

AGENDA
CITY COUNCIL MEETING
August 17, 2023
501 Main Street
5:30 P.M.

1. Call to Order.
2. Pledge of Allegiance:
3. Roll Call.
4. Mayor's Correspondence:
5. Citizen's Request.
6. Consent Agenda.
 - Minutes of the Regular City Council meeting & Council Workshop of August 3, 2023;
 - Cash Receipts and Treasurer's Report for July 2023;
 - Special Event Permit for Susan Skalinski (J&M Displays) Keokuk Football Boosters, Keokuk Senior High School, September 22, 2023, 4-9 p.m.;
 - Special Event Permit for Jessica Deshaw & Travis Miller, Rooster Run/Walk a Memorial 5k for Debbie Miller, Sunday, October 8, 2023 @ 10 a.m., starting at High School to Grand Avenue;
 - Motion to pay bills and transfers listed in Register No.'s 5356-5358;

OLD BUSINESS:

7. Consider resolution approving revised Personnel Policy and Handbook.

NEW BUSINESS:

8. Motion to approve the second reading of an Ordinance amendment to Title 9 Vehicle and Traffic adding Chapter 9.91 automated traffic enforcement.
9. Motion to approve initial reading of an ordinance amending Chapter 9.90, regarding operation of off-road utility vehicles and golf courts.
10. Consider resolution approving Urban Renewal Joint Agreement with Lee County.
11. Consider resolution approving allocation of Hotel/Motel Tax receipts to Mancountry.
12. Consider resolution acknowledging petition relating to placement of Dam Turbine in Estes Park.
13. Consider resolution awarding contract to Everett's Towing, LLC and Rairden's Auto Salvage & Towing LLC for vehicle towing and storage for the period of September 1, 2023, through August 31, 2025.
14. Consider resolution designating handicap parking space outside City Hall.
15. Consider resolution authorizing purchase of 2018 International Workstar 7500 for Water Pollution Control Plant.
16. Consider resolution awarding contract to Parker Tree & Excavation Services, LLC of Ottumwa, Iowa for grinding of tree debris.
17. Motion to approve a sewer adjustment for Lisa Claiborne for the July 2023 billing cycle.

18. Boards & Commissions:
19. Council Liaison Reports:
20. Staff Reports:
21. Nuisance abatement appeal.
22. New Business:
23. Adjourn Meeting.

MINUTES
CITY COUNCIL MEETING
August 3, 2023
501 Main Street
5:30 P.M.

The City Council of the City of Keokuk met in regular session on August 3, 2023, at 501 Main Street. Mayor Kathie Mahoney called the meeting to order at 5:30 p.m. There were nine council members present, none absent. Carissa Crenshaw, Tyler Walker (sworn in after consent agenda was approved), Roslyn Garcia, Shelley Oltmans, John Helenthal, Steve Andrews, Dan Tillman, Roger Bryant, and Michael Greenwald were present. Staff in attendance: City Administrator Cole O'Donnell, City Clerk Celeste El Anfaoui, Public Works Director Brian Carroll, Community Development Director Pam Broomhall, Water Pollution Control Manager Tom Wills, Chief of Police Zeth Baum, Code Enforcement/Housing Casey Barnes, and City Attorney James Dennis.

MAYOR'S CORRESPONDENCE: Informed of events taking place around Keokuk.

CITIZEN'S REQUEST: Dustin Cackley voiced concerns that agenda did not contain an action regarding the turbine to be placed in Estes Park.

Motion made by Greenwald, second by Oltmans to approve the agenda, including the consent agenda. (9) AYES, (0) NAYS. Motion carried.

- Minutes of the Regular City Council meeting & Council Workshop of July 20, 2023;
- Minutes of the Safety Committee meeting of July 27, 2023;
- Cash Receipts & Treasurer's Report for June 2023;
- **RESOLUTION NO. 273-2023:** Approving a Liquor License for Meyers Courtyard, 629 Blondeau Street, Class C Retail Alcohol License – effective August 27, 2023;
- **RESOLUTION NO. 274-2023:** Approving a Liquor License for Keokuk Labor Temple, Special Class C Retail Alcohol License, 301 Blondeau Street, 5-day term from September 4-9, 2023;
- Special Event Permit, Jon Morris, Firework Display August 19, 2023, 2-11 p.m., 1025 Cleveland Avenue;
- Sidewalk Display Permit-TSS Inc. 906 Main Street;
- Motion to pay bills and transfers listed in Register No.'s 5353-5355;

Motion made by Oltmans, second by Helenthal to approve the appointment of Tyler Walker 2nd Ward Council Person. (9) AYES, (0) NAYS. Motion carried.

OLD BUSINESS:

Motion made by Oltmans, second by Bryant to remove from table a resolution approving revised Personnel Policy and Handbook. Council discussed and a roll call was taken to remove from table.

Roll Call Vote: AYES – Oltmans & Walker, NAYS – Crenshaw, Garcia, Helenthal, Andrews, Tillman, Bryant, and Greenwald. (2) AYES, (7) NAYS. Motion to remove from table failed.

NEW BUSINESS:

Motion made by Greenwald, second by Helenthal to approve the third & final reading of Ordinance amending Title 20, Section 20.40.020, 20.44.020, 20.60.040, 20.60.090, 20.60.100 (e) and 20.68.020.

Roll Call Vote: AYES – Crenshaw, Walker, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, and Greenwald. (9) AYES, (0) NAYS. Motion carried.

Motion made by Greenwald, second by Garcia to adopt and give final approval of **ORDINANCE NO. 2042:** Amending Title 20, Section 20.40.020, 20.44.020, 20.60.040, 20.60.090, 20.60.100 (e) and 20.68.020 concerning front yard setbacks and ground floor dwellings.

Roll Call Vote: AYES – Crenshaw, Walker, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, and Greenwald. (9) AYES, (0) NAYS. Motion carried.

Motion made by Garcia, second by Oltmans to approve second reading of an Ordinance repealing certain sections of Title 9 Vehicles and Traffic of the Code of the City of Keokuk.

Roll Call Vote: AYES – Crenshaw, Walker, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, and Greenwald. (9) AYES, (0) NAYS. Motion carried.

Motion by Garcia, second by Greenwald to waive the third/final reading of ordinance.

Roll Call Vote: AYES – Crenshaw, Walker, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, and Greenwald. (9) AYES, (0) NAYS. Motion carried.

Motion made by Greenwald, second by Crenshaw to adopt and give final approval of **ORDINANCE NO. 2043:** Repealing certain sections of Title 9 Vehicles and Traffic of the Code of the City of Keokuk.

Roll Call Vote: AYES – Crenshaw, Walker, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, and Greenwald. (9) AYES, (0) NAYS. Motion carried.

Motion made by Garcia, second by Greenwald to approve the initial reading of an Ordinance amendment to Title 9 Vehicle and Traffic adding Chapter 9.91 automated traffic enforcement.

Roll Call Vote: AYES – Crenshaw, Walker, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, and Greenwald. (9) AYES, (0) NAYS. Motion carried.

Motion made by Tillman, second by Helenthal to waive the second and third reading of ordinance.

Roll Call Vote: AYES – Tillman, and Helenthal. NAYS -Crenshaw, Walker, Garcia, Oltmans, Andrews, Bryant, and Greenwald. (2) AYES, (7) NAYS. Motion failed.

Motion made by Oltmans, second by Helenthal to approve the following proposed **RESOLUTION NO. 275-2023:** “A RESOLUTION APPROVING AGREEMENT WITH HORIZON ARCHITECTURE.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Oltmans, second by Helenthal to approve the following proposed **RESOLUTION NO. 276-2023:** “A RESOLUTION APPROVING AGREEMENT WITH BRISTOLA FOR A (90) DAY OF FEASIBILITY STUDY OF THE KEOKUK WASTEWATER TREATMENT FACILITY.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Garcia, second by Crenshaw to approve the following proposed **RESOLUTION NO. 277-2023**: “A RESOLUTION APPROVING AMENDMENTS TO T. ROWE PRICE EMPLOYEE CONTRIBUTION 457 PLAN.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Oltmans, second by Crenshaw to approve the following proposed **RESOLUTION NO. 278-2023**: “A RESOLUTION APPROVING SIDC LEASE WITH ROQUETTE AMERICA.” (9) AYES, (0) NAYS. Motion carried.

BOARDS & COMMISSIONS: Final notification for Paul Schulte to the Airport Commission, filling 6-year term to expire 10/22/2028. **Mayoral Appointment**- Renee Tatroe to the Keokuk Public Library Board, fulfilling a term to expire 7/1/2025. **Resignation**: Susan Hanan from the Civil Service Commission. Motion made by Greenwald, second by Helenthal to approve the above appointments and resignation. (9) AYES, (0) NAYS. Motion carried. Second notification for Mark Schickedanz to the Airport Commission, fulfilling a 6-year term to expire 10/22/2025.

COUNCIL LIAISON REPORTS: Garcia reported Oakland Cemetery Initiative will hold 5k on Aug 12th, 2023; and informed of Marty Hall tournament hosted by Keokuk Little League.

STAFF REPORTS: Wills reported on water pollution control operations; Carroll updated on public works operations; Baum updated on recent incident that took place in Keokuk; O'Donnell spoke regarding Elkem site and rail bridge.

NUISANCE ABATEMENT APPEAL: City Attorney James Dennis recommended we hold the hearing on August 17th due to the party requesting the appeal not being properly notified of hearing date and time.

NEW BUSINESS: Helenthal inquired about ITC, Tillman voiced concerns regarding Tumelty Park, and Bryant thanked Cole for reported updates.

Meeting adjourned at 6:32 p.m.

MINUTES
COUNCIL WORKSHOP
August 3, 2023
IMMEDIATELY FOLLOWING REGULAR MEETING

PRESENT: Crenshaw, Walker, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, Greenwald, Mayor Mahoney; ABSENT: None.

STAFF PRESENT: O'Donnell, El Anfaoui, Wills, Broomhall, Carroll, and Baum.

O'Donnell discussed software for 3E SDS Service.

Council discussed options for extending the hours of operation in the current UTV ordinance.

Meeting was adjourned at 6:58 p.m.

CASH RECEIPTS
JULY 2023

General Fund	\$	228,688.60
Park Maint./Improv. Total	\$	60.00
Road Use Tax	\$	111,260.96
Employee Benefit Total	\$	39,460.34
Emergency - Tax Levy Total	\$	1,303.79
Sales Tax - Human Development Total	\$	105,504.44
Economic Development Total	\$	14,807.33
Library Trust Total	\$	16.00
Debt Service	\$	13,083.18
Capital Improv Project Total	\$	515.00
Capital Equipment Purchase Total	\$	2,500.00
Perpetual Care	\$	800.00
WPC Maint/Operation Total	\$	207,585.80
WPC Impr Reserve Total	\$	9.96
Solid Waste Total	\$	81,774.09
Municipal Bridge Total	\$	21,438.92
Internal Service Fund Total	\$	65,472.43
TOTAL	\$	894,280.84

TREASURER'S REPORT

CALENDAR 7/2023, FISCAL 1/2024

FUND	ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	LIABILITY	END BALANCE
001	GENERAL	3,218,391.02	228,688.60	977,851.01	737.54	2,469,966.15
002	PARK MAINT/IMPROV	247,877.58	60.00	.00	.00	247,937.58
087	PUBLIC WKS EQUIP REP	12,800.78	.00	.00	.00	12,800.78
110	ROAD USE	1,321,337.17	111,260.96	106,289.64	.68	1,326,309.17
112	EMPLOYEE BENEFIT	695,176.65	39,460.34	3,721.58	.00	730,915.41
119	EMER - TAX LEVY	215,208.48	1,303.79	.00	.00	216,512.27
121	SALES TAX - HUMAN DEV	777,608.93	105,504.44	.00	.00	883,113.37
122	SALES TAX - INFRASTRUCT	.00	.00	.00	.00	.00
125	TAX INCREMENT FINANCING	152,501.11-	.00	.00	.00	152,501.11-
160	ECONOMIC DEVELOPMENT	266,711.63	14,807.33	63,500.00	.00	218,018.96
167	LIBRARY TRUST	101,251.41	16.00	.00	.00	101,267.41
168	GRAND THEATRE RESERVE	1,051.17	.00	.00	.00	1,051.17
169	MARY E TOLMIE FUND	89,687.81	.00	.00	.00	89,687.81
182	SWIMMING POOL RESERVE	1,070.00	.00	.00	.00	1,070.00
199	AMERICAN RESCUE PLAN	876,944.12	.00	6,985.00	.00	869,959.12
200	DEBT SERVICE	4,331.63-	13,083.18	600.00	.00	8,151.55
301	CAPITAL IMPROV PROJECTS	5,292,519.01	515.00	23,361.75	.00	5,269,672.26
302	RIVERFRONT BARGE	.00	.00	.00	.00	.00
303	CAP EQUIP PURCHASES	466,729.74-	2,500.00	16,927.92	.00	481,157.66-
304	CAPITAL PROJECT	27,843.26	.00	.00	.00	27,843.26
500	PERPETUAL CARE	508,270.29	800.00	.00	.00	509,070.29
610	WPC MAINT/OPERATION	1,556,670.26	207,585.80	455,041.17	3,185.87	1,312,400.76
611	WPC IMPR RESERVE	1,771,387.06	9.96	.00	.00	1,771,397.02
612	SEWER MAINT EQUIP REPL	577,527.69-	.00	.00	.00	577,527.69-
613	WAT POL CONTR CAP	.00	.00	.00	.00	.00
614	SEWER IMPROV RESERVE	43,626.80	.00	859.00	.00	42,767.80
617	CDBG SWR POINT REPAIR	1,157,219.40	.00	.00	.00	1,157,219.40
670	SOLID WASTE	212,659.20	81,774.09	86,792.10	.39-	207,640.80
671	SOL WAS EQUIP PRELACE	.00	.00	.00	.00	.00
672	CAP PROJ REMEDIAL	.00	.00	.00	.00	.00
690	MUNICIPAL BRIDGE	2,163,139.88	21,438.92	51,622.66	593.12	2,133,549.26
810	INTERNAL SERVICE FUND	24,277.24-	65,472.43	64,118.61	.00	22,923.42-
<hr/>						
Report Total		19,333,084.50	894,280.84	1,857,670.44	4,516.82	18,374,211.72

Make It Yours
KEOKUK
I O W A

**SPECIAL EVENTS APPLICATION &
HOLD HARMLESS AGREEMENT**

Please complete all sections of this application. An incomplete application will be returned to applicant. Once all required documentation and signatures are received, only then will it be considered by the City Administrator, Police Chief, Fire Chief and Public Works Director for final approval. Application must be submitted at least 30 days prior to the date of the event.

*Some permits for events may require additional time for approval
(For example: Parades requiring use of a state highway)*

PLEASE RETURN TO: Keokuk Municipal Building to the Attention of the City Administrator

1. APPLICANT INFORMATION

Applicant: Susan Skalinski

Name/Event: KEOKUK FOOTBALL BOOSTERS

Coordinator: TBD

Mailing Address: 18064 170th Ave, Yarmouth, IA 52660

Daytime Phone #: 319 394 2655 evening Phone #:

Email Address: Susan@jandmdisplays.com

2. EVENT INFORMATION

Type of Event:

Free Weeks For Touchdown

Days/Dates of Event:

9-22-23

Time(s) of Event: (Include Set Up/Tear Down Time)

4:00 PM 9:30 PM

Event Location:

KEOKUK SENIOR HIGH

Will event require an alcohol license or require modification of an existing license? Yes ☒ No

3. REQUEST INFORMATION (Check All Applicable Lines)

If you are requesting the closing of a city street, a lane must be maintained for emergency vehicles at all times.

- ☐ Temporarily park in a "No Parking" area (specify location :)
- ☐ Temporarily close a street for a block party (specify street :)
- ☐ Temporarily install structure in street right-of-way
- ☐ Permanently install structure in street right-of-way
- ☐ Use of City Park (specify park :)
- ☐ Parade (attach map of route and indicate streets to be closed)
- ☐ Walk/Run (attach map of route and indicate streets to be closed)
- ☐ Banner (specify location :)
- ☐ Tent(s) to be used - over 400 sq ft or canopies over 1,000 sq ft
- ☒ Fireworks (specify location : *SEWARD HIGH*)
- ☐ Other (please specify :)

4. ITEMS REQUESTED FROM THE CITY OF KEOKUK (\$25 rental fee required per item requested)

- ☐ Street barricades
- ☐ Emergency "No Parking" Signs
- ☐ Other (please specify :)

5. SOUND SYSTEMS

NOTE: You must comply with the City of Keokuk Code of Ordinances and any requirements attached to this permit.

Duration of event: _____

Please indicate if the following will be used:

- ☐ Amplified Sound/Speaker System
- ☐ Public Address System

- ☐ Recorded Music
- ☐ Live Music

DEPARTMENT APPROVALS

The request has been reviewed by the undersigned and recommended for approval with the condition as noted:

POLICE DEPARTMENT

Signature: _____ Date: _____

Recommended Conditions: _____

FIRE DEPARTMENT

Signature: _____ Date: _____

Recommended Conditions: _____

PUBLIC WORKS DEPARTMENT

Signature: _____ Date: _____

Recommended Conditions: _____

OTHER

Signature: _____ Date: _____

Recommended Conditions: _____

CITY ADMINISTRATOR APPROVAL (City Council Approval)

City Administrator Signature _____

Date _____

Approved: _____ Denied: _____

CONDITIONS IMPOSED: _____

Date of City Council Approval (if required): _____

6. SANITATION

Applicant is responsible for the clean-up of the event area immediately following the event, including trash removal from the site.

Will additional restrooms be brought to the site? Yes X No If yes, how many? _____

Please name the individual, organization, or contractor responsible for clean-up and trash removal:

Contact Person: _____ Address: _____

Daytime Phone: _____ Evening Phone: _____

7. SECURITY

Certified personnel are required by the Chief of Police at the applicant's expense for all events requiring an alcohol license. At a minimum, 2 police officers certified in the State of Iowa will be required, no exceptions. What type of security will be provided?

None Number of Off-Duty Police Officers

Names:

8. INSURANCE

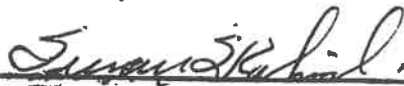
Applicant shall obtain and maintain a general liability insurance policy naming the City of Keokuk as additional insured using form IL7305 so as not to waive Owner's Governmental Immunity when conducting an event on public property. For events requiring an alcohol license, the minimum amount of coverage in the general liability insurance policy shall be \$2,000,000 general aggregate, \$1,000,000 personal injury and \$1,000,000 each occurrence. For all other events held on public property, the minimum amount of coverage for the general liability insurance policy will be \$500,000. This application will not be considered by the City of Keokuk until the proper insurance certificate is submitted and approved by the City Administrator.

_____ Certificate of Insurance provided and accepted _____ Certificate of Insurance not required

9. AGREEMENT

In consideration of the City of Keokuk, Iowa, granting permission for the activity described above, the undersigned indemnifies and holds harmless the City of Keokuk, Iowa, its employees, representatives and agents against all claims, liabilities, losses or damage for personal injury and/or property damage or any other damage whatsoever on account of the activity described above and/or deviation from normal City regulations in the area. The undersigned further agrees to indemnify and hold harmless the City of Keokuk, Iowa, its employees, representatives and agents against any loss, injury, death or damage to person or property and against all claims, demands, fines, suits, actions, proceedings, orders, decrees and judgments of any kind or nature and from and against any and all costs and expenses including reasonable attorney fees which at any time may be suffered or sustained by the undersigned or by any person who may, at any time, be using or occupying or visiting the premises of the undersigned or the above-referenced public property or be in, on or about the same, when such loss, injury, death or damage shall be caused by or in any way result from or rising out of any act, omission or negligence of any of the undersigned or any occupant, visitor, or user of any portion of the premises or shall result from or be caused by any other matters or things whether the same kind, as, or of a different kind that the matters or things above set forth. The undersigned hereby waives all claims against the city for damages to the building or improvements that are now adjacent to said public property or hereafter built or placed on the premises adjacent to said property or in, on or about the premises and for injuries to persons or property in or about the premises, from any cause arising at any time during the activity described above. The undersigned further agrees to comply with all the rules, regulations, terms and conditions established by the City of Keokuk, Iowa.

THE UNDERSIGNED HAS READ AND FULLY UNDERSTANDS THIS DOCUMENT, INCLUDING THE FACT IT IS
RELEASING AND WAIVING CERTAIN POTENTIAL RIGHTS, AND VOLUNTARILY AND FREELY AGREES TO THE
TERMS AND CONDITIONS, AS SET FORTH HEREIN



Applicant/Sponsor Signature

8-10-23

Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/9/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure, LLC dba Britton Gallagher & Associates One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME:	
	PHONE (A/C, No, Ext): 216-658-7100	FAX (A/C, No): 216-658-7101
INSURED J & M Displays, Inc. 18064 170th Avenue Yarmouth IA 52660	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Everest Denali Insurance Company	
	INSURER B: Axis Surplus Ins Company	
	INSURER C: Everest Indemnity Insurance Co.	
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES**CERTIFICATE NUMBER:** 814371776**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC		SI8ML00060-231	1/15/2023	1/15/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 500,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		SI8CA00033-231	1/15/2023	1/15/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		P-001-000063943-05	1/15/2023	1/15/2024	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Excess Liability #2		SI8EX01313-231	1/15/2023	1/15/2024	Each Occ/ Aggregate Total Limits \$4,000,000 \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement or permit.

FIREWORKS DISPLAY DATE: September 22, 2023

LOCATION OF EVENT: 2285 Middle Road, (south end of football field) Keokuk, Iowa

ADD'L INSURED: The City of Keokuk, Iowa, its employees, volunteers, officers, elected officials, partners, subsidiaries, divisions & affiliates, event sponsors & landowners as their interest may appear in relation to this event; Keokuk Senior High School (sponsor); Keokuk Senior High Boosters (sponsor)

CERTIFICATE HOLDER**CANCELLATION**Keokuk Senior High School
2285 Middle Road
Keokuk IA 52632
USA

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.

ACORD 25 (2010/05)

The ACORD name and logo are registered marks of ACORD

THIS CERTIFICATE SUPERSEDES PREVIOUSLY ISSUED CERTIFICATE



FIREWORKS LIABILITY EXTENSION QUESTIONNAIRE

RETURN TO: **dianah@jandmdisplays.com, kathys@jandmdisplays.com**
Fax: 267-392-3890 or mail to J&M Displays, Inc.
18064 170th Avenue, Yarmouth, IA 52660

☐ Show Work Comp
☐ Special Instructions

CERTIFICATE HOLDER (NAMED INSURED): Keokuk Senior HS

ADDRESS: 2285 Middle Rd.

CITY: Keokuk

STATE: IA

ZIP: 52632

PHONE: 319-524-2542

FAX: _____

EMAIL: gina.dean@keokukschools.org

EFFECTIVE DATE(S): Sept. 22, 2023

RAIN DATE: _____

ADDITIONAL NAMED INSURED:

1. NAME / ADDRESS / E-MAIL: City of Keokuk

INTEREST IN EVENT: _____

2. NAME / ADDRESS / E-MAIL: Keokuk HS

INTEREST IN EVENT: sponsor

3. NAME / ADDRESS / E-MAIL: Keokuk HS Boosters

INTEREST IN EVENT: sponsor

4. NAME / ADDRESS / E-MAIL: _____

INTEREST IN EVENT: _____

TYPE OF SHOW: (Check all that apply.) ☐ INDOOR ☒ PROXIMATE ☐ FLAME ☒ OUTDOOR ☐ 1.4G CONSUMER ☐ 1.3G DISPLAY ☐ 1.1G DISPLAY (12" & 16")

LOCATION OF EVENT: south end of football field

DRAW A DIAGRAM of the shooting area using Google Earth Software and attach showing:

1) mortar placement; 2) planned direction of shooting; 3) distances. (REQUIRED)

Distance to nearest exposure 267 ft.

Distance to spectators 306 ft.

Distance to nearest vehicle 446 ft.

Are there fallout spotters? ☒ YES ☐ NO

Size of largest shell being shot: 1.4 inches

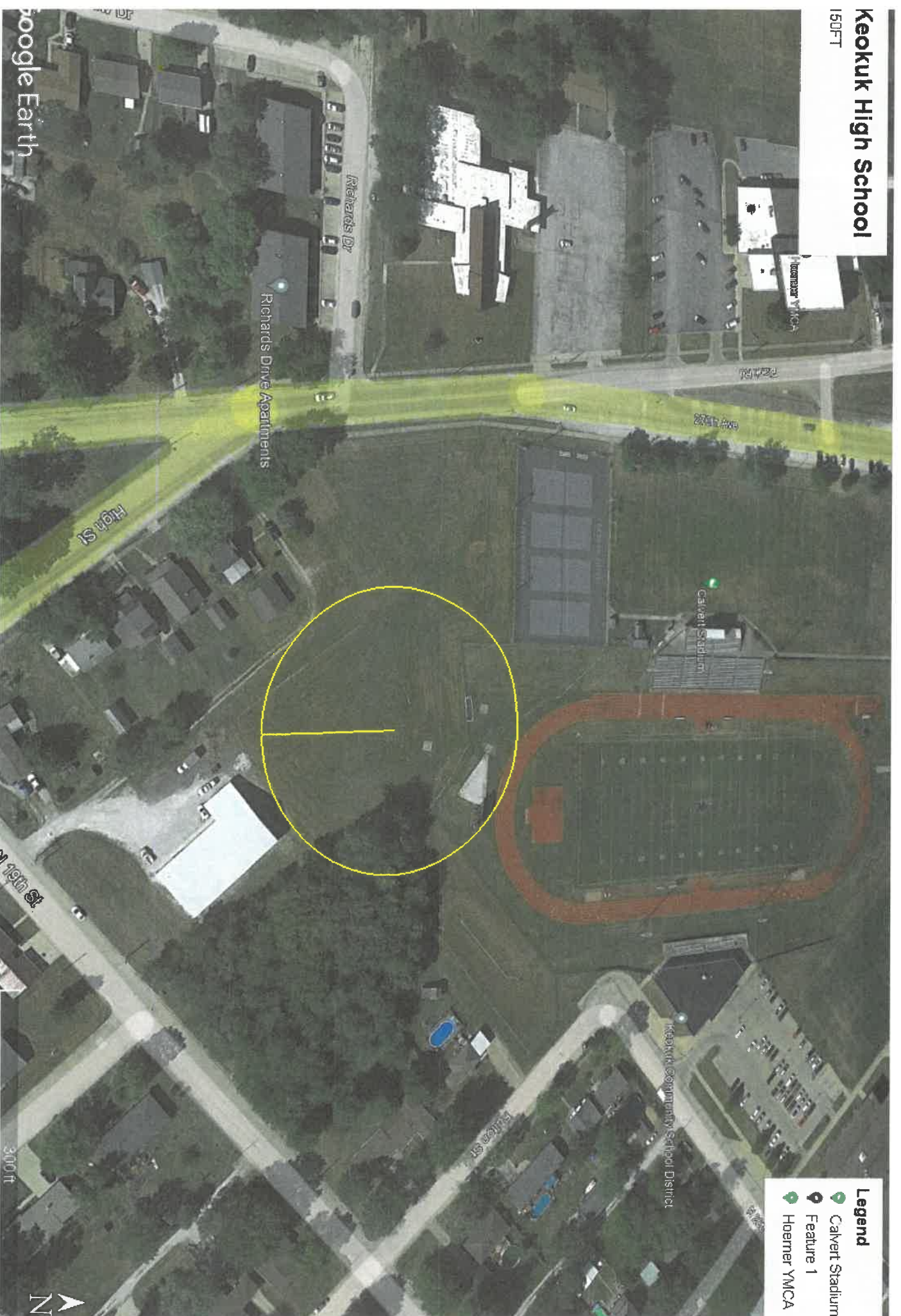
Name of designated Pyrotechnician: _____

FIREWORKS WARRANTY:

1. Fireworks will be displayed not less than required by NFPA standards away from spectators, vehicles and other exposures with a minimum radius of 70 ft per inch of shell diameter for 1.3G shows.
2. All displays will be aimed away from spectators.
3. Fireworks that have been wet at any time prior to display will not be used.
4. All fireworks have been purchased only from J & M Displays, Inc. Merchandise from other companies and/or home-made products are not covered under this liability extension.
5. Firing area will be policed for all debris upon completion of firing display and inspected by the shoot team.
6. Firing area will be inspected by the sponsoring organization at first light the following day.
7. Pyrotechnicians are specifically excluded from all liability coverage.
8. Any claims must be reported to the Yarmouth, Iowa office in writing within 24 hours of the incident.

Keokuk High School

150 FT



Google Earth

Legend

- Calvert Stadium
- Feature 1
- Hoerner YMCA

Make It Yours KEOKUK I O W A

SPECIAL EVENTS APPLICATION & HOLD HARMLESS AGREEMENT

Please complete all sections of this application. An incomplete application will be returned to applicant. Once all required documentation and signatures are received, only then will it be considered by the City Administrator, Police Chief, Fire Chief and Public Works Director for final approval. Application must be submitted at least **30 days** prior to the date of the event.

Some permits for events may require additional time for approval.

(For example: Parades requiring use of a state highway.)

PLEASE RETURN TO: Keokuk Municipal Building to the
Attention of the City Administrator

1. APPLICANT INFORMATION

Applicant:

Jessica Deshaw & Travis Miller

Name/Event:

Rooster Run/Walk

A Memorial 5K for Debbie Miller

Coordinator: Jessica Deshaw & Travis Miller

Mailing Address: 1753 Homestead Drive Liberty, MO 64068

Daytime Phone #: Evening Phone #:

319-795-3509

Email Address:

Jessdeshaw3@gmail.com

2. EVENT INFORMATION

Type of Event:

WALK 5K

Days/Dates of Event:

October 8, 2023

Time(s) of Event: (Include Set Up/Tear Down Time)

10:00 AM

Event Location: Keokuk High School down Grand Ave

Will event require an alcohol license or require modification of an existing license? _____ Yes X No

3. **REQUEST INFORMATION (Check All Applicable Lines)**

If you are requesting the closing of a city street, a lane must be maintained for emergency vehicles at all times.

_____ Temporarily park in a "No Parking" area (specify location :)

_____ Temporarily close a street for a block party (specify street :)

_____ Temporarily install structure in street right-of-way.

_____ Permanently install structure in street right-of-way.

_____ Use of City Park (specify park :)

_____ Parade (attach map of route and indicate streets to be closed)

X _____ Walk/Run (attach map of route and indicate streets to be closed)

_____ Banner (specify location :)

_____ Tent(s) to be used – over 400 sq ft or canopies over 1,000 sq ft.

_____ Fireworks (specify location :)

_____ Other (please specify :)

4. **ITEMS REQUESTED FROM THE CITY OF KEOKUK** (\$25 rental fee required per item requested)

_____ Street barricades

_____ Emergency "No Parking" Signs

_____ Other (please specify :)

5. **SOUND SYSTEMS**

NOTE: You must comply with the City of Keokuk Code of Ordinances and any requirements attached to this permit. NO

Duration of event: _____

Please indicate if the following will be used:

_____ Amplified Sound/Speaker System _____ Recorded
Music
_____ Public Address System _____ Live Music ☐

☐ 6. **SANITATION**

Applicant is responsible for the clean-up of the event area immediately following the event, including trash removal from the site.

Will additional restrooms be brought to the site? _____ Yes _____
☒ No If yes, how many? Please name the individual,
organization, or contractor responsible for clean-up and trash
removal:

Contact Person: Address: Daytime
Phone: Evening Phone:

7. **SECURITY**

Certified personnel are required by the Chief of Police at the applicant's expense for all events requiring an alcohol license. At a minimum, 2 police officers certified in the State of Iowa will be required, no exceptions.

What type of security will be provided?

☒ Number of Off-Duty Police Officers

Names:

8. **INSURANCE**

Applicant shall obtain and maintain a general liability insurance policy naming the City of Keokuk as additional insured using form IL 7305 so as not to waive Owner's Governmental Immunity when conducting an event on public property. For events requiring an

_____ Amplified Sound/Speaker System _____ Recorded
Music
_____ Public Address System _____ Live Music ☐

☐

6. SANITATION

Applicant is responsible for the clean-up of the event area immediately following the event, including trash removal from the site.

Will additional restrooms be brought to the site? _____ Yes _____

☒ No If yes, how many? _____ Please name the individual, organization, or contractor responsible for clean-up and trash removal:

Contact Person: _____ Address: _____ Daytime
Phone: _____ Evening Phone: _____

7. SECURITY

Certified personnel are required by the Chief of Police at the applicant's expense for all events requiring an alcohol license. At a minimum, 2 police officers certified in the State of Iowa will be required, no exceptions.

What type of security will be provided?

☒ Number of Off-Duty Police Officers

Names:

8. INSURANCE

Applicant shall obtain and maintain a general liability insurance policy naming the City of Keokuk as additional insured using form IL7305 so as not to waive Owner's Governmental Immunity when conducting an event on public property. For events requiring an

Keokuk, Iowa.

THE UNDERSIGNED HAS READ AND FULLY
UNDERSTANDS THIS DOCUMENT, INCLUDING THE FACT
IT IS RELEASING AND WAIVING CERTAIN POTENTIAL
RIGHTS, AND VOLUNTARILY AND FREELY AGREES TO
THE TERMS AND CONDITIONS AS SET FORTH HEREIN.

