



**CITY OF CLOQUET
City Council Agenda
Tuesday, October 4, 2016
7:00 p.m.
City Hall Council Chambers**

CITY COUNCIL WORK SESSION

***PLEASE NOTE: WORK SESSION MEETING IS CANCELLED.**

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
 - a. Approval of October 4, 2016 Council Agenda
4. **Approval of Council Minutes**
 - a. Work Session Minutes from the September 20, 2016 meeting
 - b. Regular Council Minutes from the September 20, 2016 meeting
5. **Consent Agenda**

Items in the Consent Agenda are considered routine and will be approved with one motion without discussion/debate. The Mayor will ask if any Council members wish to remove an item. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.

 - a. Resolution No. 16-73, Authorizing the Payment of Bills and Payroll
 - b. Appointment of Election Judges
 - c. Resolution No. 16-74, A Resolution Approving Exempt Permit to Conduct a Raffle Event at the Cloquet Armory, MN National Guard
6. **Public Hearings**

None.
7. **Presentations**

None.



**CITY OF CLOQUET
City Council Agenda
Tuesday, October 4, 2016
7:00 p.m.
City Hall Council Chambers**

8. Council Business

- a. Personnel Policy Manual
- b. Wellhead Protection Manager Appointment
- c. Resolution No. 16-70, A Resolution Supporting the Placement of Vehicle Noise Signage Along North Road (CSAH 2) and the Enforcement of Minnesota Statute 169.693 (Motor Vehicle Noise Limits)
- d. 2017 Park Improvements
- e. Dump Truck / Snow Plow Purchase

9. Public Comments

Please give your name, address, and your concern or comments. Visitors may share their concerns with the City Council on any issue, which is not already on the agenda. Each person will have 3 minutes to speak. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. All comments will be taken under advisement by the Council. No action will be taken at this time.

10. Council Comments, Announcements, and Updates

11. Adjournment

Work Session
September 20, 2016



Present: D. Bjerkness, K. Kolodge, S. Langley, R. Maki, J. Rock, L. Wilkinson, Mayor Hallback

Staff: J. Barclay, C. Peterson, N. Klassen

Other: Naeem Qureshi – Progressive Consulting Engineering; J. Lund, Pine Journal

Water Treatment Plant Feasibility Study

Mr. Qureshi, Progressive Consulting Engineering, presented the Water Treatment Plan Feasibility and Pilot Study which started in 2009. Mr. Qureshi gave an overview of the project timeline, water quality, treatment options, study results, cost and the schedule. The study focuses on Well 8 & Spring Lake Reservoir and Well 11.

- Mr. Qureshi reviewed the summary of raw water qualities, in particular the iron and manganese levels. The iron level is within MDH guidelines, but the manganese exceeds state secondary standards. The City has notified the public as suggested by MDH.
- The study recommends building a manganese removal plant to treat Well 8 and Spring Lake Reservoir after the well exploration is complete, and then build another manganese removal plant to treat Well 11.
- Council members questioned the cost of the water treatment. Mr. Qureshi stated there are loans available from the state of Minnesota (PFA) that are more cost effective than bonding for this type of project. The loan is a 20 year loan with a low interest rate.
- Discussion on using Well 8 in the event of an emergency. Mr. Peterson stated it can be easily activated in the case of an emergency.
- Mr. Qureshi reviewed the project schedule with the start of the process tonight and concluding in December 2018. The project is budgeted as a Capital Improvement.

Draft Personnel Policy

- Mr. Barclay gave a brief update on the feedback he's received on the draft Personnel Policy.
- The Council asked for clarification on items such as vacation accrual, overtime, sick leave abuse and FMLA. There were also questions from the Council regarding the use of City property, take home vehicles in particular. Mr. Fritsinger will research how other cities handle the use of city owned vehicles.
- Mr. Barclay will make a few minor changes to the dress code based on questions and comments he has received.

There being no further business, the meeting adjourned at 6:55 p.m.

Respectfully Submitted,

Brian Fritsinger
City Administrator

DRAFT

Regular Meeting

Roll Call

Councilors Present: Bjerkness, Kolodge, Langley, Maki, Rock, Wilkinson, Mayor Hallback

Councilors Absent: None.

Pledge of Allegiance

AGENDA

MOTION: Councilor Langley moved and Councilor Wilkinson seconded the motion to approve the September 20, 2016 agenda. The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Langley moved and Councilor Rock seconded the motion to approve the minutes of the Work Session and Regular Meeting of September 6, 2016. The motion was carried unanimously (7-0).

CONSENT AGENDA

MOTION: Councilor Bjerkness moved and Councilor Maki seconded the motion to adopt the consent agenda of September 20, 2016 approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 16-71, Authorizing the Payment of Bills

PUBLIC HEARING

There were none.

PRESENTATIONS

There were none.

ADOPTING THE PROPOSED 2017 PRELIMINARY BUDGET

MOTION: Councilor Kolodge moved and Councilor Maki seconded the motion to adopt **RESOLUTION NO. 16-67, A RESOLUTION ADOPTING THE PROPOSED 2017 BUDGET.** The motion carried unanimously (7-0).

WHEREAS, The City Administrator has prepared an annual budget and the City Council has reviewed the proposed 2017 budget; and

WHEREAS, Chapter 275, Section 065 of Minnesota Statutes requires that the City adopt a proposed 2017 levy and budget.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That there be and is hereby proposed to be set aside for the year 2017 for the following departments and funds:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
General	\$5,355,750	\$5,442,350
LDO Loan (EDA)	57,700	202,200
Federal CDGB Loan (EDA)	15,000	158,500
Economic Development Loan (City)	6,800	1,350
State SCDG/MIF (EDA)	3,000	2,650
Revolving SCGP (EDA)	17,000	0
Community Development Operating (City)	149,900	158,200
Small Cities Development (City)	367,500	367,500
Library	628,000	572,600
Tax Increment – Woodward/Daqota	30,000	30,000
Tax Increment – 14th Street Apartments	25,000	25,000
Tax Increment – Oakwood Estates	55,000	55,000
Park	550,000	597,570

Senior Center	11,400	11,400
Landfill Host Fee	64,000	0
Cable Television	120,450	165,950
Business Park Bonds	27,000	243,150
Swimming Pond Bonds	115,000	107,000
Permanent Improvement	390,000	735,500
Facilities Planning	4,000	145,000
Public Works Reserve	330,000	408,000
City Sales Tax Projects	9,015,000	4,598,000
Employee Severance Benefits	45,000	50,000
Water – Lake Superior Waterline	4,050,000	3,960,850
Water – In-Town System	1,192,500	1,338,750
Sewer Utility	1,637,300	1,664,350
Stormwater Utility	332,000	226,850
	<hr/>	<hr/>
TOTAL:	\$24,594,300	\$21,267,720
	<hr/>	<hr/>

ADOPTING SUMS OF MONEY PROPOSED TO BE LEVIED FOR LEVY YEAR 2016, PAYABLE IN 2017

MOTION: Councilor Langley moved and Councilor Wilkinson seconded the motion to adopt **RESOLUTION NO. 16-68, A RESOLUTION ADOPTING SUMS OF MONEY PROPOSED TO BE LEVIED FOR LEVY YEAR 2016, PAYABLE IN 2017.** The motion carried unanimously (7-0).

BE IT RESOLVED, By the City Council of the City of Cloquet, Minnesota, that the following sums of money be levied for the levy year 2016, payable in 2017, upon taxable property in the City of Cloquet, for the following purposes:

<u>Fund</u>	<u>Levy</u>
General	\$1,600,000
Park	350,000
District Wide Allocation - WLSSD	30,000
Public Works Reserve	100,000
Library	400,000
Permanent Improvement	250,000
GO Swimming Pond Debt	115,000
Community Development	124,600
CD-Tax Abatement Debt	400
	<hr/>
TOTAL LEVY	<u>\$2,970,000</u>

2017-2021 PRELIMINARY CAPITAL IMPROVEMENT PLAN

MOTION: Councilor Rock moved and Councilor Maki seconded the motion to adopt the Preliminary Five (5) Year Capital Improvement Plan for 2017-2021. The motion carried unanimously (7-0).

SET DATE FOR ADOPTION OF FINAL 2017 BUDGET AND LEVY

MOTION: Councilor Maki moved and Councilor Kolodge seconded the motion to set the date for the adoption of the final 2017 budget and property tax levy for December 6, 2016 at 7:00 p.m. The motion carried unanimously (7-0).

FISCAL SERVICES AGREEMENT WITH CAFD

MOTION: Councilor Rock moved and Councilor Kolodge seconded the motion to approve the Fiscal Agent, Administrative Assistance, Human Resources & Fleet Maintenance Services Agreement between the City of Cloquet and Cloquet Area Fire District. The motion carried unanimously (7-0).

DECLARATION OF SURPLUS EQUIPMENT

MOTION: Councilor Bjerkness moved and Councilor Kolodge seconded the motion to authorize the sale of surplus equipment from the Public Works Department and the CAT-7 studio. The motion carried unanimously (7-0).

LAKE COUNTRY POWER CONDITIONAL USE PERMIT

MOTION: Councilor Bjerkness moved and Councilor Wilkinson seconded the motion to adopt **RESOLUTION NO. 16-69, A RESOLUTION APPROVING THE CONDITIONAL USE PERMIT FOR LAKE COUNTRY POWER FOR AN ELECTRICAL SUBSTATION IN THE FR-FARM RESIDENTIAL DISTRICT.** The motion carried unanimously (7-0).

WHEREAS, Lake Country Power is proposing a Conditional Use Permit for an electrical substation in the FR – Farm Residential District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet along with Thompson Township and Township of Brevator were sent notice. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on September 13, 2016 at which time Zoning Case / Development Review No. 16-17 was heard and discussed; and

WHEREAS, the property of the proposed Conditional Use Permit is located in the southwest corner of St. Louis River Road and Crosby Road and is legally described as follows:

The Northeast Quarter of the Northeast Quarter except the south 330 feet of the east 660 feet, Section 1, Township 49, Range 17, Carlton County, Minnesota, and

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves Zoning Case 16-17 to allow an electrical substation for Lake Country Power in the FR – Farm Residential District subject to the following conditions:

1. A Site/Fence Permit is issued.
2. A road access permit from Carlton County is issued.
3. The company shall in good faith negotiate, enter and maintain a franchise agreement to operate an electrical distribution system in the City of Cloquet consistent with other utility companies.
4. Slats must be installed in the fence to help provide screening of the equipment.
5. The Conditional Use Permit approval is valid to allow construction to begin prior to January 1, 2019. If construction does not begin by that date the Conditional Use Permit will be void.

ORDINANCE NO. 459A, AN ORDINANCE TO AMEND THE ZONING MAP

MOTION: Councilor Bjerkness moved and Councilor Maki seconded the motion to adopt **ORDINANCE NO. 459A, AN ORDINANCE TO AMEND ORDINANCE 454A, BY AMENDING THE ZONING MAP OF THE CITY OF CLOQUET FROM “AIR-AIRPORT” TO “FARM RESIDENTIAL”.** The motion carried unanimously (7-0).

The City Council of the City of Cloquet does hereby ordain as follows:

Section 1. The Zoning Map of the City of Cloquet is hereby amended to change the zoning designation of the following described property from AIR, Airport to FR, Farm Residential:

The Southeast Quarter except the Southeast Quarter thereof; the East Quarter of the Southeast Quarter of the Southwest Quarter; the West Half of the Southwest Quarter; the Northwest Quarter of the Northwest Quarter; and, the North Half of the Northeast Quarter except part to Carlton County, all in Section Twenty-eight (28), Township Forty-nine (49), North of Range Seventeen (17), West of the Fourth Principal Meridian, Carlton County, Minnesota.

Section 2. Effective Date. This ordinance shall take effect and be in force from and after its passage and publication in accordance with law.

ALLEY VACATION

MOTION: Councilor Kolodge moved and Councilor Rock seconded the motion to adopt **RESOLUTION NO. 16-72, A RESOLUTION APPROVING THE VACATION OF EAST/WEST ALLEY LYING BETWEEN BROADWAY AVENUE AND MAIN STREET, NORTH OF ST. LOUIS AVENUE.** The motion carried unanimously (7-0).

WHEREAS, Bert Whittington is proposing to vacate the east/west alley lying between Broadway Avenue and Main Street, north of St. Louis Avenue; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and effected property owners have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on September 13, 2016 at which time Zoning Case / Development Review No. 16-13 was heard and discussed; and

WHEREAS, the property of the proposed Vacation is located west of Broadway Avenue, east of Main Street and north of St. Louis Avenue and is legally described as follows:

The alley located within Block 9, City of Cloquet Dunlaps Addition. And,

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the Vacation.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves of Zoning Case 16-13 for a vacation of the east/west alley lying between Broadway Avenue and Main Street, north of St. Louis Avenue subject to the following condition.

1. A Drainage and Utility Easement is maintained over the alley.

WELL EXPLORATION STUDY

MOTION: Councilor Wilkinson moved and Councilor Bjerckness seconded the motion to accept the proposal from Summit Envirosolutions for consulting services related to possible municipal well exploration and development. The motion carried unanimously (7-0).

WASHED SAND SUPPLY FOR WINTER MAINTENANCE BID

MOTION: Councilor Kolodge moved and Councilor Rock seconded the motion to authorize the purchase of the 2016-2017 winter sand supply from Omar's Sand and Gravel. The motion carried unanimously (7-0).

2017 AFSCME/NON-UNION HEALTH INSURANCE PLAN RENEWAL

MOTION: Councilor Roger moved and Councilor Langley seconded the motion to approve the City's health insurance plan renewal with Blue Cross/Blue Shield (BCBS) for the 2017 calendar year and add an Alternative Group Health Plan to the City's health insurance options which would include a monthly employer contribution of \$1,642 for family and \$617 for single coverage. The motion carried unanimously (7-0).

PUBLIC COMMENTS

There were none.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

City Administrator Fritsinger noted that some repairs will be made to Council seating areas to try and address the sound concerns on CAT-7.

On a motion duly carried by a unanimous yeah vote of all members present on roll call, the Council adjourned.

Brian Fritsinger, City Administrator



ADMINISTRATIVE OFFICES

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email: admin@ci.cloquet.mn.us
www.ci.cloquet.mn.us

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Nancy Klassen, Finance Director *mk*
Reviewed/Approved by: Brian Fritsinger, City Administrator
Date: September 29, 2016

ITEM DESCRIPTION: Payment of Bills and Payroll

Proposed Action

Staff recommends the Council move to adopt **RESOLUTION NO. 16-73, A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS AND PAYROLL.**

Background/Overview

Statutory Cities are required to have most claims authorized by the city council.

Policy Objectives

MN State Statute sections 412.271, Claims and disbursements for Statutory Cities.

Financial/Budget/Grant Considerations

See resolution for amounts charged to each individual fund.

Advisory Committee/Commission Action

Not applicable.

Supporting Documents Attached

- a. Resolution Authorizing the Payment of Bills and Payroll.
- b. Vendor Summary Report.
- c. Department Summary Report.

**CITY OF CLOQUET
COUNTY OF CARLTON
STATE OF MINNESOTA**

RESOLUTION NO. 16-73

A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS AND PAYROLL

WHEREAS, The City has various bills and payroll each month that require payment.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the bills and payroll be paid and charged to the following funds:

101	General Fund	\$	378,192.49
207	Community Development Operating		13,465.53
226	Park Fund		27,167.99
403	Revolving Capital Projects		341,223.20
405	City Sales Tax Projects		286,584.51
600	Water - Lake Superior Waterline		82,229.29
601	Water - In Town		58,035.13
602	Sewer Fund		121,338.65
605	Storm Water Fund		16,029.97
614	CAT-7		13,666.10
	TOTAL:	\$	1,337,932.86

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 4TH DAY OF OCTOBER, 2016.**

ATTEST:

Dave Hallback, Mayor

Brian Fritsinger, City Administrator

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
113650	AMAZON.COM CREDIT	6,544.02	1,302.11
119700	ARROWHEAD CONCRETE WORKS, INC.	2,649.04	3,052.85
120300	ARROWHEAD PAINT PRODUCTS	0.00	83.80
123400	BAKER & TAYLOR	9,381.51	1,080.31
123500	BAKER & TAYLOR ENTERTAINMENT	139.73	44.12
125700	BEST OIL COMPANY	82,369.09	298.99
127400	OSCAR J BOLDT CONSTRUCTION	0.00	7,643.95
127450	BON SAFETY & FIRST AID COMPANY	149.05	112.60
131425	CDW GOVERNMENT, INC	2,126.62	305.99
133200	CITY OF CARLTON	280.13	35.02
134900	CARLTON COUNTY TREASURER	7,222.68	11.00
136850	CENTER POINT LARGE PRINT	325.92	41.34
137200	CENTURY FENCE COMPANY	0.00	16,506.00
137310	CENTURY LINK	21,468.87	2,015.11
140200	CITY OF CLOQUET - PETTY CASH	2,208.03	63.88
141100	CLOQUET FORD-CHRYSLER CENTER	11,268.28	70.19
142800	CLOQUET SANITARY SERVICE	7,320.22	104.99
142950	CLOQUET SHAW MEMORIAL	394.56	33.75
150100	D A L C O	4,771.66	32.33
155000	DLT SOLUTIONS LLC	0.00	2,839.47
156800	DULUTH NEWS TRIBUNE	4,417.45	247.52
157000	DULUTH PLUMBING SUPPLIES	1,619.31	257.11
157250	DULUTHRANGE COMMUNICATIONS INC	0.00	218.00
161675	EMC NATIONAL LIFE	4,482.00	1,173.50
163800	EXHAUST PROS OF CLOQUET	0.00	129.90
170975	FRIENDS OF THE CLOQUET LIBRARY	647.11	63.30
171800	GALE/CENGAGE LEARNING	732.88	74.07
173575	GEORGE BOUGALIS & SONS INC	217,034.91	260,392.39
174300	GLORY SHINE JANITORIAL CLEAN	10,001.51	1,050.00
179340	HAGENS GLASS & PAINT	8,607.83	344.64
179750	HAMMERLUND CONSTRUCTION, INC.	376,814.84	266,174.40
181625	HP INC	0.00	144.01
187500	INGRAM LIBRARY SERVICES	9,864.20	917.56
197300	KRAEMER CONSTRUCTION INC	711.00	1,595.00
197800	L & M SUPPLY CO	16,502.20	1,341.32
203200	LEXISNEXIS	400.00	50.00
209350	MATTHEW BENDER & CO., INC.	201.10	201.10
210450	MEDIACOM LLC.	614.13	72.45
211400	MENARDS	7,473.34	50.51
211700	METRO SALES, INC.	1,777.48	173.81
212625	MIDAMERICA BOOKS	0.00	596.16
214600	MINITEX	653.00	71.00
221900	MN HISTORICAL SOCIETY PRESS	0.00	20.00
227575	MPOWER TECHNOLOGIES, INC	2,250.00	4,750.00

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
234600	NORTHERN BUSINESS PRODUCTS	11,996.52	35.99
236100	NORTHLAND CONSTRUCTORS	530,078.60	354.27
236275	NORTHLAND VEBA TRUST	69,667.61	7,600.00
240725	O'REILLY AUTO ENTERPRISES LLC	977.31	148.79
260950	SCHOLASTIC LIBRARY PUBLISHING	156.00	156.00
261750	SEELYE PLASTICS, INC.	501.71	34.34
261800	SEH	152,947.83	9,596.14
264025	SIRSIDYNIX	0.00	1,413.26
267600	STACK BROS.	0.00	74,967.19
270200	SUPERIOR COMPUTER PRODUCTS INC	54,817.13	303.75
271325	NANCY GETCHELL	7,255.02	231.18
271975	TEAMSTER LOCAL 346 HEALTH FUND	173,345.08	23,194.06
272300	TELEPHONE ASSOCIATES	6,770.40	925.16
278550	TWIN PORTS PAPER & SUPPLY, INC	598.31	56.14
280925	UNIQUE MANAGEMENT SERVICES	434.70	47.25
284875	VERIZON WIRELESS	6,899.28	265.82
285500	VIKING INDUSTRIAL NORTH	3,138.83	44.87
286900	W L S S D	667,133.50	67,545.00
287800	WAL-MART COMMUNITY	1,779.28	137.58
289015	WELLS FARGO CREDIT CARD	58,099.27	3,360.73
293700	ZIEGLER INC	30,216.81	725.72
R0001400	MELANSON'S SERVICE & REPAIR	117.34	117.34
TOTAL ALL VENDORS:			767,046.13
Less: CAFD			0.00
Less: Library			(9,217.25)
Bills approved			757,828.88
Other:			
Payroll			609,641.54
Payroll - benefits			(29,537.56)
Total Bills and Payroll Approved			<u>1,337,932.86</u>

