12			
OTHER (LIST)	13				Major Repairs	13			
Local Option Tax	14				610--Building-Roofs	14	434,298	95,260	45,000
Refunds	15				611--Air Conditioning	15			
Miscellaneous	16			23,236	612--Major Heating	16			
Inter-Fund Transfer	17				613--Major Plumbing	17			
	18					18			
	19					19			
	20					20			
Sub-Total Other Receipts	21	10,857	16,899	43,423	Sub-Total Expenditures	21	528,963	199,798	136,000
BEGINNING FUND BALANCE AND OTHER RECEIPTS	22	1,174,183	656,077	258,177	ENDING FUND BALANCE	22	528,963	408,500	136,000
	23					23			
	24					24			
TOTAL RESOURCES	25	1,185,040	666,677	301,600	TOTAL REQUIREMENTS	25	1,185,040	666,677	301,600

Signed R. B. My
Chair, Board of Supervisors

5-16-2023
Date

Signed _____
Mayor, City of Ottumwa

Date

CITY NUMBER	BUSINESS LOCATION NAME	BUSINESS LOCATION ADDRESS	OWNERSHIP TYPE	LEGAL OWNER NAME	LEGAL OWNER MAILING ADDRESS	CITY STATE ZIP
2135-2024	Casey's General Store #2208	1603 W. Second	Corporation	Casey's Marketing Company	P.O. Box 3001	Ankeny, IA 50021-8045
2136-2024	Casey's General Store #1886	504 W. Mary	Corporation	Casey's Marketing Company	P.O. Box 3001	Ankeny, IA 50021-8045
2137-2024	Casey's General Store #1678	346 Richmond Ave.	Corporation	Casey's Marketing Company	P.O. Box 3001	Ankeny, IA 50021-8045
2138-2024	Casey's General Store #7	1001 E. Main	Corporation	Casey's Marketing Company	P.O. Box 3001	Ankeny, IA 50021-8045
2160-2024	BP	1340 Albia Road	Corporation	Elliott Oil Company	P.O. Box 473	Ottumwa, IA 52501
2161-2024	BP	1301 N. Court	Corporation	Elliott Oil Company	P.O. Box 473	Ottumwa, IA 52501
2162-2024	BP	1147 N. Jefferson	Corporation	Elliott Oil Company	P.O. Box 473	Ottumwa, IA 52501
2163-2024	BP	720 Richmond	Corporation	Elliott Oil Company	P.O. Box 473	Ottumwa, IA 52501
2164-2024	BP	1049 W. Second	Corporation	Elliott Oil Company	P.O. Box 473	Ottumwa, IA 52501
2187-2024	Fareway Stores, Inc. #648	1325 Albia Rd.	Corporation	Fareway Stores, Inc.	P.O. Box 70	Boone, IA 50036
2203-2024	Smokin Hot	2604 N. Court, Suite A.	LLC	Smokin Hot LLC	2604 N. Court, Suite A	Ottumwa, IA 52501
2228-2024	Yesway #1012	2508 N. Court St.	LLC	BW Gas & Convenience Retail	138 Conant St.	Beverly, MA 01015
2229-2024	Yesway #1013	534 Church St.	LLC	BW Gas & Convenience Retail	138 Conant St.	Beverly, MA 01015
2230-2024	Yesway #1014	502 W. Second	LLC	BW Gas & Convenience Retail	138 Conant St.	Beverly, MA 01015
2231-2024	Yesway #1030	1317 E. Mary	LLC	BW Gas & Convenience Retail	138 Conant St.	Beverly, MA 01015
2239-2024	Walgreens #1301	327 W. Fourth St.	Corporation	Walgreen Co.	P.O. Box 901	Deerfield, IL 60015
2243-2024	Dollar General #7179	721 N. Quincy Ave.	Corporation	Dolgencorp, LLC	Attn: Licensing, 100 Mission Ridge	Goodlettsville, TN 37072
2245-2024	Dollar General #2898	921 E. Main St.	Corporation	Dolgencorp, LLC	Attn: Licensing, 100 Mission Ridge	Goodlettsville, TN 37072
2250-2024	Smokin' Joe's Tobacco and Liquor Outlet #5	115 Albia Rd.	Corporation	The Outlet, Inc.	1916 N. Sturdevant St.	Davenport, IA 52804
2251-2024	Walmart #1285	1940 Venture Dr.	Corporation	Walmart Inc.	508 SW 8th Street	Bentonville, AR 72716
2252-2024	Fine Liquor & Tobacco	821 B Albia Rd.	LLC	3 Star Food, LLC	821 B Albia Rd.	Ottumwa, IA 52501
2253-2024	Iowa Liquor & Tobacco	1021 E. Main St.	LLC	All Star Food, LLC	1021 E. Main St.	Ottumwa, IA 52501
2256-2024	Hy-Vee Food Store #1	1025 N. Quincy	Corporation	Hy-Vee, Inc.	5820 Westown Parkway	West Des Moines, IA 50266
2257-2024	Hy-Vee Gas #1	1027 N. Quincy	Corporation	Hy-Vee, Inc.	5820 Westown Parkway	West Des Moines, IA 50266
2258-2024	Hy-Vee Food Store #2	2453 N. Court	Corporation	Hy-Vee, Inc.	5820 Westown Parkway	West Des Moines, IA 50266
2259-2024	Hy-Vee C-Store #2	2457 N. Court St.	Corporation	Hy-Vee, Inc.	5820 Westown Parkway	West Des Moines, IA 50266
2260-2024	Hy-Vee Drugstore	1140 N. Jefferson St.	Corporation	Hy-Vee, Inc.	5820 Westown Parkway	West Des Moines, IA 50266
2341-2024	MAD Ave Quik Shop	405 S. Madison Ave.	LLC	MAD JuSTus LLC	233 W. Alta Vista Ave.	Ottumwa, IA 52501
2342-2024	Murphy USA #6945	1939 Venture Dr.	Corporation	Murphy Oil USA, Inc.	Attn: Permits, P.O. Box 7300	El Dorado, AR 71731
4144-2024	Ross Tobacco Shop LLC	129 E. Second St.	LLC	Ramzy Abdel-Gadir	2101 Forrest Ave	Des Moines, IA 50311
4903-2024	Dollar General #24713	1235 Hutchinson Ave.	LLC	Dolgencorp, LLC	Attn: Licensing, 100 Mission Ridge	Goodlettsville, TN 37072

received
5-23-23 10:45A

CITY OF OTTUMWA
Staff Summary

revised

**** ACTION ITEM ****

Council Meeting of : Jun 6, 2023

Planning & Development
Department

Jake Rusch

Prepared By

Zach Simonson

Department Head

JSK

[Signature]
City Administrator Approval

AGENDA TITLE: Resolution No. 90-2023, a resolution accepting the bid and approving the sale of 1531 Mable to Alissa Welch for the sum of \$300.00



****Public hearing required if this box is checked.****



*****The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the Item will not be placed on the agenda.*****

RECOMMENDATION: Pass and adopt Resolution No. 90-2023

DISCUSSION: The City accepted bids on this property until 2:00 PM May 11, 2023. One bid was submitted. Alissa Welch submitted the best bid in the amount of \$300.00 and staff recommends accepting the bid. A copy of the bid and a bid tab is attached.

RESOLUTION No. 90 - 2023

A RESOLUTION ACCEPTING THE BID AND APPROVING THE SALE OF CITY OWNED PROPERTY LOCATED AT 1531 MABLE TO ALISSA WELCH FOR THE SUM OF \$300.00

WHEREAS, the City of Ottumwa, is the present title holder to the property legally described as MANNING'S 1ST ADD LOT 16 BLK 1 City of Ottumwa, Wapello County, Iowa, also known as 1531 Mable Street; and

WHEREAS, pursuant to Resolution No. 89 – 2023 approved, passed and adopted May 16, 2023 the City Council authorized and directed the City Clerk to publish notice regarding the sale of said property to the successful bidder; and

WHEREAS, the City accepted sealed bids for the above mentioned property; and

WHEREAS, the City received one bid; and

WHEREAS, Alissa Welch submitted the best bid in the amount of \$300.00; and

WHEREAS, the property will be transferred by quit claim deed, with no abstract, and the buyer shall pay all costs associated with the conveyance of the property including any property taxes owed; and

WHEREAS, the buyer will Build a storage building on the property in conformance with applicable City Codes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, that the bid received from Alissa Welch, in the amount of \$300.00 be and it is hereby accepted and the sale of said property is approved and the Mayor and City Clerk are hereby authorized to sign the appropriate deed on behalf of the city conveying said property.

PASSED AND ADOPTED this 6th day of June 2023.

City of Ottumwa, Iowa

Richard W. Johnson, Mayor

ATTEST:

Christina Reinhard, City Clerk

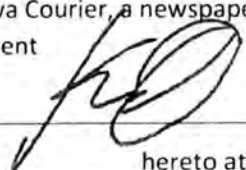
PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

I, Kyle Ocker, being duly sworn on my oath, say I am the General Manager of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

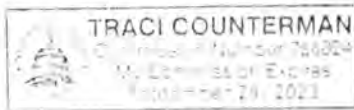
Invitation to Bidders (1531 Mable)

City of Ottumwa

 hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 4/22/23

Subscribed and sworn to before me, and in my presence, by the said 22nd day of April, 2023





Notary Public

In and for Wapello County

Printer's fee \$32.32

COPY OF ADVERTISEMENT

INVITATION TO BIDDERS The City of Ottumwa will accept sealed bids until 2:00 P.M. on the 11th day of May 2023 in the office of the City Clerk located on the first floor of City Hall, 105 East Third Street, Ottumwa, IA 52501 for the real property legally described as MANNING'S 1ST ADD LOT 16 BLK 1 (1531 MABLE)Wapello County, Iowa, also known as 1531 MABLE. This property consists of one lot, located in Ottumwa in an I-1 Limited Industrial zoning district. The City is selling this property to be developed for a use permitted within the I-1 use. Built upon to at least the minimum standards of the City's Housing, Building, Electrical, HVAC and Plumbing codes, as applicable. The property is offered for sale subject to the following conditions: **A bid security in the form of a certified check or cash in the amount of 10% of the bid price is required to be submitted with the bid.** Bidders are required to submit a letter describing intended use and a tentative timeline for development with the sealed bid. The property will be transferred by Quit Claim deed, and the buyer will pay the costs of conveyance. All bid securities will be held until the property has been paid for in full by the winning bidder. Bids shall be mailed or delivered to the City Clerk's office located on the first floor of City Hall, 105 East Third Street, Ottumwa, IA 52501 in a sealed envelope and plainly marked **Bid for 1531 Mable Street before 2:00 P.M. on May 11th, 2023.** Bids will be opened at that time. A bid report, with a recommendation, will be presented to the City Council at the regular meeting on June 6th, 2023. Bid packets can be obtained by going online to <http://www.cityofottumwa.org/property>.

**PURCHASE AGREEMENT BID FORM
FOR
1531 MABLE
STREET, OTTUMWA, IOWA**

This proposal is for a City owned property located at **MANNING'S 1ST ADD LOT 16 BLK 1 (1531 MABLE) City of Ottumwa, Wapello County, Iowa** legally known as 1531 Mable Street. The property is located in an I-1 Limited Industrial zoning district and must be used in that regard.

The property is offered for sale subject to the following conditions:

A bid security in the form of a certified check or cash in the amount of 10% of the bid price is required to be submitted with the proposal. The property will be transferred by **Quit Claim Deed with no abstract** and the buyer will pay the costs of conveyance as well as any property taxes owed.

It is understood that the City of Ottumwa reserves the right to accept or reject any or all proposals, to disregard any formality in connection therewith, or to accept any proposal which in its opinion is in the best interest of the City.

Bidders also understand that the costs of conveyance (publishing the public hearing notice, recording fees and preparation of the deed) and any property taxes owed are costs that are in addition to the total purchase price offered for the property.

It is understood and agreed that a Purchase Agreement Form, once submitted and opened, cannot be withdrawn without the consent of the City of Ottumwa.

\$ 300.⁰⁰

TOTAL PURCHASE PRICE OFFERED FOR THIS PROPERTY

If my proposal is accepted, I the undersigned further agree to keep the property free of any and all nuisances and to keep the grass cut below 10" in height.

ALISSA WELCH

515-494-0440

NAME OF BIDDER (PRINTED)

TELEPHONE NUMBER

WE WANT TO BUY AND TIA
DOWN ADJOINING PROPERTY AND
BUILD A LARGE BUILDING

Alissa Welch

MAILING ADDRESS

SIGNATURE

22481 230th St. DALLAS Center IA. 50063

AlissaWelch@gmail.com

DATE May 11th 2023

EMAIL ADDRESS

OR IF CANT Buy the other BUILDINGS
We will Build storage BUILDING.



Dan Laursen Excavating

DBA Asbestos Abatement & Inspections of Iowa
510 Morrell Drive
Ottumwa, Iowa 52501

received
5.11.23 1:53p

Bid For 1531 MABEL ST.
OTTUMWA: ~~SEA~~ - IA.

\$30.00 cash

CITY OF OTTUMWA
Staff Summary

** ACTION ITEM **

Council Meeting of : Jun 6, 2023

Planning & Development
Department

Zach Simonson
Prepared By
Zach Simonson
Department Head



City Administrator Approval

AGENDA TITLE: ORDINANCE NO. 3212-2023 - AN ORDINANCE ESTABLISHING SOLID WASTE FEES FOR NONCOMMERCIAL ESTABLISHMENTS BY REPEALING AND REPLACING SECTION 31½-35 OF THE MUNICIPAL CODE OF THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA.

Public hearing required if this box is checked.

RECOMMENDATION: Pass second consideration of Ordinance No. 3212-2023.

DISCUSSION: This ordinance adopts new solid waste fees for noncommercial establishment customers. The current ordinance expires July 1, 2023. The new fees include an increase of \$2.82 per month or 14.7%. The increase accounts for the increase in the landfill tipping fee, the contract increase for Bridge City Sanitation, the fuel surcharge paid to Bridge City Sanitation and administrative costs. Without any change, this ordinance would

Source of Funds:

Budgeted Item: Budget Amendment Needed:

ORDINANCE NO. 3212-2023

AN ORDINANCE ESTABLISHING SOLID WASTE FEES FOR NONCOMMERCIAL ESTABLISHMENTS BY REPEALING AND REPLACING SECTION 31½-35 OF THE MUNICIPAL CODE OF THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, THAT:

SECTION ONE

Section 31½-35 of the municipal code of the City of Ottumwa is hereby amended by repealing Section 31½-35 in its entirety and enacting the following in lieu thereof:

Sec. 31½-35. – Solid waste fees for noncommercial establishment customers.

- (a) Solid waste fees are mandatory for all single-family dwellings and other dwellings containing four units or less. This shall not apply to mobile home parks wherein water service is metered by one meter for the mobile home park, places of worship, or multi-family dwellings containing more than four dwelling units. Dwelling units housed with a commercial and/or business building shall also be exempt providing there is a written agreement between the tenant and business landlord that the commercial or business building owner or occupant will provide weekly solid waste disposal from a city licensed hauler. Any of the above referenced exceptions may subscribe to the city's solid waste collection services if the contractor agrees to provide service. The mandatory monthly collection rates are hereby established for garbage, refuse, recyclables and bulk items per residence for 64 gallons of refuse, in a cart provided by the contractor for curbside customers or two 32-gallon bags, provided by the customer, for walk up customers, one bulky item and recyclables in the provided bin for the following rates:

July 1, 2023 through June 30, 2024: \$22.00 per unit per month

July 1, 2024 through June 30, 2025: \$23.00 per unit per month

- (1) Additional 32-gallons or less bags with properly attached city stickers costing \$1.00 each will be collected. Bags without these stickers will not be collected. Rates for yard waste bag stickers will be \$1.00 each.
- (2) Residents qualifying for Southern Iowa Economic Development Association (S.I.E.D.A.) Energy Assistance Program are allowed to pay a reduced rate of \$2.00 per month lower than the rates listed above (e.g. \$20.00).
- (b) The Ottumwa Water and Hydro shall collect noncommercial establishment solid waste fees, as established in this section, as a part of the monthly water bill for the applicable customer.
- (c) The city shall direct bill those noncommercial establishment customers that are not billed by the Ottumwa Water and Hydro for water service.

SECTION TWO. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

SECTION THREE. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION FOUR. This ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION FIVE. When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

PASSED on its first consideration the 16th day of May, 2023.

PASSED on its second consideration the _____ day of _____, 2023.

Requirement of consideration and vote at two (2) prior Council meetings suspended the _____ day of _____, 2023.

APPROVED this _____ day of _____, 2023.

CITY OF OTTUMWA, IOWA

By: _____
Richard W. Johnson, Mayor

_____ No action taken by Mayor.

_____ Vetoed this _____ day of _____, 2023

Tom Lazio, Mayor

_____ Repassed and adopted over the veto this _____ day of _____, 2023.

_____ Veto affirmed this _____ day of _____, 2023 by failure of vote taken to repass.

_____ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

Chris Reinhard, City Clerk

received
5.8.23 11:30 A

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: June 6 2023

Planning & Development
Department

Zach Simonson
Prepared By
Zach Simonson
Department Head



City Administrator Approval

AGENDA TITLE: ORDINANCE NO. 3213-2023: AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 526 E SECOND FROM R-4 TO C-2 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

Public hearing required if this box is checked.

RECOMMENDATION: Plan and Zoning Commission recommends to pass third consideration and pass and adopt Ordinance No. 3213-2023.

DISCUSSION: The applicant, Ottumwa Community School District, seeks rezoning the property at 526 E Second in order to complete an athletics complex. The parcel is currently used as a parking lot. The parking use is existing non-conforming and not typically a permitted use in the current R-4 district. The change of use would alleviate the existing non-conforming issue and allow for the athletics complex use.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

ORDINANCE NO. 3213-2023

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 526 E SECOND FROM R-4 TO C-2 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, THAT:

SECTION 1

Zoning Ordinance #3105-2015 of the City of Ottumwa, Iowa, as amended and as set forth in Chapter 38 of the Municipal Code, City of Ottumwa, Iowa be and the same is hereby amended and changed to conform with this ordinance and the following described property, to wit:

Ottumwa Original Lots 263-268 Blk 19. As recorded in book 439 page 305.

Described area contains 1.21 acres and is subject to easements and other restrictions of record.

Be and the same is hereby changed from its present zoning classification of "R-4" Multifamily Residential District (Medium Density) to "C-2" Community Commercial District.

SECTION 2

The official zoning map of the City of Ottumwa, Iowa duly designated as such, and on file in the office of the City Clerk and the Wapello County Recorder, is hereby amended and changed to conform to this ordinance and the City Clerk, pursuant to Section 38-30 of the Zoning Ordinance #3088-2015, as amended, is hereby directed to record a certified copy of this said ordinance with the Wapello County Recorder and attach a certified copy of this said ordinance to the official zoning map.

SECTION 3

This ordinance shall be in full force and effect, from and after its passage, adoption and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION 4

When this ordinance is in effect, it shall automatically supplement, amend and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

Passed on its first consideration on the 2nd day of May, 2023.

Passed on its second consideration on the 16th day of May, 2023.

Requirement of consideration and vote at two prior council meetings suspended on the ____ day of _____, 2023.

Final passage and adoption on the ____ day of _____, 2023.

CITY OF OTTUMWA, IOWA

Richard W Johnson, Mayor

___ No action taken by Mayor.

___ Vetoed this ____ day of _____, 2023.

Richard W Johnson, Mayor

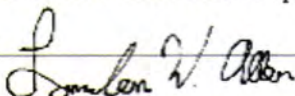
___ Repassed and adopted over the veto this ____ day of _____, 2023.

___ Veto affirmed this ____ day of _____, 2023 by failure of vote taken to repass.

___ Veto affirmed, no timely vote taken to repass over veto.

ATTEST:

Chris Reinhard, City Clerk

APPLICATION TO REZONE PROPERTY		
APPLICANT INFORMATION		
Name: LANDON ALLEN		
Phone: 641-683-4449		
Address: 1112 North Van Buren		
City: Ottumwa	State: IA	ZIP Code: 52501
E-mail: landon.allen@ottumwaschool.com		
PROPERTY INFORMATION		
Business Name: Ottumwa School District		
Proposed Property Use: High School Athletics Complex		
Property Manager (If different from applicant): same		
Address:		
City:	State:	ZIP Code:
E-mail:		
REZONE INFORMATION		
Current Zoning Classification R-4		
Requested Zoning Classification C-2		
SIGNATURES		
I authorize the verification of the information provided on this form and have attached all required documentation.		
Signature of applicant: 	Date: 4/3/2023	

Submittal Checklist

- Full Legal Description(Deed)
- List of all property owners within 200 feet radius of property
- Letter to the Plan Commission "Why you want the property rezoned"
- Application fee(Non-refundable) \$300.00
- Site Plan

Hearings by city planning and zoning commission on proposed amendments, report to city council; hearings by city council. All applications for amendment of the ordinance shall first be submitted to the city planning and zoning commission, who will hold a public hearing in relation to the proposed amendment. At the public hearing, citizens shall have an opportunity to be heard. The planning and zoning commission shall then make a recommendation to the city council. The city council may adopt, reject, or send back to the planning and zoning commission's recommendation after a public hearing before the city council. The planning and zoning commission and city council shall find that the project adequately addresses the following concerns:

- (1) The rezoning conforms to the future land use map in the comprehensive plan.
- (2) The proposed rezoning is consistent with the goals and objectives of the comprehensive plan.

If the responses for both subsections (1) and (2) are not affirmative, then either the rezoning request recommendation must be denial or the planning and zoning commission and city council must amend the comprehensive plan to provide the required consistency.

- (3) The subject property, after the requested rezoning, will be compatible with the character of the surrounding neighborhood, including the existing uses and zoning of the properties near the subject property.
- (4) The potential hardships and nuisances (such as noise, neon lights, odors, etc.) of the rezoning request have been adequately considered.
- (5) There are adequate public utilities and services available to the land if rezoned. If not, who will have to pay for installing them?
- (6) The trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district, supports the rezoning request.
- (7) The proposed rezoning amendment is in the public interest and not solely in the interests of the applicant.

Summary

Zoning is a tool used to classify and regulate the uses that occur on land within the city. Zoning takes into account past uses but it also is used as a tool to guide future development in a way that makes sense for the community and is outlined in the Comprehensive Plan.

To change a land use classification, or propose a "rezone," The applicant must have a "good reason" or one that is substantiated by the Comprehensive Plan or other planning document that outlines the need for the area of proposed rezone. Staff can help the applicant read the documents to identify if there is a need.

If the applicant decides to apply for a rezone, they must attach all required documentation, submit the fee, and the process can begin.

Process

The applicant will complete the application, and staff will begin processing it. The application must have a published notice in the paper, and the applicant must place a sign

in the yard of the property that is proposed to be rezoned. This may be obtained from the Planning Department. We will also mail a letter to adjacent property owners within a 200 foot radius of the parcel(s) to be rezoned. The application will then be presented to the Planning and Zoning Commission. We need a minimum of 45 days prior to the Planning and Zoning Commission meeting to process the application properly. The applicant must appear at the Planning and Zoning Commission meeting to present and or answer questions asked by the adjacent property owners or the board. If you wish to bring speakers that are in favor of the rezone, it is encouraged.

After a recommendation is given by the Planning and Zoning Commission, it will move up and be presented to the City Council for three readings. The first reading includes a public hearing and it is recommended that the applicant attend the first reading to answer questions that the City Council may have. **The City Council makes the final decision.**

Time Line

Days	Month 1		Month 2		Month 3		
	15	30	45	60	75	90	
Planning & Zoning	█						Applicant must attend meeting to present
Council 1 st Reading				█			Applicant must attend meeting to present
Council 2 nd Reading					█		Attend to answer questions
Council 3 rd Reading						█	Attend to answer questions

- Plan Commission 1st Monday of month 7:00 PM
- City Council 1st and 3rd Tuesday of Month 5:30 PM



CIVIL • STRUCTURAL • MECHANICAL • ELECTRICAL • SURVEY • SPECIALTY

March 31, 2023

Zach Simonsen
Community Development Director
Planning and Zoning Commission, City of Ottumwa
105 E. Third Street
Ottumwa, IA 52501

RE: Rezoning Request For Property at 526 Second Street East

In accordance with the requirements of the City of Ottumwa Planning and Zoning Commission, please be informed that the Ottumwa Community School District is intending construction of a new Athletics Building on property at 526 East Second Street.

The Project will consist of an approximately 29,000 square foot (building footprint) Athletic building. The building will have parking west of the building as well as within the new parking lot currently being built. Additional parking is planned to be added along 2nd Street E.

The rezoning is being requested to better align the zoning with the permitted use.

Thank you.