Applicant/Sponsor Signature

Date

A handwritten signature in dark ink, appearing to be a stylized 'J' or 'K' followed by a 'P'.

8/9/23

☐
☐



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/09/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER K&K Insurance Group, Inc. 1712 Magnavox Way Fort Wayne IN 46804	CONTACT NAME: Mass Merchandising Underwriting PHONE (A/C, No, Ext): 800-426-2889 FAX (A/C, No): 260-459-5105 E-MAIL ADDRESS: info@sportsinsurance-kk.com PRODUCER CUSTOMER ID:																					
INSURED Rooster Walk/Run 1753 Homestead Dr Liberty, MO 64068 A Member of the Sports, Leisure & Entertainment RPG	<table><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A:</td><td>Nationwide Mutual Insurance Company</td><td>23787</td></tr><tr><td>INSURER B:</td><td></td><td></td></tr><tr><td>INSURER C:</td><td></td><td></td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Nationwide Mutual Insurance Company	23787	INSURER B:			INSURER C:			INSURER D:			INSURER E:			INSURER F:		
INSURER(S) AFFORDING COVERAGE		NAIC #																				
INSURER A:	Nationwide Mutual Insurance Company	23787																				
INSURER B:																						
INSURER C:																						
INSURER D:																						
INSURER E:																						
INSURER F:																						

COVERAGES**CERTIFICATE NUMBER:** W02520177**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			6BRPG0000007893700	10/08/2023 12:01 AM EDT	10/09/2023 12:01 AM	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea Occurrence)	\$1,000,000
							MED EXP (Any one person)	\$5,000
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$5,000,000
							PRODUCTS - COMP/OP AGG	\$1,000,000
							PROFESSIONAL LIABILITY	
							LEGAL LIAB TO PARTICIPANTS	\$1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NOT PROVIDED WHILE IN HAWAII <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION						EACH OCCURRENCE	
							AGGREGATE	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/>	
							E.L. EACH ACCIDENT	
							E.L. DISEASE - EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	
A	MEDICAL PAYMENTS FOR PARTICIPANTS			6BRPG0000007893700	10/08/2023 12:01 AM EDT	10/09/2023 12:01 AM	PRIMARY MEDICAL	
							EXCESS MEDICAL	\$25,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Legal Liability to Participants (LLP) limit is a per occurrence limit.

Event Name: Rooster Run/Walk Type of Event: Walk and Run Distance:5K

Event Date (including ancillary events and set-up/tear-down): 10/8/2023 to 10/8/2023 Number of Participants: 50 Event Location: Keokuk HS

CERTIFICATE HOLDER

Evidence of Coverage

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Coverage is only extended to U.S. events and activities.

** NOTICE TO TEXAS INSURED: The insurer for the purchasing group may not be subject to all the insurance laws and regulations of the State of Texas



PAYMENT OF THE FOLLOWING CLAIMS FOR THE CITY ARE APPROVED AND CLAIMS FOR THE LIBRARY AND AIRPORT ARE ACKNOWLEDGED FOR THE PURPOSE OF PAYING THE SEMI-MONTHLY BILLS FOR THE COUNCIL MEETING OF AUGUST 17, 2023.

REGISTER NO. 5356

AHLERS & COONEY, P.C.	PROFESSIONAL SERVICES	\$ 960.00
ALTORFER INC.	PARTS	\$ 318.14
BURLINGTON HAWK EYE	LIBRARY SUBSCRIPTION	\$ 244.40
GATE CITY PUBLISHING	PUBLICATIONS	\$ 1,245.48
GRAY QUARRIES, INC	ROADROCK	\$ 169.40
JIM BAIER, INC	PARTS	\$ 77.12
HARTRICK'S LUMBER	SUPPLIES	\$ 176.53
ACCESS SYSTEMS	MAINTENANCE AGREEMENT	\$ 170.05
MICROBAC LABORATORIES, INC	WPC TEST SAMPLES	\$ 7,689.75
KOKX-AM	ADVERTISING	\$ 1,875.00
TASKE FORCE, INC.	TEMPORARY HELP	\$ 7,097.25
BAKER & TAYLOR BOOKS	BOOKS KEOKUK PUBLIC LIBRARY	\$ 1,305.35
MCFARLAND-SWAN OFFICE CITY	LIBRARY SUPPLIES	\$ 285.93
ALLIANT	ELECTRIC BILL	\$ 33,088.65
THE CARDBOARD BOX	UPS CHARGES	\$ 190.65
CENTURY LINK	SERVICE	\$ 583.41
PRINCIPAL LIFE INSURANCE CO.	DISABILITY/LIFE INSURANCE	\$ 826.70
GREAT RIVER REGIONAL WASTE	INTEGRATED WASTE SERVICES	\$ 255.16
MEYERS PLUMBING	SERVICE CALL @ POOL	\$ 85.00
COLE-PARMER SCIENTIFIC	WPC SUPPLIES/FREIGHT	\$ 202.82
SOUTHEASTERN COMMUNITY COLLEGE	SAFETY TRAINING CLASSES	\$ 700.00
GENERAL TRAFFIC CONTROLS, INC.	TRAFFIC LIGHT EQUIPMENT	\$ 95,250.55
HUFFMAN MACHINE & WELDING, INC	SUPPLIES/PARTS	\$ 65.97
HOERNER YMCA	POOL MANAGEMENT FEE/MEMBERSHIPS	\$ 12,013.00
SECRETARY OF STATE	NOTARY PUBLIC	\$ 30.00
LEE COUNTY HEALTH DEPARTMENT	POOL INSPECTION	\$ 520.00
NORTH CENTRAL LABORATORIES	LAB SUPPLIES	\$ 188.18
NIEMANN FOODS, INC./ACE	SUPPLIES	\$ 256.08
U.S. CELLULAR	CELL PHONE SERVICE	\$ 542.14
ROAD MACHINERY & SUPPLIES	PARTS/FREIGHT	\$ 129.74
KEOKUK COMMUNITY SCHOOL	FRANCHISE FEE APRIL/MAY	\$ 948.08
USA BLUE BOOK	WPC SUPPLIES	\$ 685.20
AT&T MOBILITY	POLICE CELL PHONE SERVICE	\$ 759.72
KEOKUK FARM & HOME SUPPLY	SUPPLIES	\$ 6,654.19
SEIRPC	PER CAPITA DUES FY24	\$ 9,311.00
CAPITAL ONE	LIBRARY SUPPLIES	\$ 40.76
DES MOINES STAMP MANUFACTURING	NAME PLATE	\$ 24.50
DISCOUNT TIRE & SERVICE	TIRES	\$ 47.95
BNSF RAILWAY COMPANY	PROJECT TYPE 1	\$ 128.62
FIRE SERVICE TRAINING BUREAU	FIRE RE-CERTIFICATION	\$ 100.00
O'REILLY AUTOMOTIVE INC.	PARTS	\$ 1,966.56

REGISTER NO. 5357

MEDIACOM	SERVICE	\$ 133.60
MUNICIPAL EMERGENCY SERVICES	FIRE DEPT SUPPLIES	\$ 17.50
WEF	MEMBERSHIP WPC	\$ 160.00
STORM WATER COORDINATOR	ANNUAL NPDES PERMIT FEE WPC	\$ 1,275.00
IMI EQUIPMENT, LLC	PARTS	\$ 1,249.70
PROFLOW PUMPING SOLUTIONS	WPC MATERIALS/FREIGHT	\$ 14,522.75
LEXISNEXIS RISK SOLUTIONS	KEOKUK POLICE DEPARTMENT	\$ 142.55
KEVIN B. FEEHAN	VEGETATION CONTROL	\$ 2,020.00
IOWA SECTION AMERICAN WATER	WPC LEADERSHIP REGISTRATION	\$ 975.00
EMPLOYEE BENEFIT SYSTEMS	INSURANCE	\$ 231,770.98
RELIABLE PEST SOLUTIONS	PEST CONTROL TOLMIE PARK	\$ 196.00
SCP SCIENCE	WPC SUPPLIES	\$ 442.40
NSI LAB SOLUTIONS	WPC LAB SUPPLIES	\$ 326.00
CARD SERVICES	LIBRARY SUPPLIES	\$ 665.10
MEYERS & JAMES	CONVEYOR PATCHES WPC	\$ 10,672.80
HALL & ASSOCIATES	PROFESSIONAL SERVICES	\$ 1,940.00
LEE COUNTY IT	FY2023 PICTOMETRY SHARE	\$ 3,030.00
MACQUEEN EQUIPMENT, INC.	PARTS/FREIGHT	\$ 3,093.56
TWO RIVERS VETERINARY CENTER	ANIMAL SERVICES	\$ 1,944.25
WEST CENTRAL FS INC.	BULK FUEL	\$ 22,742.85
ANC PEST SOLUTIONS INC.	PEST CONTROL @ DEPOT	\$ 150.00
VERIZON WIRELESS	CELL PHONE SERVICE	\$ 193.12
ASKEW SCIENTIFIC CONSULTING	PROFESSIONAL SERVICES	\$ 4,042.45
ACCO	POOL CHEMICALS	\$ 1,249.00
LIBERTY UTILITIES MIDSTATES	SERVICE	\$ 27.49
LYNCH DALLAS, PC.	PROFESSIONAL SERVICES	\$ 55.50
ARMSTRONG TRACTOR LLC	MOWER	\$ 14,750.00
JEFFREY JOE HERR	CLEAN/SECURE PROPERTIES	\$ 745.00
GRAPHIC EQUIPMENT CORPORATION	WPC PARTS/FREIGHT	\$ 1,231.05
CINTAS CORPORATION #342	UNIFORM SERVICES	\$ 2,587.13
RICOH USA, INC.	KEOKUK PUBLIC LIBRARY	\$ 34.04
MIDWEST VETERINARY SUPPLY, INC	KEOKUK ANIMAL SERVICES SUPPLY	\$ 570.55
COMMERCIAL CONTRACTING	GRIT BASIN PROJECT WPC	\$ 7,910.00
SOUTHEAST IOWA GARAGE DOOR	SERVICE CALL/REPAIRS @ SEWER	\$ 1,006.00
JORDAN BARNES	LABOR/INSTALL @ ANIMAL SERVICE	\$ 500.00
ICONNECTYOU	SERVICE	\$ 874.46
MIDWEST INDUSTRIAL SERVICES	TRAFFIC LIGHT REPAIRS	\$ 98.00
GREAT LAKES BOAT CO.	KVEC BOAT MATERIALS	\$ 62.38
JAMES F. DENNIS	PROFESSIONAL SERVICES	\$ 12,468.52
STEVEN R LONG	CITY HALL JANITORIAL SERVICE	\$ 600.00
QUARTIX INC.	CREDIT MEMO	\$ (579.42)
IOWA ONE CALL	ONE CALL SERVICES	\$ 116.50
PET WASTE ELIMINATOR	DOG PARK SUPPLIES/FREIGHT	\$ 99.99
HORIZON ARCHITECTURE	SEIDC STUDY	\$ 1,450.00
CASEY BARNES	REIMBURSE CITY HALL SUPPLIES	\$ 8.97

REGISTER NO. 5358

GREATAMERICA FINANCIAL SVCS.	POLICE DEPT LEASE AGREEMENT	\$ 492.16
ASCENT AVIATION GROUP INC	AIRPORT FUEL	\$ 34,032.89
QUADIENT FINANCE USA, INC	POSTAGE METER REFILL	\$ 1,000.00
LIVE VOICE	ANSWERING SERVICE	\$ 390.73
SHARED IT INC	IT SERVICES	\$ 2,638.75
TRI-STATE HEATING & ELECTRIC	MOWING VARIOUS PROPERTIES	\$ 840.00
DRAKE HARDWARE & SOFTWARE	LIBRARY LABOR/MATERIALS	\$ 766.25
VERTICAL COMMUNICATIONS	SERVICE	\$ 150.00
SCOTT'S ULTRA CLEAN LLC	LIBRARY JANITORIAL	\$ 1,375.00
MISSISSIPPI VALLEY PHOTOGRAPHY	DRONE PROPERTY SURVEY	\$ 145.10
SCHRAGIS LLC	GIS MAINTENANCE	\$ 600.00
W & W HOME IMPROVEMENT	ROOF LABOR/MATERIAL	\$ 16,860.00
WALKER OUTDOOR SERVICES	TREE REMOVAL RAND/OAKLAND CEM	\$ 72,450.00
		\$ 666,520.68



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: O'Donnell

Subject: Personnel Policy and Handbook Agenda Item: _____

Description:

The revised Personnel Policy and Employee Handbook is ready for adoption. The policy and handbook has been reviewed several times by the Personnel Committee of the City Council, department heads/managers, and by the collective bargaining units. Items to take note of:

Recruitment Procedures- pg 13 formalizes the advertisement for and selection of employees.

Performance Evaluations- pg 16 formalizes procedures for annual performance evaluations.

Non-Union Wage and Salary- pg 40 establishes wage policy and performance increases for non-union employees.

Maternity & Paternity Leave- pgs 46-47 as pasted previously with benefits extending to employees who adopt.

Terminal Leave- pg 49 establishes last day of work and termination date allowing employees to receive vacation pay between the two dates.

Requested changes for City Hall dress code have been made.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Personnel Committee recommends approval.

Personnel Committee recommends approval.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO. _____

**RESOLUTION APPROVING REVISED PERSONNEL POLICY AND
HANDBOOK**

WHEREAS, the City Council for Keokuk, Iowa has adopted a personnel policy and handbook; and

WHEREAS, said policy has been modified and revised; and

WHEREAS, said policy has been thoroughly reviewed by the Personnel Committee of the Keokuk City Council; and

WHEREAS, said policy has been submitted to the bargaining units of the City of Keokuk, Iowa for review and comment to insure said policy and handbook conforms to negotiated collective bargaining agreements.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA that the revised Personnel Policy and handbook for the City of Keokuk, Iowa is hereby adopted.

PASSED, APPROVED, AND ADOPTED 17th day of August 2023.

K.A. Mahoney, Mayor

ATTEST:

Celeste El Anfaoui, City Clerk



EMPLOYEE HANDBOOK

APPROVED MONTH DAY, YEAR

RESOLUTION NO. _____

TABLE OF CONTENTS

PURPOSE, SCOPE, AND DISCLAIMER	5
SECTION I – DEFINITIONS.....	6
DAY	6
EMPLOYEE	6
AT-WILL EMPLOYMENT	6
REGULAR FULL-TIME EMPLOYEE	6
REGULAR PART-TIME EMPLOYEE	6
TEMPORARY OR SEASONAL EMPLOYEE	6
CONTRACTED EMPLOYEE.....	6
VOLUNTEER EMPLOYEE	6
CONTRACTORS	6
CITY SENIORITY	6
DEPARTMENTAL SENIORITY	7
NEW EMPLOYEE.....	7
SUPERVISOR	7
COMPENSATION	7
DISABLE PERSON/EMPLOYEE	7
LAYOFF	7
LEAVE	7
OVERTIME.....	7
COMPENSATORY TIME	7
PROBATION PERIOD	7
EXEMPT EMPLOYEE	7
NON-EXEMPT EMPLOYEE	7
WORKING DAYS	8
SECTION II – GENERAL ADMINISTRATIVE PROVISIONS	8
NON-DISCRIMINATION	8
MANAGEMENT OF OPERATIONS	8
SPECIAL CONFERENCES	8
HARASSMENT & SEXUAL HARASSMENT.....	8
CONFLICT OF INTEREST	11
GIFTS AND GRATUITY	12
SMOKING.....	12
EMPLOYMENT STATUS.....	13
SECTION III – RECRUITMENT AND EMPLOYMENT.....	13
RECRUITMENT PROCEDURES	13
DRIVERS LICENSE	14
BACKGROUND CHECKS.....	14
BONDABLE.....	15
AMERICANS WITH DISABILITIES ACT (ADA)	15
CITIZENSHIP AND ALIEN STATUS VERIFICATION	15
RELOCATION EXPENSES	16
PROBATION PERIOD.....	16
PROMOTIONS AND TRANSFERS	16
PERFORMANCE EVALUATIONS	16
PHYSICAL EXAMINATIONS	16

FAMILY MEDICAL LEAVE ACT (FMLA)	17
SENIORITY	22
PERSONNEL FILES, PRIVACY, AND EMPLOYEE ACCESS	22
SECTION IV – GENERAL EMPLOYEE CONDUCT.....	23
STATEMENT OF CONDUCT	23
INCOMPATIBLE ACTIVITIES	23
POLITICAL ACTIVITY	24
NEPOTISM AND / EMPLOYMENT OF RELATIVES	24
ATTENDANCE.....	25
EMPLOYEE APPEARANCE	25
USE OF CITY PROPERTY	26
USE OF CITY VEHICLES	26
DRUG AND ALCOHOL FREE WORKPLACE POLICY.....	28
SECTION V – DISCIPLINE	32
WORK RULES.....	32
PROGRESSIVE DISCIPLINE	33
COMPLAINT PROCEDURE	34
SECTION VI – HEALTH AND SAFETY	34
GENERAL.....	34
REPORTING OF WORK RELATED INJURIES AND/OR ACCIDENTS	34
WORKER COMPENSATION	35
WORK RELATED INJURY - LIGHT DUTY POLICY	35
PERSONNEL SAFETY POLICY	36
HAZARDOUS CHEMICAL COMMUNICATION	37
BLOODBORNE PATHOGENS.....	37
SECTION VII – SEPARATION OF EMPLOYEES.....	38
TERMINATION.....	38
LAYOFF AND RECALL.....	38
RETIREMENT	38
FINAL PAY.....	39
EXIT INTERVIEW AND EXIT INTERVIEW FORM	39
SECTION VIII – HOURS OF WORK	40
SECTION IX – PAY AND COMPENSATION	40
WAGES	40
NON-UNION WAGE AND SALARY.....	40
LONGEVITY	41
PAYROLL DEDUCTIONS.....	41
DIRECT DEPOSIT.....	41
GARNISHMENTS	41
DEFERRED COMPENSATION.....	41
OVERTIME.....	42
OVERTIME, ALL FULL-TIME POLICE OFFERS EXCEPT EXEMPT EMPLOYEES	42
OVERTIME COURT APPEARANCE	42
COMPENSATORY TIME OFF	42
ON-CALL TIME	43

SECTION X – HOLIDAYS	43
DESIGNATED HOLIDAYS	43
SECTION XI VACATION LEAVE.....	44
VACATION USE	44
VACATION PAYOUT UPON TERMINATION	44
 SECTION XII – SICK LEAVE	 45
SICK LEAVE ACCRUAL	45
SICK LEAVE USE.....	45
SICK LEAVE NOTIFICATION	46
SICK LEAVE AND OTHER PAID LEAVE	46
SICK LEAVE ABUSE	46
MATERNITY LEAVE	46
PATERNITY LEAVE	47
 SECTION XIII – OTHER LEAVES.....	 47
VOTING LEAVE	47
MILITARY LEAVE.....	47
JURY/SUBPOENAED LEAVE	48
TERMINAL LEAVE.....	49
 SECTION XIV – INSURANCE BENEFITS	 49
INSURANCE COVERAGE	49
HEALTH CARE COVERAGE EXTENSION (COBRA).....	49
LIFE INSURANCE	50
 SECTION XVI – GENERAL POLICIES AND PROVISIONS	 50
INCLEMENT WEATHER	50
INFORMATION TECHNOLOGY/PERSONAL USE POLICY	50
SOCIAL MEDIA POLICY.....	51
TRAVEL EXPENSE POLICY AND GUIDELINES.....	54
PROFESSIONAL CONFERENCES AND DUES.....	57
RESIDENCE POLICY	57
TELEPHONE CALLS	58
OUTSIDE EMPLOYMENT.....	59
EMPLOYMENT DISCLOSURE	59
ATTACHMENT A	60
ATTACHMENT B	61
APPENDIX I BLOODBORNE PATHOGENS	62
APPENDIX II FORMS.....	70

PURPOSE, SCOPE, AND DISCLAIMER

Purpose: This Employee Handbook provides the City of Keokuk, Iowa (also referred to throughout this Handbook as “City” and “Employer”) employees with an outline of the basic personnel policies, practices and procedures established to provide an efficient, equitable and functional system of personnel administration. This Employee Handbook (“Handbook”) has been prepared to make employees aware of what to expect in the way of privileges and benefits.

No policies in this Handbook shall supersede any provisions of state or federal law. If any policy in this Handbook conflicts with state or federal law, only that policy shall be void. No policies in this Handbook shall supersede a collective bargaining agreement entered into by the City. If this Handbook and the collective bargaining agreement conflict, the collective bargaining agreement provision shall govern with respect to Union employees.

The use of masculine or feminine pronouns in references or title shall be considered to include all genders or identities and is not a limitation on sex or identity.

Not all policies and regulations or details concerning policies and regulations can be covered in this Handbook. For example, some policies and benefits described in this Handbook, such as the group health insurance plan, are covered in greater detail in official policy documents from the insurance carrier. Employees should refer to those documents or contact their Supervisor for more information regarding any employment policy.

DISCLAIMER

This Handbook is provided for informational purposes only. The policies, procedures, benefits and plans described in the Handbook may be revised by the City without prior notice. The City retains the exclusive right to revise the Handbook at any time. When changes are made, you will receive an official supplement or a new Handbook. Any promises, representations or actions by a City official or employee that are contrary to this Handbook are not the official policy of the City and are of no force or effect.

This Handbook is neither a contract of employment nor a legal document. This Handbook is not intended to create any contractual rights in favor of the employee or the City. This Handbook is not to be construed as an employment contract or as a promise that the employee will be employed for any specified period of time. Employment can be terminated at any time at the will of either the employee or the City. Nothing in this Handbook changes the at-will nature of the employee’s employment with the City.

This Handbook does not create or expand any state or federal legal liability imposed on the City.

It is the responsibility of employees who receive this Handbook to read and comply with the policies in this Handbook and any future revisions made to this Handbook.

All sections of this Handbook shall apply to all employees unless otherwise specified and shall not supersede any applicable section or clause of any approved collective bargaining agreement.

Hereinafter, the City of Keokuk will be called “the City”.

SECTION I – DEFINITIONS

For purposes of this Employee Handbook, the following definitions shall apply and govern the employees of the City.

Day: An eight (8) hour period of time.

Employee: A person legally holding a position in the City service.

At-Will Employment: Except for employees covered by Civil Service, City employees are considered at-will employees. Consequently, the following definitions do not constitute an expressed or implied contract of employment. An employee may terminate his/her employment at any time and the City may also terminate the employee's employment at any time, with or without cause. Unless otherwise provided by contract or law, all employment with the City is to be considered "at-will". In addition, the employer reserves the unilateral right to change, withdraw or add to these definitions at any time.

Regular Full-Time Employee: An employee who has completed his/her probation period and who generally works thirty (30) hours or more per week on a regular basis. A regular full-time employee may be exempt or non-exempt under the Fair Labor Standards Act (FLSA) and is generally eligible to accrue and receive fringe benefits as outlined in other sections of this Employee Handbook.

Regular Part-Time Employee: An employee, who has completed his/her probation period and who generally, works less than thirty (30) hours per week on a regular basis. A regular part-time employee may be exempt or non-exempt under the Fair Labor Standards Act (FLSA) and generally not eligible to receive fringe benefits offered by the City, unless benefit eligibility is specifically granted by the City Council or governing board.

Temporary or Seasonal Employee: A temporary employee is defined as an employee who is hired by the City for a special project or a short-term period of time, generally related to seasonal work, with the understanding that his/her employment will be terminated no later than upon completion of a specific assignment, project or season, with a maximum employment period of one hundred eighty (180) days. A temporary employee may be exempt or non-exempt under the Fair Labor Standards Act (FLSA), work any number of hours a week, and is not eligible for fringe benefits offered by the City.

Contracted Employee: A temporary, seasonal, or part-time employee contracted through a temp agency and paid by the temp agency. Contracted employees are subject to the policies in this handbook unless superseded by the policies of the temp agency.

Volunteer Employee: A volunteer is an unpaid individual who performs work that is directed by and benefits the City. Volunteers will be required to follow the same policies and standards of behavior that paid employees are required to follow. Volunteers whose performance does not conform to the policies and standards that apply to paid employees will be subject to discipline, and their volunteer services may be terminated.

Contractors: The employer reserves the right, from time to time and as needed, to contract with self-employed individuals, agencies, or organizations to perform certain services for the employer. These persons or organizations shall be referred to as Contractors. Individuals employed under a Contractor Agreement shall not be eligible for any of the fringe benefits offered by the employer and shall not be considered employees of the City.

City Seniority: Length of service since the last date of hire with the City, divided into two (2) exclusive and non-transferable categories: full-time and part-time.

Departmental Seniority: Length of continuous service within a City department, divided into two (2) exclusive and non-transferable categories: full-time and part-time.

New Employee: An employee who brings no City seniority to the position.

Supervisor: Person or persons directly above an employee on the chain of command and whom the City Administrator, Mayor, and/or City Council, have delegated at least limited authority for various personnel actions.

Compensation: The salary, wage, allowances and other forms of valuable consideration earned by or paid to any employees by reason of service in any position, which does not include allowances authorized and incurred incident to employment.

Disable Person/Employee: Any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment or is regarded as having such an impairment, as defined by applicable state law.

Layoff: The involuntary, non-disciplinary separation of an employee from a position because of a reduction in force or funds.

Leave: An approved absence from work.

Overtime: All time worked which is in excess of forty (40) hours in a designated seven (7) day workweek with the exception of public safety personnel as defined by Section 7(k) of the Federal Fair Labor Standards Act. Section 7(k) of the FLSA provides that employees engaged in fire protection or law enforcement may be paid overtime on a "work period" basis. A "work period" may be from 7 consecutive days to 28 consecutive days in length. For work periods of at least 7 but less than 28 days, overtime pay is required when the number of hours worked exceeds the number of hours that bears the same relationship to 212 (fire) or 171 (police) as the number of days in the work period bears to 28. For example, fire protection personnel are due overtime under such a plan after 106 hours worked during a 14-day work period, while law enforcement personnel must receive overtime after 86 hours worked during a 14-day work period.

Compensatory Time: Time off work granted to FLSA non-exempt employees in lieu of cash payment for overtime worked at the rate of 1 ½ times hours worked over 40.

Probation Period: Probationary period is defined as the time period that begins with the first date of employment in a specified position with the employer and continues through the first ninety (90) days of employment with the employer or longer based on Iowa Code.

Exempt Employee: An exempt employee is defined as an individual, employed by the City, who has been determined to be Exempt as defined by the Fair Labor Standards Act (FLSA) and consequently is not required to receive overtime for work performed over forty (40) hours in an established seven (7) day workweek. In recognition of their exempt status, these employees are not subject to the same rigid scheduling requirements as non-exempt employees; however, it is expected that this provision will not be abused and that exempt personnel shall set a good example by their attendance, promptness and job dedication.

Non-Exempt Employee: A non-exempt employee is defined as an individual employed by the City, who has been determined to be non-exempt as defined by the Fair Labor Standards Act (FLSA) and consequently is required to receive overtime or compensation time at the rate of time and one-half for all hours worked over forty (40) hours in an established seven (7) day workweek. A paid employee classified as non-exempt, may not volunteer to perform the same type of work that he/she is normally compensated to perform. Normal work schedules for non-exempt employees shall be set by their supervisor, and employees

are expected to consistently follow that work schedule. Exceptions only allowed as approved by their immediate supervisor.

Working Days: Except for those Departments that are required to have a 24-hour operation, the working days are generally defined as Monday through Friday. The City reserves the right to change work schedules, including hours of work, without prior notification to the employee.

SECTION II – GENERAL ADMINISTRATIVE PROVISIONS

Non-Discrimination

As provided in Federal and State law, no appointment, recruitment, training, promotion, discipline, termination, or any other aspect of employment for any position with the City, shall be affected or influenced in any manner by any consideration of race, creed, color, sex, pregnancy, religion, age, national origin, gender identity, sexual orientation, disability, and/or any other classification protected by law, except where specific occupational qualities are demonstrably necessary for proper and efficient operation and administration of a job. In the application of these rules the use of the masculine or feminine gender in reference or in title shall be considered to include both genders.

Management of Operations

The City shall have in addition to all powers, duties and rights established by constitutional provision, statute, ordinance, charter or special act, the exclusive power, duty and the right to:

- Direct the work of its employees.
- Hire, promote, demote, transfer, assign and retain employees in positions within the City.
- Suspend or discharge employees for proper cause.
- Maintain the efficiency of governmental operations.
- Relieve employees from duty because of lack of work or for other legitimate reasons.
- Determine and implement methods, means, assignments and personnel by which the City's operations are to be conducted.
- Take actions as may be necessary to carry out the mission of the City.
- Initiate, prepare, certify and administer its budget.
- Exercise all powers and duties granted to the City by law.

Special Conferences

Employees are encouraged to proceed through their supervisor and department director to obtain information or discuss a personnel policy. If the matter extends to several different departments or goes beyond the authority of the department director, the employee(s) may meet with the City Administrator to review the question. Employees are also welcome to meet with the City Administrator to review any personal problems which may be affecting their work.

Harassment & Sexual Harassment

Harassment

The City expressly prohibits any form of unlawful harassment of and/or unlawful discrimination against employees and co-workers based on race, creed, color, sex, pregnancy, religion, age, national origin, gender identity, sexual orientation, disability, and/or any other classification protected by law.

Harassment is defined as: Verbal or physical conduct which is insulting or intimidating; has the effect of

interfering with an individual's work or performance; or creates an intimidating, hostile or offensive work environment. Illegal discrimination is defined as: actions and/or decisions taken because of an individual's legally protected characteristics or status which result in harming, limiting or reversing the individual's employment status and/or employment opportunities. Harassment may consist of a variety of behaviors, including, but not necessarily limited to the following examples:

- Expressing comments, jokes, puns, innuendoes, bantering, and teasing that demean, insult, or offend another person or persons.
- Expressing words, names, and statements that demean, insult or offend another person or persons.
- Leering, gawking, and making other nonverbal gestures that demean, insult or offend another person or persons.
- Posting or displaying pictures, photos, illustrations or objects in the workplace that demean or offend another person or persons.

Sexual Harassment

It is the policy of the City that all employees are responsible for maintaining a workplace free from sexual harassment. Submission to sexual harassment shall not be a condition of employment or advancement with the City and the City strongly disapproves of offensive or inappropriate sexual behavior in the workplace.

Sexual harassment is defined as illegal discrimination on the basis of gender. It can consist of unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct of a sexual or harassing nature by supervisors, managers, co-workers or others in the workplace.

Sexual harassment exists when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- Submission to or rejection of the conduct is used as the basis for decisions affecting employment; or
- The conduct has the purpose or effect of creating an intimidating, hostile or offensive work environment.

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

- Verbal conduct such as sexual innuendo, suggestive comments, jokes of a sexual nature, sexual propositions, or threats;
- Nonverbal or visual materials such as derogatory posters, photographs, graffiti, cartoons, drawings, e-mail or gestures;
- Physical conduct such as unwelcome touching, hugging, kissing, coerced sexual contact, or assault;
- Threats or demands to submit to sexual requests in return for work or job-related benefits; or
- Retaliation for reporting or threatening to report harassment. The City expressly prohibits any form of harassment or discrimination, sexual or otherwise, that interferes with the ability of any employee to perform his/her job duties.

Any employee who has a complaint of sexual harassment at work, by anyone, including supervisors, department heads, co-workers, or visitors to the workplace, should immediately report the problem to his/her Department Head and/or the City Administrator.

All employees who observe sexual harassment (or discrimination) at work, by anyone, including supervisors, co-workers or visitors to the workplace, shall immediately bring the problem to the attention of his/her Department Head and/or the City Administrator. The City Administrator and/or the person receiving a complaint of sexual harassment shall immediately name an impartial investigator.

Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent that is reasonably practical.

Investigation of a complaint normally will include interviewing the parties involved and any named or apparent witnesses. All employees are expected to cooperate with an investigation. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint under this policy, participating in an investigation or filing a complaint with a state or federal agency.

Any employee determined after investigation to have harassed another employee will be subject to appropriate disciplinary procedures depending upon the severity of the behavior, up to and including termination from employment. The City will take appropriate action intended to punish the offender and to prevent further harassment.

Employees who make good faith claims of discrimination or harassment shall not be subjected to retaliation. Witnesses who, in good faith, participate in any investigation regarding discrimination or harassment shall not be subjected to retaliation. Retaliation is punishing an employee by demoting them, terminating them or changing his/her work conditions in a material way. The City shall not tolerate retaliation. If an employee believes that he/she is subject to retaliation, the employee should use the complaint procedure outlined in the City's policy in this Handbook.

Complaint Procedure for Claims of Discrimination, Harassment, and Retaliation

Any employee who feels he/she is being subjected to unlawful discrimination, harassment and/or retaliation should immediately contact one of the persons listed below with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:

- Employee's Supervisor
- City Administrator

The employee should be prepared to provide the following information:

- Employee's name, department and position title.
- Name of the person or persons committing the unlawful conduct.
- Date(s) and approximate time(s) of the unlawful conduct.
- The specific nature of the unlawful conduct, how long it has gone on and any employment action (demotion, failure to promote, termination, refusal to hire, transfer, etc.) taken against the employee as a result of the harassment, or any other threats made against him/her as a result of the harassment.
- Witnesses to the unlawful conduct, if any.
- Whether the employee has previously reported such unlawful conduct and, if so, when and to whom.