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
00			
161675	EMC NATIONAL LIFE	4,482.00	493.50
236275	NORTHLAND VEBA TRUST	69,667.61	5,850.00
271975	TEAMSTER LOCAL 346 HEALTH FUND	173,345.08	23,194.06
			29,537.56
41	GENERAL GOVERNMENT		
137310	CENTURY LINK	21,468.87	109.05
161675	EMC NATIONAL LIFE	4,482.00	61.00
197800	L & M SUPPLY CO	16,502.20	41.76
236275	NORTHLAND VEBA TRUST	69,667.61	125.00
272300	TELEPHONE ASSOCIATES	6,770.40	462.59
289015	WELLS FARGO CREDIT CARD	58,099.27	232.95
	GENERAL GOVERNMENT		1,032.35
42	PUBLIC SAFETY		
134900	CARLTON COUNTY TREASURER	7,222.68	11.00
137310	CENTURY LINK	21,468.87	627.96
141100	CLOQUET FORD-CHRYSLER CENTER	11,268.28	70.19
161675	EMC NATIONAL LIFE	4,482.00	240.00
163800	EXHAUST PROS OF CLOQUET		129.90
197800	L & M SUPPLY CO	16,502.20	32.88
236275	NORTHLAND VEBA TRUST	69,667.61	375.00
271325	NANCY GETCHELL	7,255.02	231.18
289015	WELLS FARGO CREDIT CARD	58,099.27	1,388.75
	PUBLIC SAFETY		3,106.86
43	PUBLIC WORKS		
119700	ARROWHEAD CONCRETE WORKS, INC.	2,649.04	354.50
127450	BON SAFETY & FIRST AID COMPANY	149.05	112.60
137310	CENTURY LINK	21,468.87	165.30
150100	D A L C O	4,771.66	16.17
155000	DLT SOLUTIONS LLC		946.49
161675	EMC NATIONAL LIFE	4,482.00	89.00
197300	KRAEMER CONSTRUCTION INC	711.00	65.00
197800	L & M SUPPLY CO	16,502.20	608.69

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
43	PUBLIC WORKS		
227575	MPOWER TECHNOLOGIES, INC	2,250.00	1,125.00
236100	NORTHLAND CONSTRUCTORS	530,078.60	354.27
236275	NORTHLAND VEBA TRUST	69,667.61	625.00
240725	O'REILLY AUTO ENTERPRISES LLC	977.31	97.80
272300	TELEPHONE ASSOCIATES	6,770.40	54.65
284875	VERIZON WIRELESS	6,899.28	55.74
287800	WAL-MART COMMUNITY	1,779.28	77.62
293700	ZIEGLER INC	30,216.81	725.72
	PUBLIC WORKS		5,473.55
COMMUNITY DEV OPERATING (CITY)			
46	COMMUNITY DEVELOPMENT		
137310	CENTURY LINK	21,468.87	15.58
161675	EMC NATIONAL LIFE	4,482.00	11.00
236275	NORTHLAND VEBA TRUST	69,667.61	125.00
272300	TELEPHONE ASSOCIATES	6,770.40	134.65
289015	WELLS FARGO CREDIT CARD	58,099.27	589.19
	COMMUNITY DEVELOPMENT		875.42
LIBRARY FUND			
00			
142950	CLOQUET SHAW MEMORIAL	394.56	33.75
170975	FRIENDS OF THE CLOQUET LIBRARY	647.11	63.30
			97.05
45	CULTURE AND RECREATION		
113650	AMAZON.COM CREDIT	6,544.02	1,302.11
123400	BAKER & TAYLOR	9,381.51	1,080.31
123500	BAKER & TAYLOR ENTERTAINMENT	139.73	44.12
131425	CDW GOVERNMENT, INC	2,126.62	305.99
133200	CITY OF CARLTON	280.13	35.02
136850	CENTER POINT LARGE PRINT	325.92	41.34
137310	CENTURY LINK	21,468.87	182.79
140200	CITY OF CLOQUET - PETTY CASH	2,208.03	63.88
142800	CLOQUET SANITARY SERVICE	7,320.22	104.99

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
LIBRARY FUND			
45	CULTURE AND RECREATION		
156800	DULUTH NEWS TRIBUNE	4,417.45	247.52
157250	DULUTHRANGE COMMUNICATIONS INC		218.00
161675	EMC NATIONAL LIFE	4,482.00	50.00
171800	GALE/CENGAGE LEARNING	732.88	74.07
174300	GLORY SHINE JANITORIAL CLEAN	10,001.51	1,050.00
181625	HP INC		144.01
187500	INGRAM LIBRARY SERVICES	9,864.20	917.56
203200	LEXISNEXIS	400.00	50.00
209350	MATTHEW BENDER & CO., INC.	201.10	201.10
211700	METRO SALES, INC.	1,777.48	173.81
212625	MIDAMERICA BOOKS		596.16
214600	MINITEX	653.00	71.00
221900	MN HISTORICAL SOCIETY PRESS		20.00
234600	NORTHERN BUSINESS PRODUCTS	11,996.52	35.99
260950	SCHOLASTIC LIBRARY PUBLISHING	156.00	156.00
264025	SIRSIDYNIX		1,413.26
270200	SUPERIOR COMPUTER PRODUCTS INC	54,817.13	303.75
278550	TWIN PORTS PAPER & SUPPLY, INC	598.31	56.14
280925	UNIQUE MANAGEMENT SERVICES	434.70	47.25
284875	VERIZON WIRELESS	6,899.28	105.03
289015	WELLS FARGO CREDIT CARD	58,099.27	29.00
	CULTURE AND RECREATION		9,120.20

PARK FUND			
45	PARKS/RECREATION		
119700	ARROWHEAD CONCRETE WORKS, INC.	2,649.04	2,698.35
125700	BEST OIL COMPANY	82,369.09	298.99
137310	CENTURY LINK	21,468.87	308.74
161675	EMC NATIONAL LIFE	4,482.00	36.00
179340	HAGENS GLASS & PAINT	8,607.83	344.64
197800	L & M SUPPLY CO	16,502.20	285.19
236275	NORTHLAND VEBA TRUST	69,667.61	125.00
240725	O'REILLY AUTO ENTERPRISES LLC	977.31	-282.28
287800	WAL-MART COMMUNITY	1,779.28	34.99
289015	WELLS FARGO CREDIT CARD	58,099.27	-25.00
R0001400	MELANSON'S SERVICE & REPAIR	117.34	117.34
	PARKS/RECREATION		3,941.96

CAPITAL PROJECTS - REVOLVING

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CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 4

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

CAPITAL PROJECTS - REVOLVING			
00			
179750	HAMMERLUND CONSTRUCTION, INC.	376,814.84	-14,630.25
267600	STACK BROS.		-3,945.64
			-18,575.89
81	SPECIAL PROJECTS		
179750	HAMMERLUND CONSTRUCTION, INC.	376,814.84	280,804.65
197800	L & M SUPPLY CO	16,502.20	81.61
267600	STACK BROS.		78,912.83
	SPECIAL PROJECTS		359,799.09
CITY SALES TAX CAPITAL			
00			
173575	GEORGE BOUGALIS & SONS INC	217,034.91	-13,704.86
			-13,704.86
81	SPECIAL PROJECTS		
120300	ARROWHEAD PAINT PRODUCTS		83.80
137200	CENTURY FENCE COMPANY		16,506.00
173575	GEORGE BOUGALIS & SONS INC	217,034.91	274,097.25
197800	L & M SUPPLY CO	16,502.20	6.18
261800	SEH	152,947.83	9,596.14
	SPECIAL PROJECTS		300,289.37
WATER - LAKE SUPERIOR WATERLIN			
51	STATION TWO		
137310	CENTURY LINK	21,468.87	197.10
150100	D A L C O	4,771.66	16.16
157000	DULUTH PLUMBING SUPPLIES	1,619.31	150.39
161675	EMC NATIONAL LIFE	4,482.00	40.00
197800	L & M SUPPLY CO	16,502.20	38.58
211400	MENARDS	7,473.34	113.44
236275	NORTHLAND VEBA TRUST	69,667.61	125.00

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER - LAKE SUPERIOR WATERLIN			
51	STATION TWO		
285500	VIKING INDUSTRIAL NORTH	3,138.83	44.87
289015	WELLS FARGO CREDIT CARD	58,099.27	907.09
	STATION TWO		1,632.63
52	LAKE SUPERIOR WATERLINE		
127400	OSCAR J BOLDT CONSTRUCTION		7,643.95
161675	EMC NATIONAL LIFE	4,482.00	20.00
197300	KRAEMER CONSTRUCTION INC	711.00	1,530.00
211400	MENARDS	7,473.34	-62.93
227575	MPOWER TECHNOLOGIES, INC	2,250.00	250.00
236275	NORTHLAND VEBA TRUST	69,667.61	125.00
284875	VERIZON WIRELESS	6,899.28	35.03
289015	WELLS FARGO CREDIT CARD	58,099.27	211.85
	LAKE SUPERIOR WATERLINE		9,752.90
57	ADMINISTRATION		
161675	EMC NATIONAL LIFE	4,482.00	6.60
	ADMINISTRATION		6.60
WATER - IN TOWN SYSTEM			
49	CLOQUET		
137310	CENTURY LINK	21,468.87	182.20
157000	DULUTH PLUMBING SUPPLIES	1,619.31	106.72
161675	EMC NATIONAL LIFE	4,482.00	32.00
197800	L & M SUPPLY CO	16,502.20	114.08
240725	O'REILLY AUTO ENTERPRISES LLC	977.31	333.27
261750	SEELYE PLASTICS, INC.	501.71	34.34
284875	VERIZON WIRELESS	6,899.28	35.01
287800	WAL-MART COMMUNITY	1,779.28	24.97
	CLOQUET		862.59
54	BILLING & COLLECTION		

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER - IN TOWN SYSTEM			
54	BILLING & COLLECTION		
155000	DLT SOLUTIONS LLC		946.49
161675	EMC NATIONAL LIFE	4,482.00	12.50
236275	NORTHLAND VEBA TRUST	69,667.61	125.00
	BILLING & COLLECTION		1,083.99
57	ADMINISTRATION & GENERAL		
137310	CENTURY LINK	21,468.87	99.18
161675	EMC NATIONAL LIFE	4,482.00	13.40
197800	L & M SUPPLY CO	16,502.20	9.29
227575	MPOWER TECHNOLOGIES, INC	2,250.00	1,125.00
272300	TELEPHONE ASSOCIATES	6,770.40	163.96
	ADMINISTRATION & GENERAL		1,410.83
ENTERPRISE FUND - SEWER			
00			
286900	W L S S D	667,133.50	-8,335.00
			-8,335.00
55	SANITARY SEWER		
161675	EMC NATIONAL LIFE	4,482.00	20.00
197800	L & M SUPPLY CO	16,502.20	123.06
284875	VERIZON WIRELESS	6,899.28	35.01
286900	W L S S D	667,133.50	75,880.00
	SANITARY SEWER		76,058.07
57	ADMINISTRATION & GENERAL		
137310	CENTURY LINK	21,468.87	66.11
155000	DLT SOLUTIONS LLC		946.49
161675	EMC NATIONAL LIFE	4,482.00	22.00
227575	MPOWER TECHNOLOGIES, INC	2,250.00	1,125.00
272300	TELEPHONE ASSOCIATES	6,770.40	109.31
	ADMINISTRATION & GENERAL		2,268.91

DATE: 09/29/2016
TIME: 11:23:23
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CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 10/04/2016

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE


STORM WATER UTILITY			
57	ADMINISTRATION & GENERAL		
161675	EMC NATIONAL LIFE	4,482.00	3.00
227575	MPOWER TECHNOLOGIES, INC	2,250.00	1,125.00
289015	WELLS FARGO CREDIT CARD	58,099.27	26.90
	ADMINISTRATION & GENERAL		1,154.90
59	OPERATIONS		
161675	EMC NATIONAL LIFE	4,482.00	10.00
	OPERATIONS		10.00
CABLE TELEVISION			
45	PUBLIC TV		
137310	CENTURY LINK	21,468.87	61.10
161675	EMC NATIONAL LIFE	4,482.00	13.50
210450	MEDIACOM LLC.	614.13	72.45
	PUBLIC TV		147.05
	TOTAL ALL DEPARTMENTS		767,046.13



ADMINISTRATIVE OFFICES

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Phone: 218-879-3347 • Fax: 218-879-6555
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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Brian Fritsinger, City Administrator 
Date: September 28, 2016

ITEM DESCRIPTION: Appointment of Election Judges for General Election

Proposed Action

Staff recommends that the City Council move to appoint Carol Perttula, Karen Alseth, Donald Walsh and Paul Holm as election judges for the 2016 General Election.

Background/Overview

The City of Cloquet will be holding a General Election in November, 2016. As a result, the City is required to hire and appoint individuals to serve in the capacity of election judges.

City staff, with the assistance of the Carlton County Auditor, has sought and identified a number of individuals to serve in this capacity for the Elections. The Council has previously appointed a number of individuals for both the Primary and General Elections. With the General Election expected to be busy, the City has certified additional judges to be appointed. The individuals identified should be appointed by the Council at this time.

Policy Objectives

MS 204B.19 states that no more than half the number of judges in any precinct may be members of the same political party. MS 204B.22 requires each precinct to have a minimum of three election judges. Finally, MS 204B.21 requires that the Council make election judge appointments at least 25 days before the election at which the election judges will serve.

Financial/Budget/Grant Considerations

The cost for the wages of election judges is incorporated into the 2016 Operating Budget. At this time, there are no unexpected costs to the City for the hiring of the judges.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached


- None.



ADMINISTRATIVE OFFICES

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Brian Fritsinger, City Administrator 
Date: September 29, 2016

ITEM DESCRIPTION: Approval of Raffle Permit

Proposed Action

Staff recommends that the City Council move to adopt **RESOLUTION NO. 16-74, A RESOLUTION APPROVING EXEMPT PERMIT TO CONDUCT A RAFFLE EVENT AT CLOQUET ARMORY-MINNESOTA NATIONAL GUARD.**

Background/Overview

The City has received an application from the Cloquet Area Youth Wrestling Association for a raffle event to be held on March 18, 2017 at the Cloquet Armory-Minnesota National Guard, 801 Highway 33 South.

Policy Objectives

Approval of application by local community is required under MN Statutes.

Financial/Budget/Grant Considerations

There is no cost to the City regarding the approval of the application nor does the City retain any fees for its consideration.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Resolution 16-74
- LG220 Application for Exempt Permit

**CITY OF CLOQUET
COUNTY OF CARLTON
STATE OF MINNESOTA**

RESOLUTION NO. 16-74

**A RESOLUTION APPROVING EXEMPT PERMIT
TO CONDUCT A RAFFLE EVENT
AT CLOQUET ARMORY-MINNESOTA NATIONAL GUARD**

WHEREAS, The City of Cloquet received an application from the Cloquet Area Youth Wrestling Association, PO Box 113, Cloquet, for an Exempt Permit to conduct a raffle event on March 18, 2017, at Cloquet Armory-Minnesota National Guard, 801 Highway 33 South.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City Council has reviewed the application of the Cloquet Area Youth Wrestling Association for an Exempt Permit to conduct a raffle event on March 18, 2017 at Cloquet Armory-Minnesota National Guard, 801 Highway 33 South, and has no objection to the Minnesota Gambling Control Board's issuance of such permit.

BE IT FURTHER RESOLVED, That the Cloquet City Council hereby waives the normally required thirty day waiting period for the issuance of said permit.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 4TH DAY OF OCTOBER, 2016.**

Dave Hallback, Mayor

ATTEST:

Brian Fritsinger, City Administrator

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Cloquet Area Youth Wrestling Association Previous Gambling Permit Number: NEW

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 43-1952266

Mailing Address: PO Box 113

City: Cloquet State: MN Zip: 55720 County: Carlton

Name of Chief Executive Officer (CEO): Caleb Tester

Daytime Phone: _____ Email: _____

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

A current calendar year Certificate of Good Standing
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division Secretary of State website, phone numbers:
 60 Empire Drive, Suite 100 www.sos.state.mn.us
 St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Cloquet Armory - MN National Guard

Address (do not use P.O. box): 801 Minnesota 33

City or Township: Cloquet Zip: 55720 County: Carlton

Date(s) of activity (for raffles, indicate the date of the drawing): March 18, 2017

Check each type of gambling activity that your organization will conduct:

Bingo Paddlewheels Pull-Tabs Tipboards

Raffle (total value of raffle prizes awarded for the calendar year: \$ SHOULD BE LESS THAN \$15,000)

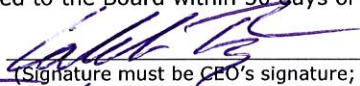
Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under **List of Licensees**, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

<p style="text-align: center;">CITY APPROVAL for a gambling premises located within city limits</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print City Name: _____</p> <p>Signature of City Personnel: _____</p> <p>_____</p> <p>Title: _____ Date: _____</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px; text-align: center;"> <p>The city or county must sign before submitting application to the Gambling Control Board.</p> </div>	<p style="text-align: center;">COUNTY APPROVAL for a gambling premises located in a township</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print County Name: _____</p> <p>Signature of County Personnel: _____</p> <p>_____</p> <p>Title: _____ Date: _____</p> <p>TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>_____</p> <p>Title: _____ Date: _____</p>
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CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: 9-28-16

(Signature must be CEO's signature; designee may not sign)

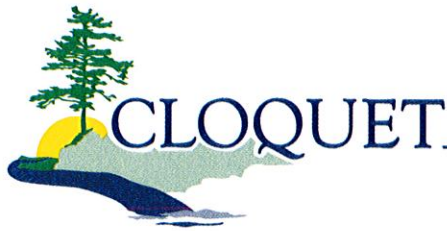
Print Name: Caleb Tester

REQUIREMENTS	MAIL APPLICATION AND ATTACHMENTS
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<p>Complete a separate application for:</p> <ul style="list-style-type: none"> all gambling conducted on two or more consecutive days, or all gambling conducted on one day. <p>Only one application is required if one or more raffle drawings are conducted on the same day.</p> <p>Financial report to be completed within 30 days after the gambling activity is done: A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.</p> <p>Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).</p>	<p>Mail application with:</p> <p><input type="checkbox"/> a copy of your proof of nonprofit status, and</p> <p><input type="checkbox"/> application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150. Make check payable to State of Minnesota.</p> <p>To: Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-539-1900.</p>
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<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the</p>	<p>application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-</p>	<p>ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
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This form will be made available in alternative format (i.e. large print, braille) upon request.




ADMINISTRATIVE OFFICES

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: James Barclay, Assistant City Administrator, HR Director
Date: September 06, 2016



ITEM DESCRIPTION: Approval of Employee Handbook/Personnel Policies

Proposed Action

Staff recommends that the City Council move to approve the attached Employee Handbook/Personnel Policies Manual as reviewed and edited per City Council direction at the September 20, 2016 work session.

Background/Overview and Policy Objectives

The purpose and scope of such policy is identified in Sections 1.1 and 1.2 of the draft policy. The League of Minnesota Cities and related attorneys strongly encourage cities to adopt and put in place written personnel rules and procedures. Cities generally use either an ordinance or policy manual to establish such rules. For better flexibility in stating the terms, conditions, privileges and responsibilities of employment and ease of updating changed practices, the League recommends a policy manual or handbook over the ordinance approach.