Sincerely,

Nicholas J. Bettis, P.E.
Civil Engineer



REZONING EXHIBIT OTTUMWA HIGH SCHOOL ATHLETIC COMPLEX OTTUMWA, IOWA

PROJECT LOCATION MAP:



(NOT TO SCALE)

APPLICANT INFORMATION:

APPLICANT/OWNER:
OTTUMWA COMMUNITY SCHOOL DISTRICT
MIKE MCGROHY
1112 N. VAN BUREN
OTTUMWA, IA 52501
641-684-6597

PREPARED BY:
AXIOM CONSULTANTS, LLC
C/O PICK BETTIS
60 E. COURT STREET, UNIT 3
IOWA CITY, IOWA 52240
319-519-6220
NBETTIS@AXIOM-CON.COM

LEGAL DESCRIPTION:

OTTUMWA ORIGINAL LOTS 263-268 BLK 19. AS RECORDED IN BOOK 439 PAGE 305.
DESCRIBED AREA CONTAINS 1.21 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

ZONING INFORMATION:

CURRENT ZONING: MULTI-FAMILY RESIDENTIAL MEDIUM DENSITY (R-4)

PROPOSED ZONING: COMMUNITY COMMERCIAL (C-2)

EXISTING ZONING LEGEND:

MULTI-FAMILY RESIDENTIAL MEDIUM DENSITY (R-4)

COMMUNITY COMMERCIAL (C-2)

COMMERCIAL MIXED-USE (C-3)

DOWNTOWN MIXED-USE (C-4)

LIMITED INDUSTRIAL (I-1)



DRAWING LOG	DATE

OTTUMWA HIGH SCHOOL
ATHLETIC COMPLEX
OTTUMWA, IOWA, WAPELLO COUNTY
OTTUMWA SCHOOL DISTRICT

REZONING EXHIBIT
22-0153 | BETTIS



LEGAT ARCHITECTS
COMMUNITY SCHOOL DISTRICT

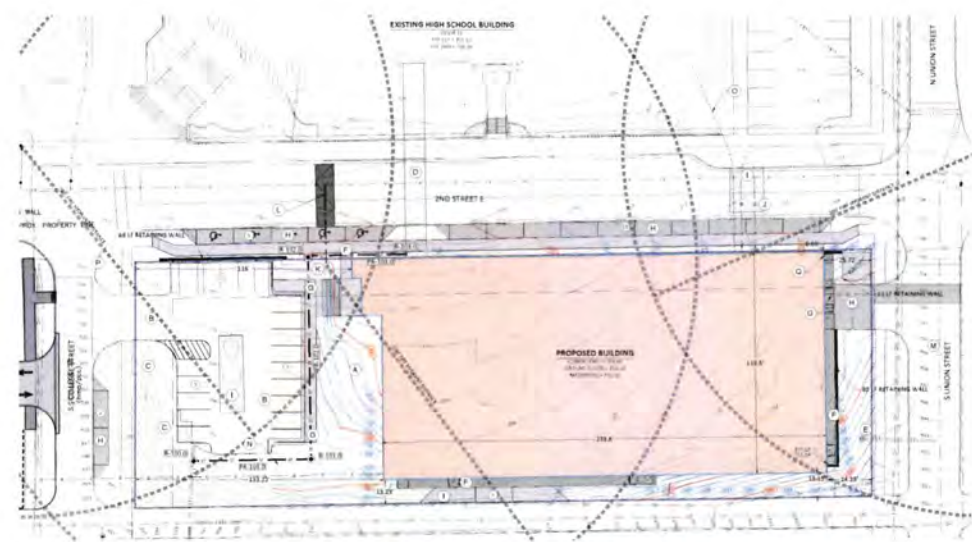
OTTUMWA HIGH SCHOOL ATHLETIC COMPLEX

316 AND STREET E
OTTUMWA, IOWA 52501

PROJECT
Legal Architects
316 AND STREET E
OTTUMWA, IOWA 52501

FOR GENERAL CONTRACTOR
Architect
316 AND STREET E
OTTUMWA, IOWA 52501

Select Structural
316 AND STREET E
OTTUMWA, IOWA 52501



KEYNOTES

- A NOT USED
- B EXISTING PARKING LOT PAVING TO REMAIN
- C PROTECT TREE. SEE DETAIL K.
- D PROPOSED WALKWAY TO CONNECT TO EXISTING BUILDING BRIDGE #133.36. BOTTOM OF BRIDGE = 733.96. CONTRACTOR TO MAINTAIN MINIMUM BRIDGE CLEARANCE OF 14'-0" PER SDGS TABLE 50-1.20 FOR COLLECTOR STREETS.
- E PROPOSED DIA-363 TO BE INSTALLED ON EXISTING STORM LINE.
- F PROPOSED PCC SIDEWALK. SEE DETAIL #1 SHEET C4.00.
- G PROPOSED PCC SIDEWALK WITH INTEGRAL CURB. SEE DETAIL #4 SHEET C4.00.
- H PROPOSED LOW DENSITY PCC PAVING. SEE DETAIL #3 SHEET C4.00.
- I PROPOSED HIGH DENSITY PCC PAVING. SEE DETAIL #2 SHEET C4.00.
- J PROPOSED 7.5" WATER SERVICE AND CURB STOP. #1 FIRE PROTECTION LINE. USE TAPPING DEVICE AND CURB STOP TO CONNECT TO EXISTING MAIN ALONG 2ND ST E. REMOVE AND REPLACE PAVEMENT AS NEEDED.
- K PROPOSED 4.5" WATER LINE AND FIRE HYDRANT ASSEMBLY WITH GATE VALVE. SEE DETAIL #1. CONNECT TO WATER MAIN PER CITY OF OTTUMWA WATER DEPARTMENT SPECIFICATIONS.
- L REPLACE EXISTING PAVEMENT AND PCC CURB AND GUTTER FOR INSTALLATION OF FIRE HYDRANT AND ASSOCIATED LINE TO MAIN.
- M PROPOSED 62" LF SANITARY SERVICE WITH CLEANOUT. REMOVE AND REPLACE PAVEMENT TO CONNECT TO MAIN WITH WYE.
- N PROPOSED 125' LF GAS SERVICE. COORDINATE WITH UTILITY COMPANIES.
- O PROPOSED FIBER SERVICE. COORDINATE WITH UTILITY COMPANIES.
- P PROPOSED SANITATION.
- Q FILL LOCATION.

AREA CALCULATIONS

TOTAL LOT SIZE	52,790 SF (19.11 AC)
EXISTING	
BUILDING AREA	0 SF (0.00 AC) 0.0%
PAVEMENT AREA	37,729 SF (86.86 AC) 71.3%
CONCRETE	13,870 SF (31.53 AC) 26.3%
PFG DEVELOPMENT SUPERFICIAL AREA	71.34 (31.87 AC)
PROPOSED	
BUILDING AREA	27,890 SF (63.64 AC) 52.8%
PAVEMENT AREA	11,700 SF (26.7 AC) 22.1%
OPEN SPACE	13,190 SF (30.3 AC) 24.9%
POST DEVELOPMENT SUPERFICIAL AREA	73.14 (32.36 AC)

PARKING

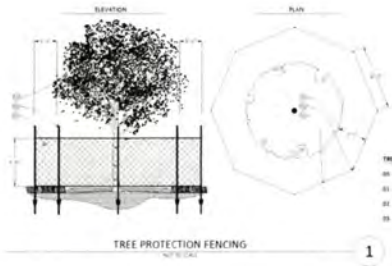
ON STREET	23 STALLS (3 ALLEY STALLS)
OFF STREET	34 STALLS (3 HANDICAP)
OFF SITE PARKING LOT	154 STALLS
TOTAL PARKING PROVIDED	211 STALLS

STORM SEWER PIPE TABLE

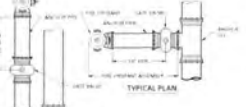
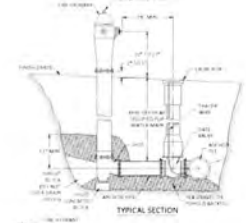
PIPE ID	STRUCTURE USE	STRUCTURE SIZE	PIVOT USE	PIVOT SIZE	LENGTH (FEET)	SLOPE	SDS (IN)	MATERIAL
101.0	100.0	18" x 18"	100.0	18" x 18"	44	1.00%	12	PRECAST
101.1	100.1	18" x 18"	100.1	18" x 18"	11	1.00%	12	PRECAST
101.2	100.2	18" x 18"	100.2	18" x 18"	33	1.00%	12	PRECAST

STORM SEWER STRUCTURES

STRUCTURE ID	TYPE	INLET DIA	OUTLET DIA	INLET ELEVATION	OUTLET ELEVATION
100.0	MANHOLE	18"	18"	733.96	733.96
100.1	MANHOLE	18"	18"	733.96	733.96
100.2	MANHOLE	18"	18"	733.96	733.96



- TREE PROTECTION FENCING NOTES**
- 01 FURNISH ALL TREES NOTED FOR PROTECTION ON SITE PLANS.
 - 02 64" HIGH VISIBILITY ORANGE CONSTRUCTION FENCE.
 - 03 STEEL FENCE POSTS 8" DIA. @ 10' O.C.
 - 04 64" HIGH FENCING @ BEYOND DAP LINE OF PROTECTED TREE.



REVISIONS

NO.	DATE	DESCRIPTION

OVERALL SITE AND UTILITY PLAN

C2.00
30% CD PLAN

Land Use Plan

LAND USE & ZONING COMPATIBILITY MATRIX

The land use to zoning compatibility matrix shows the relationship between the new future land use categories and the existing zoning districts within the City. Land uses and zoning districts have been listed as either compatible (“C”) or partially compatible (“PC”).

This matrix should be used as the basis for determining the appropriate zoning district(s) for land that is annexed into the City or as a property rezoning is being considered. If the zoning desired for a given property is incompatible with its land use designation, the designation on future land use map should be first amended accordingly. In certain situations an update or amendment to this matrix may be warranted to address changes in development patterns or revisions to the City’s zoning code regulations.

Table 10.3 - Land Use & Zoning Compatibility Matrix

Land Use Categories	Zoning Districts																
	AG/UR Agricultural / Urban Reserve	RR Rural Residential	R1 Single-Family Low-Density	R-2 Two-Family Low-Density	R-3 Townhouse Residential Moderate-Density	R-4 Multifamily Residential Medium-Density	R-5 Multifamily Residential High-Density	R-MHP Mobile Home Residential	C-1 Neighborhood Commercial	C-2 Community Commercial	CS-1 Commercial Shopping Center	C-3 Commercial Mixed-Use	C-4 Downtown Mixed Use	BP Business Park	I-1 Limited Industrial	L-2 General Industrial	PUD Planned Unit Development
Agriculture / Open Space	C	C															PC
Rural Residential	C	C	PC														PC
Low Density Residential		PC	C	PC													PC
Medium Density Residential			PC	C	C	PC											PC
High Density Residential				PC	C	C	C	C									PC
Downtown Core									PC			PC	C				PC
Office									C	PC	PC	PC	PC	PC			PC
Public, Semi-Public & Institutional	C	C	C														PC
Parks & Recreation	C	C															PC
Neighborhood Mixed Use								PC	C			PC	C				PC
Mixed Use								PC	C			C	C	PC			PC
Community Commercial									C	C	C	C	PC	PC			PC
Highway Commercial									C	C	C	C	PC	PC			PC
Industrial Business Park														C	C	PC	PC
Industrial															PC	C	PC

Source: Confluence

Land Use Plan

LAND USE & ZONING COMPATIBILITY MATRIX

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Agriculture / Open Space	C	C															PC
Rural Residential	C	C	PC														PC
Low Density Residential		PC	C	PC													PC
Medium Density Residential			PC	C	C	PC											PC
High Density Residential				PC	C	C	C	C									PC
Downtown Core									PC			PC	C				PC
Office									C	PC	PC	PC	PC	PC			PC
Public, Semi-Public & Institutional	C	C	C	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC	PC	PC	PC
Parks & Recreation	C	C															PC
Neighborhood Mixed Use							PC		C	PC		PC	C				PC
Mixed Use							PC		C			C	C	PC			PC
Community Commercial									C	C	C	C	PC	PC			PC
Highway Commercial									C	C	C	C	PC	PC			PC
Industrial Business Park														C	C	PC	PC
Industrial															PC	C	PC

Source: Confluence

received Item No. G-3.
5-8-23 1130A

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: June 6 2023

Planning & Development
Department

Zach Simonson
Prepared By
Zach Simonson
Department Head



City Administrator Approval

AGENDA TITLE: ORDINANCE NO. 3214-2023: AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 1508 ALBIA ROAD FROM C-1 TO C-2 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

Public hearing required if this box is checked.

RECOMMENDATION: Plan and Zoning Commission recommends to pass third consideration and pass and adopt Ordinance No. 3213-2023.

DISCUSSION: The applicant seeks rezoning the property at 1508 Albia from C-1 to C-2 in order to operate an impound lot. The zoning change would permit Short Term Vehicle Storage to be a permitted use. Short Term Vehicle Storage allows for parking operating and non-operating vehicles on hard surface parking for up to 30 days. Storage of body damaged vehicles would require screening from public rights-of-way, storage longer than 30 days would be prohibited.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

ORDINANCE NO. 3214-2023

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY KNOWN AS 1508 ALBIA ROAD FROM C-1 TO C-2 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, THAT:

SECTION 1

Zoning Ordinance #3105-2015 of the City of Ottumwa, Iowa, as amended and as set forth in Chapter 38 of the Municipal Code, City of Ottumwa, Iowa be and the same is hereby amended and changed to conform with this ordinance and the following described property, to wit:

Part of Auditor's Lot 19 of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72, Range 14 as follows: Beginning at a point 180 feet South and 181 feet West of the Northeast corner of the Northwest Quarter of the Southwest Quarter; thence South 60 feet; thence West 150 feet; thence North 60 feet; thence East 150 feet to the place of beginning.

ALSO

Part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72 North, Range 14 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa, described as follows: Beginning 30 feet South and 181 feet West of the Northeast corner of said NW¼ of the SW¼; thence South 150 feet; thence West 100 feet; thence North 150 feet; thence East 100 feet to the place of beginning. Said tract being a part of Lot 19 of Auditor's Subdivision of the Southwest Quarter of said Section 26, and also a part of Lots 23 and 24 of an unrecorded plat of Silverwood Farm, an Addition to the City of Ottumwa, Wapello County, Iowa.

ALSO

A part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 72 North, Range 14 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa, described as follows: Beginning 30 feet South and 281 feet West of the Northeast corner of said NW¼ of SW¼ of Section 26, Township 72, Range 14; thence South 150 feet; thence West 50 feet; thence North 150 feet; thence East 50 feet to the place of beginning.

Be and the same is hereby changed from its present zoning classification of "C-1" Neighborhood Commercial District to "C-2" Community Commercial District.

SECTION 2

The official zoning map of the City of Ottumwa, Iowa duly designated as such, and on file in the office of the City Clerk and the Wapello County Recorder, is hereby amended and changed to conform to this ordinance and the City Clerk, pursuant to Section 38-30 of the Zoning Ordinance #3088-2015, as amended, is hereby directed to record a certified copy of this said ordinance with the Wapello County Recorder and attach a certified copy of this said ordinance to the official zoning map.

SECTION 3

This ordinance shall be in full force and effect, from and after its passage, adoption and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION 4

When this ordinance is in effect, it shall automatically supplement, amend and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

Passed on its first consideration on the 2nd day of May, 2023.

Passed on its second consideration on the 16th day of May, 2023.

Requirement of consideration and vote at two prior council meetings suspended on the ____ day of _____, 2023.

Final passage and adoption on the ____ day of _____, 2023.

CITY OF OTTUMWA, IOWA

Richard W Johnson, Mayor

___ No action taken by Mayor.

___ Vetoed this ____ day of _____, 2023.

Richard W Johnson, Mayor

___ Repassed and adopted over the veto this ____ day of _____, 2023.

___ Veto affirmed this ___ day of _____, 2023 by failure of vote taken to repass.

___ Veto affirmed, no timely vote taken to repass over veto.

ATTEST:

Chris Reinhard, City Clerk

#5004



Planning and Development
City Hall; Room 204
105 East Third Street
Ottumwa, IA 52501

APPLICATION TO REZONE PROPERTY

APPLICANT INFORMATION

Name: Joshua Kirby
Phone: 641-226-4206
Address: 910 W. Walnut
City: Bloomfield State: IA ZIP Code: 52537
E-mail: Kirbywrecker service@gmail.com

PROPERTY INFORMATION

Business Name: Kirby Wrecker Service LLC
Proposed Property Use: Towing and roadside assistance and vehicle storage

Property Manager (If different from applicant):

Address: 1508 Albia Road
City: Ottumwa State: IA ZIP Code: 52501
E-mail:

REZONE INFORMATION

Current Zoning Classification C1
Requested Zoning Classification C2

SIGNATURES

I authorize the verification of the information provided on this form and have attached all required documentation.

Signature of applicant: Joshua Kirby Date: 4/10/23

Submittal Checklist

- Full Legal Description(Deed)
- List of all property owners within 200 feet radius of property
- Letter to the Plan Commission "Why you want the property rezoned"
- Application fee(Non-refundable) \$300.00
- Site Plan

Planning and Zoning Commission and Council

Kirby Wrecker Service LLC. Is requesting rezoning to C2 for the commercial property located at 1508 Albia Rd Ottumwa, IA currently zoned as C1. The reason for this request is to allow the company to fully fulfill its job requirements. Part of those requirements is to have the ability to store vehicles in an impound lot securely. Which the C1 zone prohibits that.

Kirby Wrecker Service is an established Towing and Roadside business in Bloomfield Iowa since 2020. We strive to serve the public and law enforcement with 24/7 dependable services. The need for our services in the Ottumwa community have become very demanding over the past few years. So, after a long search we acquired the property off Albia Rd to expand our business to be of better service. We have included a site map with our goals to improve the property which includes new privacy fencing, accommodation to serve the public and updates to the existing structures. All improvements will be made in compliance with the ordinances of the city and Iowa code.

We have reached out to the surrounding property owners for concerns about our adjustments to the property, as well as provide information about the type of business we will be conducting. In this we all agreed that the suggested adjustments to the property would help deter criminal activity and visually improve the area that we all share.

As for all stored vehicles on this property if granted, said vehicles will always be concealed from public view and will not be on the property for more than 30 days at a time. Once the stored vehicles have exceeded the 20-day storage limit they will be removed from the property. The property will not be used for any repairs or parting of vehicles of any kind. It will be used solely to conduct the towing needs of Ottumwa and store impounded vehicles. Thank you for your consideration.

Sincerely, *Joshua Kirby*
Owner

SITE PLAN

1508 Albia Rd

ottumwa, IA 52501

Parcel ID: 007417540273000

Lot area: 0.17 Acres

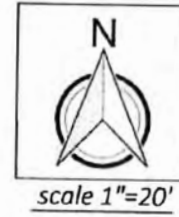
Parcel ID: 007417540269000

Lot area: 0.34 Acres

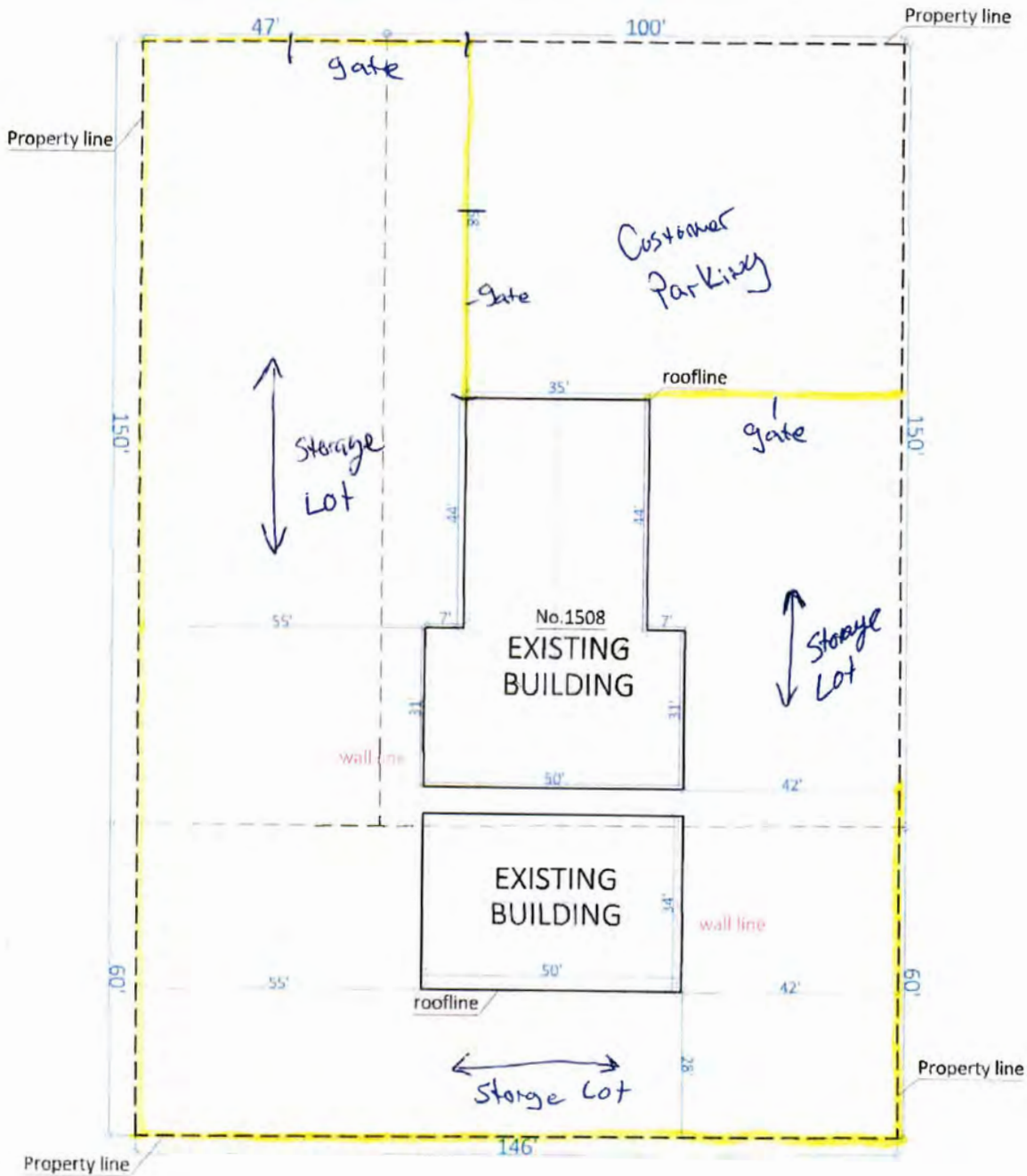
Parcel ID: 007417540181000

Lot area: 0.21 Acres

Paper Size: 11"x17"



Albia Rd





100-120 cars
Red - Fence

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: June 06, 2023

Engineering
Department

Larry Seals
Prepared By
Larry Seals
Department Head

City Administrator Approval

AGENDA TITLE: Approve purchase of Parking Lot Light poles for the Troeger Parking Lot Project.

****Public hearing required if this box is checked. ****

****The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.****

RECOMMENDATION: Approve the purchase of light poles and light fixtures for the Troeger Parking Lot and Bridge View Parking Lot expansions projects.

DISCUSSION: During the design of the Troeger Parking Lot and Bridgeview Parking Lot Expansion projects, we included the concrete light pole bases and conduits in the construction plans. It was decided to order and install the lights for both projects with in-house crews to reduce purchase and installation cost.

We requested quotes from two suppliers with the lowest bid from 3E with a price of \$16,901.28

		Bid	Budgeted
3E	\$16,901.28	\$ 16,901.28	
Crescent Electric	\$17,885.50		
Troeger Parking Lot		\$ 608,859.25	\$ 569,377.50
Bridgeview Parking Lot Expansion		\$ 473,143.50	\$ 574,256.00
Gravel Overflow East of Jefferson			\$ 40,000.00
		\$1,098,904.03	\$1,183,633.00

Source of Funds: CIP

Budgeted Item: Yes

Budget Amendment Needed: No



ELECTRICAL ENGINEERING & EQUIPMENT CO.
 2800 NORTH COURT
 OTTUMWA, IA52501
 (641)226-5103 FAX (641)226-5140
 www.3e-co.com

QUOTE

CUST #: 210048
 SHIP TO: CITY OF OTTUMWA
 CITY HALL
 105 E 3RD ST
 OTTUMWA, IA 52501-2904

BILL TO: CITY OF OTTUMWA
 CITY HALL
 105 E 3RD ST
 OTTUMWA, IA 52501-2904

CORRESPONDENCE TO: Electrical Engineering & Equip
 953 73RD ST
 WINDSOR HEIGHTS, IA 50324-1031

TAKEN BY	QUOTE DATE	QUOTE NO.
Cwit	04/12/23	8223325-00
P.O. NO.		PAGE #
		1
PLACED BY		

INSTRUCTIONS	REFERENCE	CASH DISCOUNT:
SHIP POINT	SHIP VIA	SHIPPED
3E - OTTUMWA	WILL CALL	
		IF PAID BY:

LINE NO.	PRODUCT AND DESCRIPTION	QUANTITY ORDERED	QUANTITY B.O.	QTY. SHIPPED	QTY. U/M	NET PRICE	AMOUNT (NET)
1	HAP RSS25D5-4 5"X5"X.180"X25"XCUSTOM This price includes Anchor bolts.	9		9	EACH	953.34	8580.06
3	HAPCO CUSTOM COLOR ADDER Non Stock	1		1	EACH	750.00	750.00
4	LTH RSX1 LED P4 50K R4 HVOLT RPA DNAXD 480 VOLT	8		8	EACH	532.23	4257.84
5	LTH RSX1 LED P4 50K R4 MVOLT RPA DNAXD 120-277V	7		7	EACH	473.34	3313.38
4	Lines Total		Qty Shipped Total	25	Total Invoice Total		16901.28 16901.28

Last Page

THIS IS NOT AN OFFER TO CONTRACT, BUT MERELY A QUOTATION OF CURRENT PRICES FOR YOUR CONVENIENCE AND INFORMATION. ORDERS BASED ON THIS QUOTATION ARE SUBJECT TO YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS LOCATED AT SALES.OUR-TERMS.COM, WHICH WE MAY CHANGE FROM TIME TO TIME WITHOUT PRIOR NOTICE. WE MAKE NO REPRESENTATION WITH RESPECT TO COMPLIANCE WITH JOB SPECIFICATIONS.