After receiving a complaint about unlawful discrimination, harassment and/or retaliation, the person receiving the complaint shall document the complaint in writing. The employee shall sign the written complaint, attesting to the accuracy and truthfulness of the incident. All information disclosed in the complaint procedure will be held and will be disclosed only on a need-to-know basis in order to investigate and resolve the matter.

Investigation of Claims of Discrimination, Harassment, and Retaliation

It is the City Administrator's responsibility to coordinate the investigation of unlawful discrimination, harassment and/or retaliation complaints. If the City Administrator is the subject of the complaint, the Mayor shall coordinate the investigation. The following procedures shall apply to the investigation of such

complaints:

- The person to whom the complaint is made shall immediately present it in writing to the City Administrator.
- The City Administrator shall name an impartial investigator who shall promptly begin the investigation.
- The investigator shall meet with the complainant and the respondent, as well as any witnesses who may assist in the investigation.
- The investigator shall notify the respondent of the allegations against them unless immediate notification would jeopardize the investigation or result in a safety concern.
- The respondent shall be given an appropriate opportunity to refute the allegation and present information and/or witnesses on his/her behalf.
- The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by all persons interviewed about the unlawful conduct.
- Based upon the investigative report, the City Administrator shall determine whether the respondent's conduct constituted unlawful discrimination, harassment and/or retaliation. In making that determination, the City Administrator shall look at the record as a whole and the totality of circumstances, including the nature of the conduct in question and the context in which the conduct, if any, occurred. The City Administrator shall use the preponderance of the evidence standard in determining whether the complaint about the unlawful conduct is substantiated or not substantiated.
- If the City Administrator determines the complaint is substantiated, he/she shall determine the appropriate disciplinary measures depending upon the nature and severity of the behavior, up to and including termination of employment. The City Administrator shall take appropriate measures intended to not only discipline the offender, but which are reasonably calculated to prevent further discrimination, harassment or retaliation in the future.
- This determination shall include whether a supervisory relationship exists, and any other factors the City Administrator believes relate to fair and efficient administration of the City, including the effect of the offense on employee morale, public perception of the offense, and the light in which it casts the City. Upon the conclusion of the investigation, the City Administrator shall notify the complainant and respondent of the determination (substantiated or not substantiated.) If any disciplinary measures are implemented, they are confidential personnel matters which shall not be disclosed to any employees. The City Administrator shall notify the complainant and respondent that retaliation will not be tolerated and that if the complainant experiences retaliatory conduct, he/she should report it to the City Administrator or complainant's Supervisor.
- Upon the conclusion of the investigation, the City Administrator shall notify the witnesses that the matter has been concluded, and that if they experience retaliatory conduct, to promptly report it to the City Administrator or their Supervisor.
- If the City Administrator determines after reviewing the investigation report that the complainant did not make the complaint in good faith or otherwise falsified the complaint, the City Administrator shall determine the appropriate disciplinary measures depending upon the nature and severity of the behavior, up to and including termination of employment.

Office of the Ombudsman

Pursuant to Iowa Code Section 70A.29, the City is putting its employees on notice that Iowa Code Chapter 2C authorizes the State of Iowa Office of the Ombudsman to investigate complaints. Any employee wishing to contact the Ombudsman's Office may do so by calling toll-free at 1-888-426-6283.

Conflict of Interest

The City expects the primary interest of employees to be the people the City serves. A conflict of interest occurs when the interests of an employee or another outside party actually or potentially affect the City in a negative way.

Actual and Potential Conflict of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Activities that are inconsistent, incompatible or in conflict with City employment include, but are not limited to:

- Any employment activity or enterprise which involves the use of the City's time, facilities, equipment or supplies, prestige or influence of a City office or equipment to give the employee or the employee's immediate family members an advantage or pecuniary benefit that is not available to other similarly situated members or classes or members of the general public.
- Any employment or activity that involves the receipt of, promise of or acceptance of money or other consideration by the employee or a member of the employee's immediate family from anyone other than the City for the performance of any act that the person would be required or expected to perform as part of the person's regular duties during the hours during which the person performs service or work for the City.

No City employee shall, directly or indirectly, control, inspect, review, audit or enforce the responsibility of his/her office in any activity or enterprise in which he/she, or his/her immediate family or his/her partner or an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected.

No City employee or officer shall accept any consideration given to influence him/her in the performance of his/her duty.

Employees may have outside business interests and outside employment so long as these do not interfere with job performance. Employees may not earn profit from outside employment or business interests which directly results from affiliation with the City.

Gifts and Gratuity

All employees shall comply with state law provisions involving conflict of interest. Employees shall not accept personal gifts offered to them because of their employment with the City, provided that this rule shall not apply to gifts of non-monetary value of less than \$3.00.

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 City as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Failure to abide by this policy is considered very serious and will result in immediate disciplinary action up to and including termination.

Smoking

In compliance with the Iowa Smoke Free Air Act, smoking is prohibited in all of the City's buildings or on any of the grounds surrounding the City's buildings, including entrances to the City's buildings and parking lots. Smoking is also prohibited in or on all vehicles or equipment owned, leased or provided by the City to employees for their use. Smoking includes vaping and use of vaping devices. Smoking is permitted only on employee's scheduled break periods.

Employment Status

Staff levels, classifications, job descriptions and salaries shall be determined by the City Council. Staff categories as established by the City are:

- Regular Full-Time Employees
- Regular Part-Time Employees
- Temporary Employees
- Seasonal Employees

These categories are defined in the “Definitions” policy of this Handbook.

Exempt and Nonexempt Employees

Employee classifications are determined by the Fair Labor Standards Act. They are “exempt” and “nonexempt.”

- “Exempt employees” include those who are not subject to the overtime provisions defined by FLSA. Exempt employees are paid a set salary for any workweek in which they work any hours. While exempt employees do not receive overtime for hours worked over forty (40), in recognition of the extra hours exempt employees work over forty (40) hours per week, exempt employees are permitted twenty-four (24) hours per calendar year for personal time. Certain exempt employees are granted compensatory time, on an hour by hour basis, when approved by the City Council.
- “Nonexempt employees” must comply with the overtime provisions of FLSA, regardless of individual titles or duties. Any employee who does not meet the qualifications for exemption is included in the term “nonexempt.”

SECTION III – RECRUITMENT AND EMPLOYMENT

Recruitment Procedures

The City fills job openings with qualified applicants. The following paragraphs summarize the major elements of the City’s hiring policies for non-civil service positions. Hiring for civil service positions shall be governed by applicable section of the Keokuk Municipal Code, Code of Iowa, and departmental procedures.

- Job openings and position vacancies shall be posted on the City’s website and advertised in appropriate media, provided it has been six (6) months or more since the job opening or vacancy was last advertised. Selection of employees will be completed in the following manner:
 - *City Administrator:* Selection process determined by the City Council with confirmation of hire by majority vote of the City Council.
 - *Department Heads:* Selection through hiring committee of the City Council, in consultation with City Administrator. Confirmation by majority vote of the City Council.
 - *Department Managers:* Selection by the City Administrator and Public Works Director with confirmation by a majority vote of the City Council.
 - *All Other Employees:* Selection by at least two (2) supervisory level employees with confirmation by the City Administrator.
- Any honorably discharged veteran as defined in Iowa Code Chapter 35 and 35C is entitled to preference in appointment and employment over other applicants of no greater qualifications.

- All applicants for employment with the City shall file an application on a form provided by the City. Written statements or documentation, such as resumes, transcripts or letters of recommendation, may be attached, but the City shall not be responsible for the return of any attachments.
- The City relies upon the accuracy of information in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the City's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment. False, incorrect, or incomplete information given on the application may be grounds for termination.
- Qualified applicants will be interviewed by a hiring committee. Once the selection has been made, the salary range, starting date, benefits, and personnel policies are reviewed with the employee.
- As the City deems necessary, the employment application process may include reference checks with previous employers or other relevant background information the City would require in the determination of the applicant's employment suitability.

Licenses and Certifications

Employees whose job requires a professional license or certification must present documentation of their license or certification prior to employment. In some cases, employees may be required to obtain certification and will be given a window of opportunity to secure the certification. Employees must notify their Department Head of any changes in the status of their license or certification. If the City mandates staff to be licensed or certified, the City will assume the cost associated with that initial cost and the cost to maintain the certification or license. If an employee allows a license or certificate to lapse or no longer qualifies for such license or certification, the employee shall be disciplined up to and including termination of employment.

Driver's License

All current employees and applicants for employment in job classifications that require a valid driver's license shall obtain and maintain a valid Iowa driver's license and/or Commercial Driver's License as required, within three (3) months of hire. An employee's probationary period does not commence until the Commercial Driver's License has been obtained. Loss of license or loss of insurability by the City's insurance carrier may be cause for termination. Employee must notify their supervisor within seventy-two (72) hours of an incident that could result in the loss of license.

Background Checks

The City does not have a policy of excluding all prospective employees with prior criminal histories, convictions, or incarcerations. Decisions regarding each prospective employee will be made on an individual basis. Upon receiving confirmation that a prospective employee has been convicted of a crime or incarcerated, the City will consider several factors in determining whether the history precludes the prospective employee's employment with the City. These factors include:

- The length of time since the crime/conviction or sentence was completed: generally, a time period of less than seven (7) years will preclude a prospective employee from employment.
- The nature of the crime/conviction.
- The prospective employee's age at the time of the crime/conviction.
- The number of crimes/convictions (e.g., habitual offenders).
- How closely the crime/conviction relates to the prospective employee's anticipated job duties.
- The prospective employee's rehabilitative efforts since the crime/conviction.
- The prospective employee's record of performance since the crime/conviction.

- Any other mitigating factors identified or explained by the prospective employee.

If, based on the foregoing factors, the City determines that an offer of employment might be rescinded, the prospective employee will be afforded an opportunity to explain his/her criminal history and why it should not disqualify him/her from employment. Any disqualifications will be job-related and consistent with business necessity.

Although each decision will be made on an individualized basis, the following convictions normally will cause the City to assess a prospective employee's employability:

- Convictions pertaining to violent crimes, such as murder, sexual abuse, felony assault, violence involving minors or crimes involving weapons.
- Offenses resulting in a person being placed on the sex offender registry.
- Felony drug convictions.
- Felony or serious misdemeanor convictions relating to property crimes, including robbery, burglary, theft, embezzlement, forgery and arson.
- Driving records for anyone being considered for a driver role.

The foregoing list should not be considered all-inclusive. The City will review all prospective employees' criminal conviction and incarceration histories closely to evaluate the conviction's and/or incarceration's relatedness to a prospective employee's actual job position. The City will keep all information obtained about a prospective employee's criminal history, including convictions and incarcerations, confidential and will only use the information in the hiring process.

Bondable

All current employees and all applicants for employment that require a bond must be bondable by the City's insurance carrier. Loss of bondable status may be cause for termination.

Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act (ADA), the City will consider reasonable accommodation to enable qualified applicants or employees with disabilities to perform the essential functions of the position. The City encourages applicants or employees to make suggestions regarding reasonable accommodations to either their Department Head or the City Administrator. All requests for reasonable accommodations and, also, any relevant information, including the reasonable accommodations made, which are approved by the City Administrator, shall be documented and kept confidential in a separate medical file of the employee with the disability.

Citizenship and Alien Status Verification

As an equal opportunity employer, it is the policy of the City to employ persons legally entitled to work in the United States without regard to citizenship, ethnic background, or place of national origin. Therefore, the City will comply with the following policies and procedures:

- No job applicant may be asked about, or categorized according to, citizenship or resident status. Hiring decisions will be made without consideration of such questions.
- Applicants who are offered jobs will be advised that, solely for purposes of compliance with the Immigration Reform and Control Act of 1986, they will be required to produce satisfactory evidence of eligibility to work in the United States and that such proof will be a condition of employment. A listing of acceptable verification documents will be provided to candidates ahead of time.

- On the employees first scheduled day of work, the employee will be asked to provide original documents verifying eligibility to work and to complete the U.S. Citizenship and Immigration Services Form I-9. Section 1 of the form must be completed on the first day of employment and the entire process must be completed no later than three (3) working days after commencement of employment.

Relocation Expenses

All relocation expenses incurred will be the sole responsibility of the new employee, unless relocation expenses are specifically authorized by the City Council or governing board.

Probation Period

New employees shall serve a regular probationary period of ninety (90) days unless otherwise directed by State Code. Termination of employees during or at the conclusion of the probation period shall be final without right of appeal.

Promotions and Transfers

Persons promoted shall serve a probationary period of thirty (30) days. This probation period may be reduced upon the recommendation of the department director and approved by the City Administrator that the employee had demonstrated full capability of performing the work. If the employee does not perform satisfactorily during or at the conclusion of the probation period, the employee's promotion shall be terminated and he/she shall return to his/her prior classification and pay. Certain departments may have different probationary periods.

Performance Evaluations

The performance of each employee shall be evaluated once each year during the first quarter of each year. Employees on a probationary period shall be additionally evaluated as determined by their supervisor.

The performance evaluation shall be conducted in writing by the employee's immediate supervisor, reviewed with the employee, the department director and by City Administrator and placed in the employee's personnel file.

Physical Examinations

The City may require an applicant to submit to a job-related medical examination by a physician designated by the City and at the City's expense, or the prospective employee's physician at the prospective employee's expense if the employee requests to see his/her own physician. The medical examination shall occur after the applicant has been offered a position, but before the applicant starts work if the medical examination is required of all entering employees in the classification. The results of the examination will be kept in a confidential separate medical file.

Additionally, the City may require that an employee be examined by a qualified and licensed physician or other appropriate medical professional selected by the City if there is any question concerning an employee's fitness for duty or fitness to return to duty following a layoff or leave of absence. Following the examination, the employee shall provide a written statement from the physician indicating that the employee is capable of performing the essential functions of the employee's job, with or without reasonable accommodations, or is capable of performing the essential functions of another job which is open/available and for which the employee is qualified, with or without reasonable accommodations. The results of the examination will be kept in a confidential file separate from other employee records.

Fire and police policies may provide additional requirements related to employees' essential job functions for employees employed by those departments.

Should the employee contest the report, he/she shall notify the City of his/her objections within ten (10) days after he/she has received a copy of the report. The employee shall, within twenty

(20) days after receiving the report, submit in writing to the City a report of a licensed medical practitioner containing findings and opinions reached after a physical and/or medical examination of the employee. It shall be the responsibility of the employee to make the necessary arrangements for such examination and pay the cost thereof. Should the reports of the examining licensed medical practitioner of the employee's choice confirm and document the employee's dispute, it shall become binding upon both parties. The City may within ten (10) days of receipt of the report request clarification of the report, by directing questions to the employee's selected examining practitioner. The cost of securing any supplemental or clarifying opinion shall be borne by the City. Unless there is an alteration as a result of the request for clarification, the original opinion and findings of the employee's selected examining physician shall be final.

Family Medical Leave Act (FMLA)

It is the City's policy to provide unpaid leave to eligible employees in accordance with the requirements of the federal Family and Medical Leave Act (FMLA). A general overview of FMLA leave is included below. Whether a situation is covered by the FMLA depends on whether the law's requirements have been met, not on whether an employee actually requests FMLA leave. The City will designate leave as FMLA leave if the employee is eligible for FMLA leave and if the law's other requirements are satisfied, even if the employee has not requested FMLA leave. If it is found that any provision of this policy conflicts with state or federal law, including federal FMLA law, the law shall supersede this policy. In all respects, leave of absence under this policy shall be administered and provided for in a manner consistent with the Family and Medical Leave Act of 1993 and its published regulations.

Definitions

- "Child" means a son or daughter under 18 years of age or a child 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee's child is one for whom the employee has actual daily responsibility for care and includes a biological, adopted, foster or stepchild.
- "Parent" does not include parents-in-law.
- "Serious health condition" means an illness, injury, impairment or physical or mental condition that involves:
 - An overnight stay in a hospital, hospice or residential medical care facility;
 - A period of incapacity that requires absence from work for more than three (3) consecutive calendar days AND involves either two (2) or more treatments by a health care provider, or at least one (1) treatment by a health care provider plus a regimen of continuing treatment;
 - Any period of incapacity due to pregnancy or for prenatal care;
 - A chronic serious health condition that results in periods of incapacity and sometimes requires treatment;
 - Permanent or long-term conditions which require medical supervision; or
 - Multiple treatments and recovery therefrom.
- "Spouse" means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse does not include an unmarried domestic partner.

- The “12-month period” during which the leave entitlement occurs is designated as the 12-month period measured forward from the first date of the leave.
- “Married Employees”: If an employee and his/her spouse are both employed by the City and are both eligible for family and medical leave, the employee and his/her spouse will be limited to a combined total of twelve (12) weeks of family and medical leave per year taken for any one or all of the following reasons: birth of a child or to care for the child after birth; placement of a child with the employee for adoption or foster care, or to care for the child after placement; or to care for the employee’s parent with a serious health condition. This limitation does not apply in cases of leave to care for the serious health condition of an employee’s spouse or child, or because of an employee’s own serious health condition.

Circumstances that Qualify

The Family and Medical Leave Act provides that eligible employees may take up to twelve (12) weeks of unpaid leave during a 12-month period for any of the following reasons:

- The birth of a child and to care for a newborn child within one (1) year of birth.
- The placement with the employee of a child for adoption or foster care and to bond with the newly placed child within one (1) year of placement.
- A serious health condition that makes the employee unable to perform the functions of the employee’s job.
- To care for an immediate family member (spouse, child or parent) with a serious health condition.
- Qualifying Exigency Leave: Eligible employees may take up to twelve (12) weeks of FMLA leave to handle exigencies related to a family member’s active duty military service or call to active duty, which means leave to deal with child care, financial or legal arrangements due to deployment, leave to address issues arising from the death of the employee’s covered service member or leave to spend time with a covered service member who is on short-term temporary rest and recuperation leave during deployment, among other things.
- Covered Service Member Family Leave: Eligible employees may take up to twenty-six (26) weeks of FMLA leave to care for a spouse, son, daughter, parent or next of kin who has a serious injury or illness incurred in the line of active duty in the United States Armed Forces.

Employee Eligibility

Only eligible employees are entitled to take FMLA leave. To be eligible to take family medical leave, an employee must meet all of these criteria:

- Have worked for the City for twelve (12) months or more within the last seven (7) years (unless the break in service was due to an employee’s fulfillment of military obligation or governed by a collective bargaining agreement or other written agreement);
- Have worked at least one thousand two hundred fifty (1,250) hours for the City during the 12-month period immediately before the date the FMLA leave is to start; and
- Be employed at a location where fifty (50) or more employees are employed by the City within seventy-five (75) miles of that location.

How and When Leave May Be Taken

Family and medical leave is taken either in consecutive workweeks; intermittently in separate blocks of time or by reducing the number of days the employee works per week or hours per day.

Duration of FMLA: Eligible employees may receive up to twelve (12) weeks of FMLA within a rolling

twelve-month period measuring backward from the date leave is requested. Spouses working for the City are entitled to a combined twelve (12) weeks in a twelve-month period unless the leave is for a serious health condition of either spouse. FMLA for the birth or placement of a child for adoption or foster care must be concluded within twelve (12) months of the birth or placement of the child.

Intermittent/Reduced Schedule FMLA: FMLA for a serious health condition of the employee or an immediate family member may be taken intermittently in increments as small as one-fourth (¼) hour or on a reduced schedule basis. Medical certification will be required providing the need for intermittent or reduced schedule leave. The employee shall attempt to schedule the employee's intermittent or reduced schedule leave so as to not disrupt City operations. In the event of a reassignment, the employee's pay and benefits during this time will be equivalent to the employee's current pay and benefits.

Employees shall not work another job while on FMLA leave.

Certification

Any leave for a serious health condition, whether for the employee or for the employee's child, spouse, parent or covered service member, will require medical certification. Medical certification forms are available from the Human Resource Specialist. The City may request a second or third opinion of a medical certification at the City's expense. Periodic re-certification at the City's expense may also be required. Medical certifications, if requested, must be provided within fifteen (15) calendar days of the request, unless special permission is received from the Human Resource Specialist.

Employees will be required to periodically check in with the Human Resource Specialist during their leave to keep the City apprised of their status and intent to return to work. Confidentiality regarding the request will be maintained except for return-to-work information or required information to ensure safety. FMLA files are considered medical records and will be kept separate from the personnel file. Certification will include the date of onset, the probable duration, type of treatment and other appropriate medical facts concerning the condition. If an employee is seeking leave for his/her own health condition, the certification must also state that the employee is unable to perform the essential functions of his/her position. For leave to care for a family member, the certification must state that the employee is needed to care for the family member and an estimate of the amount of leave time the employee will need. Other certification requirements apply in the case of intermittent or reduced schedule leave.

Employees shall be required to complete all necessary Family and Medical Leave Act documentation within the timelines provided under the law prior to any leave being approved as family and medical leave. All documents and forms shall be available from the Human Resource Specialist. If the employee fails to complete and return all necessary Family and Medical Leave Act documentation and the leave is such that would be covered as approved family and medical leave, the City may designate the leave as approved family and medical leave.

The City reserves the right to require an employee to provide recertification for the need for leave, depending on the amount of leave required.

The City reserves the right to require a copy of the covered service member's active-duty orders or other documentation issued by the military which indicate the service member is on active duty or called to active duty status and the dates of the covered service member's active duty service. This information need only be provided to the City once.

Notice Requirements

An employee requesting family and/or medical leave must give the City at least thirty (30) days' advance notice if the reason for the leave is foreseeable. If thirty (30) days' advance notice is not possible given the particular circumstances of the employee's request, the employee must notify the City as soon as is

practicable – generally within one (1) or two (2) business days from the time the employee first learns of the need for leave. Employees must make a reasonable effort to schedule foreseeable or planned leaves of absence, so they do not unduly disrupt the City's operations.

In those cases where the leave is foreseeable and the employee should provide thirty (30) days' advance notice and fails to do so, the employee shall provide a written explanation to the City why such notice was not practicable upon request from the City. Failure to provide notice when required may result in discipline of the employee.

If an employee returns from any period of absence which has not been designated as FMLA leave and the employee wishes to have the leave counted as FMLA leave, the employee must notify the Human Resource Specialist within two (2) business days of returning to work that the leave was for FMLA reasons. Failure to provide this notice to the Human Resource Specialist may prevent the employee from making any later request or claim that the absence should have been covered by FMLA. Upon notification of the request for retroactively applied FMLA leave, the Human Resource Specialist will evaluate the employee's request and, if necessary, provide the employee with the necessary Notices as required by law.

Wages

FMLA Leave will be unpaid except as covered by any accrued sick leave, personal time, vacation time, holidays, compensatory time and disability or workers' compensation benefits, if applicable. An employee who has available paid time off, including sick leave, personal time, vacation time and holidays, will be required to use all appropriate paid leave in that order concurrently with his/her FMLA leave. The employee may also elect to use compensatory time to supplement any unpaid FMLA leave. If an employee wishes to use compensatory time to supplement unpaid leave, the employee must make that election to the City in writing. If an employee is on workers' compensation leave or disability leave for a condition qualifying as a serious health condition under the FMLA, the employee will be required to run FMLA leave concurrent to the workers' compensation/disability leave. When an employee is on workers' compensation or other disability leave and FMLA, if the employee wishes to supplement any reduction in pay with paid leave, the request shall be made to the Human Resource Specialist in writing. When an employee has exhausted all available paid leave, the remainder of any FMLA leave will be without pay.

Continuation Of Insurance Coverage and Fringe Benefits

During the period of family and/or medical leave, the City will continue the employee's group health plan insurance at the same level and under the same conditions as if the employee had continued working with the City in his/her assigned position. Employees will be required to make arrangements with the City to pay their required shares of the cost of the health insurance premiums while on leave. If an employee does not return from FMLA leave, the City reserves the right, in its discretion, to recover the City's portion of the premiums it has paid to maintain the employee's health coverage.

All seniority rights to which an employee is entitled shall accumulate during FMLA leave provided the employee returns to work after the requested leave. Additional sick leave and vacation time shall accrue during the time the employee is on paid leave but will not accrue if on unpaid leave. Full-time employees on paid leave will receive holiday pay when a holiday occurs. Employees on unpaid leave will not receive holiday pay.

Coordination With Other Forms of Leave

FMLA leave is coordinated with other existing forms of leave as follows:

If an employee's leave under Iowa's Workers' Compensation laws also qualifies for FMLA leave, the workers' compensation leave will run concurrent to the employee's FMLA entitlement.

When FMLA leave is used for the employee's serious health condition that is covered by Iowa's Workers' Compensation laws, the employee may be entitled to paid leave under Iowa's Workers' Compensation laws. An employee will not be required to use any accrued paid leave provided by the City if the employee receives paid leave under Iowa's Workers' Compensation laws, however, the employee may elect to do so under the requirements of the Workers' Compensation policy in the Handbook.

If an employee's use of pregnancy-related leave pursuant to Iowa Code Chapter 216 also qualifies for FMLA leave, the leave will be counted against the employee's entitlement for both purposes.

Return To Work After Family and/or Medical Leave

An employee who qualifies for FMLA and has been unable to work due to a serious health condition must provide the City with a written release to return to work from a health care provider before returning to work. Failure to provide that certification will result in a delay in the restoration of the employee's job and may result in a denial of the restoration of the employee's job. If the employee can perform the essential functions of his/her job, the employee will be restored to his/her former position, if that position is vacant, or one with equivalent pay, benefits and conditions of employment provided the employee has complied with the requirements of this policy. If an employee's health care provider states that the employee may return to work, but that the employee has certain restrictions which limit the employee's ability to perform certain essential job functions, then such work restrictions shall be analyzed with respect to the essential functions to determine whether or not a reasonable accommodation is possible.

Any employee who decides, during the period of family and/or medical leave or following the completion of family and/or medical leave, that the employee will not return to work with the City, is asked to advise the City of this fact in writing immediately. If an employee fails to return to work after exhaustion of his/her twelve (12) weeks of FMLA leave, that employee's employment may be terminated.

Termination of FMLA Leave

An employee's FMLA leave and accompanying benefits will cease if any of the following occurs:

- The employee's employment with the City would have been terminated due to other factors, even if the employee had not taken FMLA leave.
- The employee informs the City of the employee's intent not to return from leave in writing.
- The employee fails to return from leave or continues on leave after exhausting the employee's FMLA leave entitlement.
- The employee fraudulently obtains FMLA leave.

Other Provisions

Exempt Employees: Salaried executive, administrative and professional employees of covered employers, who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under the FLSA regulations, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exemption to the "salary basis" requirements for FLSA's exemption extends only to an eligible employee's use of FMLA leave.

Dishonesty: Any deliberate misrepresentation resulting in the misuse of FMLA leave will subject employees to disciplinary action.

Enforcement: It is unlawful for any employer to interfere with, restrain or deny the exercise of or the attempt to exercise any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice or because of involvement in any proceeding related to FMLA.

The Wage and Hour Division is responsible for administering and enforcing the FMLA for most employees. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. If an employee believes that his/her rights under the FMLA have been violated, the employee may file a complaint with the Wage and Hour Division or file a private lawsuit against his/her employer in court.

For additional information, the employee should visit the Federal Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call the toll-free information and helpline, available 8 a.m. to 5 p.m. in the employee's time zone, 1-866-4-USWAGE (1-866-487-9243). This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

Seniority

General: City seniority shall be used to calculate any and all benefits; departmental seniority shall be used to calculate departmental rights. Temporary employees shall not accumulate City or departmental seniority.

Lay-off: Lay-offs shall operate on a departmental basis. When conditions in any department warrant a reduction in the workforce, employees with the least departmental seniority shall be laid-off first unless unique circumstances surrounding qualifications, experience, and or credentials, warrants the City to look at each situation on a case by case basis and shall be reinstated in the reverse order of their lay-off, contingent upon the employee's ability to perform the work available in the department concerned. Layoff procedures may be covered in departmental CBA. Please reference the appropriate document for correct procedure.

Terminated Employees: Employees will lose all seniority rights.

Personnel Files, Privacy, and Employee Access

Personnel files are the property of the City. The City Administrator, or his/her designee, shall maintain personnel files in a secure location on each employee. These files contain job-related information, including performance appraisals, disciplinary records and some beneficiary designations. Any information contained in the files will be released only as required by law, if the employee makes a written request for the City to release the information, or to a Councilmember or Department Head in accordance with this policy. However, upon request from a member of the public, the City will release information relating to dates of employment, job description, salary and such other information as may be required pursuant to Iowa Code Chapter 22. The City will release any information relating to the results of federally required drug tests in accordance with the applicable law.

To assure that City records are current, employees should notify their Department Head whenever there are any changes in the employee's home address, telephone number, marital status, emergency contact, beneficiary designations and number of dependents. As stated in Section 91B.1 of the Iowa Code, an employee shall have access to and shall be permitted to obtain a copy of the employee's personnel file maintained by the City, including, but not limited to, performance evaluations, disciplinary records and other information concerning employer-employee relations.

However, an employee's access to a personnel file is subject to all of the following:

- The City Administrator and employee shall agree on the time the employee may have access to the employee's personnel file, and a representative of the City may be present.
- An employee shall not have access to employment references written for the employee.

- The City may charge a reasonable fee for each page of a copy made for an employee of an item in the employee's personnel file. For purposes of this subsection, "reasonable fee" means an amount equivalent to the amount charged per page for copies made by a commercial copying business.

In the event the City Administrator is unavailable to respond to a request for access to personnel files and such unavailability to respond is reasonably anticipated to exist for forty-eight (48) hours or more, the City Clerk shall, consistent with the terms of this policy, have authority to act in the place of the City Administrator. In the event the City Clerk shall act in the place of the City Administrator pursuant to the terms of this policy, the City Clerk shall prepare a summary report to the City Administrator indicating who requested access to the personnel files and what files were provided pursuant to the request.

Department Heads may obtain information from the personnel files only on employees within their respective departments. The City Council may request personnel records be provided for review by the entire City Council without the consent of the employee when it is a business necessity and for legitimate employment-related reasons. Care shall be taken to protect the privacy rights of all persons mentioned in the records at any meeting, whether closed or public. Any Councilmember or Department Head seeking to review a confidential personnel record of a City employee shall provide reasonable prior written notice of the request to the City Administrator. Upon providing such notice to the City Administrator, the Councilmember or Department Head shall be permitted, during normal business hours, to review the confidential personnel records of the City employee listed on the written request. The City Administrator may be present during the review of personnel records and shall inventory the file prior to any authorized review of the file. Confidential personnel records or any portion of confidential personnel records shall not be removed from City Hall. Copies of confidential personnel records shall not be made by anyone, except for an employee obtaining information from his/her own file, or except for use by the City in a matter involving the employee. A record of the time and date of the authorized review of the confidential personnel file shall be maintained by the City Administrator.

SECTION IV – GENERAL EMPLOYEE CONDUCT

Statement of Conduct

A City employee shall not engage in any employment, activity, or enterprise which is inconsistent, incompatible, or in conflict with the duties, functions and responsibilities of the department by which he/she is employed, or in conflict with City employment.

In addition, City employees shall recognize there is an obligation on the part of each individual to give honest, efficient and economical service in the performance of his/her duties. Consequently, all employees shall strive to cooperate with and maintain a respectful and cooperative attitude towards each other and their supervisors.

Incompatible Activities

The following activities, said listing not to be construed as comprehensive, shall be considered inconsistent, incompatible or in conflict with City employment.

- Any employment activity or enterprise which involves the use for private gain or advantage of the City's time, facilities, equipment or supplies, prestige or influence of a City office or equipment.
- No City employee or officer shall, directly or indirectly control, inspect, review, audit or enforce the responsibility of his/her office in any activity or enterprise in which he/she, or his/her immediate family, or his/her partner, or an organization which employs, or is about to employ any of the above, has a financial or other interest in the firm selected for an award.

- No employee shall directly or indirectly solicit, accept or receive any gift having a value of three dollars or more in any one occurrence, in accordance with the Code of Iowa. No employee shall accept money or gifts for an act which the employee would be required, or is expected, to render in the course of his/her regular duties as a City employee.
- No weapons of any kind other than pocket-knives shall be brought to the workplace, except for those employees who are certified and specifically authorized to carry and use, if necessary, weapons in the course of their employment with the City.
- Personal weapons may be housed as the law provides in personal locked vehicles only. At no time shall any weapons be displayed, carried or stored in any other way on City of Keokuk property.
- Failure to abide by this policy is considered very serious and will result in immediate disciplinary action up, to and including termination.

Political Activity

The City encourages employees as private citizens to take an active interest in government and to participate in political affairs. All employees have the right to express their opinions on political issues and candidates and are also encouraged to exercise these rights. However, such employee activity is subject to the following conditions:

- Non-partisan position of this City: No action will be allowed by any person that infringes upon the right of any employee to decide which candidates or positions to support.
- The City will not endorse or contribute to any political candidate, party or cause.
- Individual actions: No employee is allowed to give the impression that any political action or position represents the City. All political activities are to be done as the actions of individuals, on their own personal time, without use of City property or facilities.
- No employee is allowed, directly or indirectly, to coerce, attempt to coerce, command or advise any other employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes.
- Employees seeking political office: Employees who wish to seek elective office should inform their Department Head or the City Administrator. The City grants unpaid personal leave to employees who are candidates of elective office. An employee is considered to be a candidate for elective office once all statutory requirements have been met to qualify as a candidate. Employees who are granted leave under this policy must comply with the City policy for unpaid personal leave in its entirety. An employee who is unsuccessful in his/her campaign shall be returned to his/her employment on the same terms and conditions of any other employee taking a leave of absence without pay. If an employee refuses to take an unpaid leave of absence, the employee may also terminate his/her employment with the City.
- An employee of the City may not use his/her official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office. An employee of the City may not, directly or indirectly, coerce, attempt to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization or person for political purposes.
- The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to, nor retained in, the City's service on the basis of their political affiliations or activities.