The City is not required to have Personnel Policies. However, these rules and procedures can help keep the City functioning smoothly from a human resources perspective. If any specific provisions of the Personnel Policies conflict with any current union agreement, the union agreement will prevail. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law or employment contract.

These policies serve as an information guide to help employees become better informed and to make their experience with the city more rewarding. Each employee will be given a copy of the Personnel Policy upon final approval.

Department Heads/employees have been consulted and have provided feedback that has been incorporated into this handbook.

Financial/Budget/Grant Considerations

The City will incur the print and binding cost for reproduction of this document for distribution to staff.

Advisory Committee/Commission Action

- None.

Supporting Documentation Attached

- Personnel Policy Manual

CITY OF CLOQUET

EMPLOYEE HANDBOOK/PERSONNEL POLICIES



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Revision Date: 09/29/16

SECTION 1, INTRODUCTION

1.1 PURPOSE

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

Except as otherwise prohibited by law, the City of Cloquet has the right to terminate any employee at any time for any or no reason. Employees may similarly terminate employment at any time for any reason. Only the City Council has the right to alter the “at will” agreement.

1.2 SCOPE

These policies apply to all employees of the City which includes employees at the Cloquet Public Library. Except where specifically noted, these policies do not apply to:

1. Elected Officials;
2. City Attorney;
3. Members of City Boards, Commissions and Committees;
4. Consultants and Contractors;
5. Volunteers.

If any specific provisions of the Personnel Policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law or employment contract.

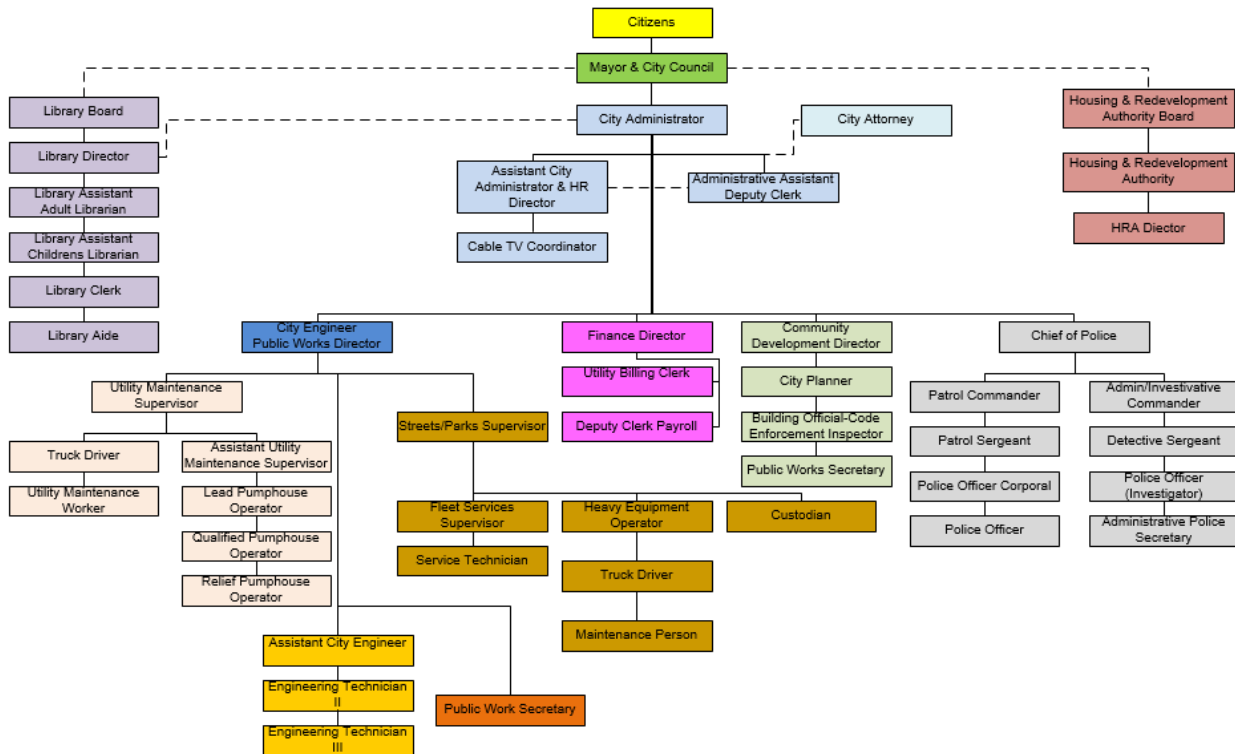
These policies serve as an information guide to help employees become better informed and to make their experience with the city more rewarding. Departments may have special work rules deemed necessary by the supervisor and approved by the City Administrator for the achievement of objectives of that department. Each employee will be given a copy of such work rules by the department upon hiring and such rules will be further explained and enforcement discussed with the employee by the immediate supervisor.

1.3 ORGANIZATION

There shall be prepared and maintained a written job description for each position in the City. All job descriptions shall consist of a title, a description of distinguishing features of the job, typical examples of work performed and other pertinent information relative to the preparation and abilities necessary for the duties of the job. Specifications are descriptive and explanatory of the kind of work to be performed, but not necessarily inclusive of all duties to be performed. The City Administrator may create a new job description when needed or abolish a job description when not needed upon approval by the City Council. (The organizational chart is included as reference.)



City of Cloquet
 Organization Chart
 (By Position)



1.4 SAVINGS CLAUSE

The provisions of this policy manual are subject to law. In the event any provision is held to be contrary to law by a court of competent jurisdiction from whose final judgment or decree no appeals have been taken within the time provided, such provision shall be voided. All other provisions shall continue in full force and effect unless modified by the City Council. All prior resolutions, practices, policies, rules and regulations regarding terms and conditions of employment, to the extent inconsistent with the provisions of this policy manual are hereby superseded. The City Council reserves the right to unilaterally modify this policy manual and the City Administrator reserves the right to promulgate appropriate rules and regulations relative to these policies.

SECTION 2, EMPLOYMENT POLICIES

2.1 EEO POLICY STATEMENT

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

2.2 GOVERNMENT DATA PRACTICES ACT

Numerous types of data are categorized as private, non-public, or confidential under the Minnesota Government Data Practices Act. In many circumstances, data may not be disclosed except with authorization of the subject of the data or pursuant to court order. To ensure that the Minnesota Government Data Practices Act is not violated, employees are strictly prohibited from disclosing to anyone whose work assignment for the City does not reasonably require access to the data, within or outside the City, any personnel data, data relating to pending civil legal actions, or any other data that might be classified as private, non-public, or confidential, without the City Administrator's express authorization. Pursuant to the Minnesota Government Data Practices Act, the City Council appointed the City Administrator as the responsible authority to administer the requirements for collection, storage, use, and dissemination of data on individuals within the City. Refer to the City's guidelines and procedures for the Minnesota Government Data Practices Act for additional information.

2.3 PERSONNEL RECORDS

Maintenance: The City Administrator, or his/her designee, shall maintain a personnel record for each employee. The personnel record shall show the employee's name, title, department, salary, change in employment status, disciplinary actions, and other such information as may be considered pertinent.

Report of Personnel Changes: The City attempts to maintain complete and accurate personnel information on its employees. The City complies with laws regarding data privacy. It is important that your permanent personnel records are kept accurate and up to date. You must immediately notify the Administration Department when there is a change in any of the following:

1. Name (through marriage or otherwise)
2. Address
3. Marital status
4. Beneficiaries for life insurance and retirement
5. Telephone number
6. Person to contact in case of emergency
7. Other changes which may affect benefits coverage

It is each employee's responsibility to notify the Finance or Administration Department of changes.

2.4 HIRING

2.4.1 SCOPE

The City Administrator or a designee will manage the hiring process for positions within the City. While the hiring process may be coordinated by staff, the City Council or Library Board is responsible for the final hiring decision and must approve all hires (full-time, part-time, and/or seasonal/temporary) to City employment. All hires will be made according to merit and fitness related to the position being filled.

2.4.2 FEATURES OF THE RECRUITMENT SYSTEM

The City Administrator or designee will determine if a vacancy will be filled through an open recruitment or by promotion, transfer or some other method. This determination will be made on a case-by-case basis. The majority of position vacancies will be filled through an open recruitment process.

Application for employment will generally be made on-line or on application forms provided by the City. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the City Administrator or designee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position. The deadline for application may be extended by the City Administrator. Unsolicited applications will not be kept on file.

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

2.4.3 TESTING AND EXAMINATIONS

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

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

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

2.4.4 PRE-EMPLOYMENT MEDICAL EXAMS

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

When a pre-employment medical exam is required, it will be required of all candidates who are finalists and/or who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records. When required, the medical exam will be conducted by a licensed physician designated by the City with the cost of the exam paid by the City. (Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist.) The physician will notify the City Administrator or designee that a candidate either is or isn't medically able to perform the essential functions of the job, with or without accommodations and whether the candidate passed a drug test, if applicable. If the candidate requires

accommodation to perform one or more of the essential functions of the job, the City Administrator or designee will confer with the physician and candidate regarding reasonable and acceptable accommodations.

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

2.4.5 SELECTION PROCESS

The selection process will be a cooperative effort between the City Administrator or designee and the hiring supervisor, subject to final hiring approval of the City Council or Library Board. Any, all or none of the candidates may be interviewed.

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

The City has the right to make the final hiring decision based on qualifications, abilities, experience and City of Cloquet needs.

2.4.6 REFERENCE AND BACKGROUND CHECKS

Scope: The City of Cloquet may conduct background checks on initial hires, rehired employees, and internal transfers/promotions whether part-time, full-time, seasonal, temporary or volunteer. All finalists for employment with the City will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the City Administrator will determine the level of background check to be conducted based upon the position being filled. Factor in making this determination include but are not limited to whether the position involves:

1. Direct responsibility for the care, safety, and security of people, including children and minors.
2. Direct access to, or control over, cash, checks, credit cards, and/or credit card account information.
3. Authority to commit financial resources of the City through contracts.
4. Responsibility for operating a City-owned vehicle.
5. CDL drivers operating City-owned vehicles for the purpose of transporting children, employees, and performing other work responsibilities.
6. Access to personal identifying information about employees, management, and the public.

The City Administrator or designee will work with other departments, organizations, agencies, etc. to obtain and assist in conducting background checks. (e.g. law enforcement agencies, consumer reporting agencies, etc.) If the background investigation shows possible disqualifying information, the City Administrator will discuss the information with the Department Head to make sure the employment decision is made based upon job related information.

2.4.7 PROBATIONARY PERIOD

The City of Cloquet regards the probationary period as an integral part of the employment process. During the probationary period, the City and the new employee should consider whether the employment situation appears to be satisfactory.

The probationary period consists of the first twelve months of employment, but may be extended by, for example, an unpaid leave of absence. During the probationary period, the City will closely observe the employee's work to determine whether the employee demonstrates that he/she is qualified for the position to which he/she has been appointed. Performance, skills, ability, and other factors observed and demonstrated during the probationary period are evaluated by the employee's supervisor in order to determine whether the employee will be retained by the City. A performance evaluation will be completed and reviewed with the employee by the six-month point of the probationary period.

As during employees' regular employment, employment during the probationary period is at will, meaning the employee and the City each have the right to terminate employment with or without cause or notice (except if provided otherwise by statute or applicable collective bargaining agreement). If the employee does not meet established standards and there is reason to believe, in the City's sole discretion, that a longer review period is needed, the probationary period can be extended an additional six months.

Employees transferred, promoted or appointed to new positions in the City must also successfully complete a twelve-month probationary period. If an employee appointed to a new position is found to be unsuited for that position, the City, at its sole discretion, may reinstate the employee to his/her former position and former rate of pay if the City determines that such reinstatement is possible. Reinstatement is not guaranteed.

SECTION 3, WORK, WAGE & SALARY POLICIES

3.1 ATTENDANCE

Every City employee has an important role to play in maintaining a productive workplace. Therefore, it is essential that all employees report to work as scheduled every day. Unsatisfactory attendance, including reporting late to work and leaving work early, may result in disciplinary action up to and including termination.

If an employee must be absent from work for any reason, other than approved time off, the employee must notify his/her immediate supervisor at least thirty (30) minutes prior to the start of his/her normal working hours. If an emergency prevents the employee from notifying his/her supervisor at such time, the employee must call his/her immediate supervisor as soon as possible during the workday.

An employee will be required to use accrued paid leave time available as determined by the supervisor for any absence.

3.2 COMPENSATORY TIME

General Statement of Policy: The City of Cloquet desires to establish a written policy in regard to compensatory time off by setting forth a uniform set of procedures. Such policy shall be in compliance with the Federal Fair Labor Standards Act (FLSA).

Authority: Accumulation of compensatory time will be granted to an employee only with supervisory approval. Employees may elect, upon approval of the supervisor, to receive their overtime as compensatory time off. The provision of overtime shall be at the discretion of the supervisor and in accordance with the related bargaining agreement and the Personnel Policy.

Accumulation: Employees may be compensated for overtime with compensatory time off at the rate of one and one-half (1 1/2) times the actual amount of overtime worked. For those employees working overtime on Sundays or Holidays, compensatory time will be accumulated at the rates identified within the related bargaining agreement.

Employees may accumulate up to a maximum of 80 hours of compensatory time with the exception of the Relief Pumphouse Operator position who may accumulate up to 240 hours as permitted under the FLSA.

Use Of Time: The use of compensatory time will be granted only with supervisor approval. An employee will be allowed to schedule compensatory time off for a particular time as long as the timing will not unduly disrupt the operations of the City.

Carry Over: Employees may carry over no more than 40 hours in a bank from one calendar year to the next. Employees will be paid for time exceeding the maximum carry over by the end of the year. Exception: pump house employees, who may carry over 240 hours into a new calendar year.

Pay Outs:

- A. Termination of employment: Upon separation from employment, a non-exempt employee shall be paid for accrued compensatory time.

- B. Transfer: Any time an employee with accrued compensatory time accruals transfers to another department, that employee's accrual will be cashed out, prior to the effective date of transfer, at their current hourly rate.
- C. Promotion to Exempt Position: If an employee is promoted from a non-exempt position to an exempt position, their accrued compensatory time will be paid out at their rate of pay for the position held before the promotion.
- D. City Authority: The City may cash out any or all of an employee's accrued compensatory time at their current hourly rate of pay at any time.

Exempt Employees: Department heads and other exempt employees, as determined under appropriate state and federal regulations, shall not be eligible to accrue compensatory time.

Employees exempt from the overtime requirements of FLSA and MFLSA will not be compensated for work in excess of 40 hours in any work week. Exempt employees shall not be paid for compensatory time under any circumstance.

Timesheets: All compensatory time shall be marked as such on official City timesheets, both when it is earned and when it is used. The Finance Department and/or Police Department will maintain compensatory time records.

Other: Individual departments may otherwise implement, in writing, certain work rules regulating the use and accumulation of compensatory time.

***Note:** Additional information on the City's Compensatory Time Off Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

3.3 OVERTIME

All employees, in all departments, may be required to work overtime as requested by their supervisor. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work. All overtime must be authorized in advance by the employee's supervisor. An employee who works overtime without prior approval may be subject to disciplinary action.

Compensation for overtime worked by employees whose employment is subject to a collective bargaining agreement shall be governed by such agreement. All other non-exempt employees shall be compensated for overtime work at one and one-half times their regular rate of pay. It is recognized that to maintain basic services under unusual circumstances, emergencies and peak workloads, employees may be required to work overtime. Overtime for non-exempt full-time employees and temporary and seasonal hourly employees shall be paid at a rate of 1 ½ times the employee's regular rate for time worked in excess of forty (40) hours in a workweek. Non-exempt employees (eligible for overtime pay) are not authorized to take work home or work through lunch without prior approval from their supervisor.

3.4 UNAPPROVED ABSENCES

An employee must receive prior approval for an absence from work. An employee absent from duty without approval of the employee's department head or designee may be subject to disciplinary action up to and including termination. An employee who is absent from work, without approval, for three (3) consecutive work days shall be considered to have voluntarily resigned from employment with the City. This section shall apply to full-time, part-time, temporary and seasonal employees.

3.5 WORKWEEK

The City's workweek is a regular recurring period of 168 hours in the form of seven consecutive 24-hour periods beginning at 12:01 a.m. Monday and terminating at midnight Sunday.

3.6 WORK HOURS

Work schedules shall be established by the City Council. The regular work week for employees is five, eight-hour working days in addition to a minimum of 30 minutes for a lunch period, Monday through Friday, except as otherwise established by the department head in accordance with custom and needs of the department required to maintain basic services. The City has absolute authority in establishing work schedules.

To ensure employee availability and accountability to the public the City serves, all full-time employees (exempt and non-exempt) are generally to be at work during the hours of 8:00 am to 4:30 pm, Monday through Friday unless away from the worksite for a work related activity or on approved leave.

Part-time, Seasonal and Temporary Positions: In order to comply with law while avoiding penalties, part-time employees will be scheduled with business needs and in manner which ensures positions retain part-time status under which intended. Employees in part-time and temporary positions will not be permitted to work more than 28 hours/week, including hours worked, paid leave (such as annual leave or holiday leave). All shifts, including schedule trades or picked-up shifts, must be pre-approved by supervisor. Unpaid furloughs may be imposed on employee who exceeds 28 hours/week. Working a shift without prior approval may result in discipline, up to and including termination of employment. In some rare instances, a part-time, seasonal or temporary employee may be offered health insurance in order to comply with federal health care reform laws and regulations.

3.7 WORK BREAKS

All full-time employees that are expected to work a full shift will be entitled to a 15 minute break in the morning and a 10 minute break in the afternoon at times designated by the department head or City Administrator. Part-time employees will be entitled to a break not to exceed ten (10) minutes during a work period of four hours. Employees may not purposely miss rest or lunch breaks in order to accumulate time to leave early at the end of the day; all rest breaks and meal breaks must be taken unless prior supervisor approval is obtained.

Employees working in City buildings will normally take their break at the place provided for that purpose in each building. Employees working out of doors will normally take their break at the location of their work. Travel time to and from a City building for a break is considered part of the break period.

3.8 WORK ASSIGNMENTS

Work assignments for employees in all departments shall be arranged by the department head for the best operation of the department. The City retains the full right and authority to assign and/or reassign job duties consistent with the tasks of the position.

3.9 COMPENSATION

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

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

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

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

The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or 1/800-342-5354.

3.10 PAYMENT PROCEDURE

Salaries and wages shall be paid to employees of the City within the range established by the City Council for the position and in accordance with agreements in effect with recognized bargaining units. Exempt full-time employees shall receive an annual salary payable in the same number of installments as non-exempt employees. Non-exempt, part-time, seasonal, and temporary employees shall be paid hourly wages after submitting appropriately documented and approved timesheets for said work. Use of electronic time recording systems may be used in lieu of timesheets at department head discretion.

When Friday is a holiday, payroll generally will be processed before 4:30 p.m. the preceding Thursday. When Thursday and Friday are holidays, payroll generally will be processed before 4:30 p.m. on Wednesday. Payment shall usually be made to the employee every other Friday.

3.11 DIRECT DEPOSIT

As provided for in Minnesota law, all employees are required to participate in direct deposit. Employees are responsible for notifying the Finance Department of any change in status including changes in address, phone number, names of beneficiaries, marital status or other changes that impact pay checks.

Timesheets must be received by the Finance Department by noon on Monday of payroll week for payment on Friday. Timesheets submitted after the deadline will not be paid until the following payroll week. All timesheets shall be reviewed for accuracy and signed by both the employee and department supervisor prior to being processed for payment. Non-exempt employees will be paid based upon the time recorded on their timesheets. Reporting false information on a timesheet may be cause for immediate termination.