610 GATEWAY DR
OTTUMWA, IA 52501-2305
P 641-682-8181 F 641-682-0922



QUOTATION

QUOTE DATE	QUOTE #	PAGE #
04/21/2023	S511333421	1 of 1

CUST #: 190632

QUOTE TO:

CITY OF OTTUMWA
ACCOUNTS PAYABLE
105 E 3RD ST
OTTUMWA, IA 52501-2999

SHIP TO:

CITY OF OTTUMWA-SHOP ACCT
ACCOUNTS PAYABLE
105 E 3RD ST
OTTUMWA, IA 52501-2999

REQUESTED BY		REFERENCE	ACCOUNT MANAGER	
GREG CANTRELL		BRIDGEVIEW PARKING	AARON G WIRT	
QUOTED BY		TERMS	FREIGHT TERMS	
ROGER D MCCOY			FREIGHT IF APPLICABLE	
ORDER QTY	AVAILABLE	DESCRIPTION	UNIT PRICE	EXT PRICE
9 ea		QUOTATION-ITEM-PRICE/EACH RSS25D5-4 HAPCO 25'ROUND STRAIGHT POLE COLOR TO BE DETERMINED	1005.000/ea	9045.00
9 ea		QUOTATION-ITEM-PRICE/EACH 82351 HAPCO ANCHOR BOLTS	70.500/ea	634.50
1 ea		QUOTATION-ITEM-PRICE/EACH HAPCO CUSTOM COLOR ADDER	812.000/ea	812.00
8 ea		QUOTATION-ITEM-PRICE/EACH RSX1-LED-P4-50K-R4-HVOLT-RPA-DNAXD LITHONIA LED 480v ROUND	520.000/ea	4160.00
7 ea		QUOTATION-ITEM-PRICE/EACH RSX1-LED-P4-50K-R4-MVOLT-RPA-DNAXD LITHONIA LED MVOLT ROUND	462.000/ea	3234.00

PRICES SUBJECT TO CHANGE
QUANTITIES AVAILABLE SUBJECT TO PRIOR SALE
PLEASE SEE WWW.CESCO.COM FOR STANDARD TERMS
AND CONDITIONS

* This line is taxable

SUBTOTAL	17885.50
S&H CHARGES	0.00
ESTIMATED TAX	0.00
AMOUNT DUE	17885.50

received
5.16.23 2pm

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Jun 6, 2023

Administration
Department

Barbara Codjoe
Prepared By
Barbara Codjoe
Department Head


City Administrator Approval

AGENDA TITLE: Resolution No. 92-2023 - Approve Collective Bargaining Agreement with Ottumwa Police Union Teamster's Local #238

Public hearing required if this box is checked.

RECOMMENDATION: Pass and Adopt Resolution #92-2023.

DISCUSSION: Our current Collective Bargaining agreement with the Ottumwa Police Union is expiring June 30, 2023. Attached is the updated agreement by and between the City of Ottumwa, Iowa and the Teamsters Local 238, representing Police Officers and Communication Specialists, commencing on July 1, 2023 and continuing through June 30, 2028.

This contract has been ratified by the union.

Source of Funds: N/A

Budgeted Item: Budget Amendment Needed:

Items to note that changed in the contract:

- 1) Incorporated three (3) MOU's previously passed and signed into contract.
- 2) Clean up wording and reorganize collective bargaining agreement to flow better moving around articles and sections.
 - a. Remove "his/hers" from the entire collective bargaining agreement and replace with "their".
 - b. Clean up table of contents and article numbers
 - c. Replace Police Supervisor with Police Sergeant
- 3) Hours of Work / Duty
 - a. Add in section regarding K9 officers.
 - b. Shift Differential - Remove "a majority of their hours". Added Communication Specialists to receive shift differential
- 4) Dues Check off and Deductions – remove as per Iowa Code 20.
- 5) Vacation
 - a. Contract shows differently than what we have been practicing. Updated years to show current practice.
 - b. Adjusted accruals based on 2184 annual hours worked
- 6) Casual
 - a. Adjust to receive 48 hours (4 days x 12 hours per day)
- 7) Holidays
 - a. Adjust to 132 hours from 88 hours (11 holidays x 12 hours per day)
- 8) Insurance
 - a. Remove section 1 including all bullet points underneath
 - b. Remove Section 3 – joint insurance committee – do not have
- 9) Seniority – Lay off – Job Abolishment – remove section 2 as per Iowa Code 20.
- 10) Field Training Officer – add that the hours spent serving in this role will be included in overtime rate
- 11) Wages
 - a. Officers
 - i. Create salary structure of Start, 1 year, 2 year, 3 year, 4 year, 5 year, 6 year, 7 year, 8 years or more
 1. 8 years or more – increase of 6%
 2. Decrease steps 4%, 3.75%, 3.5%, 3.25%, 3%, 2.75%, 2.5% and 2.25 respectively
 - ii. Highest salary will be an increase of 6% each year
 - b. Communication Specialist
 - i. Market Adjustment of \$2 per hour starting 7/1/2023
 - ii. Salary increases of 6% each year

RESOLUTION NO. 92-2023

RESOLUTION AUTHORIZING THE APPROVAL OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF OTTUMWA, IOWA AND OTTUMWA POLICE UNION TEAMSTER'S LOCAL #238

WHEREAS, the City of Ottumwa, Iowa had approved a Collective Bargaining Agreement between the City of Ottumwa and the Ottumwa Police Union Teamster's Local #238 on November 20, 2018 commencing on January 1, 2019 through June 30, 2023 and;

WHEREAS, a retention and recertification election was conducted in October 2022 and ordered on November 18, 2022 that Teamsters #238 is recertified as the exclusive bargaining representative of the bargaining unit of employees of the City of Ottumwa, and;

WHEREAS, staff has drafted an updated Collective Bargaining agreement along with the Ottumwa Police Union Teamster's Local #238 to meet the needs of both employee and employer and finds that approval of said collective bargaining agreement, as revised, would be in the best interest of the City and the employees of the City, and;

WHEREAS, the Ottumwa Police Union Teamster's Local #238 has ratified the updated Collective Bargaining agreement, and;

WHEREAS, the City Council of the City of Ottumwa, Iowa desires to approve the new Collective Bargaining Agreement

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ottumwa, Iowa, that the attached Collective Bargaining Agreement by and between the City of Ottumwa, Iowa and the Ottumwa Police Union Teamster's Local #238 is hereby adopted with an effective date of July 1, 2023.

BE IT FURTHER RESOLVED, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution.

PASSED, ADOPTED and APPROVED this 6th day of June 2023.

CITY OF OTTUMWA, IOWA

Richard W. Johnson, Mayor

ATTEST:

Christina Reinhard, City Clerk

COLLECTIVE BARGAINING AGREEMENT

BETWEEN

CITY OF OTTUMWA

AND

**OTTUMWA POLICE UNION
TEAMSTER'S LOCAL #238**

**FOR THE PERIOD
OF
JULY 1, 2023 THROUGH JUNE 30, 2028**

TABLE OF CONTENTS

		Page
Article 1	Purpose of Agreement	3
Article 2	Laws Applicable	3
Article 3	Recognition	3
Article 4	Duration of Agreement	3
Article 5	Negotiations	3
Article 6	Job Classification & Salary Schedules	4
Article 7	Hours of Work/Duty	5
Article 8	Overtime	6
Article 9	Recognized Holidays	9
Article 10	Vacation	9
Article 11	Sick Pay	12
Article 12	Leave with Pay	14
Article 13	Leave without Pay	15
Article 14	Insurance	15
Article 15	Equipment	16
Article 16	Disciplinary Procedures	17
Article 17	Grievance Procedures	17
Article 18	Seniority – Lay Off – Job Abolishment	19
Article 19	Miscellaneous	19
Article 20	Management Rights Clause	20
Article 21	Employees Rights Clause	20
Article 22	Amendment	20
Article 23	Savings Clause	20
SIGNATURES		21
SALARY SCHEDULE		22

This agreement made and entered into this 5th day of April, 2023 by and between the City of Ottumwa, Iowa a municipal corporation, referred to hereinafter as Employer, or City; and the Ottumwa Police Union, Teamster's Local #238, referred to hereinafter as Union or Local #238.

ARTICLE 1
PURPOSE OF AGREEMENT.

The City of Ottumwa and Teamsters Local 238 agree the purpose and intent of this agreement is to negotiate in good faith all subjects covered by the Code of Iowa Chapter 20.9.

ARTICLE 2
LAWS APPLICABLE.

This agreement is made, executed and entered into pursuant to and under authority of the Constitution and the Common and Statutory Laws of the State of Iowa, and any part of this agreement which conflicts shall be null and void and of no force and effect.

ARTICLE 3
RECOGNITION.

The Employer recognizes the Union as the sole and exclusive bargaining agent for the purpose of bargaining for employees in the following positions: Police Officers and Dispatchers and for all of its employees in the bargaining unit established and certified pursuant to the order of the Public Employment Relations Board of the State of Iowa, case number 1774 or amendments thereto. Excluded from the bargaining unit shall be the Chief of Police, Police Lieutenant, Police Sergeant, Chief's Secretary, DataCom Supervisor, part-time dispatchers, and those employees excluded as determined by the Iowa Public Employment Relations Board, after hearing related solely to the City of Ottumwa.

ARTICLE 4
DURATION OF AGREEMENT.

This agreement shall be in effect from and after 12:00 A.M. July 1, 2023, until 11:59 P.M. on June 30, 2028 and from year to year thereafter unless either party hereto gives the other party written notice of its desire to terminate or modify the same on or before September 15th of the preceding year.

Wages and insurance sections of this agreement shall be open for negotiations in years 4 and 5.

ARTICLE 5
NEGOTIATIONS.

Section 1. Employer will meet with the union with respect to establishing wages, hours, and working conditions of employment as necessity requires and shall be concluded prior to time permitted for submission and certification of said budget to the County Auditor of Wapello

County. Conferences and meetings as are required concerning such matters as the interpretation of this Agreement, working conditions and grievances shall be held pursuant to the terms of this Agreement, and if not so provided may be held at the call of either party of this Agreement at an agreed upon time and place.

Section 2. The following general procedures shall govern such negotiations and conferences:

- a. The Employer shall be represented by such members of its bargaining team as it deems necessary. In addition, each party may utilize a secretary and expert professional representatives as said party deems necessary. However, due to the fact that it is desirable by both parties that said meetings be efficient and orderly, private citizens representing either party shall be present only upon agreement of both parties. Nothing contained in this section shall be deemed to infer the desire or agreement by the parties to the violation of Chapter 28A of the Code of Iowa, as amended known as the Open Meeting Law and said Law shall be adhered to if and where mandated.
- b. Interpretations and agreements reached by such negotiations shall take the form of written agreement or amendment thereto. If the written agreement conflicts with other personnel rules and procedures, the agreement shall prevail.
- c. Any employee of the Union or his designated representative has the right to discuss with the Chief of Police (Chief) or Employer the terms of his employment or working conditions but no individual agreement shall be made between the Chief and said employee which violates the terms of any personnel memoranda issued by the Chief as a result of the negotiations with Union or that will violate the terms of this Agreement or any amendment thereto.

Section 3. Time spent by designated representatives of the Union in negotiations with Employer shall not be deducted from the employee's pay if the negotiations are held during normal working hours of said designated representatives.

ARTICLE 6 JOB CLASSIFICATION AND SALARY SCHEDULES.

Section 1. Employees will be compensated pursuant to attached exhibit "A".

Section 2. The salaries and wages of employees shall be paid bi-weekly on Friday of the appropriate week.

Section 3. An employee will be given copies of all documents placed in said employee's personnel file within ten (10) days of the time any such document is placed therein, if requested.

Section 4. Each employee will be entitled to review his personnel file upon request to the Police Chief and Human Resources

ARTICLE 7
HOURS OF WORK/DUTY.

Section 1. The Police Chief, at his discretion, may set the work period for employees to a fourteen (14) day period. This period will consist of seven (7) twelve (12) hour days for Police Officers and five (5) eight (8) hour days for Communication Specialists. The regular work day (shift) will consist of twelve (12) hours for Police Officers and eight (8) hours for Communication Specialists, normally worked consecutively, except for meals and similar authorized interruptions. All regular employees are subject to call twenty-four (24) hours a day, seven (7) days a week, up to thirty (30) minutes shall be allowed for lunch period. One twenty (20) minute break will be allowed during each twelve (12) hour shift. Two (2) fifteen (15) minute breaks will be allowed during each ten (10) hour shift.

Section 2. Police officers and communication specialists who work between the hours of 1800 and 0600 shall receive a shift differential of \$0.30 per hour for all hours actually worked during this period. This shift differential will be included to calculate the overtime rate for overtime hours worked between the hours of 1800 and 0600.

Section 3. At all times, there shall be a ranking Supervisor on duty.

Section 4. Call Back Rate of Pay: Members recalled to duty because of an emergency shall be paid at a rate of time and one-half (1 ½) for the actual time worked, but not less than two (2) hours of pay at the rate of time and one-half (1 ½). If an employee is called in prior to the start of their shift, they will be paid time and one-half (1 ½) for actual time worked in conjunction with the start of their scheduled shift.

Section 5. Training: Mandatory In-Service Training which is in addition to the employee's regular shift will be paid at time and one-half (1 ½) in compensatory time or overtime pay at the employee's option for a minimum of two hours. However, if the employee's training time is one hour before or after the employee's regular shift, then the employee will be compensated for one (1) hour of overtime pay or compensatory time in conjunction with the start or end of their shift.

Voluntary In-Service Training outside the employee's regular shift will be paid at straight time in compensatory time.

A Police Officer that is required to participate in training during their normal shift and that training exceeds nine (9) hours (inclusive of travel time) shall be credited with having worked their twelve (12) hour shift.

Section 6. Exchanging Hours: The Chief of Police or the officer in charge may grant the request of any two members of the Police Department to exchange hours or days off.

Section 7. Shift Bids: Officers may be allowed to bid shifts by seniority twice annually for all classifications. Specialty positions such as Patrol Training Officers and K-9 Officers may

have reserved positions based upon seniority. The Chief of Police reserves the right to designate specialty positions on each shift to ensure the proper distribution of personnel.

Bidding for the following calendar year shall occur beginning March 1st and September 1st of each year with assignments being announced and awarded on March 16th and September 16th. Officers will begin their chosen shift on the first day of the first pay period in January of each year.

The Chief of Police or his designee will provide, when possible, a 30 day notice to any officer whose regular schedule is adjusted for the needs of the department except in cases of emergencies such as loss of personnel causing a shift shortage, natural disaster or other unforeseen circumstances.

Employees may voluntarily accept a change in their schedule before the 30-day notice.

In the event a vacancy expected to be longer than 30 days exists, officers required to work a shift they did not bid, the vacancy will be offered on the basis of seniority first, with the least senior officer being involuntarily assigned, whenever possible, from his/her bid assignment. The officer filling this vacancy shall retain the right to choose their days off based upon their seniority which may include bumping less senior officers from their days off upon filling the vacancy for 30 days.

Officers, with the permission of the Chief of Police or his designee, may voluntarily trade shifts after bidding has been concluded during the 6 month period; however, they will inherit the other officer's days off regardless of seniority. No bumping shall occur as the result of voluntary trades.

Section 8. Work Schedule: The work schedule as established shall not be changed, except in times of emergency. The Chief of Police, at his discretion, may institute new types of scheduling after giving the Union thirty (30) days' notice of such a change and allowing officers to bid shifts on the new schedule. The Chief of Police shall not initiate more than three (3) such schedule changes in a twelve (12) month period unless an emergency exists or the Union agrees to additional schedule changes.

Section 9. K-9 Officers: Officers are allotted 1 hour per day worked to care and maintain the K9. To compensate for this time, officers appointed as K9 officers will be credited with seven (7) hours straight pay per pay period to care for the animal known as at-home care. When requesting time off, the K9 handler will request time based on 11 hour scheduled days.

If the officer takes vacation and is unable to care for the K9 during the vacation, another officer will be asked to take care of the K9. The original K9 handler will not receive the at-home care and that will be paid to the officer caring for the K9.

ARTICLE 8 OVERTIME.

Section 1. The Police Chief, at his discretion, shall call the necessary number of people to report on duty on an overtime basis.

Section 2: Officers assigned to work 2,184 hours annually, agree overtime shall not be compensated or accrued until working 84 hours in a pay period which is 14 calendar days.

Section 3. Dispatchers assigned to work 2080 hours annually, agree overtime shall be compensated when working more than 40 hours in a week.

Section 4: For the purpose of defining the term "working", vacation, holiday and comp time will be counted as hours worked for purposes of determining overtime. Specifically, sick pay, casual days and bereavement leave are not included in computing "working" time.

Section 5: Employees may choose to be credited with compensatory time in lieu of overtime.

Section 6. All overtime will be kept in roll call and read at roll call by Sergeants until the overtime has been worked. All overtime will be posted (except for emergencies or for the 96-hour exemption) in the book and left blank for the allotted 72 hour period for officers to bid/bump per the contract.

The overtime will remain open for another 24-hour period for any sworn personnel to sign up.

The 96 hour exemption means "If there is less than 96 hours until the posted overtime is due, then the Sergeant will immediately order officers to work the overtime starting with the junior officer."

If no bargaining unit employee claims the overtime or extra duty, supervisory and command personnel may work the overtime or extra duty.

In the event no supervisory or command staff volunteer for work after the 96-hour period, (whenever possible) during roll call, the Sergeant will fill any spots not voluntarily signed up for by ordering officers to work the assigned overtime. The Sergeant will order from the most junior officer to the most senior officer until all spots are filled. Officers present at roll call may not request certain spots by seniority. All remaining open spots will be assigned in this same manner. Overtime assignments are not shift specific.

Any officer that is ordered to work overtime may not take that day off without giving a 7-day notice. The officer must take off the entire shift.

In the event there is less than 96 hours until the posted overtime is due, then the Sergeant will immediately order officers to work the overtime starting with the junior officer and working through the Seniority list accordingly.

Once any officer is ordered to work the overtime, it is their responsibility. Any officer ordered may find a replacement to work for them and must notify the posting Sergeant of any changes.

When posted overtime is voluntarily split, during the 72 hour period, by two officers, officers may bump other officers based upon seniority. When a shift is split, a junior officer may bump a senior officer if the junior officer is willing to work the entire shift and only half of the shift was covered. Additionally, a senior officer may bump a junior officer or officers splitting the shift, meaning the senior officer may bump either the front half of the shift, the back half of the shift, or all of the shift. **NO BUMPING IS ALLOWED AFTER THE 72 HOUR PERIOD.**

Section 7. Employees who, as a result of performing their official duties, who are required to appear as witnesses in courts of law (civil or criminal) while not on duty will receive a minimum of two (2) hours of overtime pay or compensatory time, to be the employees choice; however, if the employee's court time is less than one (1) hour prior to or after the employee's regular shift to work, then the employee will be compensated for one (1) hour in conjunction with the start or end of their shift.

Section 8: Specialty Positions Overtime - Employees in special assignments or possessing specialized skills shall fill the overtime needs for their specific assignment unless deviations are approved by their immediate supervisor. The Department shall not be obligated to post such overtime or award it by seniority as stated in Article 18, Section 2.

Personnel in special assignments may sign up for and work patrol shift overtime provided such work does not interfere with their normal assignment and duties.

Section 5: Extra Duty - Extra duty assignments are those which by nature are typically paid for by outside entities and are normally considered "voluntary" in nature. Available jobs will be posted for at least 72 hours prior to the work if possible. Seniority shall be the determining factor on which officers shall be awarded the work. After posting has been up for the 72 hour period, officers may sign up on a "first come first serve basis".

When extra duty overtime is voluntarily split, during the 72 hour period, by two officers, officers may bump other officers based upon seniority. When a shift is split, a junior officer may bump a senior officer if the junior officer is willing to work the entire shift and only half of the shift was covered. Additionally, a senior officer may bump a junior officer or officers splitting the shift, meaning the senior officer may bump either the front half of the shift, the back half of the shift, or all of the shift. **NO BUMPING IS ALLOWED AFTER THE 72 HOUR PERIOD.** After 72 hours, Officers with less seniority shall not be bumped by more senior personnel. Deviations with approval from the Chief of Police or his designee from the 72 hour bidding period may occur when the entity requesting and paying for the extra duty officers requests officers in specific assignments or officers who possess special skills. For example, the High

School always desires that the School Resource Officers work extra duty assignments at school dances and sports events. The assignment of such an officer when requested by a contracting agency shall not violate Article 18, Section 2.

Entities requesting and paying for extra duty officers, may request that specific officers are prohibited from working the Entities' assignment with justification being made to the Chief of Police.

Extra Duty Overtime in which officers may volunteer shall be paid at a minimum of two (2) hours or the actual hours worked.

Extra Duty Overtime in which officers are ordered to work shall be paid at a minimum of three (3) hours or actual hours worked. City council assignments are excluded from this minimum.

The officers agree to the minimums above so long as that it is equal to the amount being billed by the City. Should the City bill **and receive payment from** an entity for more hours than the officer worked, the officer working the assignment will be paid for hours equivalent to those the entity was billed.

If no bargaining unit employee claims the overtime or extra duty, supervisory and command personnel may work the overtime or extra duty.

ARTICLE 9 RECOGNIZED HOLIDAYS.

The following are declared to be recognized holidays for employees covered by this Agreement. Recognized holidays shall at all times be the same as those given to other employees for the City and said holidays are as follows:

1. New Year's Day
 2. Martin Luther King Day
 3. President's Day
 4. Memorial Day
 5. Independence Day
 6. Labor Day
 7. Veteran's Day
 8. Thanksgiving Day
 9. Day after Thanksgiving
 10. Christmas Day
 11. The day before or after Christmas as determined by the mayor.
- a. Police Officers shall receive 132 hours of holiday pay and Communication Specialists shall receive 88 hours of holiday pay on July 1st of each year for all recognized holidays in the upcoming year.
 - b. In addition to receiving holiday pay, employees who work on Thanksgiving Day, Christmas Day, New Year's Day and Independence Day shall receive one and one-half times their regular hourly rate for all hours worked.
 - c. There shall be no compounding of overtime should an employee be called into work on their regular day off.

- d. Employees will be paid holiday pay for all hours worked on holidays referenced above (b).
- e. Holiday pay not used by June 30th shall be forfeited.
- f. Employees who terminate their employment (either voluntarily or involuntarily) will have their pay adjusted accordingly based upon the number of holidays which have passed during the employee's employment and how many are remaining in the fiscal year.
- g. Employees who are hired after July 1st of each year will have holidays prorated based on the number of holidays that they are employed during that year.
- h. Time and a half pay for holidays is applicable only to the Patrol Division and Communication Specialists.

ARTICLE 10
VACATION.

Section 1: Employees will start accruing vacation on their hire date. Employees will accrue according to the schedule below. Increases in accrual will take place on the day the employee reaches that length of service day. For example, on the 4 years of service anniversary day for an officer, employee will then start to accrue at the 4.85 hours per pay period rate.

Police Officers (working 2184 hours per year):

0-3 years of service	84 hours (2 weeks)	3.24 hours per pay period
4 years of service	126 hours (3 weeks)	4.85 hours per pay period
11 years of service	168 hours (4 weeks)	6.47 hours per pay period
19 years of service	210 hours (5 weeks)	8.08 hours per pay period

Communication Specialists (working 2080 hours per year)

0-3 years of service	80 hours (2 weeks)	3.08 hours per pay period
4 years of service	120 hours (3 weeks)	4.62 hours per pay period
11 years of service	160 hours (4 weeks)	6.15 hours per pay period
19 years of service	200 hours (5 weeks)	7.69 hours per pay period

Section 2. Employees may accumulate accrued vacation not to exceed the amount earned in one and one-half (1 ½) years. Any unused vacation days exceeding the one and one-half (1 ½) times will be added to that of the employee's sick accrual.

Section 3. An employee who leaves the employment of the City and after giving two (2) weeks' notice of such termination of employment shall be compensated for all vacation accrued to date of separation.

Section 4. All accrued vacation shall be paid to the family or estate of a deceased employee who has passed away while being in the employ of the Employer, but it is not required that said death have occurred on the job.

Section 5. Vacation/Holiday/Casual Requests & Bidding - The nature of the work and the operation of the Ottumwa Police Department make it necessary to limit the number of employees on vacation/holiday/casual leave at the same time.

- Police Officers' requests for vacation/holiday/casual are shift specific.
- Dispatcher requests for vacation/holiday/casual are bid across the entire DataCom Unit. Seniority as it applies to bidding for vacation shall be based upon the employee's most recent date of full time employment.
- Shift bid for the following calendar year (beginning of first pay period in January) will be posted on September 1st of each year. Officers will have until September 15 to bid their shift.
- Vacation/Holiday/Casual bidding will be opened based upon seniority on March 16th and September 16th and will be open until 23:59 hours on March 26th and September 26th. Vacation bids will be awarded upon the close of the bidding process
- An employee's request for vacation/holiday/casual shall be based on seniority and priority of choice. Employees will request a first, second, and third choice for vacation/holiday/casual.
- First choice of vacation/holiday/personal time off should cover a 5-day period. Vacation will only be deducted for those days in the above period which the officer was scheduled to work.
- Any first bid not inclusive of a 5 day period will be considered invalid and that employee will forfeit their first choice of vacation/holiday/casual. All remaining choices of vacation, holiday, and casual during this period must be a minimum of one full shift.
- After all officers on the shift have submitted a bid for their first choice of time off, the senior officer will be allowed to make their second choice of vacation/holiday/casual. The remaining choices of time off will be followed in the same manner until such time all bids submitted have either been awarded or rejected.
 - For example: The senior employee will receive their first priority choice of time off. The next senior employee will receive their first priority choice of time off so long as the shift is able to maintain minimum staffing. This process will continue until all employees on the shift have been granted one period of time off. Once all employees have been granted a period of vacation/holiday/casual the shift supervisor will start over with the most senior officer and grant the senior officer their second choice as long as it does not conflict with other already granted time off or require the shift to fall below minimum staffing. The process will continue until all employees have been granted a second vacation period. This process will be repeated again until all employees have been granted three vacation choices or those bids have been rejected. Only one officer will be allowed vacation/holiday/casual off at a time during the bidding period.

- In the event an employee cancels a granted vacation period the employee forfeits their ability to choose a vacation date which bumps another employee's granted vacation period. Should a cancellation occur, officers on that shift shall be notified of the cancellation and other officers may request the time off and it shall be awarded by seniority in the first 7 days after the cancellation and on a first come, first serve basis thereafter.

Section 6. One (1) week notice must be given to the Chief or his designee before taking any vacation, unless in an emergency situation.

Section 7. Vacation requests outside of the bidding process will be based upon a first come, first serve basis and may be submitted at any time but will not be approved or rejected earlier than 60 days prior to the date of the event. Likewise, vacation requests must be given to the Chief or his designee at least 7 days in advance, unless in an emergency situation. Requests for leave between the 60 – 7 day window will be approved or rejected within 72 hours.

Section 8. Consecutive vacation days off that run over into the following year will be granted as the bid in the previous year. Ex. December 20th through January 10.

Section 9. Employees will request exact dates of vacation, so in the event the employee is transferred to another shift those dates requested are granted and days off do not affect their vacation time. Actual hours used by the employee will be deducted from the employees accrued time balance.