Nepotism and / Employment of Relatives

It is the City's policy to avoid nepotism in the workplace. While this does not mean that relatives cannot work together at the City; it does mean that the City's policy is to be selective in the work assignments that relatives might receive and/or the positions they hold. Iowa Code Chapter 71 shall apply when appropriate. The following guidelines will govern these situations:

- No employee will be permitted to hire the employee's relative.
- When related persons work for the City, a relative may not supervise another relative.
- Related persons will not be involved in evaluating each other's job performance or in making recommendations for salary adjustments, promotions or other budget decisions.
- No City employee shall be required to terminate employment due to the election of a relative to an elected City office.

This policy applies to all City departments and all categories of employment, including full-time, part-time, and temporary classifications. The City Administrator shall determine whether a hiring, appointment, transfer, or promotion violates the terms of this policy.

Attendance

The City relies on employees to report to work regularly and on time. If an employee is going to be late or absent, the employee must contact his/her Department Head as soon as possible but at least fifteen (15) minutes prior to the start of the employee's shift or as otherwise specified by department. If an employee has to leave early, the employee must obtain approval from his/her Department Head.

The City may take disciplinary action, up to and including termination of employment, where an employee fails to report to work timely or at all or leaves work without prior authorization. This policy shall not be construed to conflict with the Americans with Disabilities Act, the Family and Medical Leave Act (if applicable), the Iowa Civil Rights Act and other applicable federal and state laws.

Employees who miss work for three (3) consecutive days without notifying their Department Head or have three (3) consecutive days of unexcused absences, are considered to have abandoned their jobs and voluntarily resigned.

Employee Appearance

As representatives of the City, employees are expected to exhibit a neat, well-groomed appearance. Some employees are issued uniforms and must wear the uniforms during work hours at all times. Radical departure from conventional dress or personal grooming is not permitted. The City will not be held liable for damage to clothing or accessories while an employee is on duty.

Employees in the General Unit shall be provided the following protective equipment: (1) the operator on the oil truck shall be furnished protective clothing to be determined by the City; (2) the sanitation department shall be provided with gloves; (3) the City will provide employees one (1) pair of non-prescription safety glasses each year and will contribute \$37.50 toward prescription safety glasses; and (4) employees whose duties require them to work outside shall be provided winter coveralls as needed; (5) the City will provide \$120.00 toward the purchase of steel toed boots annually or provide \$200 toward the purchase of steel toed boots once every two years.

Employees in the Water Pollution Control Unit shall be provided the following protective equipment: (1) rain gear; (2) rubber boots; (3) rubber gloves; (4) the City will provide employees one pair of non-prescription safety glasses each year and will contribute \$37.50 toward prescription safety glasses; (5) employees whose duties require them to work outside shall be provided winter coveralls as needed; and (6) the City will provide \$120.00

toward the purchase of steel toed boots every two years. Employees in this unit who have successfully completed their probationary period shall be provided an annual uniform allowance in the amount of \$300.00, less taxes payable as soon as practical after July 1, of every year.

Employees provided clothing and/or uniforms by the City shall be reimbursed upon paid receipt and return of the damaged or worn-out clothing.

If the Department Head decides that an employee is in violation of the dress code, the employee will be asked to go home and change. The time required to do this is unpaid.

Departments not covered in this section should refer to their collective bargaining agreement for dress code requirements and benefits. Administrative personnel shall refer to the Benefits Supplemental for dress code.

Use of City Property

Employees will not directly or indirectly use or allow the use of property, equipment or supplies belonging to the City for any purpose other than for City business, unless otherwise offered to the general public. Pursuant to Iowa Code Section 68B.2A, use of City equipment otherwise not available to the general public for personal or non-work-related purposes is strictly prohibited and may result in disciplinary action or criminal charges.

No employee shall willfully alter, mutilate, abuse, or waste any property, equipment or supplies belonging to the City or located on City property. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles can result in disciplinary action, up to and including termination. Employees authorize the City to withhold the cost of repair or replacement for any property damage caused by the employee.

If, in the course of normal business use, an employee notices that any equipment, machines, tools or vehicles appear to be damaged, defective or in need of repair, the employee should notify the Department Head as soon as possible. Prompt reporting of damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or the people the City serves.

Each mechanic in the Garage and Mechanical Maintenance Department shall provide his/her own hand tools of a sufficient quantity and quality. The City shall provide each mechanic in the Garage and Mechanical Maintenance Department with a Eight Hundred Dollar (\$800.00) per year tool allowance, which will be reimbursed to the mechanic upon paid receipt.

Use of City Vehicles

City vehicles shall be used only for City business except as authorized by the City Council. Any approved use of City vehicles shall be counted as taxable income to the employee per IRS guidelines.

The safety of City employees is of critical importance to the City. Therefore, each employee has a responsibility to not only protect the employee when on the road, but also to protect those around the employee. Employees that are required to drive on City business at any time will be expected to consistently follow the policies below:

- Operate the vehicle safely, economically and in strict compliance with all traffic and parking regulations.
- Comply with routine maintenance schedules as established by the City Council.
- Assume responsibility for reporting needed repairs and maintaining the cleanliness of the interior and exterior of the vehicle.

- Radio-equipped vehicles shall maintain radio contact with an appropriate base station when on duty or on call.
- No posters, stickers or advertisements shall be placed on City vehicles without prior approval of the City Council.
- City vehicles may be used for transportation to and from meals only when assigned to an employee on a full-time basis or when in use by employees required by job assignments to take their meals in the field.
- Meet all City licensing, registration, insurance and driving record requirements.
- Smoking is prohibited in all City vehicles.
- Employees driving City vehicles shall operate the vehicle in a safe and courteous manner.
- Employees shall wear seat belts at all times while in a moving vehicle being used for City business, whether driving or riding as a passenger. Employees shall require that all passengers they are transporting wear seat belts while in a moving vehicle.
- Employees shall not allow anyone to ride in a City vehicle or a personal vehicle on City time without receiving prior written approval from the Department Head.
- Employees shall strictly follow the City's drug and alcohol policy when operating a vehicle on City time or a City vehicle.
- All accidents must be promptly reported to law enforcement, the City Administrator and/or the employee's Department Head. Employees must cooperate fully with any insurance claims investigation that occurs.
- Any moving violations or parking violations received while on City time or in a City vehicle must be promptly reported to the City Administrator and/or the employee's Department Head.
- An employee shall not use a City vehicle while on medication or suffering from a medical condition that impacts his/her ability to safely operate a vehicle.
-

Distracted Driving:

- The employee shall take all appropriate steps to ensure that he/she is not distracted by the cellular phone or other mobile device to the point that safety is compromised.
- Employee use of hands-free mobile devices is encouraged.
- The employee shall use care when dialing the cellular phone to ensure that safety is not compromised by the dialing process. This may require the employee to safely pull over to the side of the road in order to look up numbers or dial the phone;
- The employee shall use care to ensure that phone-related activities do not interfere with the employee's safe operation of the vehicle. If the employee must make notes during the phone call, the employee shall safely pull over to the side of the road before making said notes.
- Employees using City-issued phones for personal calls on their own time are encouraged to use appropriate safety accessories and guidelines.

Under no circumstances shall employees view or engage in texting, emailing, Internet surfing, social media use, or similar while driving.

Violations of this policy will be considered serious and may result in the imposition of discipline up to and including termination.

The City reserves the right to monitor and/or verify any employee's driving record at any time.

NOTE: The Police Department is exempt from this section and shall establish their own policy based on the nature of their daily operations and technology in the vehicle.

Drug and Alcohol Free Workplace Policy

The City is committed to providing a safe and productive environment for those individuals employed by and the individuals affected by its operations through commitment to a drug-free workplace. It is well recognized that individuals who use illicit drugs or use alcohol are more likely to have workplace accidents and perform their work in an inefficient and substandard manner.

To effectuate this commitment, the City has determined that it must take the necessary steps to ensure that City employees are free from the influence of drugs and/or alcohol while performing their duties. The City has developed the following Drug and Alcohol Testing Policy which covers all City employees not otherwise affected by state or federal drug testing laws. This policy is applicable to all applicants for City positions and all City employees at any time they are actually performing, preparing to perform or immediately available to perform any paid function as designated by the City.

All employees in positions requiring Commercial Driver's Licenses are subject to the federal and state laws requiring drug and alcohol testing, and where those laws conflict with this policy, those laws shall supersede such provisions of this policy. The Federal Transit Administration has adopted drug and alcohol testing procedures covering safety-sensitive employees engaged in mass transit and those laws also supersede the provisions of this policy. For purposes of DOT/FMCSA testing, the Public Works Director or his/her designee will serve as the City's designated representative (DER).

Definitions

Safety-Sensitive Employee: A safety-sensitive employee is an employee working in a position wherein an accident or an error could cause the loss of human life, serious bodily injury, or significant property or environmental damage, including a position with duties that include immediate supervision of a person in a job that meets the requirements of this paragraph. However, the City reserves the right to add or remove positions from its list of safety-sensitive positions at any time. This includes part-time safety-sensitive employees.

Reasonable Suspicion Drug and Alcohol Test: Drug or alcohol tests based upon evidence that an employee is using or has used alcohol or other drugs in violation of this written policy. Evidence in support of such a violation is drawn from specific objectives, articulable facts and reasonable inferences drawn from those facts in light of training and experience. For the purposes of this paragraph, facts and inferences may be based upon, but are not limited to, any of the following:

- Observations while at work, such as direct observation of alcohol or drug use or abuse, or physical symptoms or manifestations of being impaired due to alcohol or drug use as described in the educational materials provided to employees.
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- A credible source's report of alcohol use or the use of drugs. The City Administrator will have the final determination of who is a credible source.
- Evidence that an individual has tampered with any drug or alcohol test during the individual's employment with the City.
- Evidence that an employee has caused an accident while at work which resulted in an injury to a person for which injury, if suffered by an employee, a record or report could be required under Chapter 88 of the Iowa Code, or an accident that resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed One Thousand Dollars (\$1,000.00).
- Evidence that an employee has manufactured, sold, distributed/solicited, possessed, used or transferred drugs while on the City's premises, or while operating the City's vehicle, machinery or equipment.

- The employee's statement or admissions of drug use while he/she is a City employee.

Positive Test: An employee tests positive for drugs if any trace of an illegal substance is detected following a drug test. An employee tests positive for alcohol if he/she has a blood alcohol concentration equal to 0.04 or greater.

Illegal Drugs/Substances: Any substance that is illegal by law, has not been legally obtained or which cannot be legally obtained. This includes prescription medication for which the employee does not have a prescription and/or is not taken according to the prescription.

Prohibited Activity

No employee shall illegally use, sell, transfer, purchase or possess drugs, alcohol, controlled substances or drug paraphernalia, or any combination thereof, while in a City facility, vehicle, vessel or aircraft or while performing City business, including business conducted in the employee's own home.

No employee shall report for work while under the influence of illegal drugs or alcohol. Furthermore, no employee shall report to work within four (4) hours of consuming alcohol even if the employee does not believe he/she is under the influence of alcohol during that time. No employee shall use illegal drugs or consume alcohol while at work.

No employee shall use prescription drugs unless: (1) a doctor has prescribed the medication to the employee; and (2) the doctor has advised the employee that the drug will not adversely affect the employee's ability to perform the essential duties of his/her job without endangering the public's, co-workers' or the employee's safety.

Any employee using properly prescribed drugs that may impair the employee or affect the employee's job performance shall notify his/her immediate Supervisor about the use of the drug. A drug may impair an employee or affect an employee's job performance if it may cause the employee dizziness or drowsiness or the employee or the employee's doctor believes the drug will impair the employee or affect the employee's job performance in some way.

If an employee is using a prescription drug and his/her doctor has advised him/her that the drug may adversely affect the employee's ability to perform the essential duties of his/her job, the employee shall advise his/her Supervisor of the adverse effects and the prescribed period of use.

Supervisors shall document this information through the use of an internal memorandum and maintain this memorandum in the medical file of the employee maintained by the Human Resource Specialist. Information regarding the storage of drug test results and other medical information is provided in a following subsection.

Any employee using properly prescribed prescription drugs must carry the medication in its original container and the container must be labeled with the employee's name, the name of the employee's doctor, the dosage and the name of the drug prescribed.

Any employee who unintentionally ingests or is made to ingest a controlled substance shall immediately report the incident to his/her Supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.

The City reserves the right to offer employees who violate this policy participation in an approved rehabilitation or drug abuse assistance program as an alternative to discipline. If such a program is offered and accepted by the employee, he/she must satisfactorily participate in it as a condition of continued employment.

Notification

The City will notify applicants of this drug and alcohol testing policy at the time of his/her first interview.

The City will provide all employees with drug and alcohol education, including the effects of drugs and alcohol, signs and symptoms of drug and alcohol use, assistance available for those abusing drugs and alcohol, drugs and alcohol to be tested, and drug and alcohol testing requirements.

All drug testing results and other confidential information will be kept confidential.

Each employee and applicant will sign a form acknowledging receipt of these materials.

For CDL Employees: The FMCSA Clearinghouse is an electronic database that will contain information about commercial motor vehicle drivers' drug and alcohol program violations. FMCSA regulations require employers to inform drivers and driver-applicants that the following information will be reported to the Clearinghouse (beginning 1/16/2020):

- A verified positive, adulterated or substituted drug test result;
- An alcohol confirmation test with a concentration of 0.04 or higher;
- A refusal to submit to a drug or alcohol test required by FMCSA regulations;
- An employer's report of actual knowledge of:
 - On duty alcohol use (see 49 CFR § 382.205);
 - Pre-duty alcohol use (see 49 CFR § 382.207);
 - Alcohol use following an accident (see 49 CFR § 382.209);
 - Controlled substance use (see 49 CFR § 382.213);
 - A substance abuse professional's report of the successful completion of the return-to-duty process;
 - A negative return-to-duty test; and
 - An employer's report of completion of follow-up testing.

Types Of Drug Testing

Prospective Employee Drug Testing:

All prospective, safety-sensitive employees who have been extended a conditional offer of employment with the City shall be informed that a condition of employment includes passing a drug test as part of the pre-employment process.

If a prospective, safety-sensitive employee refuses to take a pre-employment drug test when scheduled or tests positive for a substance, that employee is ineligible for City employment for one (1) calendar year from the date of the drug test. If an employee is transferred to a safety-sensitive position, drug and alcohol testing under this policy is a condition of the transfer.

Employee Drug Testing:

Post-Accident Testing: After an accident, testing shall be conducted on employees whose performance could have contributed to the accident if (1) it is required by state or federal law; or (2) reasonable suspicion exists.

Reasonable Suspicion Testing: When any Supervisor or manager has reasonable suspicion that a City employee is under the influence of drugs or alcohol while on duty, or otherwise violating the terms of this policy, that Supervisor or manager shall require reasonable suspicion testing. If reasonable suspicion testing is required, the employee will not be permitted to drive to or from the testing or while at work until the test is

returned, and then only if the test produces negative results. The City will provide transportation to/from the testing at the City's expense, if necessary.

Random Testing: Because of the safety-sensitive nature of their employment, employees with safety-sensitive job duties may be required to take a drug test as a condition of continued employment in order to ascertain prohibited drug use, as provided below:

- The City may conduct random drug and alcohol testing on safety-sensitive employees who are not covered by another drug/alcohol testing policy mandated by the state or federal government without individualized suspicion.
- The selection of employees to be tested from the pool of employees subject to testing shall be done based on a computerized randomly generated selection process administered by a third-party, in which each member of the employee pool has an equal chance of selection.
- All random drug testing will be uniform and unannounced.
- The City Administrator will determine the frequency and timing of the random drug testing.

Drug Testing Procedures

Drug and alcohol testing shall require the employee to present a reliable form of photo identification to the person collecting the sample. Drug testing will be conducted at a location designated by a supervisor or the City Administrator. The City will designate the type of testing to be performed on the sample collected. Drug and alcohol testing shall normally occur during or immediately before working hours begin or immediately after working hours. The time required for such testing shall be considered work time for the purpose of compensation and benefits.

The drug screening tests selected shall be capable of identifying every major drug likely to be abused including, but not limited to, marijuana, cocaine, heroin, amphetamine and barbiturates. Personnel utilized for testing will be certified as qualified to collect urine samples or adequately trained in the collection process. A specimen testing positive will undergo an additional test to confirm the initial result. Any employee who breaches the confidentiality of testing information shall be subject to discipline.

The City shall pay all testing costs for pre-employment, reasonable suspicion, regularly scheduled or follow-up drug or alcohol testing ordered by the City.

In conducting drug or alcohol testing pursuant to this policy, the laboratory, the Medical Review Officer and the City shall ensure, to the extent feasible, that the testing records maintained by the City show only such information required to confirm or rule out the presence of prohibited alcohol or drugs in the body.

Post-Testing Procedures

Employees having negative drug test results shall receive a memorandum stating that no illegal drugs were found. The employee may request a copy of the memorandum be placed in the employee's confidential medical file.

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

If the employee is permitted to return to work, the employee may be required to submit to evaluation by a Substance Abuse Professional and undergo treatment recommended by the Substance Abuse Professional prior to returning to work. If the employee successfully completes the treatment, no further disciplinary action will be taken against the employee. If the employee refuses to submit to the evaluation or fails to successfully complete treatment, the employee will be subject to further discipline up to and including discharge.

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

Drug Test Results

All records pertaining to required drug tests shall remain confidential and shall not be provided to other employees or agencies, with the exception of the City Administrator and the employee's immediate Supervisor, without the written permission of the person whose records are sought. The City Administrator and the employee's immediate Supervisor shall have access to the records for purposes of employment decisions. Computerized recordkeeping shall comply with this provision of the policy.

Drug test results and records shall be stored and securely retained for an indefinite period in a confidential employee medical file maintained by the City Clerk.

Responsibility

It shall be the responsibility of the City Administrator to enforce this policy. Employees are expected to report any suspicious behavior or suspected drug abuse of an employee. It is the responsibility of each employee to abide by the procedures as outlined. Any employee refusing to submit to a drug test request made under this policy will be subject to discipline up to and including termination.

SECTION V DISCIPLINE

Work Rules

In order to maintain safe, efficient and harmonious operations, and to continue to provide the highest standard of public service, the City has adopted the following rules for its employees. Each rule reflects a common understanding of what behavior is acceptable in the workplace.

These rules are not exclusive, and discipline may be taken in other instances of misconduct. Certain departments may have additional rules and employees shall be presented those rules in conjunction with this handbook. The City can modify these rules as changing conditions warrant. The City may take whatever disciplinary action it deems appropriate in response to an offense, even if it is not included in the following list.

Employees must understand that any offense, whether or not it is included in these work rules, may result in disciplinary action up to and including discharge, without prior warning. Each case shall be considered on its own merits with due consideration to the nature of the offense, the cause, the background, the likelihood of repetition and the attitude of the offender.

While it is not possible to list all of the work rules, the following are examples of inappropriate, unacceptable conduct:

- Unsatisfactory work performance.
- Dishonesty or lying, including falsifying employment or other job-related records.
- Violating the City's policy against workplace harassment, discrimination or retaliation of any kind.
- Establishing an unacceptable pattern of tardiness or absenteeism. Absence without leave for a period of three (3) duty shifts shall be considered cause for automatic termination of employment and separation from City Service.
- Unauthorized failure to return from a leave of absence.

- Engaging in unauthorized use of City property, equipment or supplies, particularly for personal use.
- Consuming, having unauthorized possession of, being under the influence of, or reporting to work intoxicated or under the influence of non-prescribed drugs, alcohol or other substances.
- Illegally manufacturing, possessing, using, selling, distributing or transporting drugs.
- Bringing, possessing or consuming alcoholic beverages to or in City workplaces or using alcoholic beverages while engaged in City business off of City premises.
- Fighting or physically assaulting an individual or using obscene, abusive or threatening language.
- Stealing, willfully destroying or unauthorized use or alteration of property of co-workers, customers, clients or the City.
- Having unauthorized firearms, knives, explosives or other weapons on City premises or while on City business.
- Disregarding smoking, safety or security regulations.
- Engaging in insubordination or failing to cooperate with assigned employees, co-workers, supervisors or managers.
- Failing to follow City job instructions or to perform work requested by a supervisor or manager.
- Violating a City safety rule or practice or creating or contributing to unsafe, unhealthy or unsanitary conditions.
- Failing to maintain confidentiality of City, client or customer information.
- Failing to maintain necessary licenses and/or certifications.
- Failing to maintain motor vehicle insurability, if required.
- Unauthorized copying of City records.
- Refusal to work without good reason when called in for emergency situations.
- Sleeping, or giving the impression of sleeping, during work hours.
- Failing to notify an employee's Supervisor in advance of an absence from work, including arriving late or leaving early.
- Making untruthful or malicious statements about fellow employees.
- Threatening, coercing or intimidating fellow employees or others.
- Modifying another employee's timecard without authorization from the appropriate Supervisor or asking another employee to modify his/her own timecard.
- Gambling on City property or on working time.
- Soliciting monetary contributions or disturbing non-work materials without proper permission of the City Administrator.
- Discourteous treatment of any kind to the public.
- Failure to report an occupational injury.
- Failure to keep necessary certifications and credentials.
- Violation of any employee requirements in this Handbook.

Progressive Discipline

It is the City's policy to follow a system of progressive disciplinary action as outlined below. However, a violation of a serious nature may be cause for stronger disciplinary action or immediate discharge, in the City's discretion. Situations the City believes will respond to corrective discipline will normally be handled as follows:

- *Counseling:* The employee's Supervisor may give the employee a verbal warning.
- *Written warning:* If the unsatisfactory conduct continues, the employee's Department Head may issue a written warning. The written warning will state the reasons for the warning and the consequences of continued action. The employee shall acknowledge receiving the written warning by his/her signature on the written warning. A copy shall be given to the employee and a copy shall be placed in the employee's personnel file.

- *Suspension:* If sufficient improvement has not been made, or if the conduct continues, the employee may be suspended without pay. The suspension shall be documented and state the reasons for the suspension and the consequences of continued action. The employee shall acknowledge receiving documentation of the suspension by his/her signature on the documentation. A copy of the documentation shall be given to the employee and a copy shall be placed in the employee's personnel file.
- *Termination:* If the conduct continues, the City may terminate the employment of the employee.

The City reserves the right to use whatever discipline it decides is appropriate in any situation, up to and including discharge, without regard to the progressive discipline guidelines explained above.

Employees are free to resign their employment with the City at any time and for any reason and the City retains the same right regarding termination of employment.

Certain departments may have additional discipline guidelines. Employees shall be given those guidelines in conjunction with this handbook.

Complaint Procedure

Any employee who has a complaint regarding his/her employment with the City shall follow the following complaint procedure. Note, complaints regarding discrimination, harassment and retaliation shall be handled following the procedure outlined in this Handbook.

An employee having a complaint should attempt to resolve the problem informally with his/her Department Head as soon as possible. If a solution cannot be reached, the employee may present a complaint, in writing, (see Appendix for form), to the City Administrator.

All complaints will be handled in a timely manner. As a goal, this City attempts to resolve a complaint within twenty (20) working days from the time of its initiation, however, more time may be necessary. The decision of the City Administrator regarding the complaint shall be final.

Applicable CBA sections will supersede this subsection. Complaint procedure for Public Works Bargaining Units is attached as supplemental.

SECTION VII – HEALTH AND SAFETY

General

The City strives to ensure a safe workplace. It is the responsibility of each employee to adhere to the following:

- Work according to good safety practices as posted, instructed and discussed.
- Refrain from any unsafe act that might endanger oneself, the people the City serves or co-workers.
- Use all safety devices provided. Failure to comply could result in immediate termination.
- Report any unsafe situations or acts immediately to the Department Head.

First aid supplies are located at each facility. For the purposes of workers' compensation, all injuries should be reported to a Department Head and an accident form filled out within twenty-four (24) hours and turned in at the City Clerk's office.

Reporting and Treatment of Work Related Injuries and/or Accidents

All work-related injuries and/or accidents must be reported immediately to the employee's immediate

supervisor, the City Administrator, or the City Clerk. In addition, a call to the Company Nurse must be made as soon as practical after the accident to ensure coverage under the Worker's Compensation Law, if appropriate.

If you need medical treatment due to a work-related injury or illness, seek treatment at:

Blessing Health Keokuk Clinic, 1414 Main St
Company Nurse, 1-888-770-0928, www.companynurse.com

For a serious injury or illness (or any treatment that should not wait until clinic hours the next day) seek immediate treatment at the nearest emergency facility. If you choose to be treated by any other medical facility and/or physician, you may not qualify for any workers' compensation insurance benefits and you may be responsible for all medical costs related to this incident. This is in accordance to our state's workers' compensation statute.

Worker Compensation

Employees are protected under the state workers' compensation law against loss of income due to injury or death that occurs during work activities. Employees may be eligible to receive benefits for injuries arising out of and in the course of employment pursuant to the Iowa Workers' Compensation Act. The City pays the entire cost of the workers' compensation insurance premium. Employees must report all job-related accidents, injuries and illness immediately after experiencing a symptom. The insurance carrier will determine the benefits, if any, the employee deserves.

REPORTING: Any employee injured on the job will report the injury immediately, (no later than twenty-four (24) hours), to his/her Department Head, regardless of whether the injury is minor or of no apparent significance. If an employee fails to report such injury, he/she shall be disciplined accordingly.

INCIDENT REPORT: An incident report will be completed promptly by the Department Head to ensure documentation and expedite compensation.

Failure to report an injury could result in the employee not being covered under workers' compensation.

Work Related Injury - Light Duty Policy

Definitions

Light duty: Limited and/or modified duty assignments which excuse an employee from performing some or all of the essential job functions in his/her position or in another position for a temporary period of time in order to permit the employee to continue working and earning pay during his/her period of recovery/recuperation from a mental or physical impairment (including pregnancy and pregnancy or childbirth-related conditions).

Light duty shall not continue indefinitely. Light duty shall not be provided for permanent impairments which impact the employee's ability to perform some or all of the essential functions of his/her job. Instead, when an impairment becomes permanent, the City and employee shall discuss, through the interactive process, whether the employee's permanent impairment is a disability as defined by the Iowa Civil Rights Act or the Americans with Disabilities Act as amended and whether reasonable accommodations that do not present an undue burden can be implemented.

Non-work-related injury: A mental or physical injury or injuries that occur(s) off the job and which result(s) in temporary physical limitations/restrictions certified by the employee's health care provider that temporarily impact(s) the employee's ability to perform the essential functions of his/her position as set forth in the job description.

Temporary disability: A mental or physical impairment or impairments (including pregnancy and pregnancy or childbirth-related conditions) which result(s) in temporary physical limitations/restrictions certified by the employee's health care provider which temporarily impact(s) the employee's ability to perform the essential functions of his/her position as set forth in the job description.

Temporary: Lasting for a limited period of time. An interim measure, which is not permanent. However, this term will be defined on a case-by-case basis depending upon the availability of light duty, the anticipated length of time needed for the light duty and the creation of any undue burden on the City's operations and its employees.

Policy

The City is committed to encouraging employees to return to work when their health care provider certifies that they are physically and mentally able to perform some or all of the essential job functions of their position or in another position. This permits the employee to continue working and earning pay; accruing benefits; avoiding loss of sick leave; and avoiding expiration of any applicable leaves of absence under the Handbook or the applicable collective bargaining agreement, or expiration of leave under the Family and Medical Leave Act ("FMLA").

Accordingly, if an employee with a temporary disability as defined above requests light duty and if light duty is available within the employee's limitations and restrictions certified by the employee's health care provider, the City shall offer temporary light duty to the employee.

Light duty shall extend only for the temporary period the light duty is available and the temporary period during which the employee's health care provider certifies the need. Light duty is not applicable to permanent impairments. (See definitions.) Employees shall remain in regular communication with the City regarding their status and need for light duty. Employees shall provide all health care provider status updates or changes to the City in writing.

All temporary light duty requests shall be made in writing and attaching the employee's health care provider's written certification of the need for temporary light duty with an express and detailed explanation of the limitations/restrictions on employee's mental or physical abilities, and in relation to employee's essential job functions. Employees shall deliver the light duty request to their Supervisor with a copy to the Human Resource Specialist. The City shall provide the written offer of light duty to the employee, the employee's Supervisor and the Personnel Department.

All materials related to requests for light duty, health care providers' written communications and the offer of light duty shall be kept in the employee's confidential medical file.

Light duty hours shall be paid strictly on the hours of work performed. Thus, for example, if an employee who normally works a twelve-hour shift begins working light duty for only eight (8) hours per day, pay will be reduced accordingly.

Light duty is limited to non-public safety positions only.

Personnel Safety Policy

It shall be the policy of the City of Keokuk that employees follow the safety requirements of the operator's manual for each vehicle or machine used in the operations and functions of the City Departments.

Employees must not ride on the outside of machines and vehicles such as front-end loaders, back-hoes, and dump trucks, unless the vehicle is specifically designed to carry passengers on the outside

of the vehicle, such as a Sanitation Truck. Seat belts must be worn in vehicles equipped with them. This applies to passengers and operators alike. All other such requirements as laid out in the individual operator's manuals for each piece of equipment are to be observed.

It is the responsibility of the City to provide each employee with access to the operator's manual prior to their use of the piece of equipment, and the department head's responsibility to inform employees, especially new employees, of the policy. It shall be the responsibility of each employee to comply with this policy and of each department head to monitor this compliance.

Hazardous Chemical Communication

This policy is to ensure, under The Employee Right to Know law, that each employee or contractor who is employed by the City is aware of the hazardous chemicals used, stored or generated in any City facilities. It will be accomplished by the following:

- Listing of all chemical products used or generated on City property.
- Appropriate labels on containers of all chemical products.
- Material safety data sheets (MSDS) will be available for all chemical products on City property.
- Employees will be trained to recognize and interpret labels, warnings, color-coding, signs, etc. that are affixed to containers in order to properly protect themselves against potential hazards.
- Employees will be trained to understand the elements of Material Safety Data Sheets (MSDS) and to recognize possible risks to health and physical harm so employees can properly protect themselves against potential hazards.

The written hazard communication in its entirety will be available upon request to employees, their designated representatives, and to local/state/federal officials who have proper authority.

Bloodborne Pathogens

The City is committed to providing a safe and healthy work environment for all employees. In pursuit of this goal, an exposure control plan (ECP) is provided in Appendix B of this Handbook to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA standard 29 C.F.R. §1910.1030, "Bloodborne Pathogens." The ECP is a key document to assist the City in implementing and ensuring compliance with the standard, thereby protecting City employees. This ECP includes:

- Determination of employee exposure.
- Implementation of various methods of exposure control, including:
 - Universal precautions.
 - Engineering and work practice controls.
 - Personal protective equipment.
 - Housekeeping.
- Hepatitis B vaccination.
- Post-exposure evaluation and follow-up.
- Communication of hazards to employees and training.
- Recordkeeping.
- Procedures for evaluating circumstances surrounding exposure incidents.

Employees should familiarize themselves with the ECP and direct any questions regarding the ECP to their Department Head.

SECTION VIII – SEPARATION OF EMPLOYEES

Termination

An employee shall be terminated for the following reasons:

- He/she resigns or retires.
- He/she is terminated by the City.
- He/she is absent for three (3) consecutive working days without notifying the City. (Exceptions to this may be made by the City.)
- He/she does not return from an unpaid leave of absence.
- He/she does not return to work when recalled from layoffs as set forth in the recall procedure. (Exceptions to this may be made by the City.)
- He/she is laid off and is not reemployed within twelve (12) months from the date of layoff.
- He/she is separated upon settlement covering total disability.
- He/she is separated for disability when he/she cannot perform the required duties of his/her position because of physical or mental impairment. Attempts will be made to make reasonable accommodations and if one cannot be made or is not feasible then the employee will be transferred to a vacant position, if one exists, provided the employee is qualified for that position.

Layoff and Recall

When it is determined by the City that a reduction of working forces within a department is necessary, the following procedures shall be followed in making layoffs.

- Layoffs shall be by department.
- Seasonal, temporary and part-time employees shall be laid off first, in any order; then the probationary employees shall be laid off, in any order.
- If additional layoffs are necessary, employees in the affected department shall be laid off in reverse order of their length of service, provided that those employees not laid off because of their length of service must be able to perform the remaining work without additional training or additional supervision.
- Employees to be laid off for an indefinite period shall have at least seven (7) calendar days' notice prior to layoff.
- When the working force is increased after a layoff the employees shall be recalled in the reverse order of their layoff, i.e. the last person laid off shall be the first recalled, the second to last person laid off shall be the second recalled, etc. unless unique circumstances surrounding qualifications, experience, and or credentials, warrants the City to look at each situation on a case by case basis and shall be reinstated in the reverse order of their lay-off, contingent upon the employee's ability to perform the work available in the department concerned.
- Notice of recall shall be sent to the employee at his/her last known address by receipted mail. Additionally, the City will attempt to make contact with the employee at the last known telephone number on file with the City.

LAYOFF AND RECALL PROCEDURES FOR PUBLIC WORKS BARGAINING UNIT ARE ATTACHED AS SUPPLEMENTAL.