Payroll deductions: **Employees must complete appropriate forms for processing payroll and notify payroll of any changes to their information.**

3.12 EMPLOYEE PERFORMANCE EVALUATION

General Policy: City employees are essential to providing services to the public. To provide quality, efficient and cost-effective services, the performance of employees is crucial. Therefore, the City is committed to a performance management system for its employees that communicates performance expectations for job duties and responsibilities, workplace standards, both clinical and behavioral, and goals and objectives; identifies an employee's strengths and areas for improvement in meeting these expectations; and fosters an employee's job

development. To meet this commitment, the City promotes the following: (1) ongoing feedback to and candid discussions with employees about performance throughout the year; and (2) an annual performance evaluation that addresses prior and future performance of the employee. Employees are required to review written documents provided to them, discuss with their evaluating supervisor for both ongoing feedback and the annual performance evaluations. The object of this policy is to establish a recommended guide for the annual evaluation of all city employees.

Performance Evaluation/Reviews: Performance appraisals are an opportunity for employees, supervisors, and the City to assess an individual's job performance. The performance appraisal system is designed to:

1. Ensure that quality services are provided to the public at the least possible cost;
2. Motivate and develop employees to their fullest potential;
3. Clarify roles and mutual expectations of supervisors and employees;
4. Promote open and ongoing communication between employees at all levels;
5. Assists in tracking the achievement of established goals;
6. Assist in determination of whether employees are meeting the established performance standards for their position.
7. Provide a performance based component for individual employee compensation.

Employees may be evaluated formally or informally at any time. An employee's immediate supervisor or department head normally will conduct a performance appraisal on an annual basis, and may conduct performance appraisals more frequently if prescribed by the City Administrator or the employee's department head. The employee may be asked to provide a self-evaluation, to provide input and assist the supervisor in preparing for the appraisal. The performance appraisal will be in writing and will be discussed with the employee. Employees do not have the right to change or grieve their performance evaluation, but may submit a written response which will be attached to the performance evaluation or appeal as detailed below.

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

Supervisors and employees are encouraged to conduct periodic discussions throughout the year to track performance successes and problems and to track progress of mutually established goals

All full-time and part-time employees will undergo a performance evaluation after their six month and one-year anniversary dates from their initial date of employment. Subsequent evaluations will generally take place annually. Copies of evaluations will be kept in the employee's personnel files. Employee recognition and performance feedback are the most important characteristics of the evaluation process.

Performance and Wages: Except as otherwise agreed upon as part of an individual's bargaining unit contract, or as determined year-to-year by the Council, progression through the wage scale for all full-time and part-time employees will be based on years of service and performance and be considered on a calendar year basis. Employees who achieve a meets standards or better performance rating will move through their respective wage scale based on their level of performance. Employees who receive a performance rating of needs improvement will remain at their existing wage step. Employees who receive a performance rating of below standards will remain at their existing wage step and be ineligible for any increase provided to the step by changes in the wage schedule. Employees who receive a needs improvement or below standards rating will be re-evaluated in six (6) months to see if their performance reaches the meets standards level, if so the employee will receive an increase, however, the increase will not be retroactive. An employee found to have exceptional performance shall be eligible to move additional steps if authorized by the City.

Other Related Step/Pay Plan/Evaluation Components:

1. Promotions - An employee promoted shall be eligible to receive the wages authorized for the new position. Upon promotion an employee shall, at a minimum, move to the appropriate next closest step which results in a wage increase. An employee shall not receive a wage higher than the last step in the adopted pay plan.
2. Appeals - Should an employee disagree with the results of a supervisor's performance evaluation, an employee may appeal the findings to the Department Head or City Administrator if appealing a Department Head's written evaluation. Such appeal shall not be arbitrable and the decision of the City Administrator shall be final.
3. New Employees - A newly hired employee is eligible to be hired anywhere within the pay plan as adopted by the City Council. However, a new employee may not be hired at a wage above an existing employee with similar or more experience.

***Note:** Additional information on the City's Employee Performance Evaluation Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

SECTION 4, EMPLOYEE BENEFITS AND SERVICES

4.1 DEFERRED COMPENSATION PLANS

Through payroll deduction the City of Cloquet offers employees the ability to save part of their pay check in a tax deferred savings account known as a 457 Plan. This program allows employees to save additional funds for retirement in a tax sheltered flexible investment program. The City does not match amounts paid into this tax deferred plan. Additional information is available from Human Resources.

4.2 FLEXIBLE BENEFITS ACCOUNT (125)

The City has provided a Flexible Benefit Account

Flexible Spending Account (FSA) - allows employees to direct part of before-tax earnings into a special tax-free account to be used to reimburse out-of-pocket health/dental and dependent care expenses. Enrollment can begin the first of the month following employment. Re-enrollment is annual thereafter.

Medical Reimbursement Account - covers health expenses not reimbursed by any other plan (i.e. deductibles, eye exams, contacts, etc.). Money directed into these accounts must be used, or the employee loses any amount in the account over \$500 on an annual basis (Dec 31).

Dependent Care Reimbursement Account (DCSA) - reimburses dependent care expenses that become necessary: If employee uses DCSA, these expenses will not be eligible for the childcare credit when filing income taxes. Money directed into these accounts must be used, or the employee loses it.

Maximum contributions to these accounts are set annually by the IRS.

4.3 INSURANCE BENEFITS

4.3.1. LIFE INSURANCE

Employee Basic Term Life Insurance – The City provides its eligible active employees Basic Term Life in an amount of \$50,000. Coverage includes Accidental Death and Dismemberment (AD&D).

Supplemental Term Life Insurance – Active employees insured under Basic Term Life can apply for Employee Supplemental Term Life with equal AD&D. Employees can elect coverage in any multiple of \$10,000 up to a maximum of \$400,000.

Spouse Supplemental Term Life Insurance: Employees participating in Employee Supplemental Term Life can elect Spouse Supplemental Term Life with equal AD&D up to 50% of their own coverage. Spouse Supplemental Term Life is available in multiples of \$5,000 up to \$200,000.

Child Supplemental Life Insurance – Employees can elect Group Term Life on their eligible children in the amount of \$10,000.

4.3.2. MEDICAL INSURANCE PLAN OPTIONS

Health insurance is provided through the City. Employees have the option to select VEBA 100, VEBA 80 or a Minimum Value Plan (MVP). All employees are required to enroll in at least a single health plan unless they can provide proof of health insurance through another source.

If you chose to purchase health care through the city, then the City of Cloquet may contribute money monthly into an integrated Health Reimbursement Account (HRA) or Health Savings Account (HSA) on your behalf to help cover out-of-pocket expenses. Both health insurance premiums and HRA/HSA contributions are considered pre-tax items. HRA/HSA monies may be used for qualifying medical/dental costs.

The City may contribute to premiums for such policies as determined by the City and the City reserves the right to add, change, or eliminate insurance benefits at any time at its discretion.

The City of Cloquet recognizes that each employee is different and has different benefit needs. In an effort to provide benefits that closely match each individual's needs, we offer a flexible plan that allows you to purchase only those options which will be most advantageous to you.

- Children may be covered up to the end of the month in which they turn 26 years old.

OPT-OUT

If an employee is eligible to and chooses to opt-out, a VEBA HRA limited/deferred comp contribution will be made at the end of each quarter to the employee's account.

***Note:** Additional information on the City's Group Medical Insurance Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

4.3.3. DENTAL PLAN

The City of Cloquet provides both single and family dental coverage. Annual deductibles are \$25 Individual and \$75 Family with a calendar year maximum benefit of \$500 per covered person.

Monthly Premium Cost	
<u>Single</u>	<u>Family</u>
\$0.00	0.00

- Unmarried dependent children may be covered up to the 25 years of age.

4.4 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Employee Assistance Program (EAP) is to motivate employees to seek help with personal problems and to improve/maintain or restore employee productivity through early identification of, and assistance with these problems. In many instances, employees will overcome personal problems independently before the effects of problems result in serious difficulties in job performance or in other areas of the employee's life. In other instances, the employee can benefit by consulting the EAP in appropriately identifying and resolving these problems.

The EAP will assist City employees and/or their dependents with appropriately identifying personal problems and carrying out a plan to resolve these problems. This applies to the broad range of problems which can affect individuals and families, including, but not limited to, family or marital difficulties, medical and psychological problems, alcohol or other drug abuse/dependency, legal problems, or other personal concerns.

All contacts with the EAP are confidential. No information specific to any employee will be released without the employee's written consent. Program records are confidential.

Sand Creek Group, LTD., administers the EAP program. Employees are encouraged to seek information and assistance with personal problems by contacting the EAP staff directly.

Use of the EAP is always voluntary. Compliance with recommendations made by the EAP counselor also remains the employee's choice.

Whether or not the employee chooses to seek assistance from the EAP, acceptable job performance and attendance remain the employee's responsibility. Participation in the EAP in no way supersedes other company policies.

Leave policies or other related policies and benefits will apply to treatment for psychological or alcohol and drug problems on the same basis as they apply to other illnesses and health problems as per existing policies.

Employees are assured that using the EAP for any type of personal problem will not jeopardize their jobs and future with the company. Using the EAP is an indication that the employees are serious about staying well. EAP use is a positive life management tool, which contributes too maximum personal and job success.

Face to face assessment and/or brief therapy services, totaling up to 3 hours of service per incident per year, is available to employees and/or dependents at no out-of-pocket cost under this plan.

To contact Sand Creek LTD. our EAP provider, please call (218) 481-7477 or 1-844-678-5710.

4.5 RETIREMENT PLAN (PERA)

The city participates in the Public Employees Retirement Association (PERA) to provide pension benefits for its eligible employees to help plan for a successful and secure retirement. Participation in PERA is mandatory for most employees, and contributions into PERA begin immediately. The city and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each pay check for Social Security and Medicare (the city matches the employee's Social Security and Medicare withholding). For information about PERA eligibility and contribution requirements, contact Human Resources or go to www.mnpera.org.

4.6 SEVERANCE PAY

General Rule: Upon separation from employment in good standing through resignation, retirement or death, a full-time employee shall be paid as per the following provisions:

- A. **Vacation / Comp Time:** Employees whose employment terminates will be entitled to 100% of their allowable accumulated, unused vacation leave and comp time. Payment shall be determined upon the basis of the employee's rate of pay in the last pay period prior to severance and paid through regular payroll as taxable wages to that employee.

Should such termination be due to the death of an employee, his/her beneficiary or their estate will be entitled to 100% of their allowable accumulated, unused vacation leave and comp time. Payment shall be determined upon the basis of the employee's rate of pay in the last pay period prior to severance.

- B. **Sick Leave:** Upon retirement, the employee will be entitled to 33% of their allowable accumulated, unused sick leave (including the combined total of the employee's regular accumulated sick leave and catastrophic sick leave banks), not to exceed 316 hours, to be paid at the employee's current rate of pay. Retirement means resignation of the employee after the employee's 50th birthday, the employee has fifteen (15) years of accumulated active duty with the City of Cloquet and the employee is eligible to meet all of the requirements to receive PERA retirement benefits on the date of separation from employment. Such benefit shall be paid directly to the retiree or to an HCSA/HRA/HSA if there is an agreement in place.

Payment: The City shall provide the vacation/comp time and sick leave severance pay on the first payday following the employee's separation that is at least five (5) calendar days after the separation date.

4.7 EMPLOYEE TRAINING, CONFERENCES, AND SEMINARS

The City promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Policy. The City will pay for the costs of an employee's participation in training and attendance at professional conferences, provided that attendance is approved in advance under the following criteria and procedures:

Job-Related Training & Conferences. The subject matter of the training session or conference is directly job related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job related. Continuing Legal Education (CLE) or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the City.

All training will be subject to the availability of budget monies. The supervisor may recommend and the City Administrator will ultimately be responsible for determining job relatedness and approving or disapproving training and conference attendance.

Compensation for Travel & Training Time. Time spent traveling to and from, as well as time spent attending a training session or conference, will be compensated in accordance with the federal Fair Labor Standards Act.

General Travel Guidelines for all City Employees:

An employee's expenses incurred while traveling for City business or attending approved conferences, training, or the like are paid by the City. Expenses incurred by an individual, who is not a City employee, while attending a conference, training, or the like, or traveling with a City employee will not be paid by the City.

1. **Meals** - The maximum daily meal allowance for employees traveling outside the area for a full calendar day and staying overnight, including taxes and gratuities consistent with Internal Revenue Service (IRS) guidelines. Employees may spend up to the daily meal allowance among the three meals at their discretion. If an employee is traveling outside the area for less than a full calendar day please refer to the "Travel Reimbursement Form" which can be found at www.ci.cloquet.mn.us

These amounts are adjusted if the maximum daily meal allowances in the IRS guidelines change. This amount may be adjusted for travel outside of Minnesota or to a higher cost area by the City Administrator. Meals included as part of a conference registration are not reimbursable and when the cost of a meal is included in a registration fee, there will be a reduction of the above amounts from the maximum daily reimbursement.

Liquor is not an allowable expense.

2. **Lodging** - The actual cost for lodging is paid by the City as authorized by the department supervisor or City Council. Room service, personal phone calls, movies, and other extras must be paid for by the employee.

3. **Transportation**

- **Airline** - Airfare will be reimbursed at the coach rate.

- **Automobile** - If an employee uses their personal vehicle, they will be reimbursed for the amount allowed by the IRS guidelines. If two or more employees travel together by car, only the driver will receive the reimbursement. Please contact the Finance Director for the current rate.

The City will reimburse for the cost of renting an automobile if necessary to conduct City business with prior approval of the City Administrator.

- **Parking** - Fees will be reimbursed for the actual amount.
4. **Reimbursement** – Detailed receipts are required for lodging, airfare, transportation, parking, and meals and should accompany an expense report form. After supervisor approval, the expense report form shall be submitted to the Finance Director for payment. The City will not reimburse any request for recreational expenses such as golf or tennis.
 5. **Advance Expense Check** - All employees are encouraged to have conference, training, or the like and lodging fees paid in advance by the City. If requested, and authorized by the City Council or Department Supervisor, an advance expense check or cash may be issued for estimated travel expenses.

The advance shall be issued pursuant to Minnesota Statute 471.97.

- Receipts are required for all expenses.
 - A signed reimbursement travel voucher with receipts must be submitted within 30 days of travel.
 - The City shall determine the estimated travel expense amount to be advanced.
 - Any additional reimbursement due to the employee shall be paid by the City based on the receipts submitted and policies established above.
 - Any refund from the employee shall be paid to the City within ten (10) days of submission of the reimbursement request. The refund due from the employee shall be based upon the actual receipts submitted.
 - All other provisions of this travel policy apply to determine the expenses eligible for reimbursement.
6. **Exceptions** - The City Council reserves the right to make exceptions to this policy subject to specific situations that may arise

*Note: Additional information on the City’s Travel Policy can be found on the City’s website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

Memberships and Dues. The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the City. Normally, one City membership per agency, as determined by the City Administrator is allowed, providing funds are available.

Upon separation of employment, individual memberships remain with the City and are transferred to another employee by the supervisor.

4.8 EMPLOYEE RECOGNITION

The City of Cloquet City Council recognizes the hard work and service performed by the employees of the City of Cloquet through a formal Employee Recognition Program. The City Council believes the benefits of attracting, retaining, and motivating employees through an Employee Recognition Program support employee job satisfaction, which in turn impacts cooperation and productivity. The result is to provide excellent public and customer service to better serve the interests of the citizens of the community.

The Employee Recognition Program is considered “additional compensation” for work performed by employees but is entirely dependent on receiving funding from year to year. No provisions of this policy, or its administration, shall be subject to review under the grievance or arbitration provisions of any collective bargaining agreement. The program will include:

- A. Annually the City will sponsor an employee appreciation/recognition picnic, luncheon, or holiday party.
- B. Employees may be recognized at these annual events and in the case of retirement receive a token of the city’s appreciation for long and dedicated service in the form of a plaque, clock or similar item.

Recognition awards will go to all full-time and permanent part-time employees based strictly upon longevity and will in no way be connected to performance. The award will be based on “continuous” service with the City from the employee’s initial start date whether it be part-time or full-time. The recognition will be based on the concept of peers honoring peers.

The cost of the Employee Recognition Program will be included as a separate line item in the City of Cloquet budget. This line item will be approved annually by the City Council as part of the overall budget approval process which may include a public hearing on the proposed budget.

***Note:** Additional information on the City’s Employee Recognition Policy can be found on the City’s website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

SECTION 5, EMPLOYEE LEAVES

5.1 HOLIDAYS

Full-time City employees may observe certain holidays with pay unless such employees are required to be on regular duty. When a holiday falls on Sunday and it is customarily celebrated on the following Monday, such Monday shall be considered a holiday and any holiday that falls on a Saturday, the preceding Friday shall be a holiday. Employees required to be on duty on a holiday may be given compensatory time off and/or additional benefits.

Full-time employees shall receive eight (8) hours pay at their regular straight-time hourly rate or one day's salary for each of the following holidays they are not required to work:

- New Year's Day (January 1)
- Martin Luther King Day, (3rd Monday in January)
- President's Day, (3rd Monday in February)
- Memorial Day, (Last Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Veterans Day (November 11)
- Thanksgiving Day (4th Thursday in November)
- Day after Thanksgiving Day (Friday)
- Christmas Eve Day (December 24)
- Christmas Day (December 25)
- Personal Floating Holiday (as scheduled & approved by department head - cannot carry over into next year or receive pay in lieu of)

Regular part-time employees who work a minimum of 1040 hours per year will receive paid holidays on the same basis as regular full-time employees, in the event that they would normally have been scheduled to work on the observed holiday, except that holiday pay will be prorated according to the number of hours worked. Regular part-time employees working less than 1040 hours per year are not eligible for holiday pay. Temporary and seasonal employees are not eligible for holiday pay.

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

5.2 VACATION

Paid vacation leave is provided for regular full-time employees and eligible part-time employees. Regular part-time employees who work a minimum of 1040 hours per year accrue paid vacation on a pro-rata basis according to the number of hours worked. Regular part-time employees working less than 1040 hours per year are not eligible for vacation benefits. Employees covered by a collective bargaining agreement shall receive vacation leave benefits as stated in the collective bargaining agreement. Vacation leave is accrued based upon consecutive years of full-time service. Employees accrue vacation leave at the following rates:

Accrual: Full-time employees shall earn and accumulate vacation benefits as follows:

Years of Continuous Service	Hours Per Pay Period	Vacation Hours Per Year	Maximum Year-end Carryover Into the Next Year
0-5	3.5	91	91
6-12	5.0	130	130
13-17	6.5	169	169
18-24	8.0	208	208
25+	9.5	247	247

During any calendar year there shall not be any limitation to the amount of vacation time that any employee may accumulate. Employees whose accrued leave exceeds the amount permitted to carry over into the next year on December 31 will lose all of the time that exceeds the cap.

New employees shall accrue benefits from the start of their employment. Vacation shall be earned and accrued on a biweekly basis. The accrual rate shall be determined by the employee's anniversary date in the current year of accrual. Years of service shall mean consecutive employment as a full-time employee.

Usage: Each employee shall be entitled to use only those days of vacation accrued and earned.

Employees must receive department head approval before taking vacation leave. Preference for vacation periods shall be made known to the department head at least as many days in advance as the length of the proposed vacation. Shorter notice of preference is permissible if the employee and the department head are able to agree on the proposed vacation. Scheduled vacations are subject to cancellation by the department head in case of emergency or if it would result in insufficient staffing levels.

Employees who use earned vacation must use it in a minimum of half-hour increments with approval of the immediate supervisor. Due to the nature of work performed or other scheduling issues, certain departments may require that vacation be taken in larger blocks of time (i.e. one week) or that such time be scheduled in advance (i.e. start of year). In those cases, departments may create an internal policy regarding the notice and time.

Employees taking more than two (2) consecutive weeks of vacation or a combination of vacation and compensatory time must obtain prior approval from the City Administrator. The City will make every effort to grant vacations at the time requested by the employee but reserves the right to deny or approve vacation schedules.

Accrual/Carryover: No employee may waive vacation rights for the purpose of earning double pay. Employees may accumulate and carryover up to the maximum as described above. For the purpose of accumulating additional vacation or sick leave, an employee using earned vacation leave or sick leave is considered to be working

Termination of Employment: Unused vacation time will not be paid out in wages upon termination of employment except as provided in the Resignation section elsewhere in this Policy.