Section 10. A paid leave of absence is considered a twenty four hour period. **The twenty-four hour period begins at the employee's normal work starting time and ends 24 hours later.** Whenever an employee is called back from paid leave or a regular day off running consecutive to their approved paid leave of absence the employee must choose one of two options:

Option 1. The employee will receive time and one half (1 ½) for all hours worked in addition to the pay being received from the leave of absence or:

Option 2. The employee will receive time and one half (1 ½) for all hours worked and credited back the employee's original hours of leave for the day.

Officers on paid leave of absence shall notify the supervisor requesting the officer to report for duty that they are on a paid leave of absence, including if they are on regular days off in conjunction with a paid leave of absence. An employee who fails to notify a supervisor that they are on paid leave of absence or regular day off in conjunction with the paid leave will forfeit the payment of the paid time off for that period or crediting of paid time off.

This section shall apply only in the event of an actual call in requiring the employee to report for work. Instances such as court, depositions, etc. are exempt from this section.

Section 11. Any employee serving as communication specialist who wishes to take vacation, outside of the bid process outlined above, which would create overtime or the displacement of another employee to cover their shift must do so with at least a 10 day advance notice. Leave of absence requests may be granted as long as the minimum staffing requirements are met as deemed appropriate by the Chief of Police.

- In the event 2 Datacom employees elect vacation during the same period, the Communications Supervisor may temporarily displace an employee from their regular shift to the shift in need of coverage.
- Displacement shall occur with the most senior employee being offered a voluntary schedule adjustment to cover the shift. In the event no one voluntarily adjusts their schedule, the least senior and available employee will be displaced and shall be given 7 days advance notice unless in the case of an emergency.

ARTICLE 11 SICK PAY

SICK PAY.

Section 1. All regular or probationary Police Officers (working 2184 hours per year) earn sick pay at the rate of 11.08 hours per pay period. All regular or probationary Communication Specialists (working 2080 hours per year) earn sick pay at the rate of 7.39 hours per pay period. Sick pay may be granted in hourly increments only for absence from duty due to personal illness, legal quarantine, or casual pay.

Section 2. If any employee takes more than three (3) consecutive days sick pay in any sixty (60) calendar day period, the Employer may require a medical certification before employee may return to work, said certification to be at the employee's expense. Failure to furnish medical certification may result in the Employer beginning disciplinary procedures.

Section 3. Sick pay may be granted at the employee's request at the discretion of the Chief of Police or his designee for serious illness in the immediate family. Immediate family shall be defined pursuant to the City Personnel Policies. Additional persons may be added to this section at the discretion of the Chief of Police because of death or sickness.

Section 4. 4 days annually (48 hours for Police Officers working 2184 hours per year OR 36 hours for Communication Specialists working 2080 hours per year) may be used as casual sick days to be taken with the authorization of the Department Head of the Employer to be deducted from employee's sick leave

Section 5. Employees reporting off sick must do so as soon as possible by contacting the supervisor currently on duty.

Section 6. No sick pay shall be paid to employees for injuries incurred or received while the employee is working on the job of another employer, (moonlighting), who pays sick leave.

Section 7. Any employee injured while on duty for the City shall continue to accrue full benefits while on injury leave or until placed on temporary disability by the Police Pension Board, subject to State law. All benefits accrued before being placed on temporary disability will be frozen until a final disposition is made.

Section 8. Any employee injured on the job must report it within twenty-four (24) hours of when it happens. The Employer requires the right to designate the physician if so desired, to verify the certification of the employee's physician and the extent of their injuries.

Section 9. The first payroll in December of each year, each employee shall be paid for 25% of accrued sick pay according to the following schedule:

- Police Officers working 2184 hours per year – Hours in excess of 2016, up to a maximum of 50 hours. Employee's sick accrual will be reduced to 2016 hours.
- Communication Specialists working 2080 hours per year – Hours in excess of 1920, up to a maximum of 48 hours and the employee's sick accrual will be reduced to 1920 hours.

November 1st of each year will be the date used for determining payment.

Section 10. It is understood and agreed between the parties hereto that once an employee has exhausted their paid leave, they shall be granted leave without pay for a period of up to six months from the date the employee exhausted all paid time off. Seniority shall be frozen on the date accrued paid time off is exhausted. The City Administrator has the discretion to extend this period for up to an additional six months.

MATERNITY/PATERNITY LEAVE:

Section 11. Employees may elect to take time in accordance with the Family Medical Leave Act and applicable State Law. Maternity/Paternity Leave is not deducted from dependent sick leave. Please review City Leave of Absence Policy for more information.

ARTICLE 12 LEAVE WITH PAY.

Section 1. The Chief may authorize leave with pay, which will not be charged to vacation or sick accruals, for the following reasons:

- a. For appearance in court, either as a member of the jury or when required to appear as a witness; however, if the employee instigates the court proceedings, then said employee shall not be paid. When an employee appears during regular working hours and receives full pay from the City, any pay that the employee might receive from the Court, except for mileage, will be turned over to the Police Department.
- b. For attendance at an official meeting where the good of the City is involved, but within the budget allowance for this purpose.

Military Leave:

- c. For active duty in any branch of the armed forces of the United States or the State of Iowa, for the period of such active State or Federal services during the first thirty (30) days of such leave of absence in conformity with Chapter 29A.28 of the Code of Iowa, as amended.

Bereavement Leave:

- d. Employees may be granted bereavement leave in accordance with the following schedule and shall not have this leave deducted from any accrual banks:
 - a. Up to five (5) days for the death of a spouse, child or stepchild.
 - b. Up to three (3) days for the death of a parent, stepparent, sibling, grandchild or employee's own grandparents.
 - c. Up to one (1) day for the death of a father/mother-in-law, brother/sister-in-law, son/daughter-in-law or spouse's grandparents.
 - d. The Police Chief, at his discretion may extend bereavement leave so long as the extension is deducted from accrued leave excluding sick leave and may be unpaid time off (if no other paid leave is available.)

Section 2. All leave with pay except those related to sickness, injury and death must be applied for in advance.

Section 3. Any employee on paid leave in excess of 90 consecutive days will not continue to accrue paid leave.

Compensatory Time:

- a. Compensatory time shall be granted with a 3-day advance notice so long as the minimum staffing as deemed appropriate by the Chief is maintained.
- b. Additionally, compensatory time may be granted with less notice so long as the minimum staffing as deemed appropriate by the Chief is maintained. In this event, officers will be expected to report for roll call and once minimum staffing has been confirmed, the officer will then be released on leave.
- c. Employees hired prior to July 1, 2016 may carry over the FLSA maximum amount of 480 hours. Effective July 1, 2016, new police department hires may accumulate up to a maximum of 150 hours of compensatory time. However, no more than 40 hours may be carried over after November 1st of each year. As of November 1st of each year, all compensatory time over 40 hours will be paid to the employee in the first full pay period of November.

ARTICLE 13
LEAVE WITHOUT PAY.

Section 1. A regular employee may be granted leave without pay for a period not to exceed one (1) year for good and sufficient reasons, which are considered to be in the best interest of the City. The City Council may extend such leave for good and sufficient reasons.

Section 2. An employee designated by the Union to represent it at an International, State or District meeting, which requires this absence from duty, shall be granted the necessary time off without pay. Under no event shall the number of employees exceed four (4).

Section 3. No person shall be discriminated against because of military service (including National Guard) requirements; however, every person required to attend weekend drills shall notify the Employer in advance so employee's days off can be scheduled to fall on days of said drills or said employee shall make arrangements with the military unit to schedule drill on employee's days off.

Section 4. An employee on unpaid leave of absence shall receive no compensation, shall not accrue seniority, and shall not earn or collect vacation, sick pay, or other benefits.

ARTICLE 14
INSURANCE.

Section 1. Contribution Rate: The City shall contribute 90% of the premium for the coverage selected and the employee shall contribute 10% of the premium.

The Employer shall also provide insurance to the surviving spouse and family of an Employee; said coverage to be subject to the same terms and conditions as active members. All coverage shall cease if surviving spouse remarries, is covered by another insurance program OR 1 year since the employees passing; whichever comes first. The City will provide insurance coverage for employee's children in compliance with State and Federal Law.

Section 2. Plan Design: The employees covered by this contract shall be eligible to participate in the health insurance plan design that has been implemented for all other employees of the City.

Section 3. The City will pay the premium required in Section 1 for the first one (1) month following an employee being laid off.

Section 4. Cadillac Tax Liability – Should the City's health insurance plan become classified as a Cadillac plan subject to tax under the Affordable Care act, the employer reserves the right to open the contract as it relates to the Insurance place structure at the discretion of the City.

Section 5. Life Insurance: The Employer shall provide life insurance for all employees in the amount of their annual base salary rounded up to the nearest \$1,000 during their employment.

ARTICLE 15 EQUIPMENT.

Section 1. No person employed by the City shall be forced to use equipment that is in an unsafe condition because of mechanical faults or that does not meet legal safety requirements of such equipment. Employees shall report the unsafe condition of any equipment immediately to their appropriate supervisor.

Section 2. The City will reimburse an employee for personal property that is damaged while the employee is performing on-the-job duties for the City, provided the damage occurred on duty and could not have been avoided to the satisfaction of the City. The maximum amount an employee may be reimbursed is up to \$150.00 per damaged item for the actual cost to replace such item, except regular prescription glasses which an employee may be reimbursed up to \$500. Damage must be reported to the officer-in-charge prior to the end of the employee's shift in which the damage occurred on. All employees are required to exercise necessary caution to prevent the loss or damage to personal property.

Section 3. The City will furnish all new officers hired on the Ottumwa Police Department with complete uniforms and equipment as specified by the Police Department and shall provide replacement uniforms and equipment as may be needed to all active duty personnel.

Section 4. The City will reimburse patrol officers up to \$200.00 per year for approved footwear and optional approved Police equipment. Payment shall be made to the officer within thirty (30) days after submission to department. The City will reimburse investigators up to \$200.00 every six months for approved clothing and optional approved Police equipment while serving as an investigator.

Should an employee voluntarily leave employment within six (6) months of receiving their reimbursement, the employee shall reimburse the City for any monies received.

ARTICLE 16 DISCIPLINARY PROCEDURES.

Employee Representation: In all matters of discipline and discharge, except in the case of informal reprimand, the employee may be represented by the Union and shall be subject to the grievance procedures of Article 17.

Refer to Police Policy and Procedure Manual, which will be on file in the Human Resources Office.

ARTICLE 17
GRIEVANCE PROCEDURES.

Grievance and Arbitration Procedures: Any grievance or dispute which may arise between the parties, including the application, meaning or interpretation of this Agreement, shall be settled in the following manner:

Section 1. A grievance is defined as a timely filed claim by an employee covered by this Agreement which alleges that there has been a violation of a specific and express provision of this Agreement by the City.

Section 2. Should an employee claim a grievance, it shall be processed in the following manner:

- **Informal Step:** The employee shall first discuss the problem with the immediate supervisor in an attempt to resolve the problem informally within seven (7) calendar days of the occurrence or alleged violation. The immediate supervisor shall respond to the Employee's concerns within seven (7) calendar days of being made aware of the occurrence or alleged violation. If the problem is not settled to the employee's satisfaction, the following procedure shall be used.
- **Step One.** An employee who claims a grievance shall reduce the grievance to writing by giving and signing a statement of facts, what is the issue, what section of the contract was violated, and what remedy the employee is seeking. The written grievance must be submitted to the Division Commander no later than ten (10) calendar days after the immediate supervisor's response. The Division Commander shall give a written answer to the aggrieved employee within ten (10) calendar days after the grievance is presented to him.
- **Step Two.** If the grievance is not settled in Step 1 and the grievant wishes to take the grievance forward, the grievant must submit the signed grievance to the Chief or his designee within seven (7) calendar days after receipt of the Step One response. The Chief will give a written answer to the aggrieved employee within fourteen (14) calendar days after the grievance is presented to him.
- **Step Three.** If the grievance is not settled in Step Two, the grievant may submit the grievance to the City Administrator or designee within ten (10) calendar days of the receipt of the Chief's written answer.
 - If requested by the grievant, the City Administrator will meet with the grievant who may, at his or her option, be accompanied by a Union representative, at a time mutually agreeable to the parties, and if a settlement is not reached, the City Administrator or his designee will provide a written answer to the grievant, with a copy to the Union, within fourteen (14) calendar days following such a meeting.

An employee may choose to exercise their rights under the grievance procedure or the Civil Service Commission (Chapter 400 of the Code of Iowa, as amended), but not both.

- Step Four. If the grievance is not settled in accordance with the foregoing procedure, the Union and the grievant may submit the grievance to arbitration within fourteen (14) calendar days after the receipt of their answer to Step Three. Said notice must be signed by both the grievant and the authorized representative of the Union. Within fourteen (14) calendar days after receipt of the notice parties shall attempt to select a mutually agreeable arbitrator. In the event the parties are unable to agree upon an arbitrator, either may, within twenty-one (21) calendar days after receipt of the notice, request the Public Employment Relations Board to submit a panel of seven (7) arbitrators. Each party retains the right to reject one panel in its entirety and request that a new panel be submitted. Within ten (10) calendar days after receipt of the panel, a coin flip shall determine which party shall strike a name from the list, and the seventh and remaining person shall act as the arbitrator.

The decision of the Arbitrator shall be final and binding on the parties, and the Arbitrator shall be requested to issue their decision within thirty (30) calendar days after the conclusion of the hearing.

The reasonable expenses, fees, and costs of the Arbitrator shall be shared equally by the parties. Any other expenses shall be paid by the party incurring them, and each party shall be responsible for compensating its own representatives and witnesses.

Section 3. All grievances shall be presented, discussed and processed at a time mutually agreed to. Meetings outside of the officer's normal work shift shall not be compensated.

Section 4. If a grievance is not presented or processed within the time limits set forth herein, it shall be considered waived and the employee shall be barred from further pursuit of the grievance. If a grievance is not appealed to the next step within the specified time limit, it shall be considered settled on the basis of the City's last answer and the grievant shall be barred from further pursuit of the grievance. The failure of the City's specified representative to answer a grievance within the specified time limit shall be deemed a denial of the grievance at that step which may then be timely appealed to the next step.

Section 5. If any claim or complaint is filed in any form other than under the grievance procedure of this Agreement, then the City shall not be required to process the same or similar claim or set of facts through the grievance procedure.

Section 6. An employee may be represented at any stage of the grievance procedure by a Union representative.

ARTICLE 18
SENIORITY – LAY OFF – JOB ABOLISHMENT.

Section 1. All vacancies and promotions shall be made in compliance with Chapter 400 of the Code of Iowa, as amended.

ARTICLE 19
MISCELLANEOUS.

Section 1. Employer will reimburse the employee for actual cost of any license or permit with the exception of regular driver's license and/or chauffeurs license that the Employer requires of the employee. All members of the Ottumwa Police Department are required to possess and maintain a valid Iowa Driver's License.

Section 2. If the City requires an employee to attend any out-of-town school, meeting, or training session, the City shall pay for the employee's meals, lodging, and transportation costs in accordance with the City of Ottumwa Personnel Policy Manual and without any loss in wages by the employee.

Section 3. The City and the Union shall cooperate fully in matters of safety, health and sanitation affecting the members.

Section 4. The City agrees not to give out the telephone numbers or addresses of any member of the Ottumwa Police Department to the public.

Section 5. The City will furnish a copy of the contract to all members of the Union.

Section 6. Employees will receive \$25.00 per month (known as Longevity Pay) for each five (5) years of service.

Section 7. Representatives of the Union and the City, upon request of either party, shall meet bimonthly to discuss labor/management related issues. After full discussion of the issues within the Department, the parties may request the City Administrator to attend such meetings.

Section 8. Officers and Communications Specialists will receive an additional five (5) percent hourly pay (including longevity) for hours spent serving as a Field Training Officer, Police Training Officer, or similar training position. This additional pay for hours spent serving as a training officer will be included to calculate the overtime rate, if applicable for that pay period.

ARTICLE 20
MANAGEMENT RIGHTS CLAUSE.

It is recognized that, except as expressly stated herein in this Agreement, the City shall retain whatever rights and authority as are necessary for it to operate and direct the affairs of the City in all of its various aspects, including, but not limited to, the right to direct the working

forces; to plan, direct and control all the operations and services of the City; to determine the methods, means, organizations and number of personnel by which such operations and services are to be conducted; to assign and transfer employees; to schedule working hours and to assign overtime; to determine whether goods or services shall be made or purchased; to hire, promote, demote, suspend, discipline, discharge or relieve employees due to lack of work or other legitimate reasons; to make and enforce reasonable rules and regulations; and to change or eliminate existing, methods, equipment or facilities as set out in Section 20.7 of the Code of Iowa, as amended, except as hereinabove expressly stated in this agreement.

ARTICLE 21
EMPLOYEES RIGHTS CLAUSE.

It is recognized that, except as hereinabove expressly stated in this Agreement, Employees shall retain whatever employee rights and authority as granted in Section 20.8 of said Code of Iowa, as amended.

ARTICLE 22
AMENDMENT.

This Agreement may be amended upon mutual agreement of the parties hereto and as permitted by law. Appropriate amendment shall be executed by the parties of this Agreement upon appropriate Resolution of the Employer and ratification of the Union.

ARTICLE 23
SAVINGS CLAUSE.

Should any article, section or portion thereof this Agreement be held unlawful and unenforceable by any Court of competent jurisdiction, such decision of the Court shall apply only to the specific article, section, or portion thereto directly specified in the decision; upon the issuance of such a decision, the parties agree immediately to negotiate a substitute for the invalid article, section or portion thereof.

CITY OF OTTUMWA

BY _____
Richard W. Johnson, Mayor

Date: _____

OTTUMWA POLICE UNION
TEAMSTER'S LOCAL #238

BY: _____
Richard Hoffman, Business Representative

Date: _____

BY: _____
Richard Ritz, Chief Steward

Date: _____

BY: _____
Jordan Staton, Assistant Steward

Date: _____
William Bishop, Assistant Steward

BY _____
Jesse Case, Secretary/Treasurer

Date: _____

ATTEST:

Christina Reinhard, City Clerk

Date: _____

Communication Specialist

The Chief of Police shall have the discretion to start operators currently NCIC certified on the wage up to Step C depending upon the applicant's previous experience and qualifications. Operators may be given one step on the wage scale for every 1 year of full-time experience.

Employees in Step A through Step G will remain in their respective step for twelve (12) months before advancing to the next step. Employees hired without IOWA/NCIC certification shall start in the Trainee Step and will move to Step A upon receiving certifications.

Raises and pay adjustments will be effective on the actual due date.

	Market Adjustment 7/1/2023	7/1/2024	7/1/2025
		+6%	+6%
Trainee	\$20.77	\$22.02	\$23.34
A	\$21.24	\$22.51	\$23.87
B	\$21.72	\$23.02	\$24.40
C	\$22.22	\$23.55	\$24.97
D	\$22.72	\$24.08	\$25.53
E	\$23.24	\$24.63	\$26.11
F	\$23.77	\$25.20	\$26.71
G	\$24.31	\$25.77	\$27.31
H	\$24.87	\$26.36	\$27.94

EXHIBIT A
POLICE DEPARTMENT – WAGE SCHEDULE

The Chief of Police shall have the discretion to start officers who are currently ILEA certified on the wage scale up to step 3 depending upon the applicant’s previous experience and qualifications. Officers may be given one step on the wage scale for every 2 year of full-time experience.

Raises and pay adjustments on the anniversary date of hire will be effective on the date of the anniversary.

	+6%		+6%		+6%	
	7/1/2023		7/1/2024		7/1/2025	
Start	23-0	\$ 28.20	24-0	\$ 29.89	25-0	\$ 31.68
1 year	23-1	\$ 28.85	24-1	\$ 30.58	25-1	\$ 32.41
2 year	23-2	\$ 29.59	24-2	\$ 31.36	25-2	\$ 33.24
3 year	23-3	\$ 30.42	24-3	\$ 32.25	25-3	\$ 34.18
4 year	23-4	\$ 31.37	24-4	\$ 33.25	25-4	\$ 35.24
5 year	23-5	\$ 32.42	24-5	\$ 34.36	25-5	\$ 36.43
6 year	23-6	\$ 33.59	24-6	\$ 35.61	25-6	\$ 37.75
7 year	23-7	\$ 34.90	24-7	\$ 37.00	25-7	\$ 39.22
8 year or more	23-8	\$ 36.36	24-8	\$ 38.54	25-8	\$ 40.85

received
6.26.23 ROSA

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Jun 6, 2023

Administration
Department

Barbara Codjoe
Prepared By
Barbara Codjoe
Department Head



City Administrator Approval

AGENDA TITLE: Resolution #93-2023 - Approve updates to Personnel Policy

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt resolution #93-2023

DISCUSSION: Changes in the personnel policy are outlined on the next page and highlighted in the actual policy.

Source of Funds: N/A

Budgeted Item: Budget Amendment Needed:

Article 1 - General Provisions

Add "Personnel policies and handbooks do not address each and every situation. There may be work rules that are not set forth in the handbook. Employees are expected to abide by all work rules, performance standards, supervisor directives, or conditions of employment once they receive notice of them either orally or in writing."

Article 3 - Equal Employment Opportunity

Added who to contact for more information.

Article 10 - Benefits

Health and life insurance - Added "Please review the Insurance Policy and plan documents from our provider for further information".

Also added - Any employee who is eligible for insurance coverage under this policy and seeks to include any dependents under their plan, including a spouse, partner, and/or children, will be required to provide proof of the eligible dependent relationship. Documentation of the dependent relationship must be provided to Human Resources before the requested coverage will go into effect. Examples of documents that may be used to verify the dependent relationship can include a marriage certificate, common law affidavit with a 1040 tax return, or birth certificate (for child dependents). A full list of accepted documents can be obtained from Human Resources. Questions regarding dependent verification should be directed to Human Resources.

RESOLUTION NO. 93-2023

RESOLUTION APPROVE UPDATED PERSONNEL POLICIES AND PROCEDURES

WHEREAS, the City of Ottumwa, Iowa had approved a revised Personnel Policies and Procedures manual on June 2, 2020, which incorporated the current practices regarding Benefits, Employee Physical and Personnel Files as part of the document and;

WHEREAS, staff for the City of Ottumwa has reviewed the current policies regarding General Provisions, Equal Employment Opportunity and Benefits and determined the current policy does not meet the short and long term care for employees and operational needs for the employer, and;

WHEREAS, staff has drafted and revised the Personnel Policies and Procedures to meet the needs of both employee and employer and finds that approval of said policies and procedures, as revised, would be in the best interest of the City and the employees of the City, and;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ottumwa, Iowa, that the current Personnel Policies and Procedures approved on June 2, 2020 and any supplements thereafter are hereby repealed and that the attached Personnel Policies and Procedures are hereby adopted in their place with an effective date of June 6, 2023.

BE IT FURTHER RESOLVED, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution.

PASSED, ADOPTED and APPROVED this 6th day of June 2023.

CITY OF OTTUMWA, IOWA

Richard W. Johnson, Mayor

ATTEST:

Christina Reinhard, City Clerk

CITY OF OTTUMWA

PERSONNEL POLICIES AND PROCEDURES

**Passed by resolution
JULY 19, 2020**

**Updated
June 2023**

Table of Contents

Article 1 – General Provisions	3
Article 2 – Employment At-Will	4
Article 3 – Equal Employment Opportunity	4
Article 4 – Recruiting	5
Article 5 – Civil Service	7
Article 6 – Residency Requirements.....	8
Article 7 – Nepotism.....	8
Article 8 – Wages/Job Classifications	9
Article 9 – Hours of Work.....	12
Article 10 – Benefits	13
Holidays	13
Vacation.....	14
Sick.....	15
Incentive	17
Parental	17
Funeral Leave	17
Longevity	18
FLEX Spending Plan.....	18
Retirement Plans	19
Health and Life Insurance	19
Article 11 – COBRA	20
Article 12 – Employee Leave Policy.....	21
Article 13 – Military Leave.....	21
Article 14 – Harassment	22
Article 15 – Internal Investigations	24
Article 16 – Employee Assistance Program (EAP)	25
Article 17 – Accident Review	27
Article 18 – Workers Compensation & Restricted Duty Assignments	30
Article 19 – Employee Physicals & Medical Services.....	31
Article 20 – Fitness for Duty Exams.....	32
Article 21 – Personnel Files	34
Article 22 – Performance Evaluations.....	36
Article 23 – Access to City Administrator.....	36
Article 24 – Cybersecurity	36
Article 25 – Disciplinary Practices / Procedures.....	37
Article 26 – Grievance Procedure.....	41
Article 27 – Employee Privacy	42
Article 28 – Violence in the Workplace	42
Article 29 – Dress Code Policy	43
Article 30 – Conflicts of Interest.....	47
Article 31 – Smoking.....	48
Article 32 – Substance Abuse Policy.....	48
Article 33 – Travel.....	52
Article 34 – Separation from City Service.....	54

ARTICLE 1. GENERAL PROVISIONS

The purpose of these Policies and Procedures is to establish a fair and equitable system of personnel administration that will allow for the efficient and effective public service for the City of Ottumwa.

These Policies and Procedures shall apply to all full-time and regular part-time City employees. Each department may adopt their own policies and procedures that are more stringent than these policies with approval of the City Administrator; but in no event shall they be less stringent.

In case of conflict with a collective bargaining unit agreement, the contract shall supersede these personnel policies of the City. In case of conflict with more stringent departmental rules, the departmental rules shall supersede these personnel policies of the City.

In the case of conflict with Chapter 400 of the Iowa Code (Civil Service) or any other Iowa statute or Federal Regulation, the statute or Federal Regulation shall supersede the personnel policies of the City.

These Policies and Procedures and any amendments shall become effective upon adoption by resolution of the City Council.

The City Administrator may adopt, amend, and rescind administrative policies and procedures not in conflict with these Policies and Procedures or any collective bargaining agreement as necessary for the proper administration of the City. Department heads may adopt, amend, and rescind departmental administrative policies and procedures not in conflict with these Policies and Procedures or any collective bargaining agreement, or the City Administrator directives, as necessary for proper departmental administration. A copy of all individual department policies and procedures are to be maintained in Human Resources.