Retirement

An employee must notify the City in writing of his/her retirement at least thirty days in advance of the retirement date. Once the City has been notified of such retirement date it cannot be changed unless

agreed upon by the City. In cases where there is mutual agreement between the City and the employee the thirty (30) day notice requirement may be waived and a date less than thirty (30) days from the date of notice may be agreed upon.

All regular full-time employees of the City shall be afforded coverage under the Iowa Public Employees Retirement System (IPERS) or Municipal Fire and Police Retirement System of Iowa (MFPRSI) depending on job classification and the Social Security Program of the Federal Government. Contributions required to be made on behalf of the City employees shall be made in order to implement this provision of these policies. Any contribution required by the employee to maintain coverage under either IPERS, MFPRSI, or the Social Security Program of the Federal Government shall be deducted from the wages of the employee on a uniform payroll deduction program.

Employees who are not continued in regular full-time employment status by the City may be eligible for employment by the City on a part-time basis at the option of the City.

Final Pay

Employees who leave the service of the City for any reason shall receive all pay which may be due them, with the following qualifications:

- Regular employees providing at least ten (10) working days' notice of voluntary resignation will be paid for all unused vacation days. Employees who leave before completing their first year of employment are not entitled to any accrued vacation and, therefore, shall not be paid for any unused vacation days.
- Regular employees who give fewer than ten (10) working days' notice of voluntary resignation or are involuntarily terminated shall not receive pay for their accrued vacation.
- Separation date for all employees is the last day of actual work or approved leave. Final pay received by an employee will not be construed to extend his/her employment with the City beyond the separation date.
- All City equipment shall be returned to the City on the date of the employee's termination of employment unless other arrangements are made with the City. Failure to return City issued keys, uniforms, material or other items or if these items are damaged shall result in an amount equal to their value being deducted from the employee's final paycheck.
- Employees will be advised of their rights under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). This act entitles employees and their dependents to continue their coverage under the City's health insurance plan at their own expense.

Any management employee who is terminated from the City for a reason other than for disciplinary or performance reasons is entitled to severance pay equal to one (1) month's pay for every one (1) year of service, up to a maximum of three (3) months' pay. To receive severance pay, the employee must have completed a minimum of twenty-three (23) months of service to the City.

Exit Interview and Exit Interview Form

An employee who has resigned his/her employment may be required to complete an exit interview process that will be conducted by the City Administrator and/or the employee's Department Head. In addition to obtaining information that might enhance the overall performance of the City, the employee may be given an Exit Interview Form to complete.

Completion of the Exit Interview Form is voluntary.

SECTION IX – HOURS OF WORK

Work schedules differ between the various departments. Department Heads shall establish guidelines for their departments. All employees are entitled to a 30-minute unpaid lunch break and two (2) paid 10-minute breaks; one in the morning and one in the afternoon. Such breaks shall be taken at times that are not disruptive to the City's work. All employees are required to show up for work on time. Employees who are unable to report to work will notify their Department Head at least fifteen (15) minutes before the start of their shift. Exempt employees may be required to work beyond the designated work schedule. Certain departments may have notification requirements that differ from this section.

Flexible schedule: Some departments within the City may offer flexible schedules to accommodate employees' situations. The Department Head must be notified of such a request by the employee in writing. (See Appendix for form.) Every attempt will be made to accommodate the employee, but only if it does not have a negative impact on the overall operation or causes another employee hardship doing his/her job. If flex hours are granted, the employee must stick to these hours or lose the privilege.

In case of emergency work, no employee shall work a tour of duty in excess of sixteen (16) hours and shall not return to work earlier than eight (8) hours after completing the first extended tour of duty.

SECTION X – PAY AND COMPENSATION

Wages

The determination of wages for City positions are the responsibility of the Department Heads and City Administrator. Salaries for each job title are commensurate with the nature of the position, taking into consideration the following:

- The diversity and complexity of duties.
- The amount of responsibility and judgment exercised.
- Location of position within the organizational chart.
- Qualifications required to perform the job.

Total compensation to employees includes salaries, fringe benefits and a vehicle and shall also be based on the following:

- Prevailing rates for similar work in other cities and private businesses.
- National, as well as local, salary patterns.
- Standards established by professional organizations.

Each employee's salary is reviewed annually. These reviews take into account the employee's performance, community conditions, comparison of similar positions and the City's financial position.

Non-union Wage and Salary

1. Exempt and non-exempt non-union employees of the City of Keokuk will be paid wages according to the Non-union Employee Wage Schedule, a copy of which is attached hereto, based upon the title of their position within the City.
2. New hires shall be given an annual salary commensurate with qualifications and experience but shall not receive less than the minimum nor more than the maximum for the salary range of their position.
3. The Non-union Employee Wage Schedule ranges will increase annually by the December to December change in CPI for All Urban Consumers: US City Average- All Items.

4. Non-union employees shall receive an annual base salary increase (BSI), unless the employee has reached the maximum range. The BSI shall be determined by the City Council and shall be independent of any and all wage increases negotiated by any and all bargaining units recognized by the City of Keokuk.
5. Employees are eligible to receive an additional .5-2% wage increase based upon their annual performance evaluation. Based on total performance scoring, the employee will earn an additional 0.5% for every full half point above the score for average on the performance evaluation. Performance related increases shall not cause employee's total salary to exceed the maximum range.
6. Non-exempt non-union employees that have reached the maximum range shall annually receive the annual CPI increase for their range.
7. All wage scales shall be reviewed once every three (3) years to ensure wages are comparable and competitive with similar positions in both the public and private sectors.

Longevity

Employees shall receive longevity pay under the circumstances and in the amounts according to specific departmental schedules. An employee's eligibility for longevity pay shall be calculated based on the employee's completed years of service as of the anniversary date of his/her employment with the City.

Payroll Deductions

All required deductions, including those for state and federal taxes and all authorized voluntary deductions, including health and dental insurance contributions, will be automatically withheld from the employee's paycheck.

Direct Deposit

Staff members are paid every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. The workweek begins at 12:00 A.M. Sunday and ends at 12:00 A.M. the following Saturday.

Employees will have pay directly deposited into their bank accounts, and they shall provide advance written authorization to the City. Employees who do this will receive an itemized statement of wages when the City makes a direct deposit. (See Appendix for form.)

Garnishments

By law, the City is required to honor legal garnishments of employees' wages or salaries. The City will give an employee written notification of any garnishments received and copies will be retained by the City Clerk.

Deferred Compensation

The City of Keokuk offers to all regular full-time employees the opportunity to enroll in a 457 Deferred Compensation Plan. This benefit allows the employee to purchase and contribute to a tax-deferred annuity for the purpose of increasing the individual's retirement income. The employee's contribution is pre-tax and consequently lowers the employee's gross annual taxable income. The employer does not contribute to the deferred compensation plan. An employee should contact the city clerk's office for additional information.

Overtime

Overtime shall constitute work in excess of forty (40) hours in a workweek with the exception of civil service employees which may have alternate work periods in accordance with the Fair Labor Standards Act.

If an employee is classified as a nonexempt employee, the employee will receive compensation for overtime worked at the rate of time and one-half (1½) or compensatory time as described in this Handbook for each hour actually worked over forty (40) hours in the workweek. Employees are not permitted to work over forty (40) hours in any week unless they receive prior approval from their Department Head. Certain seasonal employees may be exempt from this provision pursuant to the FLSA. Only hours actually worked count as hours worked for purposes of calculating overtime. Bereavement Leave, Sick Leave, Vacation, Holidays and Compensatory Time are not counted as hours actually worked. Certain departments may have different overtime rules. Please consult the appropriate CBA for details.

Non-police officer nonexempt employees working a regular shift during the holiday shall receive pay equal to two (2) times their rate of pay.

Overtime, All Full-Time Police Officers Except Exempt Employees

If a police officer employee is classified as a nonexempt employee, the employee will receive compensation for overtime worked at the rate of time and one-half (1½) or compensatory time as described in this Handbook for each hour actually worked over one hundred seventy-one (171) hours in a 28-day period. Employees are not permitted to work over one hundred seventy-one (171) hours in a 28-day period unless they receive prior approval from their Department Head. Only hours actually worked count as hours worked for purposes of calculating overtime. Bereavement Leave, Sick Leave, Vacation, Holidays and Compensatory Time are not counted as hours actually worked.

Nonexempt police officer/employees working a regularly scheduled shift during a holiday shall receive pay as prescribed in the collective bargaining agreement.

Overtime Court Appearance

It is the policy of the City that certain employees may be required to appear in court or some other legal proceeding on behalf of the City during their off-duty time and compensation for that time will be in the form of additional pay.

A court appearance reimbursement shall be a minimum of four (4) hours of the requesting employee's regular rate of pay. If the court appearance is cancelled less than twenty-four (24) hours before the appearance, the employee shall receive two (2) hours at the employee's regular rate of pay.

Any court appearance in which time is spent in excess of the minimum, as set out above, shall accrue at the requesting employee's regular rate of pay.

Compensatory Time Off

The City recognizes that on occasion during the course of a pay period employees may accumulate pre-approved overtime. The City also recognizes that employees may have personal matters to attend to, therefore, with the approval of the Department Head nonexempt employees may convert overtime earned into compensatory time off under the following guidelines:

Nonexempt employees shall be allowed to convert overtime hours worked into compensatory time off at a rate of time and a half (1½). An employee shall notify his/her Department Head of his/her desire to take overtime as compensatory time at such time when the overtime accrues.

Employees are limited to converting a maximum number of hours into compensatory time and limits vary by department.

Compensatory time off shall be taken in no less than 1-hour increments, provided that the time off does not result in overtime to cover the employee's absence.

Employees must be permitted to use compensatory time on the date requested unless doing so would unduly disrupt City operations. All scheduling of compensatory time off shall be at the discretion of the Department Head and/or the City Administrator. If an employee's employment is terminated while he/she has unused compensatory time, such compensatory time shall be paid to the employee upon termination.

Accrual and use of compensatory time varies by department. See Benefit Supplemental attached to this policy.

On-call Time

Employees of the Streets, Sewer and Wastewater Departments will be required to be available during weekends and holidays in case emergencies arise requiring a response from the employees of these departments. In order to respond to emergency situations that do not require the entire work force of a department a rotating schedule will be established to assign weekend and holiday on-call duty. This schedule will be drawn up so that this duty is as equally shared as is possible.

SECTION XI HOLIDAYS

Designated Holidays

The following eleven (11) holidays will be observed by City employees. If the holiday falls on Saturday, it will be observed on the preceding Friday. If the holiday falls on Sunday, it will be observed on the following Monday.

Holidays include:

- New Year's Day
- Presidents Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day

THIS LIST OF HOLIDAYS IS GENERAL. SOME DEPARTMENTS MAY HAVE DIFFERENT HOLIDAYS. SEE BENEFIT SUPPLEMENTAL FOR SPECIFIC DEPARTMENTAL HOLIDAYS.

Any employee with an unexcused absence on the last regular working day preceding such a holiday or on the next regular working day following such a holiday will forfeit his/her right for holiday payment.

Any employee who is asked to work and works on a holiday, except a floating holiday, and is eligible for overtime shall be paid a rate specific to their department. See Benefit Supplemental.

For employees working a continuous shift, the above holidays shall be observed on their actual date.

Any employee will be granted an additional paid day of leave for any holiday which is observed during his/her vacation.

Upon resignation or termination from City employment, an employee will be paid for all accrued holidays.

An employee who is on an unpaid leave of absence of more than thirty (30) consecutive calendar days, or who is receiving worker compensation payments for work absence, shall not be eligible for holiday pay.

SECTION XII – VACATION LEAVE

The City provides paid vacation for rest and relaxation which the City believes is important for employees' physical and mental health. Employees accrue vacation time based on years of experience. Vacation may not be taken within an employee's first six (6) months of employment. Employees begin earning vacation on their first date of employment and vacation will be credited and available for use in equal pay period increments (annual amount divided by twenty-six (26)). A day of vacation pay equals eight (8) hours unless otherwise stated in collective bargaining agreement or departmental sections of this policy and will be paid at the employee's regular straight-time rate of pay in effect for that employee immediately preceding the vacation. Full-time employees accrue vacation time according to specific departmental schedules. See Benefit Supplemental.

When an employee takes a vacation, the days shall be subtracted from the accumulated earned vacation time. No employee may accumulate vacation in excess of thirty-nine (39) times the employee's accrual rate plus forty (40) hours.

Vacation requests should be made in advance, based upon departmental procedures, and submitted on a vacation leave form. (See Appendix for form). Requests are granted upon approval of the Department Head and subject to the needs of the department.

Upon resignation or termination from City employment, an employee will be paid for all vacation time accrued.

Vacation time may be taken by the week, day or half-day.

Vacation Use

The employee shall be informed on a bi-weekly basis through information on his/her payroll check stub. It is the responsibility of the employee to ensure that the amount shown on this pay stub is correct with his/her records. Employee's requests for vacation should be submitted in writing to the department director no later than two (2) weeks prior to the intended vacation. However, the department director may waive this notice requirement if no purpose would be served by it. It shall be the discretion of the department director to determine how many employees may be gone on vacation at any one time. Priority for vacation time shall be determined on the basis of who made the vacation request for a particular time first. However, if two or more requests are filed on the same day, priority shall be given on the basis of seniority.

Vacation Payout Upon Termination of Employment

Upon termination of employment, employees shall be entitled to receive pay for all accumulated vacation leave unless one of the following conditions apply:

- An employee fails to give at least ten (10) working days' notice in advance of his/her termination. For purposes of this provision, working days shall mean days actually on the job working and not

- on a leave other than verified sick leave and scheduled holidays.
- An employee leaves the City prior to completion of his/her original probationary period.
- An employee is involuntarily terminated from employment.

SECTION XIII – SICK LEAVE

Sick Leave Accrual

Sick leave benefits shall accrue at a rate of one (1) day per normal work shifts per month for each full month of employment.

Sick leave benefits may be accumulated and utilized in future years. Accumulation rights shall be accrued to 90 days or 720 hours. When sick leave accumulation reaches maximum accumulation, the employee will stop accumulation of additional hours until he/she uses hours and drops below the maximum amount that is permitted to be accumulated. The City will notify each employee of any accumulated sick leave by means of the biweekly payroll check stub.

Sick Leave Use

Sick leave provides time off with pay for periods of illness or incapacity resulting from injury or sickness according to the following:

- Sick leave accrual and maximum sick leave hours differ by department. See Benefit Supplemental for specific department accrual rates and maximums.
- New employees shall be advanced six (6) days of sick leave upon employment but shall not earn or accumulate additional sick leave until they have been employed for six (6) months, whereupon they shall earn and accumulate sick leave at a rate of four (4.0) hours per pay period. Employees covered under collective bargaining agreements may accrue sick leave at different rates.
- An employee on leave because of an occupational disability related to his/her employment may take sick leave allowance to which he/she is entitled, and the prorated amount will be added to the amount of disability workers' compensation which will result in an equivalent payment to the employee of a full salary for any particular period.
- An employee may take sick leave when he/she is medically unable to work. Up to (5) five days per year for care of spouse and/or children. Employees may take sick leave for doctor and dental appointments when they cannot be scheduled during non-working hours.
- If an employee is absent from work for longer than three (3) days, the Department Head shall require a doctor's note to substantiate the illness or injury.
- If not otherwise specified by department rules, each employee is required to notify his/her Department Head at least fifteen (15) minutes prior to the start of each workday if the employee is unable to attend work that day. All Department Heads will report to the City Administrator, and the City Administrator will report to the Mayor.

(See Appendix for form.)

Sick Leave Notification

An employee, who is to be absent due to sickness or injury, shall notify his/her supervisor as described above or according to departmental policy. Unless waived by the City, the employee shall continue to give notice for each succeeding day he/she is to be absent. Failure to give such notice may result in the loss of the employee's entitlement to sick leave benefits and may result in disciplinary action up to and including termination. Failure to provide notification for three (3) consecutive days of absence may result in disciplinary action up to and including termination.

Sick Leave and Other Paid Leave

An employee, may at his/her discretion, utilize unused and earned vacation leave to extend his/her compensation as provided below, until the vacation leave has been exhausted.

Once accrued sick leave benefits have been exhausted, earned vacation time, personal, and earned compensatory time may be used for a sick leave absence. In this case, the employee's unused earned leave benefits will be banked until his/her return or paid to the employee at his/her request.

Sick Leave Abuse

In the event the City suspects that an employee is abusing sick leave, the City shall have the right to demand verification. The City may request an employee to submit to a physical examination by a physician of the City's choice. The City shall pay for the examination.

Should the City determine that an employee is abusing the sick leave provisions, the City shall have the right to take appropriate disciplinary action.

Maternity Leave

Prenatal/Postnatal Care: In accordance with FMLA, any pregnant employee is entitled to time off for prenatal and postnatal care. Employee shall use any accrued leave during time off for absences covered under this section. If no leave is available, employee may receive time off with no pay.

Modified-Duty Assignments: At such time that the employee is physically unable to perform their regular duties due to pregnancy and before commencement of maternity leave, as verified, in writing, by a medical doctor, the City shall identify temporary modified- duty assignments. A temporary assignment, if available, allows the employee to work, while providing the City with a productive employee during the temporary period. Duty assignments may be assigned outside of the employee's regular department and may result in change of schedule and work hours, but will not exceed employee's regularly scheduled hours within a pay period. A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

Maternity Leave Pay: An employee on maternity leave may take up to twelve (12) weeks of leave under FMLA. The employee shall use any accrued leave while on maternity leave. If no leave or insufficient leave has been accrued by the employee, the employee can continue on maternity leave with no pay. The City shall provide two (2) weeks of paid maternity leave. These two (2) weeks shall be considered part of the twelve (12) weeks afforded under FMLA. Maternity leave will be granted under the same conditions as above when employee adopts a child.

Paternity Leave

Prenatal/Postnatal Care: In accordance with FMLA, any employee is entitled to time off for prenatal and postnatal care of their partner and child. Employee shall use any accrued leave during time off for absences covered under this section. If no leave is available, employee may receive time off with no pay.

Paternity Leave Pay: An employee on paternity leave may take up to twelve (12) weeks of leave under FMLA. The employee shall use any accrued leave while on paternity leave. If no leave or insufficient leave has been accrued by the employee, the employee can continue on paternity leave with no pay. The City shall provide two (2) weeks of paid paternity leave. These two (2) weeks shall be considered part of the twelve (12) weeks afforded under FMLA. Paternity leave will be granted under the same conditions as above when employee adopts a child.

SECTION XIV – OTHER LEAVES

Voting Leave

Employees are encouraged to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. However, if employees are unable to vote in an election during nonworking hours, they may be granted up to one-half hour of paid time off to vote.

Employees should request time off to vote from their Department Head at least one (1) day in advance of the election day. Advance notice is required so that necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Military Leave

Temporary Military Leave

In the case of temporary military leave (less than thirty (30) days) full-time employees of the City shall be accorded all rights as prescribed by Section 29A.28 of the Code of Iowa (1987). In such event, the employee must present a statement to the City Clerk's Office after termination of his/her military service which must contain the following information:

- The date it is prepared.
- The date of induction.
- The date of release from duty.
- The employee's name.
- The employee's rank.
- The title and address of the commanding officer who prepared and executed the statement or certificate.

Failure to file such a statement and to report promptly after completion of military service shall subject the affected employee to loss of benefits which have been accrued to employee during his/her absence, and to loss of entitlement to pay during the period of time between his/her termination of service and his/her attempted return to work for the City.

Military Leave Longer Than Thirty (30) Days

Absences required for military service that exceed thirty (30) calendar days shall be granted in accordance with the employer's policies on vacation, and with applicable state and federal law. An employee's eligibility for reemployment with the employer after he/she has completed military service

will be determined in accordance with applicable state and federal law.

Conditions for reemployment are briefly explained as follows:

- The employee or an appropriate officer of the uniformed service in which the employee serves, must give advance written or verbal notice of the employee's service to his/her immediate supervisor, unless military necessity prevents the employee from giving notice or if it is otherwise impossible or unreasonable;
- The cumulative length of the absence and all previous absences from employment with the employer for reason of military service must not exceed five (5) years;
- The employee's discharge from military service must be honorable; and
- When the employee returns from military service, he/she must report to work or submit a timely application for reemployment according to the following schedule:
 - For service of thirty-one (31) to one hundred eighty (180) calendar days the employee must apply for reemployment within fourteen (14) days after completing service.
 - For service of one hundred eighty-one (181) calendar days or more the employee must apply for reemployment no later than ninety (90) days after completing service.
- Employees on leave for military service and any of their dependents entitled to coverage under the employee's health, dental, life and disability insurance plans are entitled to coverage as follows:
 - An employee that leaves employment for less than thirty-one (31) calendar days is entitled to continued health, dental and life insurance coverage, and will not be required to pay more than what an active employee would pay for coverage.
 - An employee that leaves employment for thirty-one (31) or more calendar days is allowed to elect to receive continued coverage under the employer's health and dental insurance plan for up to eighteen (18) months following separation from employment or until the employee's reemployment rights expire, whichever event occurs first. The employer may require the employee to pay up to one hundred two percent (102%) of the premium. Life insurance will not be available to an employee on active military duty for more than thirty (30) calendar days.

Jury/Subpoenaed Leave

If employees are called to serve on jury duty, they should notify their Department Head immediately. All regular employees will be on paid status while on jury duty.

Employees will be paid the difference between their regular salary and the amount received as jury pay (where applicable). A copy of the jury summons must be handed in to the employee's Department Head in order for the employee to receive pay.

If an employee is served with a subpoena requiring him/her to serve as a witness, that employee will be permitted time off to attend hearings/trial without loss of pay or threat of loss of pay or job. Subpoenaed employees will be paid the difference between their regular salary and the amount received as the witness fee (where applicable). Documentation of witness times and fees must be submitted to the employee's Department Head.

Upon verification from court personnel (i.e., letter from prosecutor/attorney, etc.), victims of a crime may submit a written request for "court attendance" to their Department Head. The request must be approved by

the Department Head. Time off will be charged to accrued vacation time, or the employee may opt for time off without pay. Employees must provide verification of attendance from court personnel.

Terminal Leave

Upon resignation or retirement, an employee may elect to take terminal leave. The employee will establish a last day of work and a termination date. The last day of work is the last day the employee will report for their regular shift. Between the last day of work date and the termination date, the employee will receive any accrued vacation as regular pay on regularly scheduled paydays. The termination date shall be the day, in whole or in part, when the total of all accrued vacation is exhausted. Health insurance will continue through to the termination date and until the end of the last day of the following month provided all premiums for the following month have been deducted from the employee's pay checks.

SECTION XV – INSURANCE BENEFITS

Insurance Coverage

All eligible, full-time employees may participate in the City's group health insurance program thirty (30) days following the first of the month after first date of employment, except General Unit and Wastewater covered positions which are sixty (60) days following the first of the month after first date of employment. The cost to provide this benefit is paid by the City up to the level determined by the City Council, for individual and family coverage, not including partial self-fund coverage exposure payments. Eligible dependents of regular full-time employees may also participate in the City's group health insurance program. Coverage eligibility shall be subject to the terms and conditions of the insurance carrier selected by the City.

The following is a more detailed description of coverage.

Dependents are defined by the City's policy and state and federal law.

Regular part-time employees and their dependents can be eligible for insurance if the City wishes to offer this as part of an employment agreement.

If an employee does not have a dependent at the time of enrollment in the plan, but later acquires a dependent, this person becomes eligible to participate in the plan on the date that he/she becomes the employee's dependent. The employee has thirty (30) days to register the dependent automatically.

The cost of coverage will be determined by the City Council. All employees' contributions will be deducted automatically through each employee's payroll.

Employees who have been enrolled in the City plan for at least six (6) months and whose coverage would have otherwise terminated because of layoff or approved leave of absence shall have the right to continue his/her coverage at his/her own expense.

Health Care Coverage Extension (COBRA)

Under Retirees, the law states that "most employers sponsoring group health plans must offer covered workers and their families the opportunity for a temporary extension of health coverage, called continuation coverage, at group rates and at the employee's expense in certain instances where coverage under the plan would otherwise end". The employer will charge one hundred and two percent (102%) of the premium cost as allowed by law. Contact the City Administrator or the City Clerk concerning the COBRA rights of employee and/or employee's dependents.

Life Insurance

Term life insurance is provided to all full-time IPERS covered employees in the amount of \$20,000.00. MFPSI full-time employees shall be covered in the amount of \$40,000.

SECTION XVI – GENERAL POLICIES AND PROVISIONS

Inclement Weather

City offices and services will not close due to inclement weather, unless expressly authorized by the City Administrator due to safety reasons. In the event of inclement or adverse weather conditions, if an employee feels that he/she cannot safely report to work, the employee shall notify his/her Department Head, the City Clerk or the City Administrator. An employee who is unable to report to work due to inclement weather shall be required to utilize vacation hours, a personal day or compensatory time in order to receive pay.

Information Technology/Personal Use Policy

SOME DEPARTMENTS MAY HAVE ADDITIONAL GUIDANCE ON USE OF TECHNOLOGY.

“Information Technology” means the City’s computers, computer files, networks, Internet access and software which are furnished to employees.

This “Information Technology” is the City’s property and is intended for conducting City business. However, employees may use the City’s Information Technology for personal purposes, such as email or Internet surfing, only if it is of reasonable duration and frequency; does not interfere with the performance of the City’s business; is not related to political or religious uses; does not cost the City additional expenses; is not related to any illegal, discriminatory or harassing behavior or business; would not cause the City public embarrassment; and does not compromise City security or confidential information. The City reserves the right, in its sole discretion, to define what is reasonable or permissible personal use.

The City reserves the right, in its sole discretion, to block access to offensive, malicious and non-business web content or websites. The content of all communications created or disseminated through the use of any City Information Technology is the property of the City and shall comply with all policies. Employees should not access files or retrieve any stored information or communications without authorization. Employees should access those files only as necessary for the performance of their duties. Employees using the City’s Information Technology shall not attempt to exceed the access rights granted by the City.

Excessive messages with little useful information for all employees slow down productivity and overburden the system. Any questions about whether one may circulate certain information to all employees shall be directed to the City Administrator before proceeding.

Employees shall not print, display, download or send offensive or harassing statements or language, including disparagement of others based on their protected class status.

Employees shall not print, display, download or send any sexually explicit or offensive messages, cartoons, jokes, drawings, photographs, animations or like material. If employees receive such items from another person, they are to immediately advise the sender that they are not permitted to receive such information or items and that the sender is not to send such again. If the employee needs assistance in responding to such situations, the employee may contact the City Administrator or his/her Supervisor.

Employees shall not use the City’s Information Technology for commercial purposes or for personal profit.

Employees shall not disseminate or print copyrighted materials in violation of copyright laws.

The installation of personal software onto City-owned Information Technology is prohibited. The copying of purchased or leased software, unless authorized by the software vendor, is prohibited. Additionally, sharing user identification and/or passwords for any City Information Technology is prohibited, unless directed by the City Clerk or Mayor for legitimate business reasons. Employees shall change their user passwords every ninety (90) days or as directed by their department head.

By opening email, sending or receiving information, using the voicemail system, logging on to the Internet or by using any of the City's Information Technology, employees agree and understand that this technology has been provided by the City at its own expense and that it is the City's property. It is another tool for employee use in business transactions or business communication.

All communications over and activity conducted on the City-owned Information Technology are the City's property. **Employees shall have no expectation of privacy when using City-owned Information Technology, even with respect to Information Technology where the employee has a personalized username and/or password.** Department Heads and the City Administrator may review, audit or download messages that employees send or receive, and may monitor employee Internet access. Additionally, all messages and data sent over City Information Technology may be subject to public open records requests or subpoenas.

Employees also may not interfere with or disrupt any City network or Internet users, services, programs or equipment. Disruptions include, but are not limited to, propagation of computer worms, viruses or other debilitating programs and using the City network to make unauthorized entry to any other machines accessible via the network or Internet. Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity under applicable state and federal law.

Each City employee is directly responsible for any and all activity that occurs on his/her computer or under his/her email name or Internet account. All employees are to lock their computers or shut them down after City hours.

In accordance with Iowa Code Chapter 22, employees must retain all email, text messages, or any other electronic messaging sent or received on a city electronic device. Failure to preserve these communications can result in finding the employee in violation of Iowa Code Chapter 22 and a fine of \$100-\$500.

Employees found to have violated this policy or to have engaged in illegal or unethical practices will be subject to disciplinary action in accordance with this Handbook.

Social Media Policy

SOME DEPARTMENTS MAY HAVE ADDITIONAL GUIDANCE ON SOCIAL MEDIA USE.

Definitions

Posting: Any writing, image, video, download, audio file and hyperlink to other websites, or media which is downloaded, referenced, inserted or placed upon any City social media site.

Social media or site: Includes, but is not limited to, electronic communication through which users create online communities to share information, ideas, personal messages, photographs, videos and other content. Examples of the types of social networking sites covered by this policy include, but are not limited to: blogs, LinkedIn, Facebook, Google+, Twitter, YouTube, Instagram, Pinterest, Snapchat, Tik Tok, YikYak, photo and video sharing sites, micro-blogging, podcasts, wikis, news sites, as well as viewable comments posted on Internet sites. This policy is not meant to address only certain forms of social media, but rather

social media in general as advances in technology will occur and new tools will emerge that are also expected to be used in accordance with this policy.

All City employees are expected to always use City computers, tablets, mobile phones, computer applications and programs, Internet resources and network communications in a responsible, professional, ethical and lawful manner. This includes use of all social media utilizing these devices. Employees should be aware that all content, including social media, on these devices is not private and the City could access any information saved to, accessed by, created on, transmitted on, downloaded to, exchanged over or discussed on these devices, including social media, at any time. Consequently, employees have no reasonable expectation of privacy when engaging in these activities and employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone.

In addition, employees are expected to follow all other City policies with regard to their use of social media. Any employee who violates this policy may be subject to disciplinary action up to and including termination.

Procedures

The procedures for using social media are presented in two categories: (1) City-sponsored sites used to provide citizens with official, accurate and unbiased information, and (2) procedures governing employees' conduct while on social media sites.

City-Sponsored Sites:

The City's social media are limited public forums. The sites are not an editorial page or blog for visitors, and they are subject to the commenting restrictions listed below in this policy. The City does not intend by its social media sites to create or allow the creation of an unlimited public forum for the public to post comments of any kind.

The establishment and use by any City department of City social media sites are subject to approval by the City Administrator. At the time such site is approved, the City Administrator must determine who will be responsible for developing this site, including establishing an administrative profile, designating who will have authority for speaking on behalf of the City and who will keep the site up to date, including answering questions in a timely manner.

City social media accounts will only become affiliated with (i.e., "like," "follow," etc.) another social media page if it is related to official City business, services and events. The Mayor shall have the final determination if another social media page is related to official City business, services and events.

Wherever possible, City social media sites should link back to the official City website for forms, documents, online services and other information necessary to conduct business with the City.

The City Administrator or his/her designee will monitor the City's social media accounts to ensure that the social media cites further the City's policies, interests and goals.

Comments containing any of the following inappropriate forms of content will not be allowed on the City's social media sites and are subject to removal by the City:

- Comments unrelated to the original topic;
- Comments that are obscene, vulgar or profane;
- Content that promotes, fosters or perpetuates discrimination of any protected class under local, state or federal law;
- Defamatory or personal attacks;
- Threats to any person or organization;

- Comments in support of, or in opposition to, any political campaigns or ballot measures;
- Solicitation of commerce, including, but not limited to, advertising of any business or product for sale;
- Conduct in violation of any federal, state or local law;
- Encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public or public systems; or
- Content that violates a legal ownership interest, such as a copyright.

Comments that are threatening in nature will be forwarded as appropriate to law enforcement.

The City reserves the right to restrict or remove any content that is deemed in violation of City policy, including this policy, or applicable law. Any content removed based on these guidelines must be retained by the City Administrator or his/her designee for a minimum of ninety (90) days, including the time, date and identity of the poster, when available.

Comments posted by the public on the City's social media site express the opinions of the commentators or posters. Such comments do not necessarily reflect the opinions or policies of the City, and the publication of such comments does not imply endorsement or agreement by the City.

The City is not responsible for and has no control over the accuracy, subject matter, content, information or graphics when viewing links attached to its social media sites. The City also does not endorse any organizations sponsoring linked websites or the views or products they offer.

The City is not liable for the content of postings by individuals employed by the City or third parties not affiliated with the City on any City social media sites.

The City reserves the right to deny access to its social media site for any individual who violates the City's policies or the law, at any time and without prior notice. The City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable local, state or federal law.

The City's website at <https://www.cityofkeokuk.org> will remain the City's primary and predominant Internet presence.

Employees representing the City via social media accounts must conduct themselves at all times as representatives of the City and must identify themselves as representatives of the City when doing so. Employees that fail to identify themselves and/or conduct themselves in an appropriate manner shall be subject to discipline up to and including termination.

Employees' Personal Use of Social Media

Employees should limit their use of social media during working hours or on equipment provided by the City unless such use is work-related or authorized by a Supervisor. Employees shall not use City-provided email addresses to register on social networks, blogs, or other websites for personal use. Employees should note that this provision is not meant to prohibit employees from engaging in concerted protected activity, where prohibited by law.

An employee may not, unless expressly authorized in writing, make statements on behalf of the City on the employee's social media accounts. If an employee wishes to make a work-related statement on his/her social media, the employee should consider including a disclaimer indicating that the opinions are the employee's personal opinions not the opinion of the City.