***Note:** Additional information on the City's Vacation Leave Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

5.3 SICK LEAVE

General Rule: Sick leave is a privilege and not a vested right that an employee may use at his/her discretion. Employees are to use this paid leave only when they are unable to work for medical reasons and under the conditions explained below. Sick leave may be used only for days when the employee would otherwise have been at work. It cannot be used for scheduled days off.

Sick Leave Accrual: Every full-time employee is entitled to sick leave with pay at the rate of four (4) hours per pay period. Regular part-time employees who work a minimum of 1040 hours per year accrue paid sick leave on a pro-rata basis according to the number of hours worked. Regular part-time employees working less than 1040 hours per year are not eligible for sick leave. Employees covered by a collective bargaining agreement shall receive sick leave benefits as otherwise stated in the applicable collective bargaining agreement.

An employee attempting to use sick time for reasons other than those explicitly permitted in this policy will be subject to disciplinary action up to and including termination.

Unused sick leave will not be paid out in wages upon resignation or retirements except as provided in the severance pay policy.

Usage: Sick leave may be used for the following:

1. When an employee is unable to perform work duties due to illness or disability (including pregnancy).
2. For medical, dental or other care provider appointments.
3. To care for the employee's injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee's attendance with the child may be necessary.
4. To take children, or other family members as defined under MS 181.9413, to a medical, dental or other care provider appointment.
5. When an employee has been exposed to a contagious disease of such a nature that his/her presence at the workplace could endanger the health of others.
6. To care for an ill spouse, father, father-in-law, mother, mother-in-law, stepparent, grandparent, grandchild, sister or brother.
7. **Safety Leave.** Employees are authorized to use sick leave for reasonable absences for themselves or relatives (employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) who are providing or receiving assistance because they, or a relative, is a victim of sexual assault, domestic abuse, or stalking. Safety leave for those listed, other than the employee and the employee's child, is limited to 160 hours in any 12-month period. The City of Cloquet utilizes a twelve (12) month "rolling" period measured forward from the date the employee's first leave begins.

For their own health and the health of co-workers, sick employees should not report to work. The City Administrator or department head may send sick employees home if their performance is impaired or if they feel sickness is detrimental to the performance of other employees. Paid sick leave is provided for regular full-time and eligible part-time employees under the restrictions noted as follows:

Doctors Certification: The City may request a doctor's certification on any sick leave over three days, when sick leave was used the last regular day before a holiday or the first regular day after a holiday, in the event of intermittent use, or at the department heads discretion if deemed necessary to verify illness or ability to return to work.

Sick Leave Reporting: When an employee finds it necessary to take sick leave, he/she shall report to their supervisor/department head, or in their absence the City Administrator, that they are sick as soon as possible. Continued or willful failure to report will be cause for the employer to refuse sick leave or take other disciplinary action.

To be eligible for sick leave with pay, an employee shall: (1) report as soon as possible to his/her supervisor/department head the reason for their absence; (2) keep their department head informed of their conditions.

Workers Compensation: An employee is required to use accrued sick leave to the extent not covered by workers compensation. Sick leave with pay will not be used for time lost from work when such time is otherwise compensated by workers compensation.

Accrual During Leave: For the purpose of accumulating additional vacation or sick leave, an employee using earned vacation leave or sick leave is considered to be working.

Limits on Accumulation of Benefits: A maximum accumulation of nine hundred sixty (960) hours is allowed. Sick leave accumulation beyond the nine hundred sixty (960) hours shall be placed into an individual secondary sick leave bank that can only be used in the case of a catastrophic illness or injury to the employee.

Usage: Employees who use sick leave must use it in a minimum of half-hour increments.

Pursuant to Minn. Stat. §181.9413, eligible employees may use up to 160 hours of sick leave in any 12-month period for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, grandparent, stepparent, parent-in-laws (mother-in-laws and father-in-laws) and grandchildren (includes step-grandchildren, biological, adopted or foster grandchildren). The City of Cloquet utilizes a twelve (12) month "rolling" period measured forward from the date the employee's first leave begins.

5.4 TEMPORARY, SEASONAL, AND PART-TIME EMPLOYEES LEAVE

Temporary and seasonal employees are not entitled to sick leave, vacation leave, holidays with pay, bereavement, or other leaves of absence. Part-time employees who work more than 1,040 hours in a calendar year are entitled to prorated sick leave, holidays, vacation, bereavement and other leaves of absence. Leave benefits shall be prorated according to current hours actually worked.

5.5 FUNERAL LEAVE

Each regular full-time and regular part-time employee working a minimum of 1040 hours per year are permitted a paid funeral leave when a death occurs in their immediate family. Funeral leave is prorated for eligible regular part-time employees according to the number of hours worked.

Each employee shall have available 2 days (16 hours) of funeral leave per year, to be used for death in the employee's immediate family including: the employee's spouse (husband, wife), parents (biological, adoptive, and/or foster mothers and fathers) or children (sons and daughters including biological, adopted, or foster children, stepchildren, and legal wards under age 18). This benefit shall not accrue from year to year and is separate from sick leave. After the 2 days (16 hours) of leave are exhausted, additional sick leave allowance for a death in an employee's immediate family shall be up to three (3) days per occurrence and shall be deducted from accumulated sick leave.

Any death occurring in City employment can be attended by City employees without loss of time; time allowed shall be one half day.

Additional time off for funeral leave may be granted and charged to vacation leave or compensatory time, if any.

Employees covered by a collective bargaining agreement shall receive funeral leave benefits as stated in the collective bargaining agreement.

5.6 JURY DUTY

An employee in the service of the City shall be granted leave of absence upon a jury duty; appearance in Court, legislative committee or other body as a witness in a proceeding involving the Federal Government, the State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority; or attendance in court in connection with his/her official duties, upon notification to the department head or the City Administrator. In the case of jury duty, the employee's compensation from the City during their leave shall equal the difference between their regular compensation and compensation paid for jury duty. The department head should report any employee on jury duty to the Finance Department. Employee's failure to report jury duty pay to the Finance Department shall be cause for disciplinary action. The employee should report to work as soon as possible after conclusion of duty or will take accrued vacation or compensatory time to make up the difference.

5.7 SCHOOL CONFERENCE AND ACTIVITIES LEAVE

Pursuant to M.S. 181.9412, the City will grant employees leave of up to a total of sixteen (16) hours during any school year to attend school conferences or classroom activities related to the employee's child, provided the conferences or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice to his/her supervisor of the leave and make reasonable effort to schedule the leave so as not to disrupt unduly the City operations. This leave shall be without pay except that the employee may substitute any accrued paid vacation leave or applicable comp time off.

5.8 MILITARY LEAVE

State and federal laws provide protections and benefits to City employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of 15 days in any calendar year.

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

In the case of such first fifteen (15) days of leave, the employee's compensation from the City during the leave shall equal the difference between their regular compensation and compensation paid for military leave. Department heads should report any employee on military leave to the Finance Department. Employee's failure to report military leave pay to the Finance Department shall be cause for disciplinary action.

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

Reinstatement is based upon duration of military service. An employee returning from military service may apply for employment verbally, or in writing. Employees returning from military service must follow these service guidelines based upon calendar days:

- Up to 30 days: Employees must report to work for the next regularly scheduled shift on the day after release from the military (“release from the military” includes time necessary for safe travel home from the military duty location and eight hours of rest.)
- From 31 to 180 days: Employees must apply for re-employment within 14 days after release.
- More than 181 days: Employees must apply for re-employment within 90 days after release.

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

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

5.9 COURT APPEARANCES

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

5.10 JOB RELATED INJURY OR ILLNESS

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

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

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

5.11 BONE MARROW DONATION LEAVE

Employees working an average of 20 or more hours per week may take paid sick leave, not to exceed 40 hours unless agreed to by the City, to undergo medical procedures to donate bone marrow. The City may require a physician’s verification of the purpose and length of the leave requested to donate bone marrow. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

5.12 VICTIM OR WITNESS LEAVE

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

5.13 ELECTIONS / VOTING

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off for purposes of serving as an election judge, provided that the employee gives the City at least twenty (20) days written notice and no more than 20% of the total work force at any single worksite is serving as an election judge. The written request to be absent from work must be accompanied by a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The City will reduce the salary or wage of the employee by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment.

All employees eligible to vote at a State primary or general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote on the election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues.

5.15 NURSING MOTHER LEAVE

An employee will be provided reasonable unpaid break time to express breast milk for her child, unless doing so would cause an undue hardship. Breaks already provided may fulfill this requirement.

5.16 DOMESTIC ABUSE AND RESTRAINING ORDER LEAVE

Employees may take reasonable time off from work to obtain or attempt to obtain relief under Minn. Stat. ch. 518B (Domestic Abuse Act) or Minn. Stat. sec. 609.748 (harassment; restraining orders). Except in cases of imminent danger to the health or safety of the employee or the employee's child, or unless impracticable, an employee who is absent from the workplace for this reason shall give 48 hours' advance notice to the City. Upon request of the City, the employee shall provide verification that supports the employee's reason for being absent from the workplace.

5.17 LEAVE DONATION

The City of Cloquet recognizes that a catastrophic or prolonged illness of an employee or immediate family member may deplete an employee's available paid leave (vacation, personal, and sick). This policy is meant to provide employees with the option of voluntarily assisting employees at such a time. The purpose of this program is to provide an employee who has exhausted all paid leave a means of financial assistance through the contributions of vacation, personal, and sick leave accruals from other employees with the express written approval of the City Administrator.

Eligibility:

- A. All regular full-time and part-time employees will be considered eligible to participate in this program.
- B. All exempt and non-exempt, bargaining unit and non-union employees may participate.
- C. An employee will be eligible to receive donated leave only after all of the employee's accrued leave time (vacation, personal, and sick) has been exhausted.
- D. Donation of leave will not be allowed once an employee is judged to be disabled by the major medical condition and will not be returning to work.

Process: To donate time, a prospective donor will indicate the number of hours he/she wishes to donate on Section A of the Leave Donation Request Form and submit the form to the City Administrator.

To receive donated time, the employee receiving time must complete Section B of the Leave Donation Request Form and submit to the City Administrator with the following information:

- A. Request for consideration of leave time donation
- B. Certification from the attending physician or other applicable health care provider that a catastrophic or prolonged illness of the employee or immediate family member exists.
- C. Any additional information that may be required to determine eligibility

The City Administrator will then review the requests. The City Administrator shall have the right to deny use of donated leave time or limit its use, as shall be determined necessary for the good of City operations.

General Information Regarding Leave Donation:

- A. An employee may donate no more than forty (40) hours of leave per calendar year to a single fellow employee for any single condition/event. This shall not be construed to prohibit donating forty (40) hours per year to additional employees. Donations must be on an hour-for-hour basis. The pay levels of the two employees shall not affect the transaction.
- B. No employee will be allowed to receive no more than 360 hours of donated time for any single condition/event without the additional approval of the City Administrator.
- C. The donor must have a minimum of 240 hours of leave time to ensure adequate coverage for his/her own emergency absence.
- D. The maximum number of combined hours that an employee can receive at any one time shall not exceed the estimated time that an employee might be expected to be gone based upon the certification provided by the attending physician.
- E. An employee who donates leave time must understand that the nature of the gift and that the donation/gift will be irrevocable and he/she has no control over how the gift of leave-time is used once donated. The donor also acknowledges that the receiving employee has no obligation to pay it back.
- F. Donated leave time cannot be used for severance pay, deposited into another's leave bank, paid out to an employee in the form of cash, or used in any other manner other than what is stated in this section of the policy.
- G. An employee in the final year of employment before retirement or that has provided notice to the City of their resignation of employment shall not be allowed to donate leave unless the donation can be shown to be to an employee that has a life threatening illness, injury, impairment, or physical condition that a licensed physician certifies as terminal or life threatening such as cancer, major surgery, AIDS, heart attack or which requires inpatient, hospice or residential care.
- H. Use of the donation provisions shall not extend or expand the rights of an employee under the FMLA and/or the State Parenting Leave Act.
- I. This program will not be considered a vested right of any employee. The City specifically retains the right to administer the program in any manner it deems to be in the best interest of the City, including the right to amend, to alter, to further limit or to eliminate the program. No employee will have cause of action or grounds for a grievance against the City as a result of the City's denial

of a request, or the City's amendment, alteration, limitation or elimination of the program. Nor will any employee have a right to grieve the program as a result of any fraud or misrepresentation on the part of the recipient and no leave donation will be reinstated for any reason.

*Note: Additional information on the City's Leave Donation Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

5.18 LEAVE OF ABSENCE WITHOUT PAY

The City Administrator may grant a leave of absence without pay not to exceed five (5) consecutive days within any calendar year without loss of benefits, including insurance, upon approval of the department head. All leaves in excess of five (5) days must be approved by the City Council. In no event shall unpaid leave be granted for longer than ninety (90) days, unless special circumstances can be shown. A leave of absence without pay shall only be considered after all other accrued paid leave has been exhausted. Vacation and sick leave shall not accrue, the employee shall not be eligible for holiday pay, no seniority granted, nor shall the City contribute to the cost of insurance premiums for the employee during a leave of more than five (5) days. Employees who take a leave of absence without pay have no right to reinstatement should the circumstances of the City be such that reinstatement cannot be accommodated.

5.19 FAMILY AND MEDICAL LEAVE

A family and/or medical leave of absence is a leave of absence available to eligible employees for up to twelve (12) workweeks of unpaid leave in any twelve (12) month period. **The City of Cloquet utilizes a twelve (12) month "rolling" period measured forward from the date the employee's first FMLA leave begins.**

Types of Leave Covered: Leave may be taken for one or more of the following reasons consistent with applicable law:

- a. Because of the birth of a child and to care for the newborn child.
- b. Because of the placement of a child with the employee for adoption or foster care.
- c. When the employee has a "serious health condition" that makes him/her unable to perform the functions of his/her employment position;
- d. The employee is needed to provide care for the employee's spouse, child, or parent with a serious health condition; and,
- e. For serviceman's qualifying exigency leave.
- f. To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

For purposes of this policy, when the reason for the leave is covered by both state and federal regulations, or is covered under the City's workers' compensation insurance provisions, the leave periods under the state, federal and workers' compensation laws will run concurrently. If there are state laws and federal laws which govern a particular situation, the more generous provisions of either law will be deemed to apply. Regardless of the foregoing, an employee who exercises their right to a leave under this policy has no greater right of reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Serious Health Condition: For purposes of qualifying for a leave pursuant to the above typically requires either inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by or under the supervision of a health care provider as defined by applicable law. Family and medical leave generally is not intended to cover short term conditions in which treatment and recovery are very brief.

Employees Eligible for Family or Medical Leaves of Absence: Regular full-time and part-time employees who have been employed by the City of Cloquet for at least twelve (12) months and have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the leave properly requested are eligible for leave under this policy.

For Spouses Who Are Both Employed By The City: If both you and your spouse are employed by the City and are eligible for FMLA leave, you are permitted to take only a combined total of twelve (12) weeks during the applicable twelve (12) month period if the leave is taken for:

- a. Birth of a child, adoption or placement of a child for foster care;
- b. To care for a parent (but not parent-in-law) with a serious health condition.

You may divide the twelve (12) weeks between the two of you in any combination you desire. However, prior notice must be given to the City before the leave commences as to division of time proposed.

In connection with the birth or adoption of a child, each of you may be entitled to up to six (6) weeks of unpaid leave under applicable state law. However, any leave taken in connection with the birth or adoption of a child will count against your entitlement to such leave under applicable law.

With respect to a serious health condition in your family, each of you may use up to twelve (12) workweeks of unpaid leave in the applicable twelve (12) month period to care for your child or spouse who is suffering from a serious health condition, or if the leave is due to your own serious health condition.

Definitions: The following definitions will apply for purposes of implementing this policy:

Parent - The term "parent" means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.

Serious Health Condition - means an illness, injury, impairment, or physical or mental condition that involves:

- (a) inpatient care in a hospital, hospice, or residential medical care facility; or
- (b) continuing treatment by a health care provider

Son or Daughter - means a biological, adopted, or foster child, a stepchild, a legal ward, or a child or a person standing in loco parentis, who is:

- (a) under 18 years of age; or
- (b) 18 years of age or older and incapable of self-care because of a mental or physical disability.

Spouse - means the husband or wife of the employee.

Amount of Leave: An employee found to be eligible for FMLA is entitled to a total of twelve (12) workweeks of unpaid family or medical leave during the applicable twelve (12) month period as determined by the City of Cloquet.

Consistent with the Minnesota Parental Leave Act, an employee that has worked 1,040 hours in the preceding twelve (12) month period may take up to six (6) weeks of unpaid leave for the birth or adoption of a child, if the employee is the natural or adoptive parent of the child, Minn. Stat. § 181.941, Subd. 1. However, to be entitled to the full twelve (12) week unpaid leave allowed pursuant to the FMLA, an employee must have worked 1,250 hours in the preceding twelve (12) month period as provided in the text of the FMLA policy. It is the stated intent and policy

of the City that any leave so exercised pursuant to the Minnesota Parental Leave Act would apply towards the twelve (12) week period allowed by the FMLA to the extent an employee qualifies for both.

The City FMLA policy also provides qualifying employees a total of twenty-six (26) unpaid workweeks of job-protected leave in a single twelve (12) month period to care for an injured service member. In such an instance, the twelve (12) month period will be counted from the first day of use. During that twelve (12) month period, an eligible employee is entitled only to a combined total of twenty-six (26) workweeks of FMLA leave for all purposes provided herein.

Procedure for Requesting Leave: If you know in advance that you will be taking a family or medical leave because of the birth, adoption or placement of a child in your home, or because of a planned medical treatment, you must notify your supervisor at least 30 days in advance. If circumstances beyond your control require that the leave begin in less than 30 days, you must notify your supervisor as soon as practicable. A "Request for Leave of Absence" form must be completed by the employee and returned to their supervisor.

If your request for leave is due to the birth, adoption or placement of a child for foster care, leave must be taken within the twelve (12) month period which starts on the date of such birth or placement for adoption or foster care.

The City reserves the right to delay the start date of the leave request absent timely advance notice. The employee must attempt to schedule foreseeable FMLA leave so as not to unduly disrupt the City's operations.

Intermittent or Reduced Schedule Leave: Leave requested because of a serious health condition of either a family member or the employee might be taken intermittently or on a reduced schedule if such leave is deemed to be medically necessary. All requests for intermittent leave will be evaluated on a case by case basis. The City will normally require medical certification to support a FMLA leave request either to care for an employee's seriously ill family member or because of the employee's own serious health condition.

Leave to care for a newborn or newly placed child (a.k.a. bonding leave) will only be granted in solid blocks of time.

Part-time employees that worked a minimum of 1,250 hours during the preceding twelve (12) month period, are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week.

Irrespective of the type and length of leave, it is required that while you are on FMLA leave you must report to the City Administrator's Office every four (4) weeks regarding your status and your intent to return to work upon the conclusion of your leave. You may also be directed to remain in contact with the supervisor or department head at least once a month regarding the status of your leave and your intent to return for purposes of personnel planning.

Where an intermittent or reduced scheduled leave is foreseeable, based on planned medical treatment, the City may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position. The alternative position to which the employee is transferred must have equivalent pay and benefits.

Certification Required for Medical Leave: If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child or parent, the employee will be required to submit sufficient medical certification of that condition. In such a case, the employee must submit the medical certification within fifteen (15) days from the date of the request, or as soon as is practical under the circumstances, to the City Administrator's Office for consideration.

If the City has reason to doubt the validity of the health care provider's certification, the City may require a second opinion at the City's expense. If the opinions of the first and second health care providers differ, the City may require a certification from a third health care provider, again, at the City's expense.

Use of Accrued Sick Leave, Compensatory Time and Vacation During FMLA: You may use your accumulated sick leave during your Family or Medical Leave provided that the circumstances of the leave make you eligible for the use of sick leave under the City's existing sick leave policy.