These Policies and Procedures are designed to acquaint you with the City of Ottumwa and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. Personnel policies and handbooks do not address each and every situation. There may be work rules that are not set forth in the handbook. Employees are expected to abide by all work rules, performance standards, supervisor directives, or conditions of employment once they receive notice of them either orally or in writing.

Ottumwa citizens are our organization's most valuable assets. Every employee represents the City of Ottumwa to its citizens and the public as a whole. The way we do our jobs presents an image of our entire organization. Citizens will judge all of us by how they are treated with each employee contact. Our first priority should be toward the citizens of our community. Nothing is

more important than being courteous, friendly, helpful and prompt in the attention we give our community.

ARTICLE 2. EMPLOYMENT AT WILL

This manual has been prepared to advise employees of their responsibilities as an employee of the City of Ottumwa, Iowa and the many benefits and privileges they may enjoy. It is presented as a matter of information only. It is not a written contract or a legal document. While the City believes in the policies and procedures described, it is committed to reviewing them continually, and reserves the right to change or terminate any or all of them at any time.

Unless otherwise provided for in a written employment contract authorized by the Ottumwa City Council, or in a collective bargaining agreement, all employment relationships with City of Ottumwa, Iowa are at-will. At-will employees of the City of Ottumwa, Iowa are not guaranteed, in any manner, employment for any period of time. Just as the employee retains the right to terminate employment at any time, for any reason, the City of Ottumwa retains a similar right. No policy or practice of the City shall be construed to change this relationship. Only the City Council has the right to modify or change this practice, and such action must be in writing.

These personnel provisions may not be all-inclusive, are subject to interpretation by the City Administrator or designee, and represent brief summaries of City guidelines, which are subject to change without prior notice at any time at the sole discretion of the City Council. This handbook supersedes and replaces all previous handbooks and policies.

Nothing in these guidelines, creates, is intended to create, or shall be construed to constitute an express or implied contract of employment between the City and employees. No City employee can make any representation otherwise. Any representation by any City employee does not change these conditions of employment and cannot be relied upon.

ARTICLE 3. EQUAL EMPLOYMENT OPPORTUNITY

The Policy of the City of Ottumwa is to provide equal opportunity in employment to all employees and applicants for employment. No person is to be discriminated by reason of race, color, religion, creed, sex, age, veteran status, national origin, disability, sexual orientation, gender, citizenship status, familial status, political affiliation, genetic information or testing, gender identity or expression or any other legally protected status which may be protected by applicable federal or state law with respect to hiring, upgrading, transfers, recruitment advertising, recruitment, selection, placement, promotion, demotion, layoff, compensation, benefits, training, termination, and any other terms, conditions, and privileges of employment. Other protected groups include those who have been arrested but not convicted of a crime, individuals infected

with HIV, individuals who smoke outside the workplace, and individuals who are actively involved in politics or local unions.

1. Any communication from an applicant for employment, an employee, a government agency, or an attorney, concerning any equal employment opportunity matter shall be referred to the City Administrator or designee for action.
2. While overall authority for implementing this Policy is assigned to the City Administrator or designee, an effective equal employment opportunity program cannot be achieved without the support of supervisory personnel and employees at all levels. Employees who believe they are the victims of discrimination have a responsibility to promptly report this fact to their supervisor and/or the City Administrator or designee.
3. Complaints of discrimination by an employee will be handled and investigated under the City's Grievance Procedure, unless special procedures are considered appropriate, such as referral to the Iowa Civil Rights Commission or another outside investigator. All complaints of discrimination will be investigated promptly and in an impartial and confidential manner. The City prohibits retaliating against employees who engage in "protected activity" such as complaining about discrimination or harassment, or participating in an investigation. The City prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about discrimination.

For further information, please contact Human Resources.

ARTICLE 4. RECRUITING

The City of Ottumwa believes that hiring qualified individuals to fill positions contributes to the overall success of the City. Each employee is hired to make significant contributions to the City of Ottumwa. The City of Ottumwa also strives to retain employees through an environment that creates opportunity and encourages advancement.

The City of Ottumwa has adopted an internal and an external posting process that may run concurrently. Positions will be posted on designated employee communication boards at each location along with electronically in UKG (the City's Human Resources Information System).

For additional information, please review policy #75 – Hiring Policy and Process.

Background Checks:

To ensure that individuals who join the City are well qualified and have a strong potential to be productive and successful employees, it is the City's policy to investigate the backgrounds and employment references of applicants. In addition, the City may conduct background investigations when employees are being considered for promotions or transfers, or in furtherance

of an internal investigation of alleged misconduct. Background investigations will be conducted at City's discretion and in accordance with federal and state law.

Motor Vehicle checks for employees who drive on behalf of the City or have required CDL licenses will be conducted annually, including required annual checks with the Federal Clearinghouse. The City relies on the accuracy of information contained in employment applications, as well as the accuracy of other data presented throughout the hiring process and during employment. Any misrepresentations, falsifications, or material omissions in any of this information or these data may result in an applicant being excluded from further consideration for employment or, if an individual has already been hired, termination of employment.

Use of Information Obtained in a Background Investigation:

Information obtained from a background investigation will be considered for employment purposes as permitted by federal and state law and in accordance with City's Equal Employment Opportunity Policy.

Information will be reviewed to determine:

- Whether false statements or material omissions were made by an individual on an application for employment or during an interview;
- Whether an applicant or employee, based on the job duties of the position in question, poses a threat to security and/or employee safety in the workplace; *and*
- The likelihood of an applicant or employee being successful and productive on the job.

For additional information, please review our Background Check Policy.

Recalling or reinstating former employees

Employees who leave service with the City due to resignation, retirement, or layoff MAY be eligible to return to employment with the City. Employees who separate from the City reasons other than layoff, are applying for a different position, and/or the Preferred List for their position classification has timed out may apply for positions through the regular civil service entrance list or hiring procedures for the respective position.

This does not refer to seasonal or part-time employees who may be reinstated on an annual basis upon recommendation of the affected Department Head and approval of the City Administrator.

Recall from Layoff:

Employees who have been laid off will be placed on a "Preferred List" for their respective position classification for up to three years from the date of the layoff (in accordance with Section 5.2 of the Ottumwa Civil Service Commission – Local Rules & Regulations).

Whenever the Employer is looking to fill a vacancy, the affected Supervisor shall first identify if any names appear on a Preferred List for the particular position classification. If any names appear on the list, appointments shall be made from that list in the order of greater seniority until the list has been exhausted or time expires.

Reinstatement:

In accordance with the City Personnel Policy employees returning to City service through Preferred Lists, Entrance Lists, or other open hiring practices for the City will be assigned their most recent “Date of Hire” upon their return. The Date of Hire is typically referenced for purposes relevant to seniority.

Where “Years of Service” is utilized (e.g. calculating vacation benefits) the returning employee shall receive credit for their prior service in the same job classification and / or department in regular, full time position(s). This applies to employees who are returning to active employment within three (3) years of their previous separation date.

In these instances the Employer will establish an “Adjusted Date of Hire.” The Adjusted Date of Hire will be calculated by identifying the total number of days the Employee had previously served in a regular, full-time position for the City and roll back this total from the current Date of Hire.

ARTICLE 5. CIVIL SERVICE

The duties and powers of the Civil Service Commission are set forth in Chapter 400 of the Code of Iowa, as if may be amended from time to time. The Mayor appoints Civil Service Commission members. The Commission will issue its own policies and procedures. The City Clerk serves as the Secretary to the Civil Service Commission as provided by Chapter 400 of the Code of Iowa.

The City Clerk keeps current lists of those employees covered by Civil Service as well as seniority lists in each employment category. Lists are posted at City Hall.

Seniority with the City is the length of an employee’s continuous service with the City from the employee’s most recent date of hire for calculating benefits. Classification seniority is the length of an employee’s continuous service within a civil service classification.

An employee shall lose his seniority rights and the employment relationship shall be broken and terminated as follows:

1. Quits or retires;
2. Discharge, and discharge is not reversed through grievance procedure;
3. Fails to report to work at the end of a leave of absence;

4. Does not report for work for a period of three consecutive days, and does not notify the Employer; or
5. Has been laid off. When the work force is reduced, the employee loses his/her seniority rights. Employees facing work force reduction will be given at least two weeks of notice of the layoff. Employees facing a reduction through layoff or job abolishment may apply for any open positions in the City or may test for another position in accordance with civil service rules.

Job posting for open positions within the Public Works and Muni Bargaining Agreement positions will be dated and transfers of employees will be at the convenience of the City but preferably no later than forty (40) days after the date of the job posting. Notice of all vacancies or newly created positions will be posted by the City on the employee bulletin board and in UKG. Employees, with civil service seniority in that classification, shall be given ten (10) calendar days' time in which to make application to fill the position. The employee with the best qualifications, as determined by the Department Head, will be assigned to fill the position. The employee has fourteen (14) days to disqualify him/herself and return to their former position if it is available. Employees may only exercise the self-disqualification once every two (2) years. The City has up to thirty (30) days to disqualify employees and return that employee to his/her former position if it is available.

ARTICLE 6. RESIDENCY REQUIREMENTS

Unless specified in a collective bargaining agreement, there is no requirement that an employee live in a specific community or county. However, each employee is expected to report to work on time and at all times when his/her office/work station is in operation. While the employee's domicile is not a condition of employment, neither is it a justification for not reporting to work in a timely manner.

ARTICLE 7. NEPOTISM

It is the policy of the City of Ottumwa to hire and promote employees on the basis of their qualifications, merits and for the good of the public service. It is the policy of the City of Ottumwa to prohibit nepotism in hiring, promotion, demotion, termination or other personnel actions pertaining to city employees, and to avoid the appearance of nepotism in personnel actions.

For purposes of this policy, nepotism is defined to mean that the City will not hire members of the same family, as hereinafter defined, to work in the same department or division within a department. Family members are defined for the purpose of this section of this policy as follows: parent, stepparent, child, stepchild, stepsibling, daughter, sibling, spouse, grandparent, grandchild, parent-in-law, son-in-law, daughter-in-law, half-sibling, cohabitating couples.

The following family members are not allowed to have direct or indirect supervisory or administrative authority over any family member, as hereinafter defined. Family members are defined as those in the previous paragraph in addition to any aunt, uncle, niece, nephew, brother-in-law, sister-in-law, grand-parent-in-law, first cousin.

Family members working in the same department as of the date this policy is adopted will be exempt from this policy. Employees who become family members after the adoption of this policy will also be exempt, although future transfers, promotions and new shift assignments shall be governed by this policy. Employees who marry each other or cohabit together after they are both employed by the City, shall notify the City and, if one of them is in a supervisory position over the other, the employee in the supervisory capacity shall be discharged unless the other employee, within thirty (30) days of such marriage, resigns or transfers to a vacancy in another department for which he or she can qualify.

Exceptions – The Ottumwa Beach may have family members working at the Beach. However, employees may not be supervised by family members.

ARTICLE 8. WAGES/JOB CLASSIFICATIONS

Non-bargaining unit employees, excluding Department Heads, will be paid in accordance with the City's non-union pay plan adopted by the City Council on June 20, 1989 and effective July 1, 1989.

Employees will be paid on a bi-weekly basis. If the regular payday occurs on a holiday, the preceding workday is the payday. Direct deposit must be set up for each employee, except for those employees whose hire date precedes July 1, 2005. Those employees may continue to receive an actual check. A holiday may require the direct deposit to occur the next working day after the holiday.

Copies of paychecks are available in UKG the morning of payday. Employees receiving a paper check will be available for the Department Heads or their designee to pick up in the Finance Department after 11:30 a.m. on payday.

Employees on each payday will receive in addition to their check or direct deposit stub, a statement showing gross pay, deductions, and net pay. State and Federal taxes, as well as pension withholding required by Federal and Iowa law, will be deducted automatically. No other deductions will be made unless required or allowed by law, contract or employee obligation, such as garnishments. Employees may elect to have additional City approved deductions taken from their pay only if they authorize the deductions in writing.

Employees who discover a mistake in their paycheck, should notify the Finance Department immediately. Employees are responsible for promptly reviewing each paystub to determine if there are any errors. In the case of mistake on the part of the Finance Department, the error will be remedied promptly. If the mistake was on the part of the employee, it will be corrected on the next paycheck. However, the employee is solely responsible for any monetary loss, and the City cannot be responsible for the loss or theft of money from an employee's account.

Employees may discuss any questions or concerns regarding their rate of pay and/or the City's pay plan with their Supervisor, Department Head, Finance or Human Resource Department.

Employee Definitions

Full-time Employee – An employee is considered a full-time employee if they are scheduled to work 40 or more hours a week on a regular basis.

Regular Part-time Employee – An employee is considered a part-time employee if they are scheduled to work less than 40 hours a week on a regular basis.

Variable Part-Time Employee – An employee is considered a variable part-time employee when they are scheduled less than 30 hours per week and their hours will vary week to week.

Seasonal Employee - Seasonal employees are defined as those who work on a seasonal basis (typically no more than 6 months) at one or more of the various departments within the City. These employees will work varied schedules pursuant to the department's operating hours. Seasonal employees will receive no benefits other than those afforded to them by State or Federal regulations.

Contracted Employee – A contracted employee is one that is hired through our current employment agency. The contracted employee will be paid directly by the employment agency and all benefits will be offered through the employment agency, not through the City of Ottumwa.

Exempt Employee – An employee is considered exempt meaning they are exempt from the overtime rules of the Fair Labor Standards Act (FLSA). This is because they are classified as an executive, professional, administrative or certain computer professional employee and meets the specific criteria for the exemption. With some limited exceptions, exempt employees must be paid on a salary basis.

Non-exempt Employee - An individual who is not exempt from the overtime provisions of the FLSA and is therefore entitled to overtime pay for all hours worked beyond 40 in a workweek (unless stipulated otherwise in a collective bargaining agreement). Nonexempt employees may be paid on a salary, hourly or other basis.

Overtime/Compensatory Time

Consistent with efficient operations and service, it is City policy that overtime be minimized. Overtime must be authorized by the Department Head prior to its utilization.

Overtime is time authorized by the Department Head or designee in advance, assigned, and worked by employees in non-exempt positions in excess of the regularly scheduled work shift or workweek. Overtime is paid at the rate of one and one-half times the employee's regular hourly rate of pay for hours over 40 per week, or as defined by the Fair Labor Standards Act.

- Overtime rates for police and fire departments are different as bargained and as pursuant to the Fair Labor Standards Act.
- Due to the nature of their work, field supervisors will have overtime figured as per their department's collective bargaining agreement. This applies to classified events (snow, flooding, etc.), call-backs, and mandatory overtime
 - Field Supervisors are defined as those non-exempt supervisors working in Streets, Sewer, Traffic, Central Garage, Engineering Supervisor, Water Pollution Control and the Recycling Center.

Unless negotiated as part of a collective bargaining agreement, paid holidays, incentive time, vacation, sick leave or comp. time are not considered as time worked under Fair Labor Standards.

Compensatory time off in lieu of overtime is calculated at the rate of one and one-half times the employee's regular hourly rate of pay. Compensatory time may be accumulated up to a maximum of one hundred (100) hours; not more than forty (40) hours may be carried past November 1 each year. A Department Head may reduce overtime for non-union covered non-exempt positions by allowing flex time during the week overtime would be accumulated. For instance, if an employee works an hour of overtime on Tuesday, the Department Head may allow the employee to leave an hour early on Friday of the same week that overtime occurred.

Payment for overtime, flex time or compensatory time off is determined by the Department Head.

Once an employee moves from a non-exempt position to an exempt position, any comp time that they have accumulated will be paid out on their next scheduled pay at their last hourly rate.

An employee on paid leave shall be considered on paid leave until their next scheduled work day and will not be called in for overtime unless in the case of an emergency.

ARTICLE 9. HOURS OF WORK

It is the policy of the City of Ottumwa to establish the time and duration of working hours as required by workload and service needs, the efficient management of human resources, and any applicable law. The City expects its employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the City. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

The normal workweek is Sunday through Saturday, and consisting of eighty hours within a pay period. Fire, Police and other personnel may have varying schedules. Department Heads or designee may schedule overtime or extra shifts when it is necessary. Employees are not permitted to work overtime without the prior approval of their Supervisor or Department Head.

All non-exempt employees are required to complete an individual time record showing the daily hours worked. All non-exempt employees are required to punch into the UKG System when reporting to duty and punch out of the UKG System when ending their shift. Employees are NOT allowed to work "off the clock." Employees who fail to properly punch in and out for work and meal periods will be subject to disciplinary action, up to and including termination of employment.

Each Department Head or designee will determine the scheduled hours for employees. The Department Head or designee will inform employees of their daily work schedule, including meal periods and breaks, and of any changes that are considered necessary or desirable by the City. When able to do so, breaks should be taken at the work location.

Breaks are defined as short periods of rest lasting less than 20 minutes and are considered compensable time. Meal periods are 30 minutes or longer and aren't compensable time unless the employee is required to continue working while eating. Employees are to be completely relieved from duty during their meal break. If a nonexempt employee is required to perform any work duties while on his or her meal break period, the employee must be compensated for the time spent performing work duties. The time spent working during the meal break will be counted toward the total hours worked.

Personnel employed in executive, administrative, or professional capacities generally are exempt from the provisions of the Fair Labor Standards Act. These employees are not required to fill out hourly time records but must account for daily attendance and time spent on particular categories of activities to be accountable for public projects and for payroll purposes.

ARTICLE 10 - BENEFITS

The City's Benefit package is set out as follows. It should be noted that this package can vary between departments and employees covered by independent boards and pursuant to applicable collective bargaining agreements. The following is a general overview of these benefits. Employees with specific questions regarding the benefit package within their department should address those questions to their Department Head, Supervisor or Human Resources.

Unless otherwise stated, Variable Part-time, Seasonal and Contracted employees are not eligible for benefits.

HOLIDAYS:

The following will be recognized as paid holidays for City employees unless otherwise stipulated except those employees covered by independent boards or collective bargaining agreements.

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

One (1) day (eight (8) hours) the last working day before or after Christmas, as designated by the Mayor.

Full-time employees will be paid at eight (8) hours per holiday. Regular part-time employees will be paid a pro-rated amount based upon their budgeted hours.

When a holiday falls on Saturday, the holiday shall be observed on the preceding Friday. When a holiday falls on a Sunday, the holiday shall be observed on the following Monday.

Any employee eligible for overtime under Article 8, who works by request of the employer on his/her holiday shall be paid the holiday pay plus overtime rate of one and one-half (1 ½) times his/her regular rate for hours worked. Police and Fire personnel who are granted holidays to be taken in conjunction with vacation and other leave will not be paid overtime for working the scheduled holidays.

An employee shall forfeit his/her right to payment for any such holiday if he or she has an unexcused absence on the last regular working day preceding such holiday or on the next regular working day following such holiday.

For religious or other holidays not listed above, an employee must use vacation or personal days.

For Public Safety employees (Fire and Police), holidays will be granted as floating holidays.

- Police – all Sergeants, Lieutenants and the Police Chief will be given 88 hours of holiday pay each year on November 1st. Holiday pay not used by October 31st shall be forfeited.

VACATION:

It is the policy of the City of Ottumwa to grant its employees paid vacation time to accrue based on years of service. Use of accrued vacation time is to be granted, with due consideration to departmental staffing needs.

All full-time employees and regular part-time employees will accrue vacation leave benefits. Part-time employees will accrue vacation leave on a pro-rated basis based upon the number of hours budgeted each fiscal year.

Every employee shall be eligible for a vacation with pay after successfully completing the probationary period. Employees shall start to earn vacation leave at their first date of employment and shall accrue vacation time bi-weekly. Employees increase will take effect on the first day of the pay period closest to the date of the actual increase. Employees receiving an increase in vacation will accumulate as set out below.

Vacation allowance shall be earned annually and shall be based on the employee’s anniversary date as follows, unless otherwise stipulated by an employment agreement with that employee:

Years of Service	Vacation Period	Bi-Weekly Vacation Accrual
0 through 5 years	80 hrs – 2 weeks	3.08 hours
6 through 12 years	120 hrs – 3 weeks	4.62 hours
13 through 20 years	160 hrs – 4 weeks	6.15 hours
Over 20 Years	200 hrs – 5 weeks	7.69 hours

Upon retirement, death, or any other type of separation, vacation credit shall be given based on the employee’s accumulation.

Vacation requests shall be made in the following manner:

1. Vacation requests must be made through UKG. All requests will be routed to the direct supervisor for approval. All vacation requests must be approved by the Department Head

or designee or City Administrator before vacation may be taken. Scheduling of vacation time shall be the responsibility of Department Head or designee, subject to staffing needs.

2. Vacation periods may be changed after they are approved only with the approval of the Department Head or designee or City Administrator.

Accrued vacation will be limited to an amount equal to 1 ½ times the employee's annual accrual rate at any point in time. Once that limit is met, the employee will begin to lose vacation accrual over the limit. It is the employee's responsibility to watch their accruals set out in their paystub to determine when the employee could lose vacation time if not used.

An employee called in to work on a vacation day will receive pay of time and one half plus the vacation pay (double time and a half) or be paid time and one half and receive another day off later.

SICK:

It is the policy of the City of Ottumwa to grant its employees paid sick time to be used during times of incapacitation for work. This includes time needed to address the medical needs of an immediate family member. An illness or injury to spouse or minor child which requires the employee's immediate attention will cause time to be used from sick leave to make arrangements for medical and other needs up to a maximum of eighty (80) hours per fiscal year.

Sick pay is not, however, interchangeable with paid vacation. The use of sick pay by any employee for non-medically related absences from work is considered to be sick pay abuse and subjects the employee to disciplinary action.

All full-time employees and regular part-time employees will accrue sick pay benefits. Part time employees will accrue sick pay on a pro-rated basis based upon the number of hours budgeted each fiscal year. Seasonal and/or temporary employees will not accrue sick pay benefits.

Any eligible employee contracting or incurring any non-service connected sickness or disability which renders such employee unable to perform the duties of his/her employment shall receive sick pay, subject to the provisions of this policy. Sick leave does not include elective cosmetic procedures. If an employee is exposed to a contagious disease and a doctor certifies the employee would endanger the health of others by attendance at duty, sick pay may be used.

Employee doctor and dentist appointments may also be charged as sick pay when they cannot be scheduled outside the employee's regular work hours. Sick pay will only be allowed for the doctor's appointment and reasonable travel time to and from the doctor's office.

Eligible employees shall earn and accrue sick pay at the rate of 7.39 maximum hours per pay period for continuous service starting on the date of entry to the service unless provided for otherwise pursuant to a collective bargaining agreement.

On the first payday after November 30th of each year, each current employee shall be paid for 25% of accrued sick pay in excess of 1920 hours, up to a maximum of forty-eight (48) hours and the employee's sick pay accrual will be reduced to 1920 hours. The date used will be the pay period ending closest to November 1 of each year for determining payment. An individual must be employed at that time to be eligible for the payout.

Unless otherwise provided in a collective bargaining agreement, beginning November 1 of each year, each employee receives 8 hours casual time which must be used by the following October 31st. Casual time is deducted from employee's accumulated sick pay.

An employee, on leave because of an occupational disability related to his\her employment, may take such sick pay allowance to which he\she is entitled and the prorated amount will be added to the amount of disability/worker's compensation which will result in an equivalent payment to the employee of a full salary for any particular period.

Sick pay may be used for absence caused by sickness, injury, disability, or pregnancy. Sick pay will not be used for employees on vacation or holidays. Employees shall be eligible for pay for any holiday falling within a pay period for which they received compensation.

Donated time - Employees who have exhausted their sick pay may utilize vacation leave donated by another employee. Donations are voluntary and shall be turned in confidentially to the Human Resources department for the benefit of the employee on sick pay.

The Department Head or City Administrator may require that the use of sick pay be supported by a doctor's statement if the employee (or immediate family member) is off three (3) or more consecutive workdays OR takes more than three (3) workdays off in any 90 calendar day period. An employee returning to work following serious illness or incapacitation will be required to present a written release from his\her physician at the employee's expense. *Please see our Leave Policy for more information.*

Employees shall at all times submit to examination by such medical examiner as may be designated by the city, when required by the appropriate department head or City Administrator. In cases of extended use of sick pay, the employee may be required to appear for a physical examination to determine whether FMLA or leave of absence is necessary.

Employees shall report prior to the start of their shift to their immediate supervisor when they are unable to work because of illness or injury. Each department will determine the amount of time needed to report off on sick pay. Department heads shall report to their departments and City Administrator if they are unable to work. Employees reporting shall inform their supervisors of the anticipated duration of the recuperation period. Text messages or phone calls to co-workers other than their immediate supervisor, are not sufficient notice.

An employee using sick pay in excess of 90 consecutive days will not continue to accrue paid sick time. Sick pay is not an accrued leave benefit and will not be paid out upon the employee's separation from employment with the City.

INCENTIVE:

Unless a collective bargaining agreement provides otherwise, personal leave in the amount of one hour shall be awarded for each pay period in which a full-time employee is not absent from work due to the use of sick leave. No exceptions shall be permitted to excuse an absence, except legal holidays, vacation, and personal days or employees on family medical leave. Personal leave may be taken at any time, but a minimum of twenty-four (24) hours' notice shall be given to the employee's supervisor subject to appropriate staff coverage. A maximum of eight (8) hours of Personal Leave may be carried over each year. The reset period shall be the pay period ending closest to November 1, each year.

PARENTAL LEAVE:

An individual on parental leave may take up to 12 workweeks off under the Family Medical Leave Act (FMLA). If an employee has accrued benefits, they will use this paid time off concurrently with their FMLA leave.

NOTE: At this time, parental leave does not count as dependent sick time, so if after using sick time for parental leave, the baby or other dependent defined as spouse or child, becomes ill, the employee may use 80 hours dependent sick time (if available from accrued sick time) to use during that fiscal year.

Please review our Leave policy for more information.

FUNERAL LEAVE:

Employees may be granted bereavement leave for death in the immediate family, which shall not be deducted from an employee's accumulated sick leave as follows:

- (1) Up to five (5) days for the death of a spouse, child or stepchild.
- (2) Up to three (3) days for the death of a parent, stepparent, sibling, grandchild or employee's own grandparents.