Employees shall not use City-provided email accounts to sign up for or access social media unless expressly authorized to do so by the employee's Supervisor.

Employees shall have no expectation of privacy if they access their social media using City email, City networks, City servers, City devices and/or any other City resources when accessing social media.

Employees shall not post, transmit or otherwise disseminate any information to which they have access as a result of their employment with the City unless expressly authorized. In addition, employees are expected to respect the privacy of their co-workers and citizens and must take steps to protect the privacy and confidentiality of others.

Employees are not to use the City's intellectual property, such as trademarks, logos, letterhead, etc., when posting on social media or in any other actions, unless expressly authorized in writing. This includes posting pictures of the employee or others wearing City uniforms or other apparel bearing the City's name or logo.

Employees are not allowed to use photographs or other depictions related to City business, including as discussed in the paragraph above, unless expressly authorized in writing. This includes, but is not limited to, posting, transmitting and/or disseminating any photographs or videos of City training, activities or work-related assignments.

Employees shall not post material that is abusive, obscene, libelous, threatening, profane or otherwise inappropriate about the City, its employees or its citizens.

Employees shall not post material that may be determined to be discriminatory, harassing, or retaliatory under local, state, or federal law about the City, its employees or its citizens.

Nothing in this policy is intended to infringe upon any employee's legitimate First Amendment rights and employees are free to express themselves as private citizens on social media sites. The intent of this policy is to prevent employees from engaging in unlawful speech, improperly impairing the working relationships of the City, impeding the performance of City duties and/or negatively affecting the public perception of the City. As public employees, employees are cautioned that speech made pursuant to an employee's official duties is not protected speech under the First Amendment and may form the basis for discipline.

The City's social media sites may be considered public records under Iowa Public Records laws. If requested, the City may be compelled to disclose public records to third party requestors. The City in its sole discretion shall determine whether postings on its social media websites are public records and whether exemptions from disclosure apply.

Travel Expense Policy And Guidelines

Purpose

To establish a standard procedure for handling payment of funds for City officials/employees who travel on City business.

Policy

The City shall provide for travel and related expenses incurred by employees/officials in connection with City business in such a manner that the individual will not suffer, nor gain, financially as a result of such travel or expense.

City VISA cards have been issued to certain employees/departments and should be used, when at all possible, for allowable travel expenses.

Each City traveler shall submit expense reports designating all expenses actually incurred and those requiring reimbursement under the established procedure.

The individual incurring the expense shall prepare all expense reports.

All expense reports and travel requests shall be approved by the Department Head and reviewed by the Finance Officer for conformance with policy.

Travel Request

City employees planning to travel outside of the following counties must submit a travel request to the Department Head:

- Iowa: Lee; Des Moines; Henry; Van Buren
- Illinois: Hancock; Adams
- Missouri: Clark

Travel Expense Reports

City employees shall submit to the Department Head a travel expense report on the original Travel Request and Expense Form within seven (7) working days upon returning from travel. All appropriate receipts shall be attached, including, but not limited to, registration fees, hotel/motel bills, receipts for meals and transportation tickets. All expenses must be detailed in the expense report section of the Travel Request and Expense Form. After review by the Department Head, the form will be forwarded to the Finance Officer.

Authorized Travel Expenses

Transportation

- Inter-City Travel - (Mode of travel shall be up to the employee and as approved in the travel request.)
- Air, Train, Bus - The cost of a round trip, coach ticket. A receipt must be provided. All air travel must be booked at the lowest fare to fit the needs of the traveler, with approval of the Department Head.
- Personal Vehicles - Use of private vehicles will be allowed when a City-owned vehicle is not available or when the traveler is to be accompanied by his/her children, and upon approval of the Department Head. Reimbursement for mileage allowance will be computed on the basis of the standard allowance accepted by the Internal Revenue Service, but in no instance will reimbursement exceed the cost of coach airfare. If more than one employee travels in the same vehicle, mileage will be paid only to the owner of the vehicle.
- City-Owned Vehicles - When travel is in City-owned vehicles, the cost of gasoline and oil will be allowed. Other expenditures related to automobile operations will be allowed when justified. Travelers using City-owned vehicles are expected to leave the City with a full tank of gasoline. Spouses are allowed to accompany City travelers in City-owned vehicles with approval of the Department Head.

Expenses incurred while at the destination city shall be placed on City VISA cards when possible. All other expenses will be reimbursed on an actual basis only. This includes taxicabs, bus, limousine, parking fees, bridge and toll fees, and transportation to and from air, train and bus terminals. Receipts are to be obtained whenever possible. When a rental vehicle is needed, employees are encouraged to rent cars at the lowest

fare based on their needs, with the approval of the Department Head, and opt for the additional insurance coverage.

Intra-City Travel - Expenses incurred while on City business within the aforementioned counties will be reimbursed on an actual basis when VISA card usage is unavailable. Receipts for all expenses must be detailed and presented to the Department Head promptly.

Spouse and Children - The City recognizes that many conferences plan for and encourage a spouse and children to accompany the employee/official on the trip. Only spouses may be permitted to ride in a City-owned vehicle with approval of the Department Head. The traveler must use his/her personal vehicle when children are to accompany the traveler and will receive reimbursement as prescribed above for use of a personal vehicle.

Destination City - Eligible Expenses

- **Lodging** - Detailed hotel receipts must be submitted with the expense report. For ease of transportation and safety, lodging should be at the conference hotel or a hotel that is recommended for the conference attendees by the sponsoring entity. Many hotels have government rates; before departure travelers should call the hotel to see what documentation they will need to show in order to secure the lower rate. The City will pay the lowest possible rate for lodging that meets the needs of the employee/official only. Any increase in lodging necessary to accommodate accompanying spouses or children shall be paid for by the traveler at the time of registration at the hotel/motel. Lodging changes must concur with the scheduled conference or meeting dates with the following exception:
 - Lodging for one night prior and/or one night after the authorized meeting shall be allowed if the schedule or location is such that it is inconvenient for the traveler to arrive or depart the same day the conference begins or terminates. In such case, supportive documentation will be required.
- **Meal Allowance** - Employees and officials on in-state travel will be allowed forty-five Dollars (\$45.00) per day for meals. For out-of-state travel, the meal allowance shall be forty-five Dollars (\$45.00) per day but may be raised to fifty-five Dollars (\$55.00) per day with approval of the Department Head based upon the traveler's destination. No alcoholic beverages will be allowed. Detailed receipts showing meals and drinks purchased shall be obtained whenever possible. Gratuity shall be no more than fifteen percent (15%) of the total cost of any meal and gratuity shall count towards the daily meal allowance. Travelers are encouraged to use the meal allowance wisely and to not indulge in overly expensive meals. Travelers will be required to reimburse the City for amounts over the daily allowance. This requirement can be waived with extenuating circumstances. When meals are included with conference/training sessions, meal allowance will be adjusted accordingly to fifteen dollars (\$15) per meal not provided.
- **Calls to City Hall Offices** - Travelers without a City cell phone required to call their office while out of town shall charge the call to the City VISA card or call collect.
- **Registration Fees** - Registration fees for the conference or meeting, excluding meal tickets which shall be included as part of the daily meal allowance.
- **Fees for Special Events** - Fees for special events directly related to the purpose of the conference or meeting.
- **One personal phone call per day.**
- **Internet Service** - Daily fees for internet connection at the traveler's lodging site. Free internet service shall be used whenever possible and feasible.

Unallowable Expenses

- Travel insurance.
- Laundry, cleaning, pressing of clothes.

- Personal grooming (haircut, sauna, bath, etc.).
- Expenses for events for personal enjoyment not connected with the conference (golf, theatre, sporting events, etc.).
- Expenses incurred by the traveler's spouse or children.
- Loss of personal property.
- Gifts and items for personal use.
- More than one personal phone call per day.
- Alcoholic beverages.
- Video rentals.

Discounts

Many hotels or motels and automobile rental agencies offer discounts to persons on government business. Employees should inquire about these discounts prior to traveling so they can be prepared to show the proper documentation.

Upon Return

Upon return to his/her City office, the traveler should issue a memo to his/her immediate Supervisor on what was gained from the trip and how the traveler will incorporate what he/she learned into his/her operation.

Professional Conferences and Dues

Dependent upon funding in each fiscal year budget, all exempt personnel shall be permitted to attend one state conference of a professional association each year and department directors may request to attend one national conference of a professional association each year upon written approval from the city administrator. Specific authorization to attend a conference shall be obtained from the city administrator.

Residence Policy

All employees, with the exception of sworn police officers, employed by the city must reside within the State of Iowa within sixty days of their first day of work, and must remain a resident of Iowa throughout the period of his/her employment with the city. In addition, all city employees shall, within sixty days of their first day of work, reside within ten miles of the corporate limits of the city as per an approved on-line mapping service such as, but not limited to, Google Maps or MapQuest, as determined by the Department Head. Exceptions to this residency requirement may be made by resolution of the city council.

All sworn police officers employed by the city must reside within the State of Iowa within sixty days of their first day of work and must remain a resident of Iowa throughout the period of his/her employment with the city. In addition, all sworn officers shall, within sixty days of their first day of work, reside within forty-five (45) minutes of the Keokuk Public Safety building as measured by the most direct route from the employee's residence as verified by a mapping system. Exceptions to this residency requirement may be made by resolution of the city council.

This section shall not require an employee to move if the employee does not reside within the limits established by this section at the time this section becomes effective except that, should any such employee change his/her residence after the effective date of this section, the employee's new residence shall comply with the provisions of this section. Any newly hired employee who resides outside these limits at the time of hire shall, as a condition of continued employment, comply with this provision within six (6) months of hiring or within six (6) months of the completion of his/her probationary employment, if any, whichever event occurs last.

The word “reside” or words “place of residence” as used in this section mean that dwelling or a place where an employee actually lives and from which the employee will normally depart to travel to his/her place of employment within the City. A home, dwelling, apartment owned or rented by an employee but not actually occupied by an employee during his/her customary hours of sleep shall not be considered to be the employee’s place of residence.

Telephone Calls

This policy is intended to establish guidelines for City employees who use City-owned telephones and who are issued City cellular phones regarding proper use of the cellular phones and their technologies.

Telephone or Personal Cellular Phone Usage:

- Personal use of City-owned office telephones for long distance or toll calls is prohibited.
- Employees may use City office telephones or their own personal cellular telephones during work hours to make local personal calls of a reasonable duration and frequency; when they do not interfere with the performance of the City’s business; if it is not related to any illegal, discriminatory or harassing behavior or business as described in this Handbook; if it would not cause the City public embarrassment; and if it does not compromise City security or confidential information.
- The City reserves the right, in its sole discretion, to define what is reasonable or permissible personal use.
- Families and friends should be encouraged to call employees only when urgent or necessary; and such calls must be kept to a minimum. Employees are requested to make personal calls, when necessary, during their breaks or meal periods.

City-Owned Cellular Phone Eligibility and Usage:

- The City Council may assign City-owned cellular phones to employees or otherwise make a cellular phone available for use when a valid mission-related purpose exists.
- Personnel to whom City-owned cellular telephones may be assigned include those persons whose duties require frequent mobility but who must remain readily accessible due to the specific nature of their duties, and those who must be available for emergency response or consultation after normal business hours.
- The City Administrator shall evaluate the needs and requests of those personnel who will be utilizing the cellular telephones in selecting appropriate telephones and peripheral devices or accessories.
- The City may opt to allow for a stipend for use of an employee’s personal cellular phone in lieu of issuing a City-owned cellular phone.
- The primary use of City-owned cellular phones is for official business. Limited and incidental personal use is allowable, as long as the employee’s use does not go beyond the plan minutes allowed. Individual employees are subject to additional costs attributed to charges above the plan assigned to them. The following uses of cellular phones are prohibited:
 - Offensive or harassing statements or language because of a person’s protected class status as described in this Handbook.
 - Use for commercial purposes or for personal profit.
 - Anything that violates accepted ethical principles or any other use in conflict with the City’s Personnel Policies and Guidelines.

The City-owned and issued cellular telephones are the property of the City. Employees are responsible for the care and use of cellular phones. The City is not responsible for replacing cellular phones damaged by employee carelessness.

Employees have no reasonable expectation of privacy with regard to use of City-owned and issued cellular phones. The City may review the contents of these phones at any time and for any reason. Additionally, the content of these phones may be subject to public open records requests. Content includes, but is not limited to, call logs, text messages, email, browser history, application devices and other communications.

In the event any cellular phone or other related equipment is damaged in the course of business under reasonable circumstances, the item should be brought to the employee's Supervisor for direction as to contacting the vendor for repair or replacement.

Lost or stolen cellular equipment shall be immediately reported to the employee's Supervisor so the service may be cancelled; a timely police report should also be filed.

NOTE: Some departments may have additional guidance on use of cellular phones. Employees shall be given those guidelines in conjunction with this handbook.

Outside Employment

Outside employment is defined as when a City employee holds a second job with another employer. Employees shall not engage in or accept outside employment or render services with a person, firm or corporation when such service or employment:

- Is incompatible with the proper discharge of the duties and responsibilities of employment with the City, or would impair independence of judgment or actions in such employment; or
- Involves such hours or work or physical effort that it would or could reasonably be expected to reduce the employee's quality or quantity of service to the City.

Occasionally, an employee may request to work part time, in addition to his/her regular job, in some other capacity at the City. Permission to do so will be given in accordance with this policy on outside employment. In such cases, the U.S. Department of Labor, Wage and Hour Division has established guidelines that require hourly employees to be paid overtime for hours worked in excess of forty (40) per week, as long as job responsibilities are similar.

Employment Disclosure

Any employee who is engaged in or is planning to engage in outside employment shall request clearance from his/her Department Head as to whether such current and planned activities are prohibited. If they are not prohibited, the employee shall then complete an Outside Employment Request Form. (See Appendix for form.) The Department Head may require the employee to furnish such other information as may be appropriate in considering the clearance request. The Department Head may grant clearance only when he/she believes such activities would be consistent with this regulation. If clearance is not granted, the employee shall not commence or continue the outside employment or activity. If the Department Head elects to grant a clearance, it shall be issued in writing. Employees on medical or family leave are not eligible. The Department Head or City Administrator may revoke clearance of outside employment at any time if it violates this policy.

Employee Acknowledgment of Receipt of Handbook

This Employee Handbook describes important information about employment with the City of Keokuk ("City"). It has been prepared to make me aware of what I can expect in the way of privileges and benefits; and what the City will expect of me in terms of behavior and performance during my employment.

Since departments vary in their duties and responsibilities, not all policies and regulations can be covered in this Handbook. I understand that I may direct inquiries for additional information to my Department Head or the City Administrator.

The use of masculine or feminine gender in references or titles shall be considered to include both genders and is not a sex limitation.

No policies in this Handbook shall supersede any provisions of state or federal law. The policies in this Handbook are intended to apply to all City employees.

Since the information, policies and benefits described herein are necessarily subject to change, I acknowledge that revisions may occur; and that such changes will be communicated to me through official notices. Only the City Council can adopt any revisions to the policies in this Handbook.

By signing below, I provide full authority for the City to withhold the amounts identified above in Policies from my final paycheck. By signing below, I acknowledge the parties intend this to serve as a valid authorization for withholding from a final paycheck under Iowa Code Section 91A.5, as amended from time to time.

I have entered into employment with the City voluntarily and acknowledge there is no specified length of employment. Iowa law allows me, or the City, to terminate the employment relationship "at will" at any time. Furthermore, I acknowledge this Handbook is neither a contract of employment nor a legal document. I have received the Handbook and I understand it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

Employee's Name (Printed)

Employee's Signature

ATTACHMENT B

Drug-Free Workplace Policy Acknowledgement

I, _____, an employee of the City of Keokuk, hereby certify that I have received a copy of the employer's policy regarding the maintenance of a drug-free workplace. I realize that the unlawful manufacture, dispensation, possession or use of a controlled substance is prohibited on this employer's premises or while conducting the employer's business. A violation of this policy can subject me to discipline up to and including dismissal. I realize that as a condition of employment, I must abide by the terms of this policy and will notify the employer of any criminal drug conviction no later than five (5) days after such conviction. I further realize that federal law mandates that the employer communicate this conviction to the federal agency, and I hereby waive any and all claims that may arise for conveying this information to the federal agency.

Employee's signature

Date

Supervisor's signature

Date

APPENDIX I

BLOODBORNE

PATHOGENS

DEFINITIONS

Bloodborne Pathogens: pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (“HBV”) and human immunodeficiency virus (“HIV”).

Contaminated: the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

Decontamination: the use of physical or chemical means to remove, inactivate or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

Engineering controls: controls (e.g., sharps disposal containers, self-sheathing needles, safer medical devices, such as sharps with engineered sharps injury protections and needleless systems) that isolate or remove the bloodborne pathogens hazard from the workplace.

Exposure Incident: a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee’s duties.

Handwashing facilities: a facility providing an adequate supply of running potable water, soap and single-use towels or air-drying machines.

Occupational Exposure: reasonably anticipated skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties.

Other Potentially Infectious Materials (“OPIM”): Includes:

- (1) The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;
- (2) Any unfixed tissue or organ (other than intact skin) from a human (living or dead); and
- (3) HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

Personal Protective Equipment (“PPE”): specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

Sterilize: the use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

Universal Precautions: an approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV and other bloodborne pathogens.

Work Practice Controls: controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

PROGRAM ADMINISTRATION

- The City Administrator is responsible for implementation of the ECP. The City Administrator will maintain, review and update the ECP at least annually, and whenever necessary to include new or modified tasks and procedures. The contact location is Blessing Health Keokuk Clinic, 1414 Main St.
- This ECP shall be provided to employees during their orientation/onboarding with the City. Additionally, the City shall make this ECP available to employees upon their request in a reasonable timeframe, place and manner. In no case shall the employee's request for a copy of this ECP take longer than fifteen (15) working days.
- Those employees who are determined to have occupational exposure to blood or other potentially infectious materials (OPIM) must comply with the procedures and work practices outlined in this ECP.
- The Public Works Director will provide and maintain all necessary PPE, engineering controls (e.g., sharps containers), labels and red bags as required by the standard and will ensure that adequate supplies are available in the appropriate sizes.
- The Department Heads will be responsible for ensuring that all medical actions required by the standard are performed and that appropriate employee health and OSHA records are maintained.
- The Department Heads, in conjunction with Human Resources, will be responsible for training, documentation of training and making the written ECP available to employees, OSHA and NIOSH representatives.
- The City Administrator is responsible for reviewing and updating this policy at least annually and whenever needed. The review shall include any changes in technology utilized by the City that eliminate or reduce exposure to bloodborne pathogens and shall document the City's annual consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

EMPLOYEE EXPOSURE DETERMINATION

While the exposure risk for employees is low due to the types of roles and positions at the City, the City wants to make sure all employees understand the potential risks accompanying exposure. No positions or employees at the City are reasonably anticipated to come into contact with blood or OPIM. In addition, those trained in First Aid, CPR and AED may have exposure should they choose to utilize the skills learned in these courses. Note, employees choosing to utilize AED skills must follow the City's AED policy when doing so.

METHODS OF IMPLEMENTATION AND CONTROL

Universal Precautions

All employees will utilize universal precautions.

Exposure Control Plan

Employees covered by the bloodborne pathogens' standard receive an explanation of this ECP during their initial training session. It will also be reviewed in their annual refresher training. All employees can review the ECP at any time during their work shifts by accessing the Employee Handbook. If requested, the City will provide an employee with a hard copy of the ECP within fifteen (15) days of the request.

Engineering Controls and Work Practices

Engineering controls and work practice controls will be used to prevent or minimize exposure to bloodborne pathogens. The specific engineering controls and work practice controls used are listed below:

- Employees shall utilize appropriate PPE.
- Handwashing facilities are available to all employees, and, if handwashing is not feasible, an employee shall request appropriate antiseptic hand cleanser and clean clothes/towels or antiseptic towelettes. If the employee indicates that handwashing is not feasible, the City will provide the employee with one of these items.
- Sharps disposal containers are inspected and maintained or replaced by Department Heads whenever necessary to prevent overfilling.

The City identifies the need for changes in engineering controls and work practices through review of OSHA records, employee interviews and safety checks. The City evaluates new procedures and new products regularly by reviewing literature and supplier information, and by consulting the City's risk control consultant. Both Supervisors and employees are involved in this process in the following manner: through review of work practices and discussion about changes and/or concerns. The City Administrator is responsible for ensuring that these recommendations are implemented.

Personal Protective Equipment (PPE)

PPE is provided to City employees at no cost to them. Training in the use of the appropriate PPE for specific tasks or procedures is provided by the employee's Department Head. The types of PPE available to employees are as follows: gloves, eye protection and masks. PPE is located in the kits located at each AED unit. The Public Works Director is responsible for ensuring PPE is available.

All employees using PPE must observe the following precautions:

- Wash hands immediately or as soon as feasible after removing gloves or other PPE.
- Remove PPE after it becomes contaminated and before leaving the work area.
- Used PPE may be disposed of in biohazard bags which are also located at the AED units.
- Wear appropriate gloves when it is reasonably anticipated that there may be hand contact with blood or OPIM, and when handling or touching contaminated items or surfaces; replace gloves if torn, punctured or contaminated, or if their ability to function as a barrier is compromised.
- Utility gloves may be decontaminated for reuse if their integrity is not compromised; discard utility gloves if they show signs of cracking, peeling, tearing, puncturing or deterioration.
- Never wash or decontaminate disposable gloves for reuse. The City will properly dispose of contaminated disposable gloves.
- Wear appropriate face and eye protection when splashes, sprays, spatters or droplets of blood or OPIM pose a hazard to the eye, nose or mouth.
- Remove immediately or as soon as feasible any garment contaminated by blood or OPIM, in such a way as to avoid contact with the outer surface.
- When PPE is removed it shall be placed in the designated area or container for storage, washing, decontamination or disposal (see the following section "Housekeeping").
- For all PPE that is not disposable, the City shall clean, launder or dispose of all contaminated PPE. Employees shall not attempt to clean, launder or dispose of contaminated PPE on their own.

Housekeeping

The City shall ensure that its worksites are maintained in a clean and sanitary condition. Any employee who has concerns regarding the cleanliness of his/her worksite shall provide those concerns to his/her Department Head or the City Administrator.

Regulated waste is placed in containers which are closable, constructed to contain all contents and prevent leakage, appropriately labeled or color-coded (see the following section "Labels"), and closed prior to removal to prevent spillage or protrusion of contents during handling. The Public Works Director is responsible for handling sharps disposal containers and other regulated waste.

Contaminated sharps are discarded immediately or as soon as possible in containers that are closable, puncture-resistant, leak proof on sides and bottoms, and appropriately labeled or color coded. Sharps disposal containers are available in restrooms. If a sharps disposal container is not located in an employee's location's rest room and the employee would like one, the employee should contact the Public Works Director. Bins are cleaned and decontaminated as soon as feasible after visible contamination. Broken glassware that may be contaminated is only picked up using mechanical means, such as a brush and dustpan.

Labels

The following labeling methods are used in this facility: a red bag with a biohazard label. The Public Works Director is responsible for ensuring that warning labels are affixed or red bags are used as required if regulated waste or contaminated equipment is brought into the facility. Employees are to notify the Public Works Director if they discover regulated waste containers, refrigerators containing blood or OPIM, contaminated equipment, etc., without proper labels.

HEPATITIS B VACCINATION

Human Resources will provide training to employees on hepatitis B vaccinations, addressing safety, benefits, efficacy, methods of administration and availability. The hepatitis B vaccination series is available to any employee reasonable anticipated to come into contact with blood or other OPIM at no cost after initial employee training and within ten (10) days of initial assignment. Employees reasonably anticipated to come into contact with blood or OPIM are identified in the exposure determination section above. For those employees identified in the exposure determination section above, vaccination is encouraged unless: 1) documentation exists that the employee has previously received the series; 2) antibody testing reveals that the employee is immune; or 3) medical evaluation shows that vaccination is contraindicated. However, if an employee declines the vaccination, the employee must sign a declination form. Employees who decline may request and obtain the vaccination at a later date at no cost. Documentation of refusal of the vaccination is kept in the employee's confidential medical file. Vaccination will be provided by a licensed health care professional to be determined by the employee receiving the vaccination and the City. Following the medical evaluation, a copy of the health care professional's written opinion will be obtained and provided to the employee within fifteen (15) days of the completion of the evaluation. It will be limited to whether the employee requires the hepatitis vaccine and whether the vaccine was administered.

POST-EXPOSURE EVALUATION AND FOLLOW-UP

Should an exposure incident occur, employees shall contact their Department Head. An immediately available confidential medical evaluation and follow-up will be conducted by a licensed health care professional to be determined by the affected employee and the City. The medical evaluation and follow-up shall be at no cost to the employee. Following initial first aid (clean the wound, flush eyes or other mucous membrane, etc.), the following activities will be performed:

- Document the routes of exposure and how the exposure occurred.
- Identify and document the source individual (unless the City can establish that identification is infeasible or prohibited by state or local law).
- Obtain consent and make arrangements to have the source individual tested as soon as possible to determine HIV, HCV and HBV infectivity; document that the source individual's test results were conveyed to the employee's health care provider.
- If the source individual is already known to be HIV, HCV and/or HBV positive, new testing need not be performed.
- Assure that the exposed employee is provided with the source individual's test results and with information about applicable disclosure laws and regulations concerning the identity and infectious status of the source individual (e.g., laws protecting confidentiality).
- After obtaining consent, collect exposed employee's blood as soon as feasible after exposure incident, and test blood for HBV and HIV serological status.
- If the employee does not give consent for HIV serological testing during collection of blood for baseline testing, preserve the baseline blood sample for at least ninety (90) days; if the exposed employee elects to have the baseline sample tested during this waiting period, perform testing as soon as feasible.
- Post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service.
- Counseling, if requested.
- Evaluation of reported illnesses.

ADMINISTRATION OF POST-EXPOSURE EVALUATION AND FOLLOW-UP

The Department Head ensures that the health care professional(s) responsible for an employee's hepatitis B vaccination and post-exposure evaluation and follow-up are given a copy of OSHA's bloodborne pathogens standard. The Department Head ensures that the health care professional evaluating an employee after an exposure incident receives the following:

- a description of the employee's job duties relevant to the exposure incident.
- route(s) of exposure.
- circumstances of exposure.
- if possible, results of the source individual's blood test.
- relevant employee medical records, including vaccination status.

The Department Head provides the employee with a copy of the evaluating health care professional's written opinion within fifteen (15) days after completion of the evaluation.

PROCEDURES FOR EVALUATING THE CIRCUMSTANCES SURROUNDING AN EXPOSURE INCIDENT

The Department Head will review the circumstances of all exposure incidents to determine:

- engineering controls in use at the time.
- work practices followed.
- a description of the device being used (including type and brand).
- protective equipment or clothing that was used at the time of the exposure incident (gloves, eye shields, etc.).
- location of the incident (O.R., E.R., patient room, etc.).
- procedure being performed when the incident occurred.
- employee's training.

The Department Head will record all percutaneous injuries from contaminated sharps in a Sharps Injury Log. Logs will be forwarded to Human Resources on an annual basis.

If revisions to this ECP are necessary, the City Administrator will ensure that appropriate changes are made.

EMPLOYEE TRAINING

All employees who have occupational exposure to bloodborne pathogens receive initial and annual training offered by City. All employees who have occupational exposure to bloodborne pathogens receive training on the epidemiology, symptoms and transmission of bloodborne pathogen diseases. In addition, the training program covers, at a minimum, the elements required by OSHA.

Training materials are available by contacting Human Resources.

RECORDKEEPING

Training Records

Training records are completed for each employee upon completion of training. These documents will be kept for at least three (3) years from the date on which the training occurred. The training records include the dates of the training sessions, the contents or a summary of the training session, the names/qualifications of persons conducting the training session and the names/job titles of all persons attending the training sessions. An employee's training records shall be available to the employee for examination and copying upon request of the employee. The records shall be made available in a reasonable timeframe, but under no circumstances will the City take longer than fifteen (15) days to comply with the request.

Medical Records

Medical records are maintained for each employee with occupational exposure in accordance with 29 C.F.R. § 1910.1020, "Access to Employee Exposure and Medical Records." Human Resources is responsible for maintenance of the required medical records. These confidential records are kept at City Hall for at least the employee's duration of employment plus thirty (30) years. Employee medical records are provided upon request of the employee, or to anyone having written consent of the employee, within fifteen (15) working days of the request. Such requests should be sent to: City of Keokuk Iowa, Attn: City Clerk, 501 Main St, Keokuk, IA 52632.

OSHA Recordkeeping

An exposure incident is evaluated to determine if the case meets OSHA's Recordkeeping Requirements (29 C.F.R. § 1904). This determination and the recording activities are done by Human Resources.

Sharps Injury Log

In addition to the § 1904 Recordkeeping Requirements, all percutaneous injuries from contaminated sharps are also recorded in a Sharps Injury Log. All incidences must include at least:

- date of the injury.
- type and brand of the device involved (syringe, suture needle).
- department or work area where the incident occurred.
- explanation of how the incident occurred.

This log is reviewed as part of the annual program evaluation and maintained for at least five (5) years following the end of the calendar year covered. If a copy is requested by anyone, it must have any personal identifiers removed from the report.

HEPATITIS B VACCINE DECLINATION
(MANDATORY FOR IDENTIFIED EMPLOYEES)

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signed: (Employee Name) _____

Date: _____

APPENDIX II

FORMS

EMPLOYER'S FIRST REPORT OF INJURY

The *Employer's First Report of Injury* must be prepared by the employer:

When an employer or the employer's representative has actual knowledge of the occurrence of an injury; or
when an employee or someone on an employee's behalf gives notice of an alleged job-related condition or injury.

This is not an admission of liability. This is your required record per the Iowa Workers' Compensation Act.*

The Employer's First Report of Injury must be filled in completely on both sides and **signed by the employer**. Refer to the directions under each required line. Please type or print legibly. All sections provide valuable information in handling the claim.

If you question whether a claim should be reported or need help filling out any portion of the report, contact the IMWCA claims department.

Items 1 through 16 give specific identification for the employer and the employee. Phone numbers, place of injury or exposure and occupation are **very important**.

Items 17 through 23 assist the claims handler in determining the type of investigation necessary to establish whether compensation benefits are due under the Iowa Workers' Compensation Act.

Items 24 through 35 alert the IMWCA claims department when an employee is losing time from work. Correct dates assure timely and accurate payments. Attach the supporting forms found in your claims packet.

Items 36 through 42 are necessary to calculate workers' compensation rates for compensable claims. An injury which temporarily disables an employee for more than three (3) days or results in permanent total disability, permanent partial disability or death may entitle an employee to payment of weekly benefits at the workers' compensation rate. **This information needs to be as accurate as possible.** Be sure to sign items 43 and 44.

Items 45 through 48 are on the reverse side of the form. Please list all medical contacts with complete mailing addresses and phone numbers.

If you have any concerns as to the legitimacy of the claim, alert the IMWCA claims department by attaching a separate memo explaining your concerns. List the names and phone numbers of persons to contact for further details. The memo and all contacts will be handled as confidential.

WORKERS' COMPENSATION MATERIAL

SPECIAL INSTRUCTIONS

Keep this packet with the rest of your workers' compensation materials. The forms in this packet should be retained as originals - please make additional copies of the forms and instructions as needed.*

If an employee is injured:

Step one: The **employer** must complete an *Employer's First Report of Injury*.

Step two: The **employee** must complete an *Employee's Report of Injury*.

Step three: The **employee** must sign the *Authorization for Medical Records and Reports*.

The IMWCA claims department must receive these completed forms as soon as possible following an injury.

If the employee needs medical attention:

Step four: The **employer** must complete the top portion of the *Patient Status Report* before the employee sees a physician. The **employee must take** this form to the appointment and return it to the claims contact after the appointment.

If the employee misses more than four full days of work:

Step five: **The employer must complete and return the *Disability and/or Return to Work Notice***. This form must also be completed when the injured employee returns to work.

These two forms should be returned to the IMWCA claims department as needed i.e., after appointments, etc.

Preferred Provider Organizations (PPOs) should be used whenever possible to help reduce your workers' compensation costs. **To identify participating physicians and hospitals in your area, call (800) 729-3834. You will need to identify yourself as an IMWCA member.**

* If you have any questions about the claims process, please contact the IMWCA claims department at (800)257-2708 or (515)244-2708. Thank you for your cooperation.

CITY OF KEOKUK

REPORT OF CITY EMPLOYEE ACCIDENT/INJURY FORM

This form must be completed by all City employees within **twenty-four (24) hours** following any vehicular accident with a City-owned vehicle or by employees who have sustained an on-the-job injury. Please provide all necessary information as completely as possible. The form shall then be given to your immediate supervisor and Department Head for review and signature. Injuries requiring medical care and/or absence from work should also be reported to the Company Nurse at 888-770-0928 by the employee, the supervisor, or the HR Specialist.