It is the policy of the City that an employee is **required** to substitute any accrued paid vacation and/or accrued compensatory time for all or part of the unpaid leave requested under this policy. An employee's election to utilize accrued sick pay takes precedence over the requirement that accrued paid vacation and/or accrued compensatory time be used for unpaid family and medical leave. Accordingly, an employee will be required to substitute accrued vacation and/or accrued compensatory time for unpaid leave only after the employee has used as much accrued sick pay as the employee is entitled to use and actually uses.

The use of accrued sick leave by an employee for leave under the Minnesota Parental Leave Act or FMLA for the birth, adoption, or placement of a child for foster care is permitted for the first two weeks of absence. If an employee wishes to continue the use of accumulated sick leave for this absence the submittal of a "Certification of Health Care Provider" form signed by a Health Care Provider indicating that care for the spouse or child is necessary or due to a serious health condition. If no certification can be provided, an employee must use accrued vacation leave and/or accrued compensatory time before taking unpaid leave as allowed under these rules.

Benefit Continuation: During the period of leave permitted under this policy, *which does not exceed a total of twelve (12) workweeks in the applicable twelve (12) month period except in instances of caring for an injured service member which is up to twenty-six (26) weeks*, health and dental insurance coverage will be maintained at the same level and under the same terms as if the employee continued working. Likewise, an employee on FMLA leave is required to pay their portion of health care premiums as if he/she had remained at work. In cases when an employee on FMLA leave is not receiving a paycheck, the employee must make arrangement with the City for the employee's share of the premium. Employees will be given a thirty (30) day "grace period" after payment of their share of insurance premiums is due. If an employee fails to make their premium payment, the employee will lose coverage and will not be covered for any claims which may have occurred while on FMLA leave. However, an employee may voluntarily choose not to pay the premiums and thus not retain these coverages. The coverages will be reinstated upon the employee's return to work.

The City's obligation to maintain health and dental insurance benefits ceases if and when the employee informs the City of the employee's intent not to return from leave; if the employee fails to return from leave, thereby terminating employment; or if the employee exhausts the employee's FMLA leave entitlement. In most, if not all of these situations, employees will be entitled by law to continue their health care coverage at their own expense under COBRA.

Obligations Upon A Return to Work: Upon return to work after leave for a serious health condition, the employee may be required to present a certification from a health care provider indicating that the employee is able to return to the employee's work activities.

Employees returning from a leave permitted pursuant to this policy (*a leave which does not exceed a total of twelve (12) workweeks in the applicable twelve (12) month period except in instances of an injured service member leave which is up to twenty-six (26) workweeks*) are eligible for reinstatement in the same or in an equivalent position as provided by applicable law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave. In addition, reinstatement may not be guaranteed to "key employees" which are salaried employees who are among the highest paid ten (10) percent of all employees employed by the organization within seventy-five (75) miles of the employee's work site.

Employee's Failure to Return to Work: If an employee on FMLA leave decides not to return to work, the employee shall notify the City as soon as it is foreseeable that the employee will not be returning to work.

An employee who chooses not to return to work or is unable to return to work shall be considered to have voluntarily resigned.

Savings Language: The provisions of this Family and Medical Leave Policy are intended to comply with applicable law, including the Family and Medical Leave Act of 1993 (FMLA) and the Minnesota Parental Leave Act and/or applicable regulations. To the extent that this policy is ambiguous or conflicts with applicable law or existing negotiated collective bargain agreements, it is intended that the language of the applicable law or collective bargain agreement will prevail as to the effected employee.

Activities Prohibited During FMLA: While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position.

While on leave, an employee may not engage in any activity that conflicts with the best interests of the City. Such conduct will result in disciplinary action up to and including termination of employment.

Seniority: Seniority does not accrue during any period of unpaid FMLA except as allowed when the leave is covered by worker's compensation. However, seniority accrued prior to commencement of FMLA leave will not be lost.

5.20 FMLA -- QUALIFIED EXIGENCY AND MILITARY CAREGIVER LEAVE

Qualified Exigency: Eligible employees (described above) whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following: (1) short-notice deployment, (2) Military events and activities, (3) child care and school activities, (4) financial and legal arrangements, (5) counseling, (6) rest and recuperation, (7) post-deployment activities and (8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave: An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, or parent, or next of kin of a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.

The family member must be a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

Definitions:

A **"son or daughter of a covered service member"** means the covered service member's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age.

A **"parent of a covered service member"** means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. This term does not include parents "in law."

The **"next of kin of a covered service member"** is the nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin. For

example, if a covered service member has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered service member's next of kin. Alternatively, where a covered service member has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered service member's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered service member pursuant to § 825.122(j).

“Covered active duty” means:

“Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.

“Covered active duty” for members of the **reserve** components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. (a) In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.

“Covered service member” means:

A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

“Serious injury or illness means:

In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Amount of Leave – Qualified Exigency: An eligible employee can take up to 12 weeks of leave for a qualified exigency.

Amount of Leave – Military Caregiver: An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a “single 12-month period.” The “single 12-month period” begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date.

Leave taken for any FMLA reason counts towards the 26 week entitlement. If an employee does not take all of 26 workweeks of leave entitlement to care for a covered service member during this “single 12-month period,” the remaining part of the 26 workweeks of leave entitlement to care for the covered service member is forfeited.

Certification of Qualifying Exigency for Military Family Leave: The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

Certification for Serious Injury or Illness of Covered Service member for Military Family Leave: The City will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered service member

All other provisions of the FMLA policy, including Use of Paid Leave, Employee status and benefits during leave, the Procedure for Requesting Leave, Benefits during Leave and Reinstatement, are outlined above in the FMLA policy.

***Note:** Additional information on the City’s FMLA Policy can be found on the City’s website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

SECTION 6, EMPLOYMENT POLICIES

6.1 EMPLOYEE RESPONSIBILITIES

Each employee has direct responsibility to their supervisor. Any questions as to certain phases of work, working conditions, problems, clarification of duties or other matters are to be initially taken directly to their supervisor by the employee or designated representative.

6.2 CONDUCT AS A CITY EMPLOYEE

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

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

- Perform assigned duties to the best of their ability at all times.
- Render prompt and courteous service to the public at all times.
- Read, understand and comply with the rules and regulations as set forth in these Personnel Policies as well as those of their departments.
- Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any and all unsafe conditions to the immediate supervisor.
- Maintain good attendance.

Employees are expected to use available working hours to the best advantage in carrying out work related duties. The conduct of an employee on the job shall be such that it does not bring negative public opinion about the City.

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

6.3 HANDLING CITIZENS' COMPLAINTS

Citizens' complaints provide an opportunity for feedback and identifying problem areas. How well complaints are handled determines the level of confidence and respect the public holds for its municipal government. When handling a complaint, be polite and never argue with the complainant even if he/she is angry, unreasonable or insulting towards you and the City. Stay calm, cool and collected.

- A. When you receive a complaint, it is very important to follow through properly. This can be accomplished by doing the following:
 1. Receive and record information pertinent to the complaint.

2. Determine which City employee is responsible to investigate and take corrective action and forward the complaint accordingly.

6.4 CONFLICT OF INTEREST

City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision is or may be perceived as a conflict of interest. If an employee has any questions about whether such a conflict exists he/she should consult with the City Administrator.

Definitions: The following terms have the following meanings in this policy:

Gift means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.

Interested Person means a person or a representative of a person or association that has a direct financial interest in a decision that a local official is authorized to make.

Local official means an elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city.

Gift Prohibitions: Employees in the course of or in relation to their official duties shall not directly or indirectly receive or agree to receive any payment of expense, compensation, gift, reward, gratuity, favor, service or promise of future employment or other future benefit from any source, except the City for any activity related to the duties of the employee unless otherwise provided by law.

However, the prohibitions do not apply if:

- A. a contribution as defined in section 211A.01, subdivision 5 of Minnesota State Statute;
- B. services to assist an official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;
- C. services of insignificant monetary value;
- D. a plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;
- E. a trinket or memento costing \$5 or less;
- F. informational material of unexceptional value; or
- G. food or a beverage given at a reception, meal, or meeting away from the recipient's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program.

The prohibitions do not apply if the gift is given:

- A. because of the recipient's membership in a group, a majority of whose members are not local officials, and an equivalent gift is given or offered to the other members of the group;
- B. by an interested person who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family; or

- C. by a national or multistate organization of governmental organizations or public officials, if a majority of the dues to the organization are paid from public funds, to attendees at a conference sponsored by that organization, if the gift is food or a beverage given at a reception or meal and an equivalent gift is given or offered to all other attendees.

Department heads shall be responsible for determining whether or not a gift or service falls within this exemption.

In the event there is a question or as to whether a gift or service is exempt, the department head should consult with the City Administrator. The City Administrator's determination shall be final.

The department heads will coordinate with the City Administrator to track gifts and services. The City Administrator shall periodically review with the department heads the gifts and services their employees are receiving. From these reviews, the City Administrator will develop policies and guidelines to ensure that this exemption is being applied consistently and in keeping with the spirit and intent of this policy.

Disposition of gifts: Any gift not authorized by this subdivision may be returned to the donor or transmitted to the Finance Director or turned over to the City to be used by the City or to be sold, with the proceeds of such sale deposited into the general fund of the City. The Finance Director shall be notified within seven (7) days of the receipt of any non-monetary property not authorized by this subdivision.

More restrictive measures: Department heads may adopt more restrictive measures dealing with the definition of the word "gift" and prohibitions on the acceptance of gifts. Such measures must be in writing, must be reviewed by the City Attorney, and approved by the City Administrator.

Conflicts Prohibitions: No person covered by this policy shall engage in any conflict of interest. A "conflict" of interest shall be defined as follows:

- A. Engaging in a business or transaction which is incompatible with the proper discharge of the person's official duties or which would tend to impair the person's independent judgment or action in the performance of his official duties.
- B. Holding a direct or indirect financial interest which is incompatible with the proper discharge of the person's official duties or which would tend to impair the person's independent judgment or action in the performance of his official duties. A financial interest includes ownership of stocks, bonds, notes or other securities.
- C. Having a direct or indirect personal interest which is incompatible with the proper discharge of the person's official duties or which would tend to impair the person's independent judgment or action in the performance of his official duties.
- D. For City employees, the holding of a private or other public position in addition to the person's primary public position which interferes or may interfere with the proper discharge of the public duty.
- E. Use of confidential information, obtained as a result of public position, for personal gain.
- F. Holding investments which will or may interfere with the proper discharge of public duty.
- G. Representation for profit of private interests before City governmental agencies.
- H. Participation as a public representative in a City transaction in which the person has a direct or indirect financial or other personal interest.

Enforcement: A violation of this policy shall be grounds for disciplinary action. Nothing contained herein shall be construed as preventing prosecution under applicable state laws.

6.5 RESPECTFUL WORKPLACE POLICY

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

Applicability: Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all City personnel including regular and temporary employees, volunteers, and City Council members.

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

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

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

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

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

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

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

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

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

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

Names and Pronouns: Every employee will be addressed by a name and by pronouns that correspond to the employee's gender identity. A court ordered name or gender changes is not required.

Employee Response to Disrespectful Workplace Behavior: Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the employee is responsible for taking one of the actions below. If employees see or overhear a violation of this policy, they are encouraged to follow the steps below:

Step 1(a). Politely, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or City Administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

Step 1(c). In the case of violent behavior, all employees are required to report the incident immediately to their supervisor, City Administrator or Police Department. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the City Administrator.

Step 2. If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the City Administrator or the Mayor.

Supervisor's Response to Allegations of Disrespectful Workplace Behavior: Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations within two business days to the City Administrator, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his/her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time and place:

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

Step 3. The supervisor must notify the City Administrator about the allegations.

Step 4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

Special Reporting Requirements: When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Attorney who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a Council Member is perceived to be the cause of a disrespectful workplace behavior incident involving City personnel, the report will be made to the City Administrator and referred to the City Attorney who will undertake the necessary investigation. The City Attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the City Administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens.

Confidentiality: A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Retaliation: Consistent with the terms of applicable statutes and City personnel policies, the City may discipline any individual who retaliates against any person who reports alleged violations of this policy. The City may also discipline any individual who retaliates against any participant in an investigation, proceeding or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Workplace Relationships: The City does not wish to intrude into the private lives of employees. We recognize there is the increased potential for conflicts of interest, appearance of favoritism and risk of claims of sexual harassment when employees develop close personal relationships with each other. In order to protect the City and its employees, this policy provides directions on how to manage situations when employees develop close personal relationships with each other. For purposes of this policy, a personal relationship is a relationship of a romantic or intimate nature or of a character that it could result in an allegation of conflict of interest or inappropriate behavior.

An employee engaged in a personal relationship with another employee with whom he or she shares either a direct or indirect supervisory role should promptly disclose the relationship to the City Administrator.

***Note:** Additional information on the City's Discrimination and sexual Harassment in the Workplace Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

6.6 APPEARANCE AND DRESS GUIDELINES

Employees are asked to dress in a professional manner at all times.

For office employees, "business casual" is the minimum acceptable standard employees should adhere to at all times unless granted a casual Friday type day. In general, business casual means dressing professionally, looking relaxed, yet neat and pulled together.

Business casual dress is a middle ground between business formal wear and casual wear. The following are examples of appropriate workplace apparel:

- For women: A reasonable length skirt (no more than 2.5" above the top of the knee) or slacks of a non-jeans material combined with a top (such as a dress shirt, polo or sweater set) is considered acceptable. An informal dress with appropriate skirt length (no more than 2.5" above the top of the knee) is also acceptable. Capris must be below the knees. Wear classic pump-style shoes or other conservative/professional styles. Heels should be no more than three inches high; flats are also appropriate. Shoes should always be clean, comfortable and polished.
- For men: A combination of collared shirt (such as a dress shirt or polo shirt), cotton or wool trousers (such as khakis or blue, green, brown, or black slacks) with a belt. Jeans are not acceptable business casual attire. A blazer or business jacket can optionally be added. Men should also wear closed toe and closed heel shoes with socks. The socks and shoes should be plain and dark, in neat, serviceable, shined condition.

At times, based on job and situation, you may be required to wear business formal attire. For men this consists of a nice suit with dress shirt and tie. Business formal wear for women is similar, involving suits, closed toe dress shoes and minor variations from men's formal business wear.

For operational/non-office/engineering or employees working in the field, clothing must always be clean, neat, and in good repair. All employees should dress in a reasonable manner that is appropriate to their job and use good judgment when choosing attire. Shirts, pants (no sweat pants), dresses, skirts and shoes (close toe only) are required at all times. Cut-offs, shorts, and homemade muscle shirts are not permitted. Visible subject matter on shirts may not detract from a professional image.

- Unacceptable for either gender: rumpled or ripped clothing, shorts of any length, yoga pants, tank tops, miniskirts, underwear as outerwear, inappropriately revealing attire such as bare midriffs or flip-flops.

Personal Appearance

The public, including our customers, draw conclusions about the effectiveness of the City based on the image our employees present while at work and while wearing City uniform/protective items. Therefore, all clothing and accessories must present the proper image at all times while at work and or conducting City business. We also ask that you always be considerate of co-workers and/or guests. If an employee's personal appearance or hygiene is offensive to co-workers or customers the employee will be required to correct the behavior.

Body Alteration or Modification – No employee will be hired or continue to be employed if they intentionally alter their body in a way that results in a visible, physical effect that detracts from a professional business image.

Tattoos/Brands – Visible tattoos/brands anywhere on the body that are obscene or advocate sexual, racial, ethnic, or religious discrimination are prohibited.

Hair - must be clean, well-groomed and neat. It cannot be worn in an extreme or fad style or in such a way that it would violate safety requirements.

Cosmetics – Must be conservative and in good taste.

Facial Hair - City employees may wear beards, goatees and mustaches that are neatly trimmed and no more than ½ inch long. Facial hair must be well kept and fully-grown with no patches. Goatees and beards must be kept trimmed above the neckline (above the Adam’s apple). Artwork shaven in facial hair is unacceptable.

Employees who do not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated.

6.7 COMMUNICATIONS

Purpose: The City of Cloquet strives to provide the public accurate and timely information, communicated in a professional manner, and in accordance with the laws regarding public information and data practices.

The policy provides guidelines for all external communications from the city using various mediums including:

- Printed materials such as newsletters, articles, and brochures.
- Electronic materials such as email, postings to websites or social media sites.
- Media relations such as requests for interviews, news releases, and media inquiries.

The city also recognizes that employees may sometimes comment on city matters outside of their official role as an employee of the City of Cloquet. Therefore, this policy also provides guidelines for employees when communicating as a private citizen on matters pertaining to city business.

General Guidelines for all Communications (Official and Personal): All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. An employee who identifies a mistake in reporting should bring the error to the City Administrator or other appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use etc. Employees must also follow all city policies that may apply. Examples of relevant policies include:

- **Computer Use Policy.** For example, city employees may use city technology for personal reasons on a limited basis provided it doesn’t interfere with normal work. The city reserves the right to inspect any electronic data made by a city owned computer or related system. This policy should be reviewed and complied with in full.
- **Respectful Workplace Policy.** For example, employees cannot publish information that is discriminatory, harassing, threatening, or sexually explicit. This policy should be reviewed and complied with in full.
- **Government Data Practices Act.** For example, employees cannot disclose private or confidential information and must route data practices requests to the responsible authority. This policy should be reviewed and complied with in full.
- **Political Activity Policy.** For example, employees cannot use city resources or participate in personal political activity while on city time or while discharging city responsibilities. No employee may act in a manner that suggests that the city either supports a particular candidate or political issue, or endorses the personal political opinions of the employee. This policy should be reviewed and complied with in full.

ADDITIONAL GUIDELINES FOR OFFICIAL CITY COMMUNICATIONS

Handling General Requests: All staff are responsible for communicating basic and routine information to the public in relation to their specific job duties. Requests for private data or information outside the scope of an individual's job duties should be routed to the appropriate department or to the City Administrator.

Handling Media Requests: With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the City Administrator. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, and websites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the City Administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if you are unsure if it is a "routine" question, forward the request to the City Administrator. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as he/she can."
 - Ask the media representative's name, questions, deadline, and contact information.

Communicating on behalf of the city: The City Administrator and department heads are authorized to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications. Other employees may represent the city if approved by one of these individuals to communicate on a specific topic. When speaking on behalf of the city:

- Employees must identify themselves as representing the city. Account names on social media sites must clearly be connected to the city and approved by the City Administrator.
- All information must be respectful, professional and truthful. Corrections must be issued when needed.
- Personal opinions generally don't belong in official city statements. One exception is communication related to promoting a city service. For example, should the City of Cloquet operate a Facebook page, if an employee posted on the city's Facebook page, "My family visited Hill Park this weekend and really enjoyed the new band shelter." Employees who have been approved to use social media sites on behalf of the city should seek assistance from the City Administrator on this topic.
- Employees need to notify the City Administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that the data transmitted or stored may be subject to the Data Practices Act.

ADDITIONAL GUIDELINES FOR PERSONAL COMMUNICATIONS

It is important for employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business. The following guidelines apply to personal communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

- Remember that what you write is public and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper.
- The City of Cloquet expects its employees to be truthful, courteous and respectful towards supervisors, co-workers, citizens, customers and other persons associated with the city. Do not engage in name calling or personal attacks.
- If you publish something related to city business, identify yourself and use a disclaimer such as, “I am an employee of the City of Cloquet. However, these are my own opinions and do not represent those of the City of Cloquet.
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the city’s logo, email, or working time to promote his/her side business as a plumber.
- Personal social media account names or email names should not be tied to the city (e.g. CityCloquetCop)

6.8 SMOKING

General Policy Statement: The City of Cloquet has a right and duty to provide a safe and healthy work environment for each employee. Because smoking, secondhand smoke, and all other tobacco related products including smokeless tobacco, cigars, electronic pipes or any other electronic smoking devices, adversely affect employees, policy procedures have been developed to guide managers and employees in a tobacco-free work environment. This policy is in compliance with the requirements of the Minnesota Clean Indoor Air Act.