- (3) Up to one (1) day for the death of a father/mother-in-law, brother/sister-in-law, son/daughter-in-law or spouse's grandparents.

Regular part-time employees will be granted funeral leave on a pro-rated basis.

LONGEVITY PAY:

The City will pay full-time and part-time regular employees a longevity rate based on \$25.00 per month for each five years of continuous service. Library employees will be paid a per hour rate set by their collective bargaining agreement. As per the Fair Labor Standards Act, this will be paid as an hourly rate and applied to the base compensation rate to determine an employee's regular rate of pay to calculate for overtime, holiday, incentive, funeral, military, sick (casual and dependent), comp time payment and vacation pay.

Years of Service	Monthly Amount	Yearly Amount	2080 Hours	2184 Hours	2912 Hours	Library
			Per hour	Per hour	Per hour	Per hour
5	\$ 25.00	\$ 300.00	\$ 0.14	\$ 0.14	\$ 0.10	\$ 0.15
10	\$ 50.00	\$ 600.00	\$ 0.29	\$ 0.27	\$ 0.21	\$ 0.30
15	\$ 75.00	\$ 900.00	\$ 0.43	\$ 0.41	\$ 0.31	\$ 0.45
20	\$ 100.00	\$ 1,200.00	\$ 0.58	\$ 0.55	\$ 0.41	\$ 0.60
25	\$ 125.00	\$ 1,500.00	\$ 0.72	\$ 0.69	\$ 0.52	\$ 0.75
30	\$ 150.00	\$ 1,800.00	\$ 0.87	\$ 0.82	\$ 0.62	\$ 0.90
35	\$ 175.00	\$ 2,100.00	\$ 1.01	\$ 0.96	\$ 0.72	\$ 1.05
40	\$ 200.00	\$ 2,400.00	\$ 1.15	\$ 1.10	\$ 0.82	\$ 1.20

**for reference only – differences may be minimal due to rounding*

FLEX SPENDING PLAN & DEPENDENT CARE ASSISTANCE PROGRAM:

The City currently has a Flex Spending Plan and Dependent Care Assistance Program being administered by Advantage Administrators. These plans allows an employee to set aside dollars each year as a deduction to pay for qualified health and dependent care expenses. These dollars are deducted from the employee's wages before any income or social security taxes are paid. By using this tax savings plan, the employee will not only notice an increase in take home pay, but the employee will have access to a reimbursement account throughout the year to pay qualified expenses. This is on a calendar year basis.

Open enrollment is from November 1 – November 30 of each year. All changes will take effect January 1. A failure to sign up during this open enrollment period will result in the inability to utilize this plan for that year. All employees must sign up each year they wish to participate in the plan. The IRS sets the maximum amount of money that can be placed in this plan annually as

well as how much can be carried over annually. Any amount left in the plan over that limit will be forfeited.

See Human Resources for further information regarding this Plan.

RETIREMENT PLANS:

All regular full time and regular part time employees are covered under one of the following City retirement plans:

1) Sworn Police Officers & Fire Fighters are covered by Chapters 400 & 411 Code of Iowa. Contributions by employee and employer are determined by annual actuarial studies.

2) All other covered employees participate in the Iowa Public Employees Retirement System and Social Security. Contributions by employees and employers are determined by Iowa Public Employees Retirement System. The State of Iowa sets the contribution rates for both the employee and the City of Ottumwa. This plan is subject to all State and Federal retirement regulations.

The City of Ottumwa also offers three (3) different 457(b) plan accounts for additional retirement savings. A 457 (b) plan is pre-tax contribution by the employee. The City of Ottumwa has partnered with Nationwide, Empower (Mass Mutual) and MissionSquare.

See Human Resources for further information.

HEALTH AND LIFE INSURANCE:

The City offers Single to Family coverage to all of its full-time employees. The City has a self-funded plan that is currently being administered by Wellmark Blue Cross and Blue Shield. Currently, the City pays 90% of the monthly premium for a Family Hospital, Medical, Surgical Group Insurance Plan, including major medical coverage and dental coverage, dental coverage to be on the employee only, and 90% of the monthly premium for a single person Hospital, Medical, Surgical Group Insurance Plan, including major medical coverage and dental coverage. In addition, the City pays 90% of the monthly premium for the same type of plan for an employee/spouse or an employee/child(ren). At this time, there is a \$300 deductible for single plans and a \$600 deductible for family plans. The out of pocket is \$1,000 for single plans and \$2,000 for family plans.

Health insurance will be extended to part-time employees in compliance with the Affordable Care Act (ACA). Employees who are budgeted to work more than 30 hours per week upon initial hire will be offered immediate participation in the City's health insurance plans. The

City has established the following initial measurement period to determine eligibility for part-time associates budgeted under 30 hours per week:

- Measurement period – 12 months from 05/01 – 04/30
- Administration period – 2 months from 05/01 – 06/30. The administrative period will align with open enrollment in May of each year to allow employees that qualify to enroll in coverage to start coverage July 1st.
- Stability – 12 months from 07/01 – 06/30 which aligns with our health insurance plan year

The City currently provides a three-tier drug card program for employees and their dependents. The three-tier drug card program consists of a \$10.00/\$25.00/\$40.00 co-pay effective January 1, 2008. The employee currently pays 10% of the cost for these plans. The plan that is in place meets all State and Federal regulations as well as under the Affordable Care Act, including coverage for adult children to age 26. This plan will be subject to change based upon Federal and State regulations.

Any employee who is eligible for insurance coverage under this policy and seeks to include any dependents under their plan, including a spouse, partner, and/or children, will be required to provide proof of the eligible dependent relationship. Documentation of the dependent relationship must be provided to Human Resources before the requested coverage will go into effect. Examples of documents that may be used to verify the dependent relationship can include a marriage certificate, common law affidavit with a 1040 tax return, or birth certificate (for child dependents). A full list of accepted documents can be obtained from Human Resources. Questions regarding dependent verification should be directed to Human Resources.

The City of Ottumwa offers Life Insurance for all full-time regular, active employees working a minimum of 40 hours each week. Employees will become eligible for Life Insurance on their start date. Employees may purchase coverage for qualified dependents as per the current pricing schedule. Dependents are defined as per the plan document and schedule of insurance. Please contact Human Resources for a copy of the current rates.

Please review the Insurance Policy and plan documents from our provider for further information.

ARTICLE 11. BENEFITS CONTINUATION - COBRA

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee;

a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's rights and obligations. Contact the Human Resources Department for more information about COBRA.

ARTICLE 12. EMPLOYEE LEAVE POLICY

Eligible employees may request leave pursuant to the terms and conditions of the federal Family and Medical Leave Act (FMLA). If an employee does not qualify for leave under FMLA, eligible employees may qualify for a leave of absence for a period not to exceed one (1) year, unless otherwise stipulated by a collective bargaining agreement.

If an employee has accrued time off (sick, vacation, comp), they will use this time concurrently with FMLA or a paid leave of absence. If an employee has accrued time off and only qualifies for a personal leave of absence, they must exhaust the accrued time before taking an unpaid leave of absence.

The Department Head may authorize leave with pay, which will not be charged to vacation or sick leave, for the following reasons:

- For appearance in court, either as a member of the jury, or when required to appear as a witness in a criminal case. If the employee is required to appear as a witness in a civil case not involving the City or the employee is a Defendant in a criminal case, the employee will need to take accrued leave. When an employee appears in court pursuant to jury duty or as a result of a subpoena during regular working hours and receives full pay from the City, any jury or witness fees that the employee might receive except for mileage from the Court, will be turned over to the City Clerk's office.
- For attendance at an official meeting where the good of the City is involved, but within the budget allowance for this purpose. All leave with pay except those related to sickness or injury must be applied for in advance.

Please refer to the Leave of Absence Policy for more information.

ARTICLE 13. MILITARY LEAVE

In accordance with Iowa Code, Chapter 29A.28, "Leave of Absence of Civil Employees," all municipal employees when ordered by proper authority to active military service shall be

entitled to a leave of absence for the period of such active service without loss of pay during the first thirty days of such leave of absence.

Active service for a period of less than thirty days: When such active service is for periods of less than 30 days, a leave of absence shall be required and the employee will be paid for those days that the employee would have normally worked. Payments will not exceed thirty (30) total calendar days in any calendar year.

Active service for a period of more than thirty days: When such active service is for a continuous period greater than thirty days, this leave of absence will be without pay except for the first thirty days during which time the employee will suffer no loss of normal pay. This means the employee will be paid only for those days that normally would have been work days during this first thirty day period. But, again, in any case, payments for accumulated periods of less than thirty (30) days and more than thirty (30) days will not exceed payments for greater than a total combined period of thirty (30) days.

Beginning Date: The period of thirty days for such payment begins with the date such employees are ordered to report to their home station in preparation for mobilization.

Proper Authority: The proper authority for any such activation is the Office of the Adjutant General, Headquarters, Iowa National Guard, for National Guard soldiers, or the Office of the Adjutant General, Headquarters, US Forces Command for soldiers of the Army Reserve. The authorization for the City to make such payment will be a valid copy of written orders with appropriate order numbers from the authorizing headquarters provided to the City Administrator or designee.

ARTICLE 14. HARASSMENT POLICY

It is the policy of the City of Ottumwa, Iowa, to strictly prohibit discrimination and harassment and to maintain a professional and quality working environment for all employees or future employees. It is the City's policy that all employees have a right to work in an environment free of discrimination and harassment based on sex, age, race, national origin, religion, disability, genetic information, sexual orientation, marital status, or any other basis protected by federal, state, or local law. The City prohibits harassment of its employees in any form—by supervisors, co-workers, customers, or suppliers.

The City of Ottumwa has a zero tolerance policy for any form of sexual harassment in the workplace, and will treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. There shall be no retaliation for the

submission of a complaint unless the complaint is proven to be false. Harassment may also be based on another protected class and can be in violation of the City's Equal Employment Opportunity Policy set out in Article 3. All procedures set out for other illegal harassment will be followed based upon this policy.

Sexual Harassment is a violation of Section 703 of Title VII Civil Rights Act of 1964. The City defines sexual harassment as:

1. Unwanted sexual advances
2. Requests for sexual favors
3. Other verbal or physical conduct of a sexual nature

These constitute sexual harassment when:

- Submission to such conduct is a term or condition of employment
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual
- Such conduct unreasonably interferes with the employee's work or creates an intimidating, hostile or offensive working environment

Sexual Harassment may be physical in nature, verbal and non-verbal conduct. Inappropriate physical conduct includes unwelcome physical contact, touching and violence. Inappropriate verbal conduct includes comments regarding a person's appearance, age, private life, sexual comments, jokes and stories, sexual advances, repeated and unwanted social invitations, insults, condescending or paternalistic remarks and sending sexually explicit messages through text, phone or e-mail. Inappropriate non-verbal conduct includes displaying sexually explicit or suggestive materials, gestures, whistling and leering.

Sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between a supervisor and employee. It can also include clients, customers, contractors or visitors. It is possible that a co-worker may take offense even though that person is not the direct target of the sexual harassment.

COMPLAINTS PROCEDURES:

Anyone who is the subject of sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. However, if the victim cannot directly approach an alleged harasser, he/she can file a complaint with the City Administrator or designee.

When a complaint is received, the City Administrator or designee will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome he/she wants
- ensure the victim understands the city's procedures for dealing with the complaint

- discuss and agree to the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim
- ensure that the victim knows that he/she can lodge a complaint with the Iowa Civil Rights Commission at any time

Throughout the complaint procedure, a victim is entitled to be helped by a counsellor through the City's EAP program.

Any City employee who has been found to have sexually harassed another person under the terms of this policy is subject to the City's Disciplinary Process, including termination. The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial.

ARTICLE 15. INTERNAL INVESTIGATIONS

It is the policy of the City of Ottumwa to provide a method by which employee conduct may be investigated by the city to: (1) protect the public from employee misconduct, (2) protect the city's image and avoid claims against the city, (3) protect the employee against false allegations of misconduct, (4) remove unfit personnel, and (5) correct procedural problems. Investigations involving Police and Fire personnel shall be handled pursuant to Chapter 80F of the Code of Iowa.

1. The City Administrator or department head may cause an internal investigation to be initiated. Unless the City Administrator or designee is the subject of the investigation, he/she will be notified and participate in the investigation. A copy of the report will be forwarded to the City Administrator.
2. The person initiating the internal investigation shall appoint one or more city employees to conduct the investigation.
3. The internal investigation shall be conducted in a manner substantially similar to a Police Department internal investigation. The person or persons conducting the investigation shall consult the attorney designated by the City Administrator before initiating the investigation to ensure that the investigation's procedures comply with appropriate legal standards.
4. The employee under investigation and any other employee with information about the matter shall be required to answer fully and truthfully all questions related to his/her fitness for city employment and the performance of official duties. Refusal or failure to answer such questions fully or truthfully may result in disciplinary action, including termination.

The investigator who is conducting the investigation will provide all necessary warnings to the employee required by law, including but not limited to the Garrity Warning.

5. Upon completion of the internal investigation, those assigned to conduct the investigation shall make full written report to the person initiating the investigation for review and disposition. Copies of the completed investigation report shall be forwarded to Human Resources and the City Administrator.

ARTICLE 16. EMPLOYEE ASSISTANCE PROGRAM (EAP)

It is the policy of the City of Ottumwa to make available for its employees and their dependents confidential counseling and guidance for problems such as alcohol and drug abuse, marital and family problems, mental and emotional illness, and financial, legal and similar areas of concern that may be contributing to unacceptable job performance. The current EAP provider is the Southern Iowa Mental Health Clinic, located at 1527 Albia Road, Ottumwa. The contact telephone number is 641-682-8772. The EAP provider may change periodically. City employees will be promptly notified of any change. An employee may call directly for an EAP appointment, may go through the City Administrator or designee or through the supervisor.

The city may suggest an employee take advantage of the EAP if it is observed that the employee has a deterioration in work performance or attendance or other incidents which indicate a possibility of a personal problem.

- a. The basis of the referral should be a written account of the performance problem that is observed. The account should be as detailed as possible including the dates, times and descriptions of behaviors that have become a part of a pattern of deterioration or particular incidents that warrant supervisory action. This may not be possible in cases such as those involving use of alcohol or drugs on city property which require immediate attention.)
- b. The supervisor should meet with the employee with the problem to discuss the performance problem and communicate clearly the consequences of failure to resolve the problem. In this meeting, the supervisor should not speculate as to the cause of the performance problem nor engage in discussion with the employee concerning any personal problems. (Should a particularly unusual pattern develop, the supervisor may consult with the EAP counselor prior to his/her meeting with the employee).
- c. After the employee has been confronted with the performance problem, the supervisor must review the EAP with the employee, advise him/her of the availability of confidential professional assistance for any work-hampering personal problem and strongly encourage the employee to allow the supervisor to

arrange an appointment with the EAP counselor. While the final decision to use the EAP shall be left up to the employee, the supervisor should emphasize the importance of the EAP.

- d. If the employee agrees to accept assistance, the supervisor should call the EAP counselor and arrange a meeting between the employee and the EAP counselor. The counselor will advise the supervisor of any further action which might be necessary.
- e. The supervisor should make available to the EAP counselor all information that is relevant to the performance problem of the employee prior to the arranged meeting. If necessary, the EAP counselor will request a conference with the supervisor to further discuss the situation.
- f. If the employee chooses not to accept assistance at this time, the supervisor should reinforce the expectation for improved performance and the consequences for failure to improve. The supervisor should also point out that the EAP will be available should the employee change his/her mind in the future. The discussion of the EAP as an option should be clearly documented by the supervisor.
- g. All information pertaining to the employee's referral to the EAP and information provided by the EAP counselor to the supervisor should be accorded the same high standards of confidentiality as applied to other disciplinary procedures and personnel records.
- h. The supervisor will be sensitive to the employee's needs while the employee is involved in the program and participate, as needed, in the continuing recovery plan.
- i. In all cases of formal supervisor requests, particularly those associated with job performance problems on the part of the employee), the EAP will provide follow up information to the supervisor. Only information related to the employee's cooperation with the EAP and ability to perform his/her duties will be released. This release of information may require written permission by the employee, under Federal or State law.

It is expected that city employees will comply with any referrals for diagnosis and cooperate with prescribed counseling or therapy. Employees who refuse evaluation, diagnosis and treatment, if indicated, will be handled in accordance with standard administrative disciplinary policies for unacceptable job performance. The City of Ottumwa EAP is not to be considered a

substitute for disciplinary action and failure to receive treatment and to make satisfactory progress will result in the employee being subject to normal disciplinary procedures.

Time away from work will be treated the same as for any other absence due to illness, injury, or for personal reasons. An employee may use accumulated available sick leave, vacation, personal days and/or compensatory time during the treatment if the employee must be absent. It is the responsibility of the employee to advise his/her department immediately of the need to be absent from work. An unpaid leave must be requested for any portion of leave time not covered by paid leave, pursuant to standard procedures.

While the first 5 visits to the EAP counselor will be paid for by the City, further referrals or trips to the EAP Counselor may result in a cost to the employee which may or may not be covered in full or partially by the City's group health insurance program. The EAP will make every effort to suggest referrals that are covered by insurance and are within the means of the employee to pay.

In cases of drug and alcohol abuse treatment, the treatment must be provided in an approved facility. The employee or dependent must be sure that the facility is approved before entering. Employees or dependents that receive alcohol and/or drug abuse treatment are expected to participate in follow-up therapy. In cases where the employee is referred to a treatment center in lieu of discipline, the employee must remain for the full course of treatment or the employee will be subject to the originally planned discipline. The cost of drug and alcohol abuse treatment will be paid by the employee subject to any coverage by the City's group health insurance program.

An employee who must be absent from work because of counseling or treatment shall be returned to his/her regular position with full benefits and seniority afforded other employees with medical problems if the position has not been filled. The department head will require the returning employee to furnish a return to work release.

ARTICLE 17. ACCIDENT REVIEW

All City employees are responsible for promptly reporting any accidents or near misses that occur while they are on duty. Employees who fail to report any accident will be subject to discipline up to and including termination. A Police report must be filed for all motor vehicle accidents involving on duty City employees and City vehicles. It is the responsibility of the vehicle operator, unless totally incapacitated by the accident, to make sure a Police report is filed. The vehicle operator is also responsible for promptly completing employee accident report forms, which may be obtained from the Department Heads or the Finance Director. All accidents involving City vehicles shall be reported to the Police Department and an officer may be dispatched to do the initial investigation and to complete an accident report. The officer will perform a full investigation to determine if the accident was caused as a result of violating a City

or State traffic law. The Police Department will forward a copy of all reports made to the Finance Director. Depending on the circumstances of the accident, the Sheriff's Department or the Iowa State Patrol may be called to perform an investigation.

Department Heads and supervisors are responsible for reviewing all reports related to accidents or near misses, ensuring the completion of all reports, providing additional information as needed and for promptly forwarding all reports to the Finance Director.

The Risk Manager shall be empowered to review all personal injury accidents and Workers' Compensation claims and all records and information relating to such incidents.

The Risk Manager shall have the right to require written reports from such persons as the Risk Manager shall deem appropriate for the proper determination of the facts surrounding each accident and shall have access to such documentary evidence as may be needed to complete the Risk Manager's investigation. Before making a determination, the Risk Manager will fully investigate each accident or near miss. The procedure for investigation will be established by the Risk Manager.

Following investigation, the "Class" of accident will be determined by the Risk Manager. The decision should be made in a fair, unbiased and objective fashion. Each case must be reviewed on a case-by-case basis. Once a recommendation has been made, both the Employee and the Department will be promptly advised in writing by the Risk Manager. **It will be the Department Head's responsibility to administer disciplinary action after notification from the Risk Manager of the "Class" of accident determination.**

The Employee may appeal the Risk Manager's ruling in writing, submitted to the City Administrator within ten (10) working days of the dated written notice sent to the Employee of the findings/actions. The City Administrator shall review the appeal, may interview the employee, witnesses, and will speak to the Department Head and/or Supervisor. Within thirty (30) days of the receipt of the written notice by the Employee, the City Administrator may affirm, modify, or reverse the ruling based upon the merits presented at the appeal.

All personal Bodily Injury Forms must be properly completed and forwarded to the City Administrator or designee for distribution. This allows the employee, supervisor and Department Head an opportunity to submit factual as well as subjective information to the Risk Manager who will determine whether or not an employee was negligent in actions which contributed to the accident or near miss.

The determination of negligence will be based on all information presented and not exclusively on a violation of the City or State traffic codes. The Risk Manager may have the following information available to them when reviewing an employee's motor vehicle accident.

1. Possession of valid license
2. Driving experience with the City
3. State driving record

Procedures:

1. The following will be classified as vehicle/equipment accidents for the purpose of review by the Risk Manager.
 - a. Property damage to a third party
 - b. Damage to City vehicle or City property
 - c. Bodily injury to a third party as a result of an accident
 - d. Bodily injury to employee
2. Definitions:
 - a. Unavoidable – an accident/incident which resulted in a finding of nonfault.
 - b. Minor, but avoidable – the accident is one that poses minimum danger to life and property, a mistake.
 - c. Avoidable/mitigating circumstances – an accident with extenuating circumstances.
 - d. Avoidable/negligence – the individual responsible for the act or action had a duty and that duty was violated. The act caused the accident. Damages resulted.
 - e. Avoidable/Carelessness – the individual responsible for the act or action carelessly violated a law or one or more specific safety policies and procedures.
 - f. Negligence with intent – act or actions which demonstrate an intentional lack of care or caution of consequences marked by total disregard for caution when that person should have realized it.
3. Accident Causes
 - a. Worker's Compensation accidents can usually be broken down generally into two causes:
 - i. an UNSAFE ACT - usually account for 85% of accidents
 1. Making safety devices inoperable
 2. Failure to use guards provided
 3. Using defective equipment
 4. Servicing equipment in motion
 5. Failure to use proper tools or equipment
 6. Operating machinery at unsafe speed
 7. Failure to use proper tools or equipment
 8. Operating without authority
 9. Lack of skill or knowledge

10. Unsafe loading or placing
 11. Improper lifting, lowering or carrying
 12. Taking unsafe position
 13. Unnecessary haste
 14. Influence of abusive substances
 15. Physical limitation or mental attitude
 16. Unaware of hazard
 17. Unsafe act of another
- ii. an UNSAFE CONDITION – usually account for 15% of accidents
1. Inadequate guards of protection
 2. Defective tools or equipment
 3. Unsafe condition of machine
 4. Congested work area
 5. Poor housekeeping
 6. Unsafe floors, platforms, stairways
 7. Improper material storage
 8. Inadequate warning system
 9. Fire or explosion hazards
 10. Hazardous substances
 11. Inadequate ventilation
 12. Excessive noise
 13. Inadequate illumination
 14. Hazardous atmosphere: gases, dust
 15. Fumes or vapors

All unsafe conditions should be reported immediately to the supervisor.

4. Accidents Involving On-Duty Employees Operating City-Owned Vehicles:

When available and if the severity of damage necessitates it or the accident involves an injury, an outside law enforcement agency may be requested to conduct the investigation. This will require supervisors and officers to use their discretion as to whether an outside agency will be contacted. If the Police Department does investigate the accident, the investigating office will then forward the accident report as well as any other paperwork relating to the investigation to the City Administrator or designee, who will determine whether a traffic citation should be issued and, if so, to whom.

The Police Department is not precluded from taking enforcement action against any driver for those violations that are incidental to the accident, such as drunk driving or driving under suspension. The Police Department may also arrest any driver or occupant for a criminal offense

that may be observed. City employees may also be subject to drug and alcohol testing based upon the City's Substance Abuse Policy set out in Article 35.

ARTICLE 18. WORKER'S COMPENSATION/ RESTRICTED DUTY ASSIGNMENTS

Employees who are injured on the job could be eligible for worker's compensation coverage. The Employee is required to promptly report any injury by calling the "Company Nurse" telephone number on the card provided to each employee upon employment. Additional cards may be obtained from Human Resources. The cards are also posted in each department. This is the First Report of Injury. Failure to report an injury promptly without a reasonable explanation may result in disciplinary action against an employee, the supervisor if he/she fails to report the injury, and potentially could result in a denial of work related injury benefits. The injured employee must as soon as possible call the "Company Nurse," report the injury and symptoms and follow the advice of the medical provider for treatment. The "Company Nurse" will direct the injured employee for treatment. If the injury is severe and the employee is unable to call, the employee should seek immediate treatment and the employee's immediate supervisor will make the report. Employees are required to follow all treatment protocol as directed. Medical bills for treatment are to be forwarded to the Human Resource Department. IMWCA is the City's Worker's Compensation administrator.

It is the policy of the City of Ottumwa to establish a policy relative to restricted duty assignments for City employees who are temporarily disabled due to work related injuries.

The City of Ottumwa has established a policy for employees to Return-to-Work or Light Duty assignments after injury or illness for employees who are unable to return to their regular job classifications. This includes employees who are temporarily unable to perform the full functions of their position.

This policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA). Inquiries about the ADA or FMLA should be directed to the human resource department (HR).

For further information, please refer to our current Return-to-Work/Light Duty Policy.

ARTICLE 19. EMPLOYEE PHYSICALS AND MEDICAL SERVICES

This policy is established relative to physical examinations for new employees and for medical services for work related injuries and illnesses. The purpose of the policy is to establish a designated Physician or Clinic to perform physical examinations for all new City employees including Police and Fire and to perform medical services for all work related injuries and illnesses.

Emergency care will be handled by the Emergency Department of Ottumwa Regional Health Center if after the doctor's regularly scheduled office hours or in case of medical emergencies. New employee physicals are required for all regular full and part-time employees, which also includes a drug screen and a hearing baseline test. Lifeguards will be required to undergo a drug screen prior to employment. Those physicals are currently conducted by Occupational Health at the Ottumwa Regional Health Center. Drug testing will also occur at the Ottumwa Regional Health Center. All pre-employment physicals and drug testing are paid for by the City.

Any work related injury shall be reported to the on-call Company Nurse promptly. Please see Article 18 for further information regarding Worker's Compensation claims. Under the Iowa Worker's Compensation law Chapter 85, the City is authorized to choose the medical care provided for employees who are injured on the job.