NAME	DEPARTMENT	JOB TITLE
DRIVER'S LICENSE#	WHERE DID ACCIDENT (nearest intersection)/INJURY OCCUR?	
DATE OF ACCIDENT/INJURY	TIME OF DAY	TIME SHIFT BEGAN
WEATHER CONDITIONS		
VEHICLE NUMBER		
Year	Make	Model
POLICE REPORT# (if applicable)		
DESCRIBE WHAT HAPPENED. (BE SPECIFIC-Attach additional sheet if necessary)		
DESCRIBE DAMAGE TO VEHICLE (if any)		
IN YOUR OPINION, WHAT COULD HAVE BEEN DONE TO PREVENT THIS ACCIDENT?		
ARE THERE SAFETY ISSUES YOU FEEL NEED TO BE ADDRESSED? IF YES, EXPLAIN.		
NAME OF OTHER DRIVER INVOLVED (if applicable)		
ADDRESS	HOME PHONE	WORK PHONE
WERE THERE ANY INJURIES?	NAME OF PERSON(S) INJURED	

DESCRIBE THE INJURIES.	
WAS THERE DAMAGE TO ANYONE ELSE'S PROPERTY? PLEASE DESCRIBE.	
WERE THERE ANY WITNESSES?	NAME, ADDRESS AND PHONE#
EMPLOYEE SIGNATURE	DATE

For Supervisor/Department Head Use

Immediate Supervisor's Review and Comments	
Did you visit the site of the accident for review?	
SUPERVISOR SIGNATURE	DATE
Department Head's Review and Comments	
Was this employee sent for a post-accident drug test?	
DEPARTMENT HEAD SIGNATURE	DATE

For City-wide Safety Awareness Committee Only

Date Received by Committee_____

Disposition: _____

**ATTACH DIAGRAM OF ACCIDENT TO THIS
REPORT. (IF VEHICULAR ACCIDENT)**

CORRECTIVE ACTION NOTICE

Should an incident that requires disciplinary action take place, the form below should be completed.

Date: _____

Employee: _____

Department: _____

Corrective Action: _____

Statement of problem (violation of rules, policies, standards, practices or unsatisfactory performance):

Prior discussion or warnings on this subject (oral, written, dates):

Statement of necessary corrective action to be taken:

Consequences of failure to improve performance or correct behavior:

I, _____, acknowledge that I received and understand this corrective action form and have had the opportunity to discuss the incident described in this form with my Department Head.

Employee's Signature

Date

Department Head's Signature

Date

City Administrator's Signature

Date

Original: City Clerk's Office; One copy: Employee; One copy: Department Head.

OUTSIDE EMPLOYMENT REQUEST

Employees shall complete this form to request permission to work at an outside employer.

Employee's name: _____

Department supervisor: _____

Date of request: _____

Name of outside employer: _____

Address: _____

City/State/ZIP: _____

Phone number: _____

How many hours a week do you plan to work for this employer? _____

What is the nature of this employment? _____

If you wish to work in another department of this nonprofit, complete the following:

Department: _____

How many hours do you plan to work there? _____

What is the nature of the work? _____

Employee's Signature

Date

Department Head's Signature

Date

COMPLAINT REPORT

When an employee fails to reach an informal agreement with his/her Department Head regarding a grievance, he/she has the right to file a formal complaint with the City Administrator. All formally presented complaints should be written in memo form or outlined in a Grievance Report form.

Date: _____

Name: _____

Position/Title: _____

Department Head: _____

Description of the problem: _____

I first reported this problem on: _____

Steps I have taken to solve the problem: _____

Employee's Signature

Date

City Administrator's Signature

Date

TIME OFF REQUEST

DATE: _____

EMPLOYEE NAME: _____

DATE(S) REQUESTED: _____

TOTAL HOURS

REQUESTED: _____

REASON: _____

☐ Vacation

☐ Personal Time

☐ Sick Leave

☐ Birthday Holiday

☐ Bereavement

☐ Jury Duty/Military Duty

☐ Out of Town Assignment/Seminar/ Conference

☐ Other (Specify)

(Please attach information)

APPROVED BY: _____

DATE

DENIED BY: _____

DATE

REASON FOR DENIAL: _____

Note: Copies of all time off requests must be sent to the Human Resources at City Hall for recording.

TRAVEL REQUEST AND EXPENSES

EMPLOYEE REQUESTING TRAVEL: _____

REASON FOR TRAVEL: _____

DATES OF TRAVEL: _____

DESTINATION: _____

METHOD OF TRAVEL (CHECK ALL THAT APPLY):

CITY VEHICLE _____

RENTAL CAR _____

TRAIN _____

AIRLINE _____

PERSONAL VEHICLE _____

IS LODGING REQUIRED: Y N IF YES, NAME AND ADDRESS OF HOTEL WHERE YOU
WILL BE STAYING: _____

THE REQUEST FOR TRAVEL IS HEREBY APPROVED.

DEPARTMENT HEAD

DATE

THE REQUEST FOR TRAVEL IS HEREBY DENIED.

DEPARTMENT HEAD

DATE

REASON FOR DENIAL:

[illegible]

Fuel purchase is for city own vehicles only. Mileage is for personal vehicles only and is paid at current IRS rate.

SUBTOTAL P-CARD

SUBTOTAL REIMBURSEMENT

TOTAL EXPENSES

Employee _____

Date _____

Dept Head _____

Date _____

DETAILED RECEIPTS MUST BE ATTACHED FOR ALL EXPENSES.



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: Baum

Subject: ATE Ordinance Agenda Item: _____

Description:

Ordinances from several communities with automatic traffic enforcement (ATE) were reviewed. All contained basically the same language. A draft was created and sent to the City Attorney for final review.

The ordinance sets fines as follows:

1-5 MPH over speed limit \$50
6-10 MPH over the speed limit \$75
11-15 MPH over the speed limit \$100
16 or more over the speed limit \$300

The ATE will be installed in certain school zones that were shown to have a high number of vehicles traveling 11 MPH or more over the speed limit. In accordance with Council's directive, the ATE will operate twenty-four hours a day.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Recommend approval.

Recommend approval.

Required Action

ORDINANCE ☒ RESOLUTION ☐ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

ORDINANCE NO.
CITY OF KEOKUK, IOWA

**An amendment to Title 9 Vehicles and Traffic adding
Chapter 9.91 Automated Traffic Enforcement.**

WHEREAS, the City Council of the City of Keokuk, Iowa after a thorough review and discussion, hereby agrees to amend Title 9 Vehicles and Traffic.

NOW THEREFORE BE IT RESOLVED that the City Council, of the City of Keokuk, Iowa, hereby amends the Keokuk Municipal Code, Title 9 Vehicles and Traffic adding Chapter 9.91 Automated Traffic Enforcement as follows:

Chapter 9.91

AUTOMATED TRAFFIC ENFORCEMENT

Sections:

9.91.010	General.
9.91.020	Definitions.
9.91.030	Vehicle Owner Subject to Civil Fines for Automated Traffic Citations.
9.91.040	Authority to Designate Crosswalks.
9.91.050	Challenging an Automated Traffic Citation.
9.91.060	Failure to Timely Pay or Challenge Automated Traffic Citation.
9.91.070	9.91.080 Exemptions from Section 9.91.060.
9.91.080	Savings Clause.
9.91.090	Changes.
9.91.100	General Provisions.

9.91.010 General.

In accordance with its police powers, the City may deploy, erect or cause to have erected an automated traffic enforcement system for capturing images of motor vehicles that violate traffic laws by failing to obey speed regulations within the city designated by the City Council or designee. The system may be managed by a private contractor that owns and operates the requisite equipment. The police department shall retain supervisory control over the system. The contractor shall provide photographic and/or video images of any potential violations to the police department to review and, in the event the police department determines a vehicle was operated in violation of the city's traffic control ordinances, the police department shall direct that a notice of Automated Traffic Citation be issued to the vehicle owner in accordance with this chapter.

9.91.020 Definitions.

Automated Traffic Citation shall mean a notice of violation generated in connection with the automated traffic enforcement system.

Automated Traffic Enforcement Contractor shall mean the company or entity, if any, with which the City of Keokuk contracts to provide equipment and/or services in connection with the Automated Traffic Enforcement System.

Automated Traffic Enforcement System shall mean an electronic system consisting of a photographic, video, or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic controller or police department employee to automatically produce photographs, video or digital images of each vehicle violating a speed restriction.

Vehicle Owner shall mean the person or entity identified by the Iowa Department of Transportation, or identified by any other state vehicle registration office, as the registered owner of a vehicle detected violating a traffic law by failing to obey speed regulations within the City. Notwithstanding the foregoing, in the event the Iowa Department of Transportation or any other state vehicle registration office identifies a person or entity as the lessee of the vehicle, that lessee shall be the vehicle owner for purposes of this chapter. In the event a state registration office does not specify whether a person or entity listed on the registration for the vehicle is the owner or lessee of the vehicle, any person or entity listed on that vehicle registration may be deemed the vehicle owner and held jointly and severally responsible for a violation of this section.

9.91.030 Vehicle Owners Subject to Civil Fine for Automated Traffic Citations.

1. If a vehicle is detected traveling at a speed above the posted speed limit, the Vehicle Owner shall be subject to a civil fine as scheduled below in subsection 9.91.040(2).
2. Exemptions from this chapter are set forth in subsection 9.91.070 and shall not be considered violations for purposes of the Automated Traffic Enforcement System.
3. In no event will an Automated Traffic Citation be sent or reported to the Iowa Department of Transportation or similar department of any other state for the purpose of being added to the Vehicle Owners driving record.

9.91.040 Notice of Automated Traffic Citation; Fines.

1. Upon a Keokuk Police Officer's determination that the Automated Traffic Enforcement System has detected a violation described in this chapter, a notice of an Automated Traffic Citation will be mailed to the Vehicle Owner for each such violation recorded by the Automated Traffic Enforcement System. The Automated Traffic Enforcement Contractor shall mail the notice within 30 days after receiving information about the Vehicle Owner. The notice shall include the name and address of the Vehicle Owner; the vehicle make, if available and readily discernable; the vehicle registration number; the violation alleged; the time, date and location of the alleged violation; the applicable fine; information as to the manner in which the Automated Traffic Citation may be challenged; and that the basis of the notice is a photographic or video record generated by an Automated Traffic Enforcement System.

2. Any violation of subsection 9.91.030 (1). Above shall be subject to a civil fine as scheduled in the table below, and the fine for any violation committed in a designated construction zone (as provided by the Code of Iowa), shall be as scheduled below, subject in any event to the limit on fines sought in municipal infractions.

Speed over the limit	Civil Fine
1 through 5 miles per hour ("MPH")	\$50.00
6 through 10 MPH	\$75.00
11 through 15 MPH	\$100.00
16 MPH and above	\$300.00

9.91.050 Challenging an Automated Traffic Citation.

Within 30 (thirty) days from the date appearing at the top of a notice of Automated Traffic Citation sent to the Vehicle Owner, the Vehicle Owner may either pay the fee associated with the citation or challenge the citation by submitting a written challenge to the citation or requesting that a municipal infraction be filed pursuant to Iowa Code 364.22. Any such written challenge or request must be on a form specified by and available from the City as indicated on the notice and be sent to the City according to the instructions on that form. Upon receipt of a written challenge, a Keokuk Police Officer shall determine whether the citation should be rescinded. Within 30 (thirty) days after the City receives such a challenge, the City shall notify the Vehicle Owner whether the challenge to the Automated Traffic Citation is successful, in which case, the citation shall be rescinded. Otherwise, the citation will stand. Thereafter, the City may seek voluntary payment and/or file the citation as a municipal infraction against the Vehicle Owner, all as set forth in subsection 9.91.060 below.

9.91.060 Failure to Timely Pay or Challenge Automated Traffic Citation.

If the recipient of an Automated Traffic Citation does not either pay the fine by the due date stated on the original citation or successfully challenge the citation as provided herein, the City may file a municipal infraction against the Vehicle Owner in accordance with Keokuk Municipal Code and 364.22 of the Code of Iowa, seeking judgement for the applicable civil fine provided in subsections 9.91.040 (2) plus stated mandated filing fee and court costs. If judgment is entered for the City in the municipal infraction proceeding, the City may, subject to applicable law, pursue enforcement of the judgement together with the interest as permitted by law. Collection of that judgement may include referral to the State of Iowa Income Offset program administered by the Department of Administrative Services, State Accounting Enterprise. Notwithstanding the City's right to file a municipal infraction, the City may first seek voluntary payment of the fine by sending a written request for payment to the Vehicle Owner and/or referring the matter to a private service agent to conduct collection in accordance with all applicable law.

9.91.070 Exemptions from Section 9.91.060.

The following shall not be considered violations for purposes of the Automated Traffic Enforcement System.

1. The operator of the vehicle in question was issued a uniform traffic citation for the violation in question pursuant to Keokuk Municipal Code Title 9 or Chapter 321 of the Code of Iowa.
2. The violation occurred at any time after the vehicle in question or its state registration plates were reported to a law enforcement agency as having been stolen, provided, however, the vehicle or its plates had not been recovered by the Vehicle Owner at the time of the alleged violation.
3. The vehicle in question was an authorized emergency vehicle.

The foregoing list of exemptions from this section shall not be construed as limiting the defenses available to challenge and Automated Traffic Citation or defend a municipal infraction.

9.91.080 Savings Clause.

All ordinances or part of ordinances in conflict with any provision of this Ordinance are hereby repealed.

9.91.090 Changes.

The changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Keokuk, Iowa, and made a part of said Code as provided by law.

9.91.100 General Provisions.

- 1) **Full force and effect.** This amendment shall be in full force and effect from the date of passage and publication as required by law.
- 2) **Repealer.** This amendment shall be construed to repeal any prior amendment inconsistent herewith.
- 3) **Severability of provisions.** If any section, subsection, sentence, clause, phrase or portion of this amendment be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as separate, distinct and independent provision as such holdings shall not be affected the validity of the remaining portion hereof.

Initial reading by the Council on the 3rd day of August 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

K. A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk

ROLL CALL: CRENSHAW – AYE WALKER – AYE GARCIA – AYE
OLTMANS – AYE HELENTAL – AYE ANDREWS – AYE
TILLMAN – AYE BRYANT – AYE GREENWALD – AYE

AYES – 9

NAYS – 0

ABSENT – 0

Second reading by the Council on the 3rd day of August 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

K. A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk

ROLL CALL: CRENSHAW – WALKER – GARCIA –
OLTMANS – HELENTAL – ANDREWS –
TILLMAN – BRYANT – GREENWALD –

AYES –

NAYS –

ABSENT –



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: O'Donnell

Subject: Amending KMC- UTV Hours Agenda Item: _____

Description:

At the August 3, 2023 work session the Council directed staff to present an ordinance amending the hours of operation for UTVs. The extension is to accommodate the use of UTVs for school and city events that extend beyond the original cut off time of 9:00 PM. The amendment sets hours of operation from 5:00 AM to 10:30 PM. The change in hours of operation pertains to UTVs only. Hours for golf carts remain the same.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Ordinance Establishing Chap. 9.90

Date

04/21/2022

Recommendation:

Based on previous direction of the City Council, approval is recommended.

Required Action

ORDINANCE ☐ RESOLUTION ☐ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9.90, REGARDING OPERATION OF OFF-ROAD UTILITY VEHICLES AND GOLF CARTS

WHEREAS, Ordinance No. 2022 passed by the Keokuk City Council on April 21, 2022, established a new Chapter 9.90 regarding regulation and operation of Off-Road Utility Vehicles and Golf Carts:

WHEREAS, Section 9.90.040(3) provides for the hours of operation of UTVs from the hours of 5:00 a.m. to 9:00 p.m.;

WHEREAS, the City Council now finds it desirous of extending the hours of operation of UTVs from 5:00 a.m. to 10:30 p.m.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, COUNTY OF LEE, STATE OF IOWA as, follows:

Section 1. The foregoing recitals are hereby incorporated as findings of fact as if fully set forth here.

Section 2. Section 9.90.040(3) of the Keokuk Municipal Code, entitled “Places of Operation” is hereby amended to read as follows:

UTVs may only be operated on city streets between the hours of five a.m. and ten-thirty p.m. UTVs shall not be operated upon any city street which is a primary road extension through the city. Primary road extensions shall include all of Highway 218/136. Said primary road extension may be crossed at Navaho to South Navaho, Belknap Blvd, Boulevard Rd., 2nd, 4th, 5th, 6th, 8th, 9th, 14th, and Carbide Lane, Plank Road, and at Oregon, K Street, Ridge, Des Moines, Bank, and Exchange.

Section 3. Severability. In any section, provisions or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall have no effect on the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after is adoption and publication as provided by law.

Initial Reading by the Keokuk City Council on the _____ day of _____, 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

K. A. MAHONEY, MAYOR

ATTEST:

CELESTE ELANFAOUI,
CITY CLERK

Passed by the Council on the ____ day of _____, 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

K. A. MAHONEY, MAYOR

ATTEST: _____
CELESTE ELANFAOUI,
CITY CLERK

ROLL CALL: TILLMAN – _____ HELENTAL – _____ CRENSHAW - _____
WALKER - _____ GARCIA - _____ ANDREWS - _____ OLTMANS - _____
BRYANT - _____ GREENWALD - _____

AYES - _____ NAYS - _____ ABSENT - _____

Second and Third/Final Passage by the Council this ____ day of _____, 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

K. A. MAHONEY, MAYOR

ATTEST: _____
CELESTE ELANFAOUI,
CITY CLERK

ROLL CALL: WINN – _____ HELENTAL – _____ CRENSHAW - _____
ALTHEIDE - _____ GARCIA - _____ ANDREWS - _____ MARSDEN - _____
BRYANT - _____ GREENWALD - _____



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: O'Donnell

Subject: Lee County URA Agreement Agenda Item: _____

Description:

Lee County is establishing an urban renewal area (URA) within the Keokuk city limits. The URA consists of Lots Three (3), Four (4), Five (5) & Six (6), Block Fourteen (14), Estes Addition (see map). The URA is established as an economic development area with a twenty (20) year lifespan. The plan specifically states that no TIF revenue will be sought. The project within the area is an ambulance facility. The URA affords Lee County additional options to finance the project.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Recommend approval.

Recommend approval.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO. _____

RESOLUTION APPROVING URBAN RENEWAL JOINT AGREEMENT WITH LEE COUNTY

WHEREAS, pursuant to Chapter 403 of the Code of Iowa, counties have certain urban renewal powers; and

WHEREAS, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a county may exercise urban renewal powers with respect to property which is located inside or within two miles of the boundaries of a city only if the county and city have entered into a joint agreement with respect to such exercise of powers; and

WHEREAS, the Board of Supervisors of Lee County (the “County”) has proposed to designate the real property (the “Property”) described on Exhibit A hereto as the Lee County Urban Renewal Area #2 (the “Urban Renewal Area”) and to adopt an urban renewal plan (the “Plan”) for the Urban Renewal Area to govern projects and initiatives in the Urban Renewal Area; and

WHEREAS, the initial project (the “Project”) to be undertaken in the Urban Renewal Area, will consist of constructing, furnishing, and equipping a new emergency medical services building, including an ambulance bay and living quarters; and; and

WHEREAS, a portion of the Property lies within the incorporated limits of the City of Keokuk, Iowa (the “City”); and

WHEREAS, the Board of Supervisors of the County has requested that the City enter into this joint agreement in order to enable the County to exercise its urban renewal powers with respect to the Property and to carry out the Project.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA approves the Urban Renewal Joint Agreement with Lee County.

PASSED, APPROVED, AND ADOPTED 17th day of August, 2023.

K.A. Mahoney, Mayor

ATTEST:

Celeste El Anfaoui, City Clerk

URBAN RENEWAL JOINT AGREEMENT

WHEREAS, pursuant to Chapter 403 of the Code of Iowa, counties have certain urban renewal powers; and

WHEREAS, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a county may exercise urban renewal powers with respect to property which is located inside or within two miles of the boundaries of a city only if the county and city have entered into a joint agreement with respect to such exercise of powers; and

WHEREAS, the Board of Supervisors of Lee County (the "County") has proposed to designate the real property (the "Property") described on Exhibit A hereto as the Lee County Urban Renewal Area #2 (the "Urban Renewal Area") and to adopt an urban renewal plan (the "Plan") for the Urban Renewal Area to govern projects and initiatives in the Urban Renewal Area; and

WHEREAS, the initial project (the "Project") to be undertaken in the Urban Renewal Area, will consist of constructing, furnishing and equipping a new emergency medical services building, including an ambulance bay and living quarters; and; and

WHEREAS, a portion of the Property lies within the incorporated limits of the City of Keokuk, Iowa (the "City"); and

WHEREAS, the Board of Supervisors of the County has requested that the City enter into this joint agreement in order to enable the County to exercise its urban renewal powers with respect to the Property and to carry out the Project;

NOW, THEREFORE, it is agreed by the County and the City as follows:

Section 1. The County may include the Property in the Urban Renewal Area and exercise its urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to the Property in order to carry out the Project and future projects therein; provided, however, the County hereby agrees that it will not subject the Property to the division of revenue under Iowa Code Section 403.19

Section 2. This Agreement shall be deemed to meet the statutory requirements of paragraph 4 of Section 403.17 of the Code of Iowa and shall be effective following approval by the governing bodies and execution by the appropriate officials of the County and the City.

IN WITNESS WHEREOF, the County has caused this Agreement to be executed by the Chairperson of its Board of Supervisors and attested by its County Auditor, and the City has caused this Agreement to be executed by its Mayor and attested by its City Clerk, as of the dates shown below.

LEE COUNTY, IOWA

By _____
Chairperson, Board of Supervisors

Attest:

County Auditor

Date: _____

CITY OF KEOKUK, IOWA

By _____
Mayor

Attest:

City Clerk

Date: _____

EXHIBIT A
Legal Description

Lots Three (3), Four (4), Five (5) & Six (6), Block Fourteen (14), Estes Addition to the City of Keokuk, Lee County, Iowa.

LEE COUNTY, IOWA
URBAN RENEWAL PLAN
LEE COUNTY URBAN RENEWAL AREA #2

August, 2023

I. INTRODUCTION

Chapter 403 of the Code of Iowa authorizes counties to establish areas within certain boundaries known as “urban renewal areas,” and to exercise special powers within these areas. In order to facilitate the use of urban renewal for economic development, Chapter 403 of the Code of Iowa authorizes boards of supervisors to create “economic development” areas. An economic development urban renewal area may be any area of a county which has been designated by the board of supervisors as an area which is appropriate for commercial, industrial and/or residential housing enterprises and in which the county seeks to encourage further development.

As an additional expression of the role for local governments in private economic development, the General Assembly also enacted Chapter 15A of the Code of Iowa, which declares that economic development is a “public purpose” and authorizes local governments to provide grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines “economic development” as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

The process by which an economic development urban renewal area may be created begins with a finding by the board of supervisors that such an area needs to be established within the county. An urban renewal plan is then prepared for the area, which must be consistent with the county’s existing comprehensive or general plan. All other affected taxing entities must be notified and given an opportunity to comment on the plan. The board of supervisors must hold a public hearing on the urban renewal plan, following which, the board of supervisors may approve the plan.

This document is intended to serve as the Urban Renewal Plan for the Lee County Urban Renewal Area #2 (the “Urban Renewal Area”) for Lee County, Iowa (the “County”) and will guide the County in promoting economic growth in such Urban Renewal Area as detailed herein. This document is an Urban Renewal Plan within the meaning of Chapter 403 of the Code of Iowa and sets out proposed projects and activities within the Urban Renewal Area.

II. DESCRIPTION OF URBAN RENEWAL AREA

A description of all property (the “Property”) that has been included within the Urban Renewal Area is attached hereto as Exhibit A.

III. URBAN RENEWAL OBJECTIVES

The primary objectives for the development of the Urban Renewal Area are:

1. To contribute to a diversified, well-balanced local economy by creating job opportunities and strengthening the property tax base through the provision of enhanced County facilities.
2. To assist in providing land and resources for new and expanded commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide municipal services and facilities that enhance possibilities for economic development and community attractiveness to private enterprise.
4. To provide a more marketable and attractive investment climate.
5. To provide public facilities to enhance County services and enhance the economic attractiveness of the community.

IV. URBAN RENEWAL PROJECTS AND ACTIVITIES

The following types of activities are examples of the specific actions which may be undertaken by the County within the Urban Renewal Area:

1. Preparation of plans related to the development and implementation of the Urban Renewal Area and specific urban renewal projects.
2. Construction of County facilities, including emergency medical services facilities.
3. Acquisition, preparation and disposition of property for development and/or redevelopment of County facilities.

V. SPECIFIC URBAN RENEWAL PROJECTS

The County has determined to undertake the following initiative in the Urban Renewal Area as an economic development urban renewal project:

Name of Project: Keokuk Emergency Medical Services Building Project

Date of Board Approval of Project: August 21, 2023

Description of Project: The Keokuk Emergency Medical Services Building Project (the "Project") will consist of the construction, furnishing and equipping of a new emergency medical services building, including an ambulance bay and living quarters, on the Property (as described in Section II above) in the City of Keokuk, Iowa.

It is anticipated that the completed Project will have a positive impact on commerce and development in the Urban Renewal Area through the provision of enhanced emergency medical services facilities.

Plan of Financing for the Project: The County will use its urban renewal authority to aid in the authorization of general obligation bonds (the “Bonds”) in a principal amount not to exceed \$1,500,000 to finance the Project. The County does not intend to apply incremental property tax revenues to the repayment of the Bonds. If the County determines to apply incremental property tax revenues to the repayment of the Bonds in the future, the City will amend the Plan to reflect the required analysis under Section 403.5(2)(b)(1) of the Code of Iowa prior to the issuance of such Bonds.

VI. LAND USE PLAN AND PROPOSED DEVELOPMENT

The County’s long range development plans for this Urban Renewal Area are matched to its general plan for development in the County and will be tailored to comply with the overall land use needs. All urban renewal activities within the Urban Renewal Area will be consistent with the County’s general land use plans.

VII. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the Board of Supervisors and will remain in effect until it is repealed by the Board of Supervisors.

VIII. PLAN AMENDMENTS

This Urban Renewal Plan may be amended in accordance with the procedures set forth in Chapter 403 of the Code of Iowa.

IX. FINANCIAL INFORMATION

COUNTY DEBT INFORMATION

1. Current constitutional debt limit:	<u>\$133,833,270</u>
2. Outstanding general obligation debt:	<u>\$</u>
3. Proposed amount of debt to be incurred*:	<u>\$ 1,500,000</u>





*Some or all of the debt incurred hereunder could be subject to annual appropriation by the Board of Supervisors.

**EXHIBIT A
LEGAL DESCRIPTION
LEE COUNTY URBAN RENEWAL AREA #2**

Lots Three (3), Four (4), Five (5) & Six (6), Block Fourteen (14), Estes Addition to the City of Keokuk, Lee County, Iowa.



Legend

-  Corporate Limits
-  Geographic Townships
-  Parcels
-  Named Roads

Date created: 8/8/2023
Last Data Uploaded: 8/8/2023 9:48:30 AM

Developed by  **Schneider**
GEOSPATIAL



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: O'Donnell

Subject: Hotel/Motel Funding Request Agenda Item: _____

Description:

Corey Samuels, representing Mancountry, is requesting \$1,500 from the Hotel/Motel Discretionary Account for a free pro wrestling event at L-Treyns Bar on September 16, 2023. Email with request is attached.

The account is allocated \$10,000. Council previously allocated \$5,000 to Lake Cooper for the Big Dam Street Festival.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: 001-490-6380 Title: Miscellaneous

Amount Budgeted: 10,000

Actual Cost: 6,500 (including previous)

Under/Over: 3,500

Funding Sources:

Hotel/Motel Taxes _____

Departments:

Hotel/Motel _____

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Adopted FY23/24 Budget

Date

05/18/2023

Approved Allocation to Lake Cooper

07/06/2023

Recommendation:

This is a discretionary item of the City Council.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO. _____

**A RESOLUTION APPROVING ALLOCATION OF HOTEL/MOTEL TAX
RECEIPTS TO MANCOUNTRY**

WHEREAS, the City Council of Keokuk, Iowa has adopted an annual operating budget for FY 23/24; and

WHEREAS, said budget provides for \$10,000 in discretionary funds to be used for community events or projects; and

WHEREAS, the Mancountry is requesting \$1,500 to assist in funding a free Pro Wrestling Event.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA, that \$1,500 of the Hotel/Motel discretionary appropriation be allocated to Mancountry.

PASSED, APPROVED, AND ADOPTED this 17th day of August 2023.

K. A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk

Cole O'Donnell

From: Amy Benson
Sent: Monday, August 7, 2023 8:07 AM
To: Cole O'Donnell
Cc: K.A. Mahoney
Subject: FW: Funding for event

This was sent to Celeste also, but thought I'd forward it on to you two.

Thanks,

*Amy Benson
Deputy City Clerk
501 Main Street
319-524-2050 Ext. 2201*



From: Corey Samuels <coreysamuels78@yahoo.com>
Sent: Sunday, August 6, 2023 7:27 PM
To: Amy Benson <abenson@cityofkeokuk.org>; Celeste El Anfaoui <celanfaoui@cityofkeokuk.org>
Subject: Funding for event

Hello,

My name is Corey Samuels, and I received your information from Roslyn Garcia.

In the past I have done several local events, and we (Mancountry) have a few coming up soon. One in particular is September 16th.

It is a Pro Wrestling event at L-Treyns Bar. This will be a FREE, family friendly event.

We will have wrestlers traveling from all over to come to our town, along with their friends, family, and fans.

The last time we put on a show like this, we had well over 600 people in attendance. About 40% of the attendance was local, and the rest traveled here to watch.

I am asking for 1500.00 from the hotel/motel fund.

Through all of our events, and donations, we have never asked the city for any amount of money, at least not to my recollection. So, I apologize if I am missing info, or of this the incorrect forum to ask.

It may not be possible due to work to make it to the council meeting, however I can answer any questions anyone may have by phone, or email.

I appreciate your consideration in the matter.

Thanks,
Corey Samuels
319-520-7042

[Sent from Yahoo Mail on Android](#)



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: O'Donnell

Subject: Acknowledging Petition Agenda Item: _____

Description:

A petition opposing the placement of the dam turbine at Estes Park was received by city staff. The petition contains 272 electronic signatures, of which, 186 list Keokuk addresses. At the August 3, 2023 Council Meeting, staff was asked to draw up a resolution relating to the turbine placement. The attached resolution states resolves the following:

1. Acknowledges the concerns submitted by the citizens of Keokuk, Iowa.
2. Acknowledges that the placement of the turbine in Estes Park is not ideal.
3. Expresses disappointment that Keokuk Hamilton Dam Museum did not request public input on the location of the turbine prior to choosing Estes Park.
4. Expresses disappointment that the Keokuk Hamilton Dam Museum could not have found a different location for the turbine.
5. Strongly urges the Keokuk Hamilton Dam Museum to fulfill its commitment to maintain the turbine for now and into the future.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Staff has no recommendation as this is a discretionary item of the Council.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO. _____

**RESOLUTION ACKNOWLEDGING PETITION RELATING TO PLACEMENT
OF DAM TURBINE IN ESTES PARK**

WHEREAS, the Keokuk and Hamilton Dam Museum (KHDM), in conjunction with Ameran Missouri, will be placing the last original turbine from the Keokuk Power Plant in Estes Park; and

WHEREAS, said placement has been agreed to by the Lee County, Iowa Board of Supervisors; and

WHEREAS, several citizens of the City of Keokuk, Iowa have made comments to the City Council of Keokuk, Iowa opposing the placement of the turbine at Estes Park; and

WHEREAS, said citizens have requested the KHDM consider alternate locations for the turbine; and

WHEREAS, a petition with electronic signatures of one hundred eighty-six Keokuk addresses has been submitted to the City Council of Keokuk, Iowa.

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY
OF KEOKUK, IOWA** the following:

1. Acknowledges the concerns submitted by the citizens of Keokuk, Iowa.
2. Acknowledges that the placement of the turbine in Estes Park is not ideal.
3. Expresses disappointment that Keokuk Hamilton Dam Museum did not request public input on the location of the turbine prior to choosing Estes Park.
4. Expresses disappointment that the Keokuk Hamilton Dam Museum could not have found a different location for the turbine.
5. Strongly urges the Keokuk Hamilton Dam Museum to fulfill its commitment to maintain the turbine for now and into the future.

PASSED, APPROVED, AND ADOPTED 17th day of August 2023.

K.A. Mahoney, Mayor

ATTEST:

Celeste El Anfaoui, City Clerk



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: Brian Carroll, P.W.D. *BC*

Subject: Vehicle Towing & Storage Contract Agenda Item: _____

Description:

The Vehicle Towing and Storage Contract for the City of Keokuk is due to be renewed on September 1, 2023. Everett's Towing, LLC and Rairden's Auto Salvage & Towing, LLC would like to share the towing services for the city as has been done in the past with two local towing companies.

I would recommend that the Council consider the attached resolution awarding the Vehicle Towing and Storage Services contract to Everett's Towing, LLC and Rairden's Auto Salvage & Towing, LLC for the period beginning September 1, 2023 and ending August 31, 2025 for the amounts shown on the attached Bid Proposals.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date _____

Recommendation:

That a contract for Vehicle Towing and Storage Services be awarded to Rairden's Auto Salvage & Towing, LLC and Everett's Towing, LLC beginning September 1, 2023 and ending August 31, 2025.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO.