General Procedures:

- A. The smoking or use of any tobacco or tobacco related product is prohibited in or on any City real and personal property and City worksites except in outdoor designated smoking areas that are a minimum 30 foot distance from any door or worksite.
- B. The smoking or use of any tobacco or tobacco related product is prohibited in all vehicles owned by the City of Cloquet.
- C. Smoking includes carrying a lighted cigarette, cigar, pipe, vaping with e-cigarettes, and the use of chewing tobacco.

Accountability: Department Heads and supervisors are accountable for effectively administering policy procedures and standard disciplinary action.

6.9 DISCIPLINE, SUSPENSION AND DISMISSAL

General Policy: Supervisors are responsible for maintaining compliance with city standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City of Cloquet. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable city policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the city’s personnel policies. The supervisor and/or the city administrator will investigate

any allegation on which disciplinary action might be based before any disciplinary action is taken. The objective of this policy is to establish a recommended guide for disciplinary action for City employees.

The City retains sole discretion to determine what conduct warrants disciplinary action and what type and level of disciplinary action will be imposed.

No Contract Language Established: This policy is neither to be construed as contractual terms of employment nor to establish terms and conditions of employment. Rather, it is intended to serve only as an informative guide for the administration of employment discipline.

No Just Cause Standard Established for At Will Employees: Nothing in this policy implies that any City employee has a property right to the job he/she performs. Nor shall this policy operate to restrain the City's authority to terminate the employment of at will employees at any time for any reason.

Process: The city may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any city employee has a contractual right or guarantee (also known as a property right) to the job he/she performs.

Documentation of disciplinary action taken regarding an employee will be placed and remain in the employee's personnel file in compliance with Minnesota law. A copy of the disciplinary action will be provided to the employee in cases of discipline where the level of discipline includes or is more severe than a written reprimand.

The following are descriptions of the various types of disciplinary actions that might be taken with regard to employee performance or misconduct. This list is not intended to be exhaustive:

- A. **Oral Reprimand.** An oral reprimand may be issued where informal discussions with the employee's supervisor have not resolved the matter of concern. All supervisors have the ability to issue oral reprimands without prior approval.

Oral reprimands are normally given for first infraction on minor offenses to clarify employee expectations and to put the employee on notice that the performance or behavior at issue needs to change, and what change(s) are expected. The supervisor will document the oral reprimand on the City's "Employee Warning" form and provided to HR for file in the employee's personnel file.

- B. **Written Reprimand.** A written reprimand is more serious than an oral reprimand and may follow an oral reprimand or be used in response to a series of related or unrelated infractions. A second or more serious infraction of the same nature may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with the prior approval of the City Administrator. All written reprimands will be documented on the City's "Employee Warning" form and provided to HR for file in the employee's personnel file.

- C. **Suspension With or Without Pay.** The City Administrator may suspend an employee with or without pay for disciplinary reasons. A suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature and the severity of the allegations or if the employee's presence at work may interfere with the operations, finances or safety and security of workplace.

- D. **Demotion and/or Transfer.** An employee may be demoted or transferred if attempts at resolving an issue have failed, or it involves a serious issue, and the City Administrator determines a demotion or transfer to be the best solution to the problem. The employee must be qualified and able to perform the functions for the position to which they are being demoted or transferred.
- E. **Salary or Compensation Adjustment.** An employee's salary increase may be withheld or the salary may be decreased or adjusted due to performance deficiencies or misconduct.
- F. **Dismissal/Termination.** The City Administrator, with the approval of the City Council, may terminate an employee for reasons including but not limited to substandard work performance, serious misconduct, or behavior not in keeping with City standards.

Conduct Subject to Discipline: The following are examples of misconduct that may be subject to discipline up to and including termination, but are not limited to:

- A. Incompetence or inefficiency in performance of duties.
- B. Conviction of a felony or gross misdemeanor if adversely impacts employment consistent with law.
- C. Violation of any lawful or official work or safety rule, regulation or City Ordinance.
- D. Reporting for work and/or working on the job while under the influence of alcohol, drugs or other controlled substances.
- E. The use of offensive language or offensive or inappropriate conduct directed toward the public, municipal officers or employees.
- F. Carelessness and/or negligence in the handling or control of municipal property or property entrusted to the employee by the City.
- G. Inducing or attempting to induce a person, officer, or employee of the City to commit an unlawful act or to act in violation of any lawful and reasonable official regulation, policy or order.
- H. Dishonesty in the performance of employment duties.
- I. Violation of or fraud regarding any provision of this policy.
- J. Failure to report to work, refusal to work as assigned and directed, or other acts of insubordination.
- K. Acceptance of a gift under circumstances from which it could be inferred that the giver expected or hoped for preferred or favorable treatment in the conduct of City business.
- L. Unapproved use of paid work time and/or equipment in outside employment or for personal benefit.
- M. Claiming paid sick leave for reasons other than those provided or for reasons not permitted by policy.
- N. Being habitually absent or tardy for any reason.
- O. Failure to perform assigned work in an efficient or effective manner.
- P. Being wasteful of material, property or working time.

- Q. Inability to get along with fellow employees so that the work being done is hindered and not up to required levels.
- R. Conduct on the job which violates the common decency or morality of the community.
- S. Speaking critically or making derogatory or false accusations so as to discredit other employees or supervisors.
- T. Dishonesty, including intentionally giving false information, intentionally falsifying records or making false statements when applying for employment.
- U. Divulging or misusing confidential information, including removal from City premises without proper authorization, any employee lists, records, designs, drawings or confidential information of any kind.
- V. Other incidents which constitute cause for employment discipline.

The above list is not meant to be all inclusive or exhaustive.

Processing of a Grievance: Any dispute between an employee and the City relative to the application, meaning or interpretation of these personnel policies may be settled in the following manner:

Step 1: The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated and the remedy requested, to the proper supervisor within twenty-one (21) days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2: If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the city administrator within seven (7) days after the supervisor's response is due. The city administrator or his/her designee will respond to the employee in writing within seven (7) calendar days. The decision of the city administrator is final for all disputes.

Limitations: An employee grievance that is based on provisions covered in a collective bargaining agreement (labor contract) shall be resolved in accordance with the procedures defined in that labor contract. Issues not covered in the labor contract, but which apply to the affected employee under these policies, may be pursued under these procedures.

An employee who commences a grievance proceeding under the provisions of a labor contract is precluded from grieving the same issue a second time under this policy. It is not the intention of the City Council by establishing the grievance policy herein to thereby grant an aggrieved employee a second opportunity to litigate an issue that has already been litigated in any other administrative or judicial proceeding.

Waiver: If a grievance is not presented within the time limits set forth above, it shall be considered "waived". If a grievance is not appealed to the next step within the specified time limit or any agreed extension thereof, it shall be considered settled on the basis of the City's last answer. If the City does not answer a grievance or an appeal thereof within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the City and the employee without prejudice to either party.

The following actions cannot be grieved:

- A. Investigations into disciplinary issues, prior to action
- B. Assignment of duties to positions or to job classes

- C. Salary or wage adjustments
- D. Performance evaluations
- E. Verbal or written reprimands
- F. Actions discussed or proposed, but not taken
- G. This policy itself, or changes to this policy made by the City Council
- H. Termination of probationary or temporary employees
- I. Extension of probationary periods of evaluation up to a maximum of 12 calendar months

The above list is not meant to be all inclusive or exhaustive.

SECTION 7, OTHER POLICIES

7.1 REASONABLE ACCOMMODATION FOR DISABILITY

The City is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is the policy of the City to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Definition:

Disability: For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that materially or substantially limits one or more major life activities.

Reasonable accommodation: A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

- A. To assure equal opportunity in the employment process;
- B. To enable a qualified individual with a disability to perform the essential functions of a job; and
- C. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

Procedure - Current employees and employees seeking promotion.

- A. The City will inform all employees that this accommodation policy can be made available in accessible formats.
- B. The employee shall inform the City Administrator of the need for an accommodation.
- C. The City Administrator may request documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.

- D. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:
1. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 2. Determine the precise job related limitation.
 3. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
 4. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the City of Cloquet is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
 5. The City Administrator or his/her designee will work with the employee to obtain technical assistance, as needed.
 6. The City Administrator will provide a decision to the employee within a reasonable amount of time.
 7. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the City, the employee and the City Administrator or his/her designee shall work together to determine whether reassignment may be an appropriate accommodation.

Procedure - Job Applicants.

- A. The job applicant shall inform the City Administrator of the need for an accommodation and they will discuss the needed accommodation and possible alternatives with the applicant.
- B. The City Administrator will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

Definition:

Undue hardship: An undue hardship is an action that is unduly costly, extensive, substantial or disruptive, or that would fundamentally alter the nature or operation of the City.

Procedure for determining undue hardship.

- A. The employee will meet with the City Administrator to discuss the requested accommodation.
- B. The City Administrator will review undue hardships by considering the following:
 1. The nature and cost of the accommodation in relation to the size, the financial resources, and the nature and structure of the operation; and
 2. The impact of the accommodation on the nature or operation of the City.
 3. The City Administrator will provide a decision to the employee.

Appeals: Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request may initiate a grievance under the grievance process identified under the City's Discipline and Termination

Policy. If the individual believes the decision is based on discriminatory reasons, then they may file a complaint internally through the City's compliant procedure as outlined in this plan.

Supported work: The City will review vacant positions and assess the current workload and needs of the City department to determine if job tasks might be performed by a supported employment worker(s).

7.2 REASONABLE ACCOMMODATION FOR RELIGION

The City respects the religious beliefs and practices of all employees and will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the City.

An employee whose religious beliefs or practices conflicts with his/her job, work schedule, or with the City's policy or practice on dress and appearance, or with other aspects of employment and who seeks a religious accommodation must submit a written request for the accommodation to his/her immediate supervisor. The written request will include the type of religious conflict that exists and the employee's suggested accommodation.

The immediate supervisor will evaluate the request considering whether a work conflict exists due to a sincerely held religious belief or practice and whether an accommodation is available which is reasonable and which would not create an undue hardship on the City. An accommodation may be a change in job, using paid leave or leave without pay, allowing an exception to the dress and appearance code which does not impact safety or uniform requirements, or for other aspects of employment. Depending on the type of conflict and suggested accommodation, the supervisor may confer with his/her department head and with the City Administrator.

The supervisor and employee will meet to discuss the request and decision on an accommodation. If the employee accepts the proposed religious accommodation, the immediate supervisor will implement the decision. If the employee rejects the proposed accommodation, he/she may appeal following the City's general grievance policy and procedure.

7.3 SOLICITATIONS

The City prohibits solicitation and distribution on its premises or through work mail by non-employees and to permit solicitation and distribution by employees only as outlined below:

- A. Solicitation and distribution are limited on City premises because, when left unrestricted, such activities can interfere with the normal operations, can be detrimental to efficiency, be annoying, and can pose a threat to security.
- B. The City Administrator is responsible for administering this policy and for enforcing its provision. Persons who are not employed by the City are prohibited from soliciting funds or signatures, conducting membership drives, posting, distributing literature or gifts, offering to sell or to purchase merchandise or services, (except by representative of suppliers properly identified), or engaging in any other solicitation, distribution, or similar activity on City premises.
- C. Solicitation and distribution of literature with appropriate approval should not interfere with working time of either the employee making the solicitation or distribution, or the targeted employee. The term "working time" does not include an employee's authorized lunch or rest periods or other time when the employee is not required to be working.

Employees may passively solicit donations, contributions, or promote appropriate fundraising activities by posting the event or item on bulletin boards in the employee break rooms in the City whereby an employee may voluntarily make a donation or participate in the activity. Certain fundraising activities sponsored by the City may be exempted from this provision. The home addresses and home telephone numbers of City employees shall be withheld from all persons, businesses or organizations.

7.4 OUTSIDE EMPLOYMENT

The potential for conflicts of interest is lessened when individuals employed by the City of Cloquet regard the City as their primary employment responsibility. All outside employment is to be reported to the employee's immediate supervisor. If a potential conflict exists based on this policy or any other consideration, the supervisor will consult with the City Administrator. Any City employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee's City job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-City employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with City employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the City's regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- The employee must not use City equipment, resources or staff in the course of the outside employment.
- The employee must not violate City personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the City. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- Departments may establish more specific policies as appropriate, subject to the approval of the City Administrator.

City employees are not permitted to accept outside employment that creates either the appearance of or the potential for a conflict with the development, administration or implementation of policies, programs, services or any other operational aspects of the City.

7.5 TELEPHONE POLICY

GENERAL STATEMENT OF POLICY

In general, City telephones are in place to conduct official City business. It is critical that employees be courteous, tactful, professional, and efficient on the telephone. Employees are expected to answer and return calls promptly.

Because of the visibility and financial responsibility associated with the use of both landline and cellular phones, the City has developed the following telephone use guidelines. These guidelines will be observed by all City employees when dealing with the acquisition, use, and control of phones.

Personal calls made or received must not interfere with the employee's work duties. Local personal telephone calls should be made only when absolutely necessary, preferably during scheduled rest breaks or lunch periods. Keep incoming personal calls brief. An employee who spends an excessive amount of time on personal calls may be subject to discipline up to and including termination.

All personal long distance phone calls must be recorded by the caller. Employees are required to reimburse the City promptly for all charges related to personal long distance phone use that directly impose charges on the City above the prevailing plan.

For City-provided devices, the employer retains full ownership and rights of access to all electronic communications, including the ability to access and audit device content on a business necessity basis. Reviewable content includes e-mail, text messages, photos and videos sent, received or stored on the device—whether business-related or personal. For employees that receive reimbursement or an allowance for some or all business-related use of an employee's personally purchased electronic device, this policy establishes the City's right to similarly access any business-related content. Please note employees should have no expectation of privacy regarding any transmitted content, whether the employee uses a City provided device or if the employee accepts reimbursements for business-related use of an electronic device as otherwise required under the Government Data Practices Act, Minnesota Statutes, chapter 13.

Safety First

An overarching concern of the City is the personal safety of employees and the public at large. Therefore, employees should use proper safety procedures at all times when using a cellular phone, but especially while operating equipment, driving while on City business, or performing similar duties. An employee shall not, under any circumstance, either read or send text messages or e-mails while operating (driving) City owned vehicles or equipment. Furthermore, City employees are highly discouraged from using a mobile device to make a phone call while operating a motor vehicle in the conduct of City business, except for the purpose of making a phone call to obtain or render emergency assistance.

In some jurisdictions where an employee may travel, law prohibits the use of cellular phones while operating a motor vehicle. It is the City's intent and expectation that all employees shall abide by the law.

Mobile Phone Policy

Applicability

In some instances, the City may authorize employees to use cell phones in the performance of their day-to-day work. This policy affects all staff who are authorized to use a cell phone and/or associated wireless services for City of Cloquet (City) business and who receive compensation from the City to offset the cost of the cell phone for business-related calls or who receive a City provided cell phone.

Policy

Employees should not use employee-owned devices to conduct City business, without authorization. Employees who are authorized to use employee-owned devices for City business, as outlined in the subsequent section of this policy, will use a personal cell phone service for business use and will be eligible to receive a monthly allowance for that service.

Cell Phone Allowance

A. Eligibility

- a. Any approved employee. To be approved, an employee must have an official business need for the device and must have the approval of his/her department head and the City Administration.
- b. The City may provide a cell phone allowance to an employee if at least one of the following criteria is met:
 - i. The job requires considerable time outside the office (travel, meetings, conferences, etc.) and use of an electronic device facilitates the effective maintenance of business operations while away.
 - ii. The job requires the employee to be immediately accessible to receive and/or make frequent business calls outside of working hours.
 - iii. Job duties away from the office may expose the employee or others to immediate harm or danger.

B. Employee Responsibilities

- a. Employees are required to provide and maintain current contact information. This contact information may be disclosed to customers, vendors and others as applicable for valid business purposes.
- b. Sign the Cell Phone Allowance Request form thereby certifying that he/she will provide the phone number within 5 days of activation and will be available for calls (in possession of the phone and have it turned on) during those times specified by leadership.
- c. Select any cell phone carrier whose service meets the requirements of the job responsibilities as determined by his/her supervisor.
- d. Inform the City to discontinue the allowance when the eligibility criteria are no longer met or when the cell service is cancelled. If such notification is not submitted within 30 days of no longer meeting criteria or service cancellation, the employee must repay any allowance received.
- e. If required by position, employee must maintain cellular phone service and if applicable internet services with access to the City systems. Pay all charges on his/her personal cell phone plan. If the employee leaves the position, he/she continues to be responsible for the contractual obligations of his/her cell phone plan. Early termination fees will be paid by the City if unable to adjust plan without penalty provided the employee involuntarily leaves City employment and the plan is over and above what his/her normal personal plan requires. Documentation from the cell phone provider of early contract cancellation and applicable fees must be provided within 2 months of termination of employment to Human Resources for this reimbursement.
- f. Comply with state and municipal laws regarding the use of cell phones while driving and prevent cell phone use that jeopardizes employee safety.
- g. Acknowledge that cell phone transmissions are not secure and employees should use discretion in relaying confidential information over cell devices.
- h. The City of Cloquet may need to access the employee-owned device for legitimate business purposes including, but not limited to implementing security controls, fulfilling record retention obligations, conducting investigations, or responding to litigation-related request arising out of administrative, civil, or criminal proceedings. Employees are expected to provide access to their device upon demand for necessary business purposes.

Cell Phone Allowance Amount

The monthly cell phone allowances are shown in Table A of this policy. The allowance is intended to reimburse the employee for the average business use of the cell phone, not to pay the entire phone bill. The amount of the allowance should be commensurate with the requirement for business use and should be reviewed periodically by management for change in amount or cancellation. The allowance may be used for device purchase or for services, or for both. The City will not pay purchase cost or activation fees for cell phones/devices. Eligibility for the allowance or the level of the allowance provided is subject to change or cancellation without notice at any time. The monthly allowances are not considered part of base pay used for calculating percentage salary increases. Supervisors/HR may periodically request that the employee provide a copy of the first page of the phone bill in order to verify that he/she has an active cell phone plan. Supervisors/HR may also periodically request documentation of business use to determine the appropriateness of eligibility and level of the allowance amount.

City-Provided Cell Phones

With the approval of the City Administrator, the City may purchase cell phones and pay for service in certain limited circumstances, e.g., phones required for business purposes. Personal calls should be kept to a bare minimum level that is material by nature in value. The City can stipulate, based on business needs, who has a City provided cell phone versus who may have the allowance. The City provided cell phones and service will be purchased by Accounting. All equipment purchases remain the property of the City.

City provided Cell Phone Request forms must be approved by department head and the City Administrator.

Human Resources will maintain approved Cell Phone Request forms on file in personnel records for internal/external audit purposes. Accounting will maintain cell phone invoices with the monthly cell phone bills when applicable.

Wage and Hour Issues

Nonexempt employees using a mobile device to conduct work-related business outside of work hours must track and record such work time and be appropriately compensated for it.

Cell Phone Support – By Type

Users who are authorized to obtain a regular cell phone must obtain technical support from the vendor providing the phone.

Users who are authorized for airtime and corporate messaging must use a service and device that accesses City email services. Support for the cell phone portion of these types of devices must be obtained from the vendor providing the phone.

Cell Phone Allowances

Table A	
Monthly Allowance	Basic Plan
Voice	\$15.00
Voice and Email	\$30.00

***Note:** Additional information on the City’s Telephone Policy can be found on the City’s website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

7.6 USE OF CITY PROPERTY

Use of City Vehicles: City owned vehicles are to be used by employees only in conjunction with their performance of normal City operations and duties unless previously authorized as a condition of employment, employment agreement/contract or approved by the City Administrator.

Police take home vehicles may be issued based upon a need for a timely response to a police incident. Such vehicles are provided to enhance effectiveness, unit efficiency and to provide better service to the community and the department. Persons authorized use of a take home vehicle are expected to have a high level of responsiveness to department needs beyond normal work hours.