Any employee who is required to hold a CDL pursuant to his/her position, may be required to undergo drug and/or alcohol testing as a result of any accident while on duty.

ARTICLE 20. FITNESS FOR DUTY

Fitness for Duty:

The City endeavors to provide a safe workplace. This policy applies when an employee is having observable difficulty performing his/her work duties in a manner that is safe for the employee and/or for his or her co-workers, or is posing a safety threat to self or others.

The purposes of this fitness-for-duty policy are:

1. To promote the safety and health of employees and citizens
2. To establish procedures by which the City can evaluate an employee's ability to safely and competently perform her/his duties when a health or safety problem arises; and
3. To comply with applicable law.

Procedures:

1. Employees are responsible for managing their health in such a way that they can safely perform their essential job functions, with or without reasonable accommodation, e.g., employee with the flu should stay home, and employees taking medications that advise against driving should not drive.
2. Employees at work or on-call must remain in a fit condition for the entire period.
3. Supervisors may refer employees for a fitness-for-duty evaluation as provided by these procedures.
4. Before a supervisor refers an employee for a fitness-for-duty evaluation, the Human Resources Manager must approve the evaluation unless the circumstances require immediate action. As an alternative to requiring an employee to submit to a fitness-for-

- duty evaluation, the supervisor may send the employee home with pay on an administrative leave pending a determination whether to require a fitness-for-duty evaluation.
5. Application of this policy is not intended as a substitute for other City policies or procedures related to performance. In addition, application of this policy is not a substitute for discipline. In any situation involving misconduct or violation of City policy, disciplinary action may be taken.
 6. The City will pay the cost of fitness-for-duty evaluations and will pay the employee for time spent in the fitness-for-duty evaluation.
 7. An impartial, independent healthcare evaluator, with appropriate expertise in areas including one or more of the following: medical, psychological, alcohol, or other drug conditions, will conduct a fitness-for-duty evaluation.
 8. The City will make the final determination of an employee's fitness-for-duty status.
 9. An employee referred for a fitness-for-duty evaluation will be relieved of duties pending completion of the evaluation. Generally, the employee will be placed on administrative leave.
 10. When an employee is found to be unfit for some or all duties, his or her employment status will be determined on a case-by-case basis, in accordance with City policy and practice and applicable law. The employee may be placed on a medical leave, intermittent leave, or restricted duty.
 11. An employee's pay status while fitness for duty is being determined will depend on his or her employment status and the facts of the case.
 12. In all cases, the City must receive a "return-to-work/fitness-for-duty form" from the independent evaluator before an employee may return to full or restricted duty.
 13. In most cases, a re-entry conference with the supervisor and the Human Resources manager (if appropriate) will occur prior to the employee's return to work.
 14. Noncompliance with a request for a fitness-for-duty evaluation may be considered insubordination and constitute cause if disciplinary action is warranted. False information or the omission of information in the course of a determination of the employee's fitness for duty may also lead to discipline. Employees are expected to fully cooperate with a determination of their fitness for duty.
 15. Confidentiality/privacy
 - a. Records of fitness-for-duty evaluations will be treated as confidential medical records and be kept separate from existing personnel files; this information will be shared only as permitted by law.
 - b. After an evaluation, information available to the employee's supervisor will be limited to:
 - i. Whether a person is fit to resume some or all of his or her job duties
 - ii. Whether a person is a direct threat to self or others
 - iii. Whether a person needs specific reasonable accommodations

This policy may be modified without notice in order to comply with applicable law.

Fitness-for-Duty Certification

Employee: _____

Department/Location: _____

Status: ___ Full time ___ Part time On leave since: _____

You have my permission to have a healthcare provider contact the healthcare provider indicated on this certification for purposes of clarification related to this serious health condition, if necessary.

Signed: _____ Date: _____

(Information below to be completed by healthcare provider)

Effective as of this date, the above named employee is hereby certified as fit to resume work duties as follows:

- ___ Full-time duties, no restrictions
- ___ Full-time duties, with the following restrictions (conditions and duration):
- ___ Part-time duties, no restrictions
- ___ Part-time duties, with the following restrictions (conditions and duration):

Intermittent duties, with the following restrictions (conditions and duration):

Name of healthcare provider: _____

Address: _____

Telephone: _____

Type of practice/ specialty: _____

Signed: _____ Date: _____

ARTICLE 21. PERSONNEL FILES/EMPLOYEE ACCESS

It is the policy of the City of Ottumwa that personnel files contain all information relevant to the employment history of each city employee. It is the policy of the City of Ottumwa to permit access by all city employees to their own personnel files and to provide for correction of any

erroneous information maintained in such files. Only information related to job performance or business necessity will be maintained in these files.

1. Official personnel files shall be kept at City Hall in the Human Resource office. As the City transitions to an electronic HRIS (UKG), these files may also be held within the system but maintained by Human Resources. The HRIS meets the requirements as established in sections 107 and 209 of the Employee Retirement Income Security Act of 1974, as amended (ERISA) pertaining to maintenance of records.
 - a. Personnel files include all relevant employee information including the following: application for employment, commendations; certificates of completion of any special training, class or degree program; performance evaluations; notices of employee counseling, reprimands, suspensions and any other disciplinary actions; discrimination complaints and statements of grievances. Copies of any performance evaluations and disciplinary actions shall be forwarded to the City Administrator for review.
 - b. All medical information will be kept in a separate Medical file. This will include leave of absence requests, doctor's notes and results of medical exams required by the City.
 - c. All Confidential information will be kept in a separate confidential file. This will include background checks, employment / payroll verification.
2. City employees will be permitted access to their employment files during normal office hours in the Human Resource office, provided that the employee has requested in writing access to their own file. Employees will be permitted to examine, take notes and make copies of any materials contained in their file. Employees wishing to examine their files must have the permission of their supervisor or department head to leave the job. The Human Resource Manager or the person designated by the City Administrator must be present during this examination and may require 24 hour advance notice or schedule review in advance at such time as mutually agreeable.
 - a. If there are files that are electronic, the employee will be permitted to view those items through the current HRIS.
3. An employee may request correction of any alleged misinformation contained in these files. If this request is denied, the employee will receive an explanation of the reason thereof, and will be permitted to place a concise statement of disagreement in the file.
4. Access to the employee's personnel file will be limited to the employee, the employee's department head, Human Resource Manager or representative, City Administrator, by the lawful custodian of the records, or by another person duly authorized to release information, unless otherwise ordered by a court.
5. Except when authorized by a statement signed by the employee or former employee, no information concerning the employee will be given to an outside source other than: confirmation of employment, confirmation of salary, dates of employment, job title, and

department as well as any information considered public records pursuant to Iowa Code Chapter 22, as it may be amended from time to time. It should be noted that under Iowa Code Section 22.7(11)(a)(5) the fact that an employee resigned in lieu of termination, was discharged, or was demoted as the result of a disciplinary action, and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion is considered public record. A demotion is interpreted as changing an employee from a position in a given classification to a position in a classification having a lower pay grade.

6. All requests for information pertaining to current or previous employment with the City will be forwarded to the Human Resource Manager.

ARTICLE 22. PERFORMANCE EVALUATIONS

It is the policy of the City of Ottumwa to ensure that city revenues are appropriately spent on wages by periodically evaluating the job performance of each employee. It is the policy of the City that each employee may receive an evaluation annually by his/her supervisor. This procedure will assist in employee performance improvement, assist the employee in setting goals, and determining training if necessary.

1. The job performance of each employee will be evaluated by his/her supervisor at the completion of thirty (30) days of the employee's anniversary date.
2. The evaluations shall be conducted privately between the employee and the supervisor at a time and place designated by the department head.
3. The job performance of each department head will be evaluated by the City Administrator at least once a year and before receiving any merit increases.
4. Each employee shall receive a written copy of the results of the evaluation. The form of the evaluation shall be prescribed by the City Administrator. The employee will be asked to sign the evaluation to indicate that he/she has discussed it with his/her department head. A refusal to sign the evaluation shall be so noted on the form.
5. A portion of the evaluation shall consist of designating areas where improvement is needed. At the time of the next evaluation, the evaluator shall note whether improvement has been achieved in those areas.
6. The evaluation shall become a part of the employee's personnel file.

ARTICLE 23. ACCESS TO CITY ADMINISTRATOR

Employees may have access to the City Administrator to present complaints, disputes or disagreements for which union grievance procedures or Civil Service procedures are not applicable. Before employees meet with the City Administrator they shall first present their complaints, disputes or disagreements in a timely fashion through their departmental chain-of-command and/or Human Resource Manager. In the event that such use of the chain of command

constitutes part of the complaint or dispute, the employee may request a confidential hearing with the City Administrator by confidential written request.

ARTICLE 24. CYBERSECURITY

The use of electronic mail and the Internet is necessary for City employees, elected officials, and others serving in an official capacity with the City to communicate with each other more efficiently and to provide superior customer service, increase productivity, and provide opportunities for professional growth. The City encourages the use of these media and associated services because these communications and access to information are useful in conducting City business. It remains, however, that electronic media and services provided on or through City devices are City property and their purpose is to facilitate City business. The goal of this policy is to encourage the responsible and prudent use of this resource.

With the rapidly changing nature of electronic media, this policy cannot establish rules to cover or anticipate every possible situation. This policy is intended to express the City's philosophy and establish general principles to be applied in the use of electronic media and services on City property or with City-owned devices.

Please refer to our Cybersecurity Handbook which outlines the following seven (7) policies:

- General Email/Internet Security and Use
- Personally Identifiable Information and Protected Personally Identifiable (PII) Information Requirements Applicable to all Federal Awards (PII)
- Cell Phone (revision to policy #56-2015)
- Bring Your Own Device (BYOD)
- Acceptable Use
- Online Social Networking
- SAQ Point-to Point Encryption (P2PE)

ARTICLE 25. DISCIPLINARY PRACTICES/PROCEDURE

Certain rules and regulations governing the conduct of all City employees must be adhered to by all employees in order to ensure safe, efficient and successful operation of city functions. This policy is not intended to abrogate the appointing authority's discretion to discipline and/or terminate an at will employee.

To ensure a safe, efficient and effective working environment, city employees need to adhere to city and departmental rules regarding appropriate conduct on the job. It may sometimes be necessary for a supervisor to take disciplinary action with an employee. The City is committed

to a policy of progressive discipline. Progressive discipline is defined as a series of disciplinary measures, ranging from employee counseling to discharge of an employee, designed to effectively correct problems as they occur and to let an employee know if his/her conduct is inappropriate. However, the City reserves the right to terminate promptly or bypass progressive disciplinary steps in the event of flagrant and/or intentional misconduct.

The following items will be considered to be infractions subject to disciplinary action up to and including discharge from employment. This list is not all inclusive of all acts that may be subject to disciplinary action and are illustrative only, but not limited to, the types of behavior for which disciplinary action may be taken.

- Gifts, Gratuities, Fees, Rewards, Loans – Employees shall not, under any circumstances, solicit or accept any gift, gratuity, loan, reward, or fee when there is any direct connection between it and their Department or employment. Employees must abide by the State’s Gift Law, Iowa Code Chapter 68B, as it may be amended from time to time.
- Controlled Substances – Employees shall not use controlled substances other than those prescribed to them by a physician.
- Drugs – No employee shall be at work while under the influence of drugs or be unfit for work because of their excessive use. This includes the abuse of prescription drugs.
- Alcohol – No employee shall report to work while under the influence of alcohol or drink alcohol while at work.
- False Injury Claims - Employees injured while not at work shall not falsely claim it to be an injury while on the job.
- Embezzlement – theft or misappropriation of funds, equipment or property placed in one’s trust or belonging to the City.
- Employee Arrested or Cited - An employee who has been arrested or cited for any criminal violation shall immediately notify the Human Resource department in writing. Conviction of a crime closely or directly related to the ability of the employee to perform his/her job effectively.
- Policies - Employees shall observe and obey the lawful verbal and written rules, duties, policies, procedures and practices of the City of Ottumwa.
- Professional Conduct - Employees shall conduct themselves toward the public in a civil and professional manner that indicates a service orientation and that will foster public respect and cooperation.
- Performance - Employees shall perform their duties in a manner which shall maintain the highest standards of efficiency in carrying out the functions and objectives of the City. Unsatisfactory performance may be demonstrated by an unwillingness or inability to perform assigned tasks or a failure to conform to work standards established for the position.

- Willful, careless, and/or repeated violation of departmental rules, which have been properly posted, standard operating procedures, or any other rules or regulations promulgated by the City.
- Falsification, alteration, deletion of required information or failure to include material information on any application or City record Punching the time clock or unauthorized completion of a time slip for another employee.
- Abusive, improper treatment during the performance of duty to any member of the public, fellow employee or City official, including harassment on the basis of race, creed, color, sex, national origin, religion, age, sexual orientation, marital status, mental or physical disability, or any behavior or harassment which has the effect of producing a hostile work environment.
- Sleeping On the Job - Employees shall not sleep on the job.
- Judgment or Condition - No employee shall report to work or be on the job when his/her judgment or physical condition has been impaired by alcohol, medication, or other substances.
- Use of Equipment – Employees are accountable for the proper use and care of any property or equipment assigned to them, used by them, or placed in their care. Equipment shall not be used in a manner not specified in procedure, directives, training, or in a fashion other than the intended use. If equipment is broken or malfunctions, the employee shall report it to the appropriate person in prescribed manner.
- Committing Unsafe Acts – Employees shall not commit acts or behave in such a manner that has the potential for endangering or injuring themselves, another person, or property. Disregard for safety policies and procedures, including proper use of safety gear, clothing or equipment.
- Cooperation with Employees, the Public and Other Officials – Employees shall not engage in disorderly or abusive/violent conduct with other members and/or personnel from other City departments or agencies as well as the public.
- Safe Driving – The driver of any City vehicle shall operate said vehicle in a reasonable and safe manner, exercising due caution and judgment, following all state and federal traffic regulations, including the mandatory use of seatbelts within City vehicles.
- Possession of Firearms or Explosives – Possession of firearms or explosives on City property are prohibited by City employees except by certified police officers, those certified by the Iowa Law Enforcement Academy and currently the Deputy Fire Chief.
- Reporting for Work – Employees shall be punctual in reporting for work at the time and place designated by their supervisor(s). Employees shall not provide a false excuse for an absenteeism for which pay is received.
- Employees are required to maintain valid driver’s license, and any endorsements required in said job description.
- Insubordination.

- Employees are required to maintain all licenses and/or certifications that are necessary to fulfill the requirements of the job.
- Violation of city or departmental rules, regulations, policies and procedures.
- Refusal or failure to answer questions in an internal investigation. If an employee answers questions in an internal investigation, then the information obtained during the investigation cannot be used in a criminal prosecution case against the employee.
- Supervisors should not engage in any inappropriate relationships with their employees.
- Employees shall not abuse sick leave or dependent sick leave.
- Smoking on the job or in any city vehicle except during breaks in a designated location.
- Fighting, or threatening violence in the workplace/
- Horseplay, boisterous or disruptive activity in the workplace or practical jokes that are carried too far.
- Any other act, which is not in the best interest of the City.

The Disciplinary process includes the following forms:

- Oral reprimand reduced to writing.
- Written reprimand.
- Suspension.
- Demotion.
- Termination

Depending on the severity of the misconduct, all or some of these progressive disciplinary steps may be waived and the employee may be terminated. Termination must be with the recommendation of the City Administrator or designee.

DEFINITIONS: For a period of time during which the employee will not be working for the City of Ottumwa.

1. Punishment – suspension carries with it a censure for misconduct on the part of the employee.
 2. Pay – during the suspension the employee will receive no pay.
 3. Return To Work – return to work after the suspension is at the sole discretion of the City.
- Suspension is when an employee is suspended due to an act or behavior that is unacceptable by the Employer.

1. Employee will be placed on suspension.
2. Employee will receive no pay while on said suspension.
3. Return to work after the suspension at the sole discretion of City.

Layoff is when an employee is placed on lay-off status due to the reduction in the employees regularly scheduled work hours.

1. No punishment.
2. Employee could be eligible for unemployment benefits and could utilize any accumulated leave, excluding sick leave.
3. Sole discretion of the City.

ARTICLE 26. GRIEVANCE PROCEDURE

Definition. A grievance is defined as a timely filed claim by an employee which alleges that there has been a violation of the employee's rights. Should an employee claim a grievance, it shall be processed in the following manner:

Informal Step. The employee shall first discuss the problem with the immediate supervisor in an attempt to resolve the problem informally. If the problem is not settled to the employee's satisfaction, the following procedure should be used.

Step one. An employee who claims a grievance shall reduce the grievance to writing by giving and signing a statement of facts. The written grievance must be submitted to the immediate supervisor no later than seven (7) working days after the occurrence upon which the grievance is based or the grievance is waived. The immediate supervisor shall give a written answer to the aggrieved employee within seven (7) working days after the grievance is presented to the supervisor.

Step Two. If the grievance is not settled in Step One and the grievant wishes to take the grievance forward, the grievant must submit the signed grievance to the Department Head or his designee within seven (7) working days after receipt of the immediate supervisor's written answer or the grievance is waived. The Department Head will give a written answer to the aggrieved employee within seven (7) working days after the grievance is presented to the Department Head.

Step Three. If the grievance is not settled in Step Two, the grievant may submit the grievance to the Personnel Officer and the City Administrator within seven (7) working days of the receipt of the Department Head's written answer or the grievance is waived.

The City Administrator shall give a written answer to the aggrieved employee within ten (10) working days after the grievance is presented.

All completed copies of the grievance shall be forwarded to Human Resources and placed in the employee's personnel file.

A Civil Service employee shall request a hearing before the Civil Service Commission according to Chapter 400, Code of Iowa, if applicable. The Civil Service Commission shall decide whether or not the grievance is within the scope of the Commission's responsibilities prior to agreeing to hear the grievance.

ARTICLE 27 – EMPLOYEE PRIVACY

Employees have a reasonable expectation that offices, desks, lockers, file cabinets, etc. that are assigned to them will not be exposed to indiscriminate examination by other employees. However, the City does retain the right to enter an employee's office, desk, file cabinets, etc. for work related purposes.

No employee shall enter another employee's office, desk, file cabinet, locker, or similar "private" area, unless:

1. Authorized by the person who has control of the office or equipment;
2. Necessary for the proper conduct of City business;
3. Authorized by a Supervisor/Department Head for the purpose of investigating employee misconduct;
4. Part of an inspection; or
5. In response to an emergency situation.

Employees are cautioned that personal items may be inadvertently observed during the above situations. If an employee is concerned that this may happen, personal items should be stored elsewhere.

ARTICLE 28 – VIOLENCE IN THE WORKPLACE

The City of Ottumwa does not tolerate violence in any form or the threat or perception of violence by or against any employee while performing his or her official duties, or due to the employee's official duties, wherever those duties are performed. Additionally, the City of Ottumwa recognizes an individual's right to bear arms in accordance with state and federal laws afforded by the Second Amendment of the United States Constitution and the State of Iowa. The City is not liable for any wrongful or negligent act or omission related to actions of persons or employees who carry a concealed weapon.

Unless specific job duties require it, the ability to carry a concealed weapon is not within the scope of employment and is not a condition of employment. Nothing in this policy should be interpreted to require or encourage any employee who lawfully possesses a weapon to use it in defense of others.

An employee in violation of this policy will be subject to discipline up to and including termination of employment.

For additional information regarding the City of Ottumwa's expectations of its employees who wish to carry a concealed weapon while engaged in the duties of their employment, please reference the Workplace Violence and Threats Prevention Policy.

ARTICLE 29 – DRESS CODE

CITY HALL EMPLOYEES:

Business Attire Policy: Business Casual Dress Code:

The City of Ottumwa expects its City Hall employees to dress appropriately in business casual attire. Because our work environment serves customers, professional business casual attire is essential. Customers make decisions about the quality of our services to the community based on their interaction with you. Employees must be neat, clean and well-groomed with proper hygiene.

Consequently, business casual attire includes suits, dress pants, capris, jackets, shirts, skirts and dresses that, while not formal, are appropriate for a business environment. Examples of appropriate business attire include a polo shirt with pressed khaki pants, a sweater and shirt with corduroy pants, and a jacket, sweater, and skirt and leggings as part of a dressy ensemble and with a top that covers the rear end. Jeans, t-shirts, shorts, short skirts, tube tops, tank tops with shoulder strap width of 3 inches or less, and spaghetti straps (unless covered by a jacket), halter tops, low-cut blouses or sweaters, low cut shirts, blouses and sweaters, spandex or Lycra, clothing that is tight and suggestive, sweatpants, workout gym clothing, swim wear, and footwear such as flip flops are not appropriate for business casual attire. Open toed dress sandals for women are appropriate unless as directed by the Department Head due to the need to perform field inspections or work responsibilities outside of the office.

Be considerate and thoughtful regarding clothing that other employees might find offensive or that might make coworkers uncomfortable. This includes clothing with profane language statements or clothing that promotes causes that include, but are not limited to, politics, religion, sexuality, race, age, gender, and ethnicity. Clothing may not be revealing, in disrepair (torn, ripped or ragged) and cannot promote alcohol or tobacco products, violence or sexually suggestive or lewd written or visually suggestive images.

Employees are expected to demonstrate good judgment and professional taste. Courtesy of coworkers and your professional image to customers should be the factors that are used to assess that you are dressing in business attire that is appropriate.

Although it is impossible to establish an absolute dress and appearance code, the City of Ottumwa will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions or in the case of inclement weather, at which time employees will be notified in advance. An employee unsure of what is appropriate should check with his or her department head.

City Hall staff performing field inspections should wear clothing commensurate with the tasks they are performing, keeping in mind that attire should project a professional image. Staff may wear trousers, jeans, knit shirts with collars, city logo shirts and dress shirts. Attire should be clean, in good repair and suitable to employees in a professional position. Jeans are permitted if the staff member is actually performing field inspections or as approved by the Department Head. Closed toed shoes, as designated by the Department Head, are required.

Visible tattoos are permissible. However, any tattoo that would include profane language, promote alcohol or tobacco products, violence or sexually suggestive or lewd written or visually suggestive images should be covered. Tattoos on the face will not be permissible. Tattoos on the chest shall be covered.

Nose rings, eyebrow rings, gauge earrings, lip rings or studs are prohibited and cannot be worn in the workplace. Gauge earrings will need to be removed and have nude or clear plugs inserted while working. Earrings and small nose studs are allowed. Tongue piercings are permissible if they do not interfere with clear speech. Other visible body piercings are prohibited.

Every effort will be made to reasonably accommodate employees with a disability or with religious beliefs that may make it difficult for that employee to comply fully with the dress code policy. Employees should contact the City Administrator to request such a reasonable accommodation. The City will reasonably accommodate a staff member in terms of workplace attire unless the accommodation creates an undue hardship such as safety issues.

When applicable, protected concerted activity covered by the National Labor Relations Act (NLRA) or a City collective bargaining agreement is not prohibited by this policy. Wearing union insignia or displaying a union logo on clothing may be viewed as a form of protected concerted activity.

Employees who wear business attire that is deemed inappropriate in this workplace will be dealt with on an individual basis rather than subjecting all employees to a more stringent dress code for appropriate business attire. If a supervisor or Department Head decides that an

employee's dress or appearance is not appropriate as outlined in this policy, he or she may take corrective action and require the employee to leave the work area and make the necessary changes to comply with the policy. Hourly paid staff members will not be compensated for any work time missed because of a failure to comply with designated workplace attire and grooming standards.

Employees may face more severe consequences up to and including termination if they violate the dress code repeatedly.

Business Attire Policy: Casual Dress Code:

The City of Ottumwa will allow employees to dress appropriately in business attire of a casual nature on Fridays. On this day of the week, employees may wear jeans which are appropriate, not ripped, torn or revealing. We expect that your business attire, although casual, will exhibit common sense and professionalism.

Employees are expected to demonstrate good judgment and professional taste. Courtesy to coworkers and your professional image to coworkers should be the factors that are used to assess that you are dressing in business attire that is appropriate.

In addition, at the discretion of the City Administrator, in special circumstances, such as during unusually hot or cold weather or during special occasions, staff members may be permitted to dress casually. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

Employees who wear business attire that is deemed inappropriate in this workplace will be dealt with on an individual basis rather than subjecting all employees to a more stringent dress code for appropriate business attire.

Council Meetings:

Business Attire Policy: Formal Dress Code:

The City of Ottumwa expects employees to dress appropriately in business attire during Council meetings and work sessions. Because these meetings are televised, professional business attire is essential to promote the professional competency of city staff.

Business attire includes suits, dress shirts and dress pants, dresses and skirts that are typical of business formal attire at work.

Employees are expected to demonstrate good judgment and professional taste. Courtesy of coworkers and your professional image to clients should be the factors that are used to assess that you are dressing in business attire that is appropriate.

Employees who wear business attire that is deemed inappropriate in this workplace will be dealt with on an individual basis rather than subjecting all employees to a more stringent dress code for appropriate business attire.

OTHER NON-CITY HALL CITY EMPLOYEES:

Certain staff members in the Fire, Police, and Transit departments have a separate dress code and require staff to wear specific uniforms or attire. Policies are in place for each of those departments.

Public Works, Parks, Airport, Landfill, Recycling and Water Pollution Control employees will be neat, clean and well-groomed with proper hygiene. Jeans, t-shirts and work shirts are appropriate. Foot wear will be according to that department's internal policy.

Do not wear anything that other employees might find offensive or that might make coworkers uncomfortable. This includes clothing with profane language statements or clothing that promotes causes that include, but are not limited to, politics, religion, sexuality, race, age, gender, and ethnicity. Clothing may not be revealing, in disrepair (torn, ripped or ragged) and cannot promote alcohol or tobacco products, violence or sexually suggestive or lewd written or visually suggestive images.

Employees are expected to demonstrate good judgment and professional taste. Courtesy of coworkers and your professional image to the public should be the factors that are used to assess that you are dressing appropriately.

Although it is impossible and undesirable to establish an absolute dress and appearance code, the City of Ottumwa will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions or in the case of inclement weather, at which time employees will be notified in advance. An employee unsure of what is appropriate should check with his or her department head.