**A RESOLUTION AWARDDING CONTRACT FOR
VEHICLE TOWING & STORAGE**

WHEREAS vehicle towing & storage bid packets were sent out to three local towing companies as well as published in the local newspaper for towing services for the period of September 1, 2023, through August 31, 2025; and

WHEREAS the only bids received were from Everett's Towing, LLC and Rairden's Auto Salvage & Towing, LLC to share the towing service; and

WHEREAS the following fee schedule was submitted by the two towing companies:

Priority tows for normal weather.....**\$100.00**

Priority tows in response to snow emergencies.....**\$100.00**

Routine tows.....**\$100.00**

Storage for each 24-hour period or portion thereof:

Inside **\$45.00** Outside **\$40.00** Cycle **\$20.00**

City Vehicle - Light Duty up to ¾ ton.....**\$60.00**

City Vehicle - Medium Duty up to 1½ ton.....**\$100.00**

City Vehicle - Heavy Duty.....**\$150.00**

Special rates apply for certain heavy vehicles after 5 miles...\$ **3.50**/mile

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA, that a contract be awarded to Everett's Towing, LLC and Rairden's Auto Salvage & Towing, LLC for the period of September 1, 2023, through August 31, 2025.

PASSED, APPROVED, AND ADOPTED this 17th day of August 2023.

Mayor – K.A. Mahoney

Attest – Celeste El Anfaoui

BID PROPOSAL

The undersigned bidder, having familiarized himself with the Notice, Form of Contract, Bid Proposal, and all aspects relative to the performance of the vehicle towing/storage services for the City of Keokuk owned vehicles, hereby agrees to provide all labor, facilities, equipment, services, insurances, etc. as required by the Form of Contract and to enter into the proposed contract with the City for the amounts stated below and with the facilities and equipment stated below. **Please note this Contract will extend until April 30, 2025.**

Fee Schedule (refer to the Contract, paragraph 2, description of different types of tows):

Priority tows for normal weather.....	\$	100 ⁰⁰
Priority tows in response to snow emergencies.....	\$	100 ⁰⁰
Routine tows.....	\$	100 ⁰⁰
Storage for each 24 hour period or portion thereof:		
Inside \$ 45 ⁰⁰	Outside \$ 40 ⁰⁰	Cycle \$ 20 ⁰⁰
City Vehicle - Light Duty	Up to ¾ ton.....	\$ 60 ⁰⁰
City Vehicle - Medium Duty	Up to 1½ ton.....	\$ 100 ⁰⁰
City Vehicle - Heavy Duty.....		\$ 150 ⁰⁰
Special rates apply for certain heavy vehicles after 5 miles....	\$	3 ⁵⁰ /mile

Description of bidder's facilities and equipment:

Storage capacity available:

Inside - heated 15 unheated 70

Outside - secured storage 300

Description of equipment to be used (tow vehicles):

* See Attachment *

The bidder understands that the City reserves the right to accept the bid, which in the judgement of the City is most advantageous to the City, to waive any formalities, to consider the bidder's integrity and ability to perform the services, to reject any or all bids, and to re-advertise for bids.

Signed: Paul Bairden ^{President} Rairden's Auto Salvage & Towing LLC
Name Authorized Officer

Dated: 8-7-23

3944 S. 7th
Address

(319) 524-3721
Telephone

Keokuk IA 52632
City, State, Zip

CITY OF KEOKUK

BID PROPOSAL

The undersigned bidder, having familiarized himself with the Notice, Form of Contract, Bid Proposal, and all aspects relative to the performance of the vehicle towing/storage services for the City of Keokuk owned vehicles, hereby agrees to provide all labor, facilities, equipment, services, insurances, etc. as required by the Form of Contract and to enter into the proposed contract with the City for the amounts stated below and with the facilities and equipment stated below. **Please note this Contract will extend until April 30, 2025.**

Fee Schedule (refer to the Contract, paragraph 2, description of different types of tows):

Priority tows for normal weather.....	\$	100 ⁰⁰
Priority tows in response to snow emergencies.....	\$	100 ⁰⁰
Routine tows.....	\$	100 ⁰⁰
Storage for each 24 hour period or portion thereof:		
Inside \$ 45 ⁰⁰	Outside \$ 40 ⁰⁰	Cycle \$ 20 ⁰⁰
City Vehicle - Light Duty	Up to ¾ ton.....	\$ 60 ⁰⁰
City Vehicle - Medium Duty	Up to 1½ ton.....	\$ 100 ⁰⁰
City Vehicle - Heavy Duty.....		\$ 150 ⁰⁰
Special rates apply for certain heavy vehicles after 5 miles...	\$	3.50 /mile

Description of bidder's facilities and equipment:

Storage capacity available:

Inside - heated 4 unheated 21

Outside - secured storage 20

Description of equipment to be used (tow vehicles):

2 Flatbed rollbacks, 1 medium duty wrecker

The bidder understands that the City reserves the right to accept the bid, which in the judgement of the City is most advantageous to the City, to waive any formalities, to consider the bidder's integrity and ability to perform the services, to reject any or all bids, and to re-advertise for bids.

Signed: [Signature]
Name Authorized Officer

Dated: 8-7-23

2519 Johnson St. Rd.
Address

319-670-6470
Telephone

Keokuk Ia 52632
City, State, Zip

CITY OF KEOKUK



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: O'Donnell

Subject: Designating Handicapped Parking Agenda Item: _____

Description:

Under Section 9.30.020 of the Keokuk Municipal Code the City Council can designate a handicapped parking space by resolution. This space will be adjacent to City Hall on 5th St.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Recommend approval.

Recommend approval.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO. _____

RESOLUTION DESIGNATING HANDICAPPED PARKING SPACE

WHEREAS, Section 9.30.020 of the Keokuk Municipal Code provides for handicapped parking spaces to be designated by resolution passed by the City Council of Keokuk, Iowa; and

WHEREAS, it has been found necessary to designate such space adjacent to Keokuk City Hall.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA that a handicapped parking space shall be designated by appropriate signage at the following location:

Thirty-eight feet, six inches (38'6") north by northeast from the outside edge of the outside NW bound lane of Main Street and directly adjacent to 501 Main Street.

PASSED, APPROVED, AND ADOPTED 17th day of August 2023.

K.A. Mahoney, Mayor

ATTEST:

Celeste El Anfaoui, City Clerk



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: Wills

Subject: Truck Purchase Agenda Item: _____

Description:

When the Water Pollution Control Plant took over the hauling of bio-solid sludge it was beleived that the current grit truck (single axle) could keep up the the bio-solids production. However, due to the small capacity of the grit truck, the processing of sludge is falling behind. Staff looked for a used tandem axle truck that would have 3-4 times the capacity of the grit truck. Centre State Trucks, Inc of Peoria, IL has a 2018 International Workstar 7500 available for \$94,950. This is a duel axle truck that would meet the needs of the facility. It has 4,762 hours and 111,750 miles and comes with two years of manufacturer's warranty. The cost of the truck would be paid from WPC Capital equipment bond reserves. The bond was sold for the sludge press project that is no longer needed. The purpose of the bond was general in that it can be used for equipment and upgrades at the WPC.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☒

Line Item #: 611-815-6750 Title: Cap Improve. WPC Equipment Replacement

Amount Budgeted: 0.00 for truck \$1,689,477 proj. undetermined

Actual Cost: 94,950

Under/Over: (94,950 for truck) 1,594,527 Budget

Funding Sources:

Proceeds of Debt (reserves)

Departments:

WPC

Is this item in the CIP? YES ☐ NO ☒ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Staff recommends approval.

Staff recommends approval.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING PURCHASE OF 2018 INTERNATIONAL
WORKSTAR 7500 FOR WATER POLLUTION CONTROL PLANT**

WHEREAS, THE Keokuk Water Pollution Control Plant has assumed the hauling of biosolid sludge; and

WHEREAS, the current vehicle designated for the hauling of the said biosolids is in adequate to due to its small size; and

WHEREAS, a 2018 International Workstar 7500 dump truck is available for purchase; and

WHEREAS, said truck would have three to four times the capacity of the current vehicle; and

WHEREAS, the purchase price of ninety-four thousand nine hundred fifty dollars (\$94,950) will be paid from Water Pollution Control Equipment Replacement Bond Reserves.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA that the purchase of the 2018 International Workstar 7500 in the amount of ninety-four thousand nine hundred fifty dollars (\$94,950) from Centre State Trucks, Inc of Peoria, Illinois.

PASSED, APPROVED, AND ADOPTED 17th day of August 2023.

K.A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk



2018 INTERNATIONAL WORKSTAR 7500

USD **\$94,950**

Machine Location: 3313 SW WASHINGTON ST Peoria, Illinois 61602

Seller Information

Centre State International - Peoria

Contact: Sales Department

Phone: (800) 397-2748

Peoria, Illinois 61602

(800) 397-2748

Video Chat





[Hide Thumbnails](#)

Description

Fresh DOT and Ready to Work With a 2 YEAR MANUFACTURE'S WARRANTY!! WEIGHS UNDER 21,000 POUNDS!!

Specifications

Year	2018	Manufacturer	INTERNATIONAL
Model	WORKSTAR 7500	Hours	4,762
VIN	1HTWNSUT5JH221725	Condition	Used
Stock Number	JH221725U	Mileage	111,750 mi
Odometer	Accurate / Verified	Horsepower	350 HP
Engine Manufacturer	INTERNATIONAL	Engine Model	N10
Engine Displacement	9.3 l	Fuel Type	Diesel
Transmission	Automatic	Transmission Manufacturer	ALLISON
Transmission Type	Allison RDS	Number of Speeds	6 Spd
Overdrive	Yes	Ratio	4.33
Differential Lock	Yes	Drive	6x4
Suspension	Hendrickson	Number of Rear Axles	Tandem
Gross Vehicle Weight Rating	Class 8: 33,001 pounds or greater	Gross Vehicle Weight	58,000 lb
Front Axle Weight	18,000 lb	Rear Axle Weight	40,000 lb
Wheels	All Aluminum	Wheelbase	201 in
Body Length	16 ft	Drive Side	Left Hand Drive
Power Locks	Yes	A/C	Yes
A/C Condition	Excellent	Composition	Aluminum

Dump Type	End	Body Manufacturer	MAC TRAILER MFG
Body Shape	Rectangle	Fuel Capacity	80 gal

[Show As Paragraph](#)



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: Brian Carroll, P.W.D.

BC

Subject: Grinding of Tree Debris Agenda Item: _____

Description:

The City received two bids for grinding the trees that were destroyed at the park and cemetery during the derecho on June 29th. The lowest quote was submitted by Parker Tree & Excavation Services, LLC of Ottumwa, IA in the amount of \$13,875.

I would recommend that the Council consider the attached resolution awarding the tree grinding debris contract to Parker Tree & Excavation Services, LLC for the amount shown above.

FINANCIAL

Is this a budgeted item?

YES ☐

NO ☒

Line Item #: See below

Title: Cemetery & Parks Contractual Services

Amount Budgeted: _____

Actual Cost: \$13,875

Under/Over: _____

Funding Sources:

Insurance Refund

Departments:

Park Department

001-430-6499

Cemetery Department

001-450-6499

Is this item in the CIP?

YES ☐

NO ☒

CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date _____

Recommendation:

That a contract for tree debris grinding be awarded to Parker Tree & Excavation Services, LLC in the amount \$13,875 to grind park and cemetery trees that were destroyed in the derecho on June 29, 2023.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO.

**A RESOLUTION AWARDDING CONTRACT TO PARKER TREE &
EXCAVATION SERVICES, LLC OF OTTUMWA, IOWA FOR
GRINDING OF TREE DEBRIS**

WHEREAS the debris from trees that were destroyed in the park and cemetery due to the derecho on June 29, 2023, have been stored on City property at the sanitation department; and

WHEREAS two bids were received to grind the debris and the low bid was submitted by Parker Tree & Excavation Services, LLC of Ottumwa, IA in the amount of \$13,875.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA, that a contract be awarded to Parker Tree & Excavation Services, LLC of Ottumwa, IA in the amount of \$13,875 for tree debris grinding.

PASSED, APPROVED, AND ADOPTED this 17th day of August 2023.

Mayor – K.A. Mahoney

Attest – Celeste El Anfaoui



Estimate

#0000250

From: Parker Tree & Excavation Services, LLC
P.O. Box 102 Ottumwa, IA 52501

Amount:
\$13,875.00

Bill To: City of Keokuk ATT;Bob
1401 South 20th Street, Keokuk, IA,
USA

Expiration Date:
8/27/2023

Item	Rate (excl. tax)	Quantity	Tax	Total
Whole tree grinding @ 1401 s. 20th st. Keokuk This estimate is to grind, into mulch, 6 large stacks of tree waste. My estimate is for 36 hrs of actual grind time at \$375.00 per hr. 1 hr of travel time at \$375. Our intent is to completely grind that amount unless material is over 40 inches in diameter. We guarantee satisfaction. Parker Tree and Excavation Service has been in business since 1967. I, Steve Lundy, have owned the business for 12 years. We sincerely appreciate the opportunity! Terms; We prefer payment in 15 days. Thank you!				
	\$13,875.00	1		\$13,875.00
Subtotal				\$13,875.00
Total				\$13,875.00



*Serving The Tri-State Area
With Over 100 Years Experience*

Industrial , Commercial , Residential , Mechanical , Structural , Electrical & Machinery Setting

August 3, 2023

Quote #C-3789 REV 2

City of Keokuk
501 Main St
Keokuk IA 52632

ATTN: Brian Carroll

RE: GRIND (6) BRUSH PILES

Dear Mr. Carroll:

Thank you for the opportunity to quote you on the above referenced project as described below:

1. Grind (6) existing brush piles located at old landfill.
2. All of the grind materials will be left on site.
3. Grinders
 - a. 266 MC Roto Chopper
 - i. Includes operator and fuel
4. Miscellaneous Equipment/Includes an operator and fuel
 - a. E50 excavator with a thumb.
 - b. Skid Steer with grapple
5. Below price is based on (3) eight-hour days of grind time.
6. All work is to be completed Monday thru Friday 7:00am to 3:30pm

LUMP SUM PRICE: \$24,850.00

This proposal is designed to provide the customer with an estimate of the amount of labor, material and equipment used in the given project. The estimate is based upon calculations or data provided by the customer and such estimate assumes, among other things, normal and typical building construction techniques. Any alteration or deviation from the above specifications involving extra costs will become an extra charge over and above the original estimate.

Continued



*Serving The Tri-State Area
With Over 100 Years Experience*

Industrial , Commercial , Residential , Mechanical , Structural , Electrical & Machinery Setting

Continued
Page 2
Quote #C-3789 REV.2

This proposal is valid for 30 days.

If you have any questions regarding this submittal, please contact our office.

Sincerely,
AC CONTRACTING LLC

Wesley J Ames

Wesley J Ames



COUNCIL ACTION FORM

Date: August 17, 2023

Presented By: O'Donnell

Subject: Pool Sewer Credit Agenda Item: _____

Description:

Lisa Claiborne, 916 Palean St, was gifted a pool and set it up mid July. Ms. Claiborne is requesting a sewer adjustment for the July billing cycle. The Council approved sewer credits for pool filling during the months of May and June. Outside of the approved time frame adjustments for pool filling require approval of the City Council.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Pool Sewer Credit Resolution

Date

04/20/2023

Recommendation:

At the discretion of the Council.

Required Action

ORDINANCE ☐ RESOLUTION ☐ MOTION ☒ NO ACTION REQUIRED ☐

Additional Comments:

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

7/17/23

TO WHOM IT MAY CONCERN:

I was trying to get the over credit taken off my water bill and ^{"the city"} they informed me it was too late for that credit since we didn't bill it until a couple weeks ago. My son is deathly ill & I am recovering from a heart attack in November.

My daughter got us the pool to hopefully get some relief and stress relief. We did not know about this credit possibility till after she started setting up pool in mid-July. We would appreciate if you could approve us for that credit. It would be extremely appreciated if we could still get credit on our next bill for water excess? Thank you! (OVER CREDIT) (I THINK)

Regards

Lisa Elaine
916 Palar St

Keokuk, IA 52632
319 473 3742



TO: Mayor and Council
FROM: Cole S. O'Donnell
DATE: August 14, 2023
RE: Committee Nominations

AIRPORT COMMISSION (Final notification. Vote required.)
(6 YEAR TERM)

Mark Schickedanz Term to expire 10/22/2025

AIRPORT COMMISSION (First notification. No vote required.)
(6 YEAR TERM)

Mark Pfaffe Term to expire 10/20/29
Thomas Dressler Term to expire 10/20/29

BOARD OF ADJUSTMENT (First notification. No vote required.)
(5 YEAR TERM)

Phil Dunek Term to expire 04/01/28

HUMAN RIGHTS COMMISSION (First notification. No vote required.)
(3 YEAR TERM)

Ray Bradley, Jr. Term to expire 09/19/26
Fred Seay, Jr. Term to expire 09/19/26
Sandy Seabold Term to expire 09/19/26
Michael Price Term to expire 09/19/26

JOYCE PARK/TUMELTY COMMISSION (First notification. No vote required.)
(6 YEAR TERM)

Steve Worster Term to expire 10/01/29

KEOKUK HOUSING AUTHORITY (First notification. No vote required.)
(2 YEAR TERM)

Brenda Best (Vice Chair) Term to expire 09/05/25
Brent Haage (Chair) Term to expire 09/05/25
Jay Kruse (Commissioner) Term to expire 09/05/25



TO: Mayor and Council

FROM: Cole S. O'Donnell

DATE: August 14, 2023

RE: Administrator's Report

1. Hospital Update: Mayor Mahoney and I met with members of the Insight team, including the medical director. The team had toured the hospital building with their contractor to get a sense of the improvements needed. Insight is still seeking additional funding opportunities while pursuing the REH route for operations. It was expressed that the long-term plan would be to expand to a inpatient facility. Insight is also looking at ways to start promoting the facility. This would include "Coming Soon" signs, a sign at the facility, and interviews with local media.
2. Elkem Carbide Property: Work progresses on the platting of Subdivision 1 of the property. The area covered by the division is the very front portion of the property and is the portion covered under the clean up grant. The platting will allow us to apply for additional grants. Shoemaker Holland is also completing a survey of plat on the second section so that we can apply for a second cleanup grant. Expected date for council approval of the plats is September 21st.



COUNCIL ACTION FORM

Date: August 3, 2023

Presented By: Barnes

Subject: Nuisance Abatement Hearing Agenda Item: 21

Description:

Per section 5.24.060 of the Keokuk Municipal Code states "Any person ordered to abate a nuisance may have a hearing with the city council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the clerk within the time stated in the notice, or it will be conclusively presumed that a nuisance exists and it must be abated as ordered. The hearing will be before the city council at a time and place fixed by the city council. The findings of the city council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within seven days."

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Staff recommends approval.

Staff recommends approval.

Required Action

ORDINANCE ☐ RESOLUTION ☐ MOTION ☐ NO ACTION REQUIRED ☒

Additional Comments:

--

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

Make It Yours
KEOKUK
I O W A
CITY OF KEOKUK

August 4, 2023

VIA CERTIFIED MAIL

Mark Hanson
2016 Timea Street
Keokuk, IA 52632

RE: Appeal to Keokuk City Council- Nuisance Abatement 2016 Timea Street

Dear Mr. Hanson

The office of City Clerk of Keokuk, Iowa has received your appeal regarding the nuisance of property located at 2016 Timea Street Keokuk, Iowa.

Section 5.24.060 of the Keokuk Municipal Code states "Any person ordered to abate a nuisance may have a hearing with the city council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the clerk within the time stated in the notice, or it will be conclusively presumed that a nuisance exists, and it must be abated as ordered. The hearing will be before the city council at a time and place fixed by the city council. The findings of the city council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within seven days."

This letter serves as notice that a hearing has been scheduled for **Thursday, August 17th, 2023** to review your case. The hearing will take place during the regular city council meeting, which begins at **5:30 P.M. at Keokuk City Hall, 501 Main Street, Keokuk, IA 52632.**

Please reach out to my office with any questions or concerns you should have related to this matter.

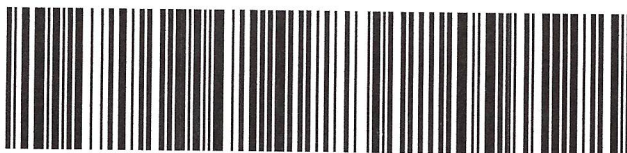
Sincerely,



Celeste El Anfaoui
City Clerk
City of Keokuk

CC: Casey Barnes, Code Enforcement City of Keokuk
James F. Dennis, Attorney City of Keokuk

CITY OF KEOKUK
PO BOX 400
KEOKUK, IA 52632-0400



RETURN RECEIPT (ELECTRONIC)

9214 8901 0661 5400 0187 9137 48

HANSON MARK
2016 TIMEA ST
KEOKUK, IA 52632-3245

CUT / FOLD HERE

Zone 1

6"x9" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE

APPEAL NUMBER 2023 - 1

APPEAL TO KEOKUK CITY COUNCIL

Appeal of: Mark Hanson 2016 Timea St.
Name & Address MAHanson12@yahoo.com

Name & Address

The appellants legal interest in the building or land involved in the Notice and Order are as follows:

owner

The premises affected are located at 2016 Timea St. (in alley behind)

And is legally described as residence

Please give a brief statement in ordinary and concise language of that specific order or action protested, together with any material facts claimed to support the contentions of the appellant:

The growth in question has been intentionally maintained by me in this manner. The pictures were taken after the recent derecho and does not represent typical appearance.

Please give a brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.

Leave me alone, focus time and resources on parts of city owned properties that have been neglected.

I HEREBY VERIFY (UNDER PENALTY OF PERJURY) AS TO THE TRUTH OF THE MATTERS
STATED IN THE APPEAL.

7-20-2023

Date

Mark A. Hanson

Appellant

Date

Appellant

July 11, 2023

Primary Owner
(Contract Holder)
Hanson, Mark
2016 Timea
Keokuk, IA 52632
Secondary Owner
(Deed Holder)
lat 2, LLC
520 4th St SW
Ste A
Lemars, IA 51031

RE: 2016 TIMEA

Nuisance

Repeated Junk and Trash and litter *E. grass / Weeds*

The City of Keokuk has adopted various provisions regarding the definition and abatement of nuisances. They are set forth in Chapter Five (Health & Sanitation) and Chapter Twenty (Zoning) of the Municipal Code of the City of Keokuk.

As owner, manager or occupant of the above referenced property you are hereby notified that the undersigned has determined the following nuisances exist. Inspection occurred 7-10 -2023

5.24.020 Nuisances declared.

Whatever is injurious to the senses, or an obstruction to the free use of property, so as essentially to interfere with the comfortable enjoyment of life or property, is a nuisance. Nuisances shall include, but not be limited to, those activities and items set forth in this section.

At this time, you are requested to remove and cleanup nuisance junk trash. Nuisance blight cleaned up and removed, nuisance violations please properly store, within the next fourteen (14) days. The City of Keokuk will be at your property on or around 7-25-2023 to abate all the above nuisances if these matters have not been taken care of. There will be no more warnings or extensions on this property. If there continues to be a problem on this property, the City of Keokuk will file a citation against the property owner. If the nuisance is not abated by the time fixed in this notice, or other arrangements



made, the City of Keokuk, or its authorized representative will abate the nuisance and charge you for said abatement. If the City of Keokuk abates the nuisances there will be a \$100.00 minimum charge. If the City of Keokuk abates the nuisance, and the amount on the statement has not been paid within thirty (30) days, the City Clerk shall certify the cost to the County Auditor, and it shall be collected with, and in the same manner as general property tax.

Although you are being requested to voluntarily abate or remove these nuisances, the City of Keokuk is authorized to pursue legal proceedings. Failure to accomplish such abatement or removal within the time stated may result in filing for charge of a simple misdemeanor for each offense. Simple misdemeanors are punishable up to \$750.00 in fines. Therefore, it is in your best interest to abate or remove these nuisances voluntarily.

If you do not agree with this notice, you may have this notice reviewed by the City Council. If you care to have this matter reviewed, you must file a written statement before the re-inspection date. All written statements shall be completed at the City of Keokuk Municipal Building, 501 Main, , Keokuk, IA 52632. Mailing is insufficient. If you disagree with the decision of the City Council's decision you may also have this action considered by the courts.

If you have questions regarding this matter, please do not hesitate to contact me at 319-524-2050. Ext. 2204

Respectfully,

A handwritten signature in black ink, appearing to read "Casey Barnes".

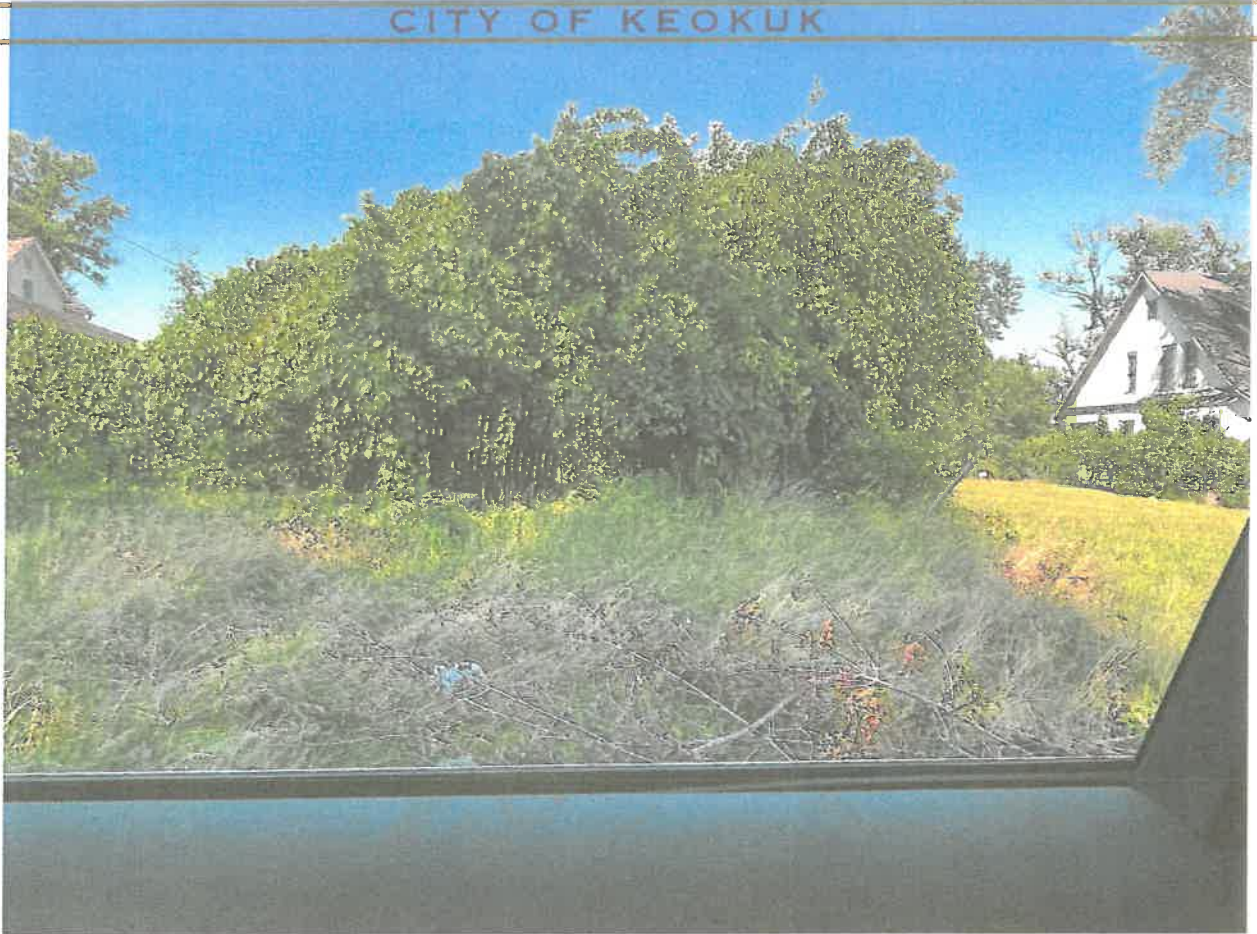
Casey Barnes
City of Keokuk
Code Enforcement

Make It Yours
KEOKUK
I O W A
CITY OF KEOKUK



501 MAIN STREET · P.O. BOX 400 · KEOKUK, IA 52632
PHONE 319-524-2050 FAX 319-524-1365 WWW.CITYOFKEOKUK.ORG

Make It Yours
KEOKUK
I O W A
CITY OF KEOKUK



501 MAIN STREET • P.O. BOX 400 • KEOKUK, IA 52632
PHONE 319-524-2050 FAX 319-524-1365 WWW.CITYOFKEOKUK.ORG

Make It Yours
KEOKUK
I O W A
CITY OF KEOKUK



501 MAIN STREET • P.O. BOX 400 • KEOKUK, IA 52502
PHONE 319-524-2050 FAX 319-524-1305 WWW.CITYOFKEOKUK.ORG

Date 7-10-2023

Re: 2016 TIMEA

NUISANCE Declared —GRASS/WEEDS/VEGETATION 5.23.010

5.23.030 - Nuisance declared. (a) All premises and exterior property shall be maintained free from all weeds, grass and plant growth in excess of ten inches (two hundred fifty-four mm). All noxious weeds shall be prohibited. This term shall not apply to trees, shrubs, cultivated flowers, gardens, and agricultural products. **State Law reference—** (Code of Iowa, 657.11.) (b) No person, firm, or corporation shall throw, rake, deposit, dump or spill litter, leaves, waste material, garbage, refuse, debris, hazardous material, rubbish, white goods or any other foreign material upon the improved portion of streets, sidewalks, rights-of-way, alleys or on any private or private or public property within the city.

5.23.040(2) Citizens have twenty-four hours after mowing to clear the sidewalks and/or streets. If it has been longer than twenty-four hours since the mowing stopped, the City of Keokuk will investigate and take action as needed.

(3) City staff will investigate within one day and issue a notice to the property abutting the sidewalk(s), if necessary. The city can take action to have the sidewalk cleared and assess the cost to the property owner. No further notification is required to be given, and that the City of Keokuk will abate the nuisance as allowed by law.

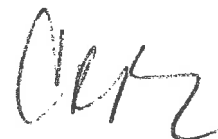
(4) The property owner shall be given written notice immediately following the abatement of the nuisance by the city, giving the property owner thirty days in which to pay the charges for the city's abatement procedures.

You are hereby notified that you have seven (7) days from the date of this notice in which to remove said vegetation from the above property. Failure to act within the seven- (7) days shall result in the City of Keokuk, or its authorized representative, abating the nuisance and charging you. If the City of Keokuk abates the nuisances there will be a \$100.00 minimum charge. If the City of Keokuk abates the nuisance, and the amount on the statement has not been paid within thirty (30) days, the City Clerk shall certify the cost to the County Auditor, and it shall be collected with, and in the same manner as general property tax.

PLEASE BE ADVISED THAT NO FURTHER NOTIFICATION IS REQUIRED TO BE GIVEN YOU, AND THAT THE CITY OF KEOKUK WILL ABATE THE NUISANCE AS ALLOWED BY LAW. Please make arrangements to have the grass mowed on a regular basis.

YOU ARE FURTHER NOTIFIED THAT YOU HAVE THE RIGHT TO A PUBLIC HEARING before the City Council on the matter of determination that the condition stated above constitutes a public nuisance. You have seven (7) days from the date of this notice. Such request for a hearing shall be submitted in writing within the time set in this notice to the City Clerk (mailing is not sufficient it will be assumed that the nuisance exists and it must be abated as ordered. IF A NUISANCE IS NOT REMOVED OR ABATED BY THE TIME FIXED IN THIS NOTICE, AND A REQUEST FOR HEARING HAS NOT BEEN MADE, YOU CAN BE CHARGED WITH A MISDEMEANOR AS PROVIDED BY LAW. Simple misdemeanors are punishable up to \$750.00 in fines. Therefore, it is in your best interest to abate or remove these nuisances voluntarily

Respectfully, Casey Barnes, City of Keokuk, Code Enforcement Official



CITY OF KEOKUK
PO BOX 400
KEOKUK, IA 52632-0400



RETURN RECEIPT (ELECTRONIC)

9214 8901 0661 5400 0187 2618 63

HANSON, MARK KEOKUK, IA 52632
2016 TIMEA ST
KEOKUK, IA 52632-3245

CUT / FOLD HERE

Zone 1

6"x9" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE

CITY OF KEOKUK
PO BOX 400
KEOKUK, IA 52632-0400



RETURN RECEIPT (ELECTRONIC)

9214 8901 0661 5400 0187 2619 55

IAT 14, LLC
520 4TH ST SW STE A
LE MARS, IA 51031-1951

CUT / FOLD HERE

Zone 3

6"X9" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE













AGENDA
COUNCIL WORKSHOP
August 17, 2023
IMMEDIATELY FOLLOWING REGULAR MEETING

1. Council Representation Plan.



TO: Mayor and Council

FROM: Cole S. O'Donnell

DATE: August 14, 2023

RE: Changing the Number of Council Seats

Staff was asked about the process to change the number of council seats and reported back to the Council at a previous meeting. It has been requested that this item be placed on the workshop for discussion.

Key points to remember:

- Changing the representation plan requires a referendum.
- The referendum can only happen with a petition signed by eligible electors equal to 10% of the persons who voted in the last city election. Eligible electors is anyone over the age of eighteen that resides within the corporate city limits of Keokuk.
- To get the referendum on the ballot for this November, the petition must be turned into the county auditor by September 21st.

If the council wishes to move forward, you will have to decide on ballot language. The language will be based on how many seats you want to keep and the following make of the seats:

1. Election at large without ward residence requirements for the members.
2. Election at large but with equal-population ward residence requirements for the members.
3. Election from single-member, equal-population wards, in which the electors of each ward shall elect one member who must reside in that ward.
4. Election of a specified number of members at large and a specified number of members from single-member, equal-population wards.

The petition must contain an original signature, address, and date signed.