Visible tattoos are permissible. However, any tattoo that would include profane language, promote alcohol or tobacco products, violence or sexually suggestive or lewd written or visually suggestive images should be covered. Tattoos located on the face will not be permissible. Tattoos located on the chest must be covered.

Nose rings, eyebrow rings, gauge earrings, lip rings or studs are prohibited and cannot be worn in the workplace. Gauge earrings will need to be removed and have nude or clear plugs while working. Earrings and small nose studs are allowed. Tongue piercings are permissible if they do not interfere with clear speech. Other visible body piercings are prohibited.

Every effort will be made to reasonably accommodate employees with a disability or with religious beliefs that may make it difficult for that employee to comply fully with the dress code policy. Employees should contact the City Administrator to request such a reasonable accommodation. The City will reasonably accommodate a staff member in terms of workplace attire unless the accommodation creates an undue hardship such as safety issues.

When applicable, protected concerted activity covered by the National Labor Relations Act (NLRA) or a City collective bargaining agreement is not prohibited by this policy. Wearing union insignia or displaying a union logo on clothing may be viewed as a form of protected concerted activity.

Employees who wear attire that is deemed inappropriate in this workplace will be dealt with on an individual basis rather than subjecting all employees to a more stringent dress code for appropriate attire. If a supervisor or Department Head decides that an employee's dress or appearance is not appropriate as outlined in this policy, he or she may take corrective action and require the employee to leave the work area and make the necessary changes to comply with the policy. Hourly paid staff members will not be compensated for any work time missed because of a failure to comply with designated workplace attire and grooming standards.

Employees may face more severe consequences up to and including termination if they violate the dress code repeatedly.

ARTICLE 30 – CONFLICTS OF INTEREST

Employees have an obligation to conduct City business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the City's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the employee's supervisor as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership interest in a firm with which the City does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the City. Specific questions can be addressed to the City Administrator.

ARTICLE 31 – SMOKING

Iowa's Smokefree Air Act prohibits smoking in any public place where the public is invited or permitted. Smoking is strictly prohibited in all enclosed areas within places of employment within the City, such as work areas, private offices, garages, hangars, conference and meeting rooms, classrooms, auditoriums, employee lounges, hallways, restrooms, elevators, stairways and stairwells, and any and all vehicles owned, leased, or provided by the City for use by City employees. Smoking is also prohibited while working on the job. Smoking may occur only during appropriate break times and in designated locations.

ARTICLE 32 – SUBSTANCE ABUSE POLICY

GENERAL POLICY:

The City of Ottumwa is committed to providing and maintaining a safe and healthy work environment free from the influence of alcohol and drugs. To that end, the City is adopting this Substance Abuse Policy.

The city recognizes that its own health and future is dependent upon the physical and psychological health of its employees. It is the right, obligation and intent of the City to maintain a safe, healthy and efficient working environment for all of its employees and to protect the public, as well as City property, equipment and operations.

The City also maintains an Employee Assistance Program which provides help to employees who seek assistance for alcohol or drug abuse and other personal or emotional problems.

With these basic objectives in mind, the City has established the following with regard to use, possession or sale of alcohol or drugs. Compliance with the City's Substance Abuse Policy is a condition of employment and covers all City employees whether or not they are covered by the Federal Motor Carrier Safety Administration or the Federal Transit Administration drug testing requirements. This zero tolerance policy covers alcohol as well as any illegal substance as defined by Iowa and/or Federal Statutes or Regulations. The City intends to take serious disciplinary

action, up to and including termination, against an employee who violates the City's Substance Abuse Policy.

SCOPE:

All employees.

TESTING:

Pre-Employment Testing:

1. All potential new employees, full-time, part-time, seasonal, temporary, job training workers and work release workers and any other employees covered by the City's workers' compensation policy shall be tested as a part of the City's pre-employment physical.
2. Notice of testing will be part of all notices of advertisement soliciting applicants for employment and on the application form. All applicants shall be verbally informed of the requirement during the first interview.

Federally Required:

The City is required to test employees who operate a commercial motor vehicle or employees who operate transit vehicles under the authority of the Federal Motor Carrier Safety Administration or the Federal Transit Authority. The City will comply with the requirements of the respective authority for the federal required test.

Reasonable Suspicion:

The City may require a specific employee to submit to a drug test if all of the following conditions are met:

1. The employer has reasonable suspicion to believe that an employee's faculties are impaired on the job; and
2. The employee is in a position in which such impairment presents a danger to the safety of another employee, a member of the public or City property.

Reasonable suspicion may include direct observation of alcohol or drug use or abuse or of the physical symptoms of being impaired due to alcohol or drug use at work; abnormal conduct or erratic behavior while at work or a significant deterioration in work performance; report of alcohol or drug use provided by a reliable and credible source; or evidence that an employee has manufactured, sold, distributed, solicited, possessed, used or transferred drugs while working or while on City property or while operating City vehicles, machinery or equipment.

Post Accident:

The City may require an employee not covered by DOT requirements to submit to a drug test if the employee has caused an accident while at work which resulted in injury which, if suffered by an employee, would require an OSHA report or which resulted in damage to property in an amount reasonably estimated to exceed \$1,000.00.

GENERAL PROVISIONS:

Drug Test: Means any urine, saliva, breath or other legally allowed test conducted for the purpose of detecting the presence of a chemical substance in an individual.

List of Controlled Substances: This list includes all controlled substances including but not limited to the following: Amphetamines (including methamphetamines)

- Cocaine metabolite
- Opiates (Includes heroin)
- Phencyclidine (PCP)
- Marijuana (THC) metabolite

In addition, the City tests for Creatinine, Urinary, although this is not a controlled substance.

Time for Testing:

Tests will be conducted either during or immediately before or after an employee begins work. For employees subject to random testing under federal law, the employee will be tested during or immediately after performing these functions. Time for testing is considered work time and the employee will be compensated for the time it takes to provide a sample for testing. The City will either provide transportation for the employee to the collection site or pay for the transportation to the collection site.

Test Procedures:

Samples provided will be collected in reasonable and sanitary conditions with regard for the privacy of the individual providing the sample and for the validity of the test. Samples (other than breath samples) will be split in the presence of the individual to allow for confirmatory testing of any initial positive test result. The collection site and laboratory will follow standard chain-of-custody procedures for samples for the time of collection until the sample is no longer needed.

1. The test sample will be collected at Collaborative Laboratory Services, 1005 Pennsylvania Avenue, Ottumwa, Iowa, or such other site directed by law enforcement in the event the employee is involved in an accident requiring testing.
2. The test sample withdrawn from the employee will be analyzed by a laboratory or testing facility that has been approved under rules adopted by the Iowa Department of Public Health.

3. If an employee provides a sample that is dilute, the employee will be required to immediately report for another test. That test will be done under direct observation if required by DOT regulations.
4. If an initial test is conducted and the results indicate that the employee has tested positive for alcohol or controlled substances, a confirmatory test using an alternative method of analysis shall be conducted. The confirmatory test shall use a portion of the same sample withdrawn from the employee for use in the initial test.
5. An employee shall be accorded a reasonable opportunity to rebut or explain the results of the drug test and to provide information which he or she thinks is relevant to the test. Such information may include identification of prescription or non-prescription drugs the individual is using or has recently used or any other relevant medical information.
6. The test result will first be reported to the City's MRO for review and interpretation. The MRO will then report the confirmed positive test result to the City's designated employer representative.
7. If an employee provides a sample that has been tampered with or substituted or is determined by the approved laboratory to have been tampered with or substituted, it will be treated the same as a positive test result.
8. The City will look to the rules and interpretations used by the United States Department of Transportation related to drug testing on any issues not specifically addressed in this policy and will follow the thresholds established by the approved laboratory for determination of whether the presence of a substance in a sample constitutes a positive test result.
9. Test results when reported to the City by its MRO will be maintained separate from the employee's other personnel records.

Refusal to Test: Refusal to test includes refusal to take the test, inability to provide adequate samples for testing without a valid medical explanation; tampering with or attempting to adulterate a sample; interfering with collection procedures; failing to immediately report to the collection site; failing to remain at the collection site until the collection process is complete; having a test result confirmed by the MRO as adulterated or substituted; or leaving the scene of an accident without a valid reason before a test has been conducted.

Designated Employer Representative: The City's Human Resources Officer shall be the City's designated employer representative for receipt of drug and alcohol test results.

Medical Review Officer: The City contracts with St. Luke's Iowa Health System for these services.

Supervisor Training: The City will comply with the DOT training requirements for supervisors which includes two hours of initial training, one hour of which will be related to controlled substances and one hour to alcohol misuse.

Testing Costs: The City will bear the costs of all testing required under this policy, including a second confirmatory test requested by an employee who has tested positive.

Prevention and Treatment: The City encourages any employee with a drug or alcohol problem to voluntarily seek treatment. The City has established an Employee Assistance Program to provide counseling and referral services for employees with drug or alcohol abuse problems who voluntarily seek help. Conscientious efforts to seek and use such help will not jeopardize an employee's job.

Prohibited Conduct:

The City strictly prohibits unauthorized use, possession (including storage in a desk, locker, vehicle or other depository), manufacture, distribution, dispensing or sale of illegal drugs, drug paraphernalia, controlled substances or alcohol on City property, while on City business or in City supplied vehicles, or during working hours.

Any action taken against an employee shall be based only on the results of the drug and alcohol test. *Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination of employment. An employee's refusal to test will result in disciplinary action up to and including termination of employment.*

Departmental Policies:

Individual departments may adopt policies and procedures more stringent than these policies; but, in no event, shall they be less stringent.

Off-Duty Loss of Driving Privileges:

In addition to any other sanctions which may be invoked under this Policy, employees whose work with the City requires the employee to drive a City vehicle and who lose his/her driving privilege will be laid off from employment immediately. Reinstatement from such layoff will be dependent upon the City having an available position after the employee's driving privilege has been restored.

ARTICLE 33. TRAVEL

It is the policy of the City to define its position regarding travel of City employees for purposes of City business including attendance at conferences, workshops and seminars. The City encourages the advancement and enrichment of employees' professional expertise and technical skills. Necessary expenses incurred by City employees involved in the above mentioned activities will be paid by the City in those cases where the activity is a direct benefit to the City and where

attendance by the City employee at such activity will increase the employee's job performances. Exceptions to this policy must be approved by the City Administrator.

1. All City employees may perform official travel after preparing an Out of Area Travel Form and upon authorization of the Department Head and the City Administrator. The procedures for elected officials will be the same as all other employees, except that travel approval will be made by the Mayor. All travel must be requested prior to the occurrence of the trip and must state justification for such travel.
2. Transportation costs for employees authorized to travel on official City business shall be paid by the City. The least expensive method of booking travel and lodging will be used with the bills going directly to the City if possible. The use of the City's credit card should be utilized by the department head to pay for the lodging when applicable.
 - a. Mileage will be paid to and from the appropriate destination and Ottumwa if the employee uses their personal vehicle. If air travel is involved, mileage will be paid to the appropriate airport. Google maps should be utilized to obtain the mileage. This does not need to be printed out. Finance will verify when the travel form is processed.
 - b. Costs for parking a city vehicle or privately owned vehicle will be reimbursed by the City upon presentation of appropriate receipts.
 - c. Taxicab/Uber type fares will be reimbursed as appropriate.
 - d. For in state travel, a city vehicle will be used when practical. The employee may get a gasoline credit card issued to the City from the Finance Department to be used for fuel and emergency auto repairs only. When travel is by personal vehicle, mileage will be paid at the rate established by the Internal Revenue Service.
3. The City will reimburse for meal expenses as follows:
 - a. The meal allowance shall be up to \$8.00 for breakfast, \$12.00 for lunch and \$22.00 for dinner in the State of Iowa. Detailed receipts will be required to receive reimbursement for meals. If a meal is provided as part of the conference, training or seminar registration, the employee will not be reimbursed for that meal. An employee will only be reimbursed for breakfast when the starting time of the trip is before 6:00 am. and for dinner if the return is after 8:00 p.m. Under no circumstances will alcohol be reimbursed as part of a meal allowance.
4. Also included as reimbursable costs are those incurred for registration and lodging.
 - a. All employees attending conferences and seminars will pre-register with the City paying the registration fee directly. A memo requesting payment should be prepared stating the reason for the individuals attending the conference, the names of the individuals attending and an original and copy (for submission) of the official registration.

- b. Lodging costs shall be paid by the City at the single rate only when the spouse accompanies the employee. Telephone calls incidental to the performance of official business only shall be reimbursable.
 - c. If the starting time required is such that the Department Head deems necessary, the employee may begin the trip the day before and be reimbursed for the preceding night's lodging costs and any other incidental costs.
 - d. Employees on official City business may request a travel advance prior to the occurrence of the trip. Requests for advance travel funds shall be submitted at least 10 working days prior to the occurrence of the conference or meeting. Advances will be released to the employee the day before actual travel is to begin. Advances for less than \$50 will not be made.
 - e. All travel receipts must accompany the Final Travel form before reimbursement. All forms and receipts must be turned into the Finance Department within five days of return to work.
- 5. City employees traveling on City business within the corporate city limits and using their personal vehicle will be required to document their travel using an In City Travel Form.
 - 6. Employees traveling on behalf of the City shall be paid for all hours worked pursuant to the Fair Labor Standards and pursuant to any applicable collective bargaining agreement.

ARTICLE 34. SEPARATION FROM CITY SERVICE

All employees voluntarily leaving employment with the City of Ottumwa must give at least two weeks written notice prior to the effective date. If an employee is retiring, written notice must have retirement date and address change if applicable. If an employee resigns, the notice must contain employee's name, forwarding address, effective date and the reason for resignation. Written notice must be accompanied with Personnel Action Sheet to the City Administrator or designee.

Employees leaving City service shall return all property belonging to the employer to his/her immediate supervisor. All uniforms, tools, keys, equipment and department manuals will be given to employee's immediate supervisor before receiving employee's last payroll check. Until City property is returned, the employee will not receive any payment for accrued leave the employee might otherwise be entitled to.

Employees leaving city services may be required to have an exit interview with The City Administrator or designee.

Employees leaving employment with the City shall not be allowed to take accrued leave after their last actual working day with the City. All accrued leave will be paid out thereafter the first pay period following the employee's final pay check for time actually worked. Accrued leave does not include sick leave.

received
5.23.23 1049A

Item No. I-3.

revision

CITY OF OTTUMWA Staff Summary

**** ACTION ITEM ****

Council Meeting of: June 6, 2023

Jake Rusch - JR

Prepared By

Building and Code Enforcement

Department

Zach Simonson

Department Head

City Administrator Approval

AGENDA TITLE: Resolution No.94-2023. A resolution awarding the contract for Asbestos abatement and demolition of the condemned property at 1054 and 1056 Tuttle.

****Public hearing required if this box is checked.****

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the Item will not be placed on the agenda.

RECOMMENDATION: Pass and Adopt Resolution 94-2023

DISCUSSION: Bids for this project were accepted until 2 P.M. on May 18, 2023. Four demolition bids were received. Dustin Smith had the lowest bid in the amount of \$7,200 for demolition. Staff recommends awarding him the contract. A bid tab is attached.

RESOLUTION NO. 94-2023

A RESOLUITON AWARDDING THE CONTRACT FOR ASBESTOS ABATEMENT AND DEMOLITION OF THE CONDEMNED PROPERTY AT 1054 AND 1056 TUTTLE.

WHEREAS, the City of Ottumwa has accepted bids for the above referenced project until 2pm on May 18, 2023; and

WHEREAS, the lowest qualified bid was from Dustin Smith in the amount of \$7,200 for demolition and leveling of the lot.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA IN THE STATE OF IOWA THAT:

Dustin Smith be awarded the contract for demolition of the condemned property at 1054 and 1056 Tuttle in the amount of \$7,200 for demolition and leveling of the lot.

APPROVED, PASSED AND ADOPTED this 6th day of June 2023.

CITY OF OTTUMWA, IOWA

Richard W. Johnson, Mayor

ATTEST:

Christina Reinhard, City Clerk

1054 and 1056 Tuttle	Asbestos	Demolition	Total
Dustin Smith		7,200	\$7,200.00
Torres Construction		7,280	\$7,280.00
Weston McKee		\$7,700.00	\$7,700.00
Weston McKee		\$7,800.00	\$7,800.00
Best Bid For Demolition			
Is Dustin Smith			\$7,200



CITY OF
OTTUMWA

REQUEST BID FOR DISPOSAL AND DEMOLITION OF 1054 AND 1056
TUTTLE STREET OTTUMWA, IOWA

BID FORM

Address		Demolition Bid	TOTAL BID
1056 AND 1054 TUTTLE		7,200. ⁰⁰	7,200. ⁰⁰

_____ Initial here if you are willing to have individual portions of your bid considered for award.

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any formality in connection therewith, or to accept any proposal, which in its opinion, is in the best interest of the City.

A Bid Security must be included in the sealed bid envelope along with this bid sheet. The bid security must equal ten percent (10%) of the total bid price and must be in the form of cash or a cashier's check or as a certified check drawn on a bank in Iowa or chartered in the United States, or a certified share draft drawn on a credit union chartered under the laws of the United States.

The Successful Bidder shall then provide a performance bond with corporate surety to one hundred percent (100%) of the bid price on all projects. A cashier's check, a certified share

draft, as described above or cash may be used. An irrevocable letter of credit stating the amount of the project for an amount equal to 100% of the bid price may be substituted for the performance bond.

The Bid Form and Work Required document automatically become part of the final contract should this proposal be accepted.

If my proposal is accepted, I, the undersigned, agree to enter into a contract (see attached sample) for said work.


Signature

Dustin Smith
Printed Name

2801 Bremer Ave
Address

641-226-4483
Telephone Number

Ottawa IA 52501
City, State, Zip

5-18-23
Date

Dustin p@msn.com
E-mail Address

received
5-23-23 1045A

Item No. I-4.

PAID

CITY OF OTTUMWA Staff Summary

**** ACTION ITEM ****

Council Meeting of: June 6, 2023

JR
Jake Rusch

Prepared By

Building and Code Enforcement

Department

Zach Simonson

Department Head

[Signature]
City Administrator Approval

AGENDA TITLE: Resolution No.95-2023. A resolution awarding the contract for Asbestos abatement and demolition of the condemned property at 301 N Graves.

****Public hearing required if this box is checked.****

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and Adopt Resolution 95-2023

DISCUSSION: Bids for this project were accepted until 2 P.M. on May 18, 2023. Three Asbestos bids and three demolition bids were received. Dan Laursen submitted the best bids in the amount of \$6,800 for Asbestos and \$18,000 for demolition. Staff recommends awarding him the contract. A bid tab is attached.

RESOLUTION NO. 95-2023

A RESOLUITON AWARDING THE CONTRACT FOR ASBESTOS ABATEMENT AND DEMOLITION OF THE CONDEMNED PROPERTY AT 301 N GRAVES.

WHEREAS, the City of Ottumwa has accepted bids for the above referenced project until 2pm on May 18, 2023; and

WHEREAS, the lowest qualified bid was from Dan Laursen in the amount of \$6,800 for asbestos abatement and \$18,000 for demolition and leveling of the lot.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA IN THE STATE OF IOWA THAT:

Dan Laursen be awarded the contract for asbestos abatement and demolition of the condemned property at 301 N Graves in the amount of \$6,800 for asbestos abatement and \$18,000 for demolition and leveling of the lot.

APPROVED, PASSED AND ADOPTED this 6th day of June 2023.

CITY OF OTTUMWA, IOWA

Richard W. Johnson, Mayor

ATTEST:

Christina Reinhard, City Clerk

301 N Graves	Asbestos	Demolition	Total
Dan Laursen	\$6,800.00	\$18,000.00	\$24,800.00
Weston McKee	\$14,000.00	\$14,000.00	\$28,000.00
Dustin Smith	\$20,000.00	\$18,000.00	\$38,000.00
Best Bid For Demolition and Asbestos removal Is Dan Laursen			\$24,800

JL Initial Form Here

ap
ar



REQUEST BID FOR ASBESTOS REMOVAL AND DISPOSAL AND
DEMOLITION OF 301 N GRAVES STREET OTTUMWA, IOWA
BID FORM

Address	Asbestos Bid	Demolition Bid	TOTAL BID
301 N GRAVES	\$ 6,800 ⁰⁰	\$ 18,000 ⁰⁰	\$ 24,800 ⁰⁰
	\$ 6,800 ⁰⁰	\$ 18,000 ⁰⁰	\$ 24,800 ⁰⁰

Initial here if you are willing to have individual portions of your bid considered for award.

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any formality in connection therewith, or to accept any proposal, which in its opinion, is in the best interest of the City.

A Bid Security must be included in the sealed bid envelope along with this bid sheet. The bid security must equal ten percent (10%) of the total bid price and must be in the form of cash or a cashier's check or as a certified check drawn on a bank in Iowa or chartered in the United States, or a certified share draft drawn on a credit union chartered under the laws of the United States.

The Successful Bidder shall then provide a performance bond with corporate surety to one hundred percent (100%) of the bid price on all projects. A cashier's check, a certified share draft, as described above or cash may be used. An irrevocable letter of credit stating the

amount of the project for an amount equal to 100% of the bid price may be substituted for the performance bond.

The Bid Form and Work Required document automatically become part of the final contract should this proposal be accepted.

If my proposal is accepted, I, the undersigned, agree to enter into a contract (see attached sample) for said work.


Signature

DAN LAWSON
Printed Name

510 MORRELL DRIVE
Address

641-799-3818
Telephone Number

OTTUMMA, IA 52501
City, State, Zip

MAY 18TH 2023
Date

DANLAWSON44@YA.HOO.COM
E-mail Address

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of : Jun 5, 2023

Planning & Development
Department

Zach Simonson
Prepared By
Zach Simonson
Department Head

City Administrator Approval

AGENDA TITLE: RESOLUTION NO. 99-2023 - A RESOLUTION APPROVING THE
FINAL PLAT OF CHRISTNER'S FIRST SUBDIVISION IN THE CITY OF
OTTUMWA, WAPELLO COUNTY, IOWA

Public hearing required if this box is checked.

RECOMMENDATION: Pass and adopt Resolution No. 99-2023.

DISCUSSION: The applicant is requesting approval of a .94-acre, four lot, contiguous area to be subdivided into four new lots. Currently, this block is divided into four parcels which run east to west with frontage on Oak St. The new subdivision would create four parcels which run north to south and would have frontage on E Court and Lincoln Ave. The subdivision will allow for the construction of new single-family homes.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

RESOLUTION NO. 99-2023

A RESOLUTION APPROVING THE FINAL PLAT OF CHRISTNER'S FIRST SUBDIVISION IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

WHEREAS, Christner's First Subdivision, City of Ottumwa, Wapello County, Iowa, is being described as follows, to-wit:

Lots Thirty-four (34), Lot Thirty-five (35), Lot Thirty-six (36), and Lot Thirty-seven (37) in East Ottumwa, an addition to the City of Ottumwa, Wapello County, Iowa.

WHEREAS, the Ottumwa Planning and Zoning Commission recommended approval of the Kiple's Second Subdivision Final Plat at its June 5th, 2023 meeting; and

NOW, THEREFORE, be it resolved by the City Council of the City of Ottumwa, Iowa:

That the Final Plat known as Christner's 1st Subdivision, City of Ottumwa, Wapello County, Iowa, is hereby accepted, and the Mayor and the City Clerk are hereby authorized to sign the plat and attest to the same and certify a true copy of this Resolution to the County Recorder of Wapello County, Iowa, as provided by law and all other public officers as required by law.

Passed and adopted this 6th day of June 2023.

CITY OF OTTUMWA, IOWA

By _____
Richard W. Johnson, Mayor

ATTEST:

Chris Reinhard, City Clerk

FINAL PLAT - CHRISTNER'S 1ST SUBDIVISION

APPROVED BY: _____ DATE: _____
 CITY OF OTTUMWA - CITY COUNCIL

APPROVED BY: _____ DATE: _____
 CITY OF OTTUMWA - PLANNING & ZONING

APPROVED BY: _____ DATE: _____
 CITY OF OTTUMWA - CITY ENGINEER

CHRISTNER'S 1ST SUBDIVISION:

Lots Thirty-four (34), Lot Thirty-five (35), Lot Thirty-six (36), and Lot Thirty-seven (37) in East Ottumwa, an addition to the City of Ottumwa, Wapello County, Iowa.

REFERENCE SURVEYS

Plot of Survey prepared by Lewis E. Graham, Jr. for Mark Stephen and Karen Elaine Douglas on February 20, 1992.

Plot of Survey prepared by John T. Brady, Sr. dated October 8, 1907. Field notes from this survey indicate a shortage of 18.0 feet between the East Line of N. Elm St. and the East Line of the Alley on the Section Line East of Fellows Ave. as measured along the North Line of E. Court St.



County:	WAPELLO
Section:	N/A
Aliquot Part:	N/A
City:	OTTUMWA
Subdivision:	EAST ADDITION
Block:	N/A
Lot(s):	34, 35, 36, 37
Proprietor:	CHRISTNER PROPERTIES LLC
Requested By:	ANTHONY CHRISTNER

OWNER: CHRISTNER PROPERTIES, LLC
 17587 US HWY 34
 OTTUMWA, IOWA 52501

PLANNERS: FRENCH-RENEKER ASSOCIATES
 1501 S MAIN ST
 FAIRFIELD, IOWA 52556

LEGEND: FOUND SQUARE HEAD BOLT UNLESS OTHERWISE NOTED SET 5/8"x30" REBAR W/ORANGE PLASTIC CAP #15943

Drawn By:	BRH
Date:	4-25-23
Project No.:	23-83A
Sheet:	1 of 1



* ALL BEARINGS AND DISTANCES ARE THE RESULT OF GPS OBSERVATIONS, IOWA RCS, ZONE 12. *

Prepared by & Return to:
 French-Reneker-Associates, Inc., 1501 S. Main St., Fairfield, IA 52556, Phone: (641) 472-5145, Surveyor: Jason C. Hull



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

Jason C. Hull 5-12-23 date
 Jason C. Hull, P.L.S.
 License number 15943
 My license renewal date is December 31, 2024
 Pages or sheets covered by this seal: This Sheet

C:\Users\jsh100\Documents\23-83A - Ottumwa - Final.dwg