Specific Policies relating to take home vehicles:

- Only employees authorized by their Department Head and approved by the City Administrator are allowed to take home a vehicle
- Take home vehicles are issued based upon specific position and job duties
- Persons living over 12 miles from their work assignment will not be allowed to take home a vehicle
- Take home vehicles will only be authorized for personal uses which are incidental to coming and going from work
- Employees away from their assignment for more than 1 week shall coordinate with appropriate staff to have the City vehicle returned to the appropriate City office in their absence

Travel beyond the local area must be approved by the department head so it is known where the vehicle will be at all times. City vehicles are not to be used for personal use at any time.

Employees who drive or may be required to drive City vehicles and equipment are responsible for maintaining a safe driving record and for observing all traffic laws. Seat belts must be properly used at all times. Drivers must carry a current, valid driver's license that is adequate for the type of vehicle being driven. Any employee who operates a City vehicle without a valid driver's license will be subject to disciplinary action up to and including termination. Passengers may be carried only when necessary to conduct City business and/or when their transportation via City vehicle is in the best interests of the City. City vehicles may not be used to travel from work to an employee's residence for rest or lunch breaks without prior supervisory approval. An employee shall not drive a City vehicle while under the influence of any alcohol or drugs. An employee found to have any level of alcohol or illegal drugs within their system while driving a City vehicle will be subject to disciplinary action up to and including termination.

City employees conducting official City business out of town (conventions, meetings, etc.) may carry non-City representatives as passengers upon approval of the department head and only if such accompaniment does not interfere with the best interests of the City.

Use of City Property: Employees, department heads or other persons may not use, nor allow the use of, any property, lands, or buildings of the City of Cloquet for personal use unless said property is available for use by all City residents i.e. City Parks. No property shall be removed from any City department, land or building for any private use, purpose, or enjoyment, unless owned by individual, and no employee, department head or any other person shall be in any building of the department after normal working hours, unless they are there for the purpose of official City business. Exceptions to this policy may be approved by the City Administrator. If there is any question about whether a use is appropriate, it should be forwarded to the City Administrator for a determination.

Disposal of City Property: From time to time, City property becomes obsolete, is damaged, or is not needed. Such equipment will be disposed of by the City through salvage, trade, public auction, bid, or other means consistent with the City's financial or donation policy addressing the disposal of City property. If it is determined that a sale or auction is the best way to dispose of property, a notice must be advertised in the official newspaper and will be posted at City Hall and other locations as deemed appropriate. The appropriate department head will determine the minimum price for each item to be sold.

In no instance will anything of value be given away free to anyone including employees. Unauthorized removal of City property or its conversion to personal use may result in disciplinary action up to and including termination.

Keys and Security: Each employee is responsible for securing his/her work area at the end of each day. Be sure that your office, confidential files, etc. are properly secured. All keys in your possession that are for City facilities and/or equipment must be returned to your supervisor upon termination of employment.

7.7 FALSIFICATION OF RECORDS

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

7.8 NEPOTISM / EMPLOYMENT OF RELATIVES

The City of Cloquet does not have a general policy against hiring relatives. However, a few restrictions have been established to help assure the fair and equitable treatment of all employees.

While applications for employment from relatives are considered, family members such as parents, children, spouses, siblings, or in-laws will not be hired into positions where they directly or indirectly supervise or are supervised by another family member. Further, such relatives will not be placed in positions where they work with or have access to sensitive information regarding an immediate family member. The City discourages dating among employees where there is a direct supervisory relationship. Marriage resulting in a violation of this policy will result in reorganization of one or both employees to be reassigned to other positions within the City. These moves could result

in a change in status/pay rate depending on the position and the employee's qualifications for the new position. The City Administrator must review all variances from the policy.

7.9 RESIGNATION

Any non-exempt employee wishing to leave the City's employment in good standing shall file with his/her department head, at least fourteen (14) days (unless otherwise specified within an employee's employment agreement) before leaving, a written resignation stating the effective date of the resignation and the reason for leaving. Exempt employees must provide twenty-one (21) days written notice to the City Administrator prior to the anticipated resignation date. Failure to comply with this procedure may be considered cause for denying the employee future employment and forfeiture of accumulated benefits. Employees cannot modify or withdraw their resignation date unless approved by the City Administrator.

An unauthorized absence from work for a period of three (3) consecutive working days or more may be considered a resignation without proper notice.

SECTION 8, EMPLOYEE SAFETY

8.1 SAFETY

The health and safety of each employee of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor.

Reporting Accidents and Illnesses: Both Minnesota Worker's Compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee should complete a first report of injury and the employee's immediate supervisor complete a supervisor report and any other forms that may be necessary related to an injury or illness on the job.

Safety Equipment/Gear: Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

Unsafe Behavior: Supervisors are authorized to send an employee home immediately when the employee's behavior violates the City's personnel policies, or creates a potential health or safety issue for the employee or others.

8.2 DRUG FREE WORKPLACE

In accordance with federal law, the City of Cloquet has adopted the following policy on drugs in the workplace:

- A. Employees are expected and required to report to work on time and in appropriate mental and physical condition. It is the city's intent and obligation to provide a drug-free, safe and secure work environment.
- B. The unlawful manufacture, distribution, possession, or use of a controlled substance on city property or while conducting city business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
- C. The city recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use their health insurance plans, as appropriate.
- D. Employees must, as a condition of employment, abide by the terms of this policy and must report any conviction under a criminal drug statute for violations occurring on or off work premises while conducting city business. A report of the conviction must be made within five (5) days after the conviction as required by the Drug-Free Workplace Act of 1988.

Employees of the Police Department are exempt from the applicable distribution and possession provisions above as they are required for the execution of their regular duties.

***Note:** Additional information on the City's Drug and Alcohol Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

8.3 POSSESSION AND USE OF DANGEROUS WEAPONS

Possession or use of a dangerous weapon is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes employees with valid permits to carry firearms.

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

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.
- Employee given written permission from the City Administrator or Chief of Police to hunt deer on City property in compliance with other City Code requirements.

***Note:** Additional information on the City's Policy Prohibiting Firearms at Work can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

8.4 CITY DRIVING POLICY

This policy applies to all employees who drive a vehicle on city business at least once per month, whether driving a city-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The City expects all employees who are required to drive as part of their job to drive safely and legally while on City business and to maintain a good driving record.

The City will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first work day after any temporary, pending or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter.

The City will determine appropriate action on a case-by-case basis.

8.5 EMERGENCY CLOSING / ADVERSE WEATHER CONDITIONS

Purpose: The City recognizes that certain situations may arise as a result of weather conditions and other emergency events which result in the closure of certain city facilities. This policy sets forth the conditions, process, and impact on the employee's affected by these situations.

It is the City's policy to continue to provide appropriate levels of services to the community during periods of inclement weather or emergencies. The City will make all attempts to keep its facilities open during normal business hours even though an emergency may exist. The City acknowledges that there may be adverse weather or other emergency conditions in which employees may need to be excused from work. The City recognizes that the safety of its employees and their dependents is very important.

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

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor or the city administrator.

When City facilities are closed due to emergency or adverse weather conditions, each employee may determine whether he/she will remain at work or utilize appropriate leave. If an employee determines that his/her safety or the safety of his/her dependents may be jeopardized if the employee reports to work or if at work, remains on duty, the employee may request authorized emergency leave. An employee with authorized emergency leave must utilize vacation or compensatory time for the time away from work. If the employee does not have vacation or

compensatory time, the emergency leave will be unpaid unless the supervisor agrees to modify the work schedule or make other reasonable schedule adjustments.

***Note:** Additional information on the City's Emergency Closing Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

8.6 WORKERS COMPENSATION

The law provides that if covered public employees continue to receive a salary while receiving workers compensation benefits, the City should deduct the amount of the workers compensation benefits from the salary. In no case shall the total compensation received from both workers compensation and sick leave exceed the amount of pay normally received. It is the employee's responsibility to report any work related injuries or illness to their department head as soon as possible. Any money received for time loss by the workers compensation carrier should be reported to the Finance Department immediately. Failure to notify the Administrative or Finance Departments could result in disciplinary action. Workers Compensation shall be managed as follows:

- A. Employee uses sick leave on days off until first workers compensation check arrives.
- B. Employee must report workers compensation checks received and the value of the workers compensation check is subtracted from the gross pay of the employee's next check, before taxes and other deductions are made.
- C. The value of the workers compensation check divided by the employee's hourly rate determines the amount of sick leave credited back to the employee's accumulated sick leave account.
- D. The net result is that the employee's accrued sick leave makes up the difference between the workers compensation check received and his or her regular rate of pay.
- E. Using this procedure, employees keep workers compensation checks that are paid without tax deductions and the City is not deducting taxes from the value of a workers compensation check received.
- F. Subsequent workers compensation checks are reported by the employee and steps B, C and D are followed.

8.7 LIGHT DUTY/MODIFIED ASSIGNMENT

Purpose: The purpose of this policy is to establish general guidelines for the temporary assignment of work to employees who are temporarily disabled or have medical work restrictions resulting from a work-related injury or non-work related injury or illness which render the employee unable to perform all of the essential functions of their regular work duties. This policy is primarily designed to provide a framework by which the affected employee with a work-related injury can transition back into the employee's regular job. The particular duties and availability of transitional work will be evaluated by the City Administration on a case-by case basis. This policy does not assure the assignment to transitional work duties to any employee.

Policy: The City of Cloquet's Transitional Modified Work Policy is designed to be implemented for a short period of time (usually up to sixty days), prior to the employees return to their regular job. The City Administrator reserves the sole right to determine when and if transitional modified work that is within the employee's work restrictions is available and whether it is appropriate in a given instance given the information submitted.

Procedure: Qualification for Transitional Modified Work: When an employee is unable to perform all of the essential requirements of the employee's job due to a temporary disability or medically prescribed work restrictions, the employee will notify the City Administrator and/or Department Head in writing as to the nature and extent of the disability and the nature of the work restrictions and will further provide all reasons why the employee is unable to perform the essential functions, duties, and requirements of the position. This notice must be accompanied by a

physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability.

The notice should also include the expected time frame regarding a return to work full-time without restrictions and any requested accommodations that will permit the employee to meet all of the essential requirements and functions of the City's job position description. At its discretion, the City may require an independent evaluation conducted by a physician selected by the City to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is the City Administrator's sole decision whether or not to assign transitional modified work to an employee. Although this policy is handled on a case-by-case basis, transitional work is recommended to last no longer than sixty (60) days and can be assigned to more than one employee at a given time based upon the availability of duties and jobs to be performed. Employees with workers compensation injuries will be given priority status for work assignments when limitations and restrictions are possible to accommodate. This means that if an employee with a non-workers compensation injury/illness is working in a light duty assignment, he/she may be bumped by a workers compensation restricted employee if all the appropriate light duty assignments are filled.

Prior to returning to regular duty, the employee must provide a written medical report from their physician clearing them to perform 100% of the job related duties that are physically required to perform their job.

The circumstances of each disabled employee performing light duty work will be reviewed regularly and employees assigned transitional modified work duties may be required to perform duties and functions which are both outside their department and regular job duties as the need arises. Any transitional duty/modified work assignment may be discontinued at any time.

***Note:** Additional information on the City's Transitional Modified Work Policy can be found on the City's website at www.ci.cloquet.mn.us, go to City Departments, Human Resources then Personnel Policies

8.8 REASONABLE ACCOMMODATIONS TO AN EMPLOYEE FOR HEALTH CONDITIONS RELATING TO PREGNANCY

The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth.

- more frequent restroom, food, and water breaks;
- seating;
- limits on lifting over 20 pounds and/or temporary transfer to a less strenuous or hazardous position, should one be available.

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

8.9 SEARCHES

The City reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of City and individual property, drugs and alcohol, and possession of other prohibited items. "Prohibited items" includes illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. "Control" means knowing where a particular item is, having placed an item where it is currently located, of having any influence over its continued placement. In addition to City premises, the City may search employees, their work areas, lockers, personal vehicles if driven or parked on City property, and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. In requesting a search, the City is by no means accusing anyone of theft, some other crime, or any other variety of improper conduct.

There is no general or specific expectation of privacy in the workplace, either on the premises of the City or while on duty. In general, employees should assume that what they do while on duty or on City premises is not private. All employees and all of the areas listed above are subject to search at any time; if an employee uses a locker or other storage area at work, including a locking desk drawer or locking cabinet, City will either furnish the lock and keep a copy of the key or combination, or else allow the employee to furnish a personal lock, but the employee must give the City Administrator a copy of the key or combination. The areas in question may be searched at any time, with or without the employee being present. As a general rule, with the exception of items relating to personal hygiene or health, no employee should ever bring anything to work or store anything at work that he or she would not be prepared to show and possibly turn over to the City Administrator and/or law enforcement authorities.

All employees of the City are subject to this policy. However, any given search may be restricted to one or more specific individuals, depending upon the situation. Searches may be done on a random basis or based upon reasonable suspicion. "Reasonable suspicion" means circumstances suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as defined above. Any search under this policy will be done in a manner protecting employees' privacy, confidentiality, and personal dignity to the greatest extent possible. City will respond severely to any unauthorized release of information concerning individual employees.

No employee will ever be physically forced to submit to a search. However, an employee who refuses to submit to a search will face disciplinary action, up to and possibly including immediate termination of employment.

SECTION 9, INFORMATION TECHNOLOGY

9.1 COMPUTER USE POLICY

Purpose: This policy serves to protect the security and integrity of the city's electronic communication and information systems by educating employees about appropriate and safe use of available technology resources.

The City reserves the right to inspect any data, emails, social media content, files, settings or any other aspect or access made by a city-owned computer or related system and will do so on an as needed basis as determined by the City Administrator.

All employees are responsible for reading and following information that may be distributed from time-to-time by Administration and/or our technology consultants about appropriate precautions to protect city systems.

An employee who violates any aspect of this policy may be subject to disciplinary action including revocation of certain system privileges or termination.

Personal Use: The City recognizes that some personal use of city-owned computers and related equipment will occur. Some controls are necessary, however, to protect the city's equipment and computer network and to prevent abuse of this privilege.

- Only city employees may use city-owned equipment. Family members or friends of employees are not allowed to use city equipment or technology resources.
- Personal use must take place during non-work hours (breaks, lunch hour, before or after work). Personal use should never preempt work use.
- Reasonable use of city email systems for personal correspondence is allowable, provided it does not interfere with an employee's normal work and is consistent with all provisions in this policy. Employees should treat this privilege as they would the ability to make personal phone calls during work hours.
- Reasonable use of the city's access to the Internet for personal reasons is allowable, provided it doesn't interfere with normal work and is consistent with all provisions in this policy.
- If an employee wants to use or connect their own peripheral tools or equipment to city-owned systems (such as digital cameras, PDAs, disks, cell phones, mp3 players or flash drives), they must have prior approval from their department head and must follow provided directions for protecting the city's computer network.
- Files from appropriate personal use of the city's equipment may be stored on your computer's local hard drive, providing the size of all personal files does not exceed 50 MB. At no time may personal files that contain copyright material, such as mp3 files or photos, be stored on city computer systems. The city may inspect any data or information stored on its equipment or network, even if the information is personal to the employee.
- Use of city equipment or technology for personal business interests, for-profit ventures, political activities or other uses deemed by the City Administrator to be inconsistent with city activities is

not allowed. If there is any question about whether a use is appropriate, it should be forwarded to the City Administrator for a determination.

Software, Hardware, Games and Screen Savers: In general, all software and hardware required for an employee to perform his or her job functions will be provided by the city. Requests for new or different equipment or software should be made to your supervisor, department head or directly to the City Administrator.

The following is approved software that may be downloaded by employees without prior approval:

- Microsoft updates as provided in automatic updates to the user.
- Anti-virus updates as provided in automatic updates to the user.
- Microsoft clipart and photo files.

Unapproved software or downloads (free or purchased), hardware, games, screen savers, toolbars, clipart, music and movie clips, other equipment, software or downloads that have not been specifically approved by the department head or City Administrator may compromise the integrity of the city's computer system and are prohibited.

The Administration department and/or its representatives, without notice, may remove all unauthorized programs or software, equipment, downloads, or other resources if they could harm systems or technology performance.

If there is any question about whether software or hardware, downloads, etc. are appropriate it should be forwarded to the City Administrator for a determination.

Electronic Mail: The city provides employees with an email address for work related use. Some personal use of the city email system by employees is allowed, provided it does not interfere with an employee's normal work and is consistent with all city policies.

The city allows employees to access personal email accounts via the Internet provided such access occurs during non-work hours and fully complies with this computer use policy.

An employee's personal email (and other personal documents) accessed via a city computer could be considered "public" data and may not be protected by privacy laws. Personal email and computer use may be monitored as directed by the City Administrator and without notice to the employee. Employees should not expect privacy in any activity conducted on a city owned computer.

The following policies relate to both business and personal email content sent from a city computer:

- Use common sense and focus primarily on using email for city business. Never transmit an email that you would not want your boss or other employees to read, or that you'd be embarrassed to see in the newspaper.
- Do not correspond by email on confidential communications (e.g. letters of reprimand, correspondence with attorneys, medical information).
- Do not open email attachments or links from an unknown sender. Delete junk or "spam" email without opening it if possible, do not respond to unknown senders.
- Do not gossip or include personal information about yourself or others in an email.
- Do not use harassing language, including sexually harassing language or any remarks including insensitive language or derogatory, offensive or insulting comments or jokes in an email.
- All emails must comply with all city policies, including those related to respectful workplace, harassment prevention and workplace violence.

- Do not curse or use swear words in an email.

Instant Messaging: The city does not provide employees with resources or tools to communicate by Instant Messaging (IM) when conducting city business. Employees are not allowed to use IM as a mechanism for personal communication through the city's computer network or when using city equipment, and are not allowed to download or install IM software on their city computer.

Social Media: The City may have or use social media sites such as Facebook and MySpace, blogs and microblogs such as Twitter, for official city business. When using social media to support official city business in accordance with job duties, individuals should clearly identify themselves as connected to the city. Personal use of social media by city staff - whether about the city or not, and whether positive or negative - will reflect on the city as a whole. Personal use of social media should not violate any city policies already in existence, such as those on harassment prevention.

Storing and Transferring Documents: Electronic documents, including emails, electronic communication and business related materials created on an employee's home or personal computer, should be stored on the city's network in accordance with city records retention policies and the Minnesota Data Practices Act. The following are some general guidelines that may be useful to consider.

- Electronic communication that is simple correspondence and not an official record or transaction of city business should be deleted as soon as possible and should not be retained by employees for more than three months.
- Electronic communication that constitutes an official record of city business must be kept in accordance with all records retention requirements and should be copied to appropriate network files for storage.
- City related documents that an employee creates on his or her home computer or any other computer system should be copied to the city's network files.
- Documents or electronic communications that may be classified as protected or private information under data practices requirements should be stored separately from other materials.

If you are unsure whether an electronic communication or other document is a government record for purposes of records retention laws, or is considered protected or private under data practices, check with your supervisor, department head or the City Administrator. If you are unsure how to create an appropriate file structure for saving and storing electronic information, contact the City Administrator.

Transferring data and documents between computer systems requires information to be stored on a disk, CD-ROM, flash or USB drive, or another storage media. These items can also be used to transmit computer viruses or other items harmful to the city's computer network.

The city has installed anti-virus software on each computer to protect against these threats by automatically scanning storage media for viruses and similar concerns. The anti-virus software provides automatic updates that employees will be notified of with a pop-up window from Symantec. All employees should follow directions for updating anti-virus software as prompted. If you have any questions about how to update your anti-virus software or check your storage media before you use it, check with your department head or City Administrator.

Internet: The city provides Internet access to employees for work on city business. Employees may use this access for work related matters in a professional manner.

Occasional personal use of the Internet is acceptable within the bounds of all city policies. The following considerations apply to all uses of the Internet whether business related or personal:

- There is no quality control on the Internet. All information found on the Internet should be considered suspect until confirmed by another source.
- Internet use during work hours must be limited to subjects directly related to job duties.
- Personal use of the Internet during non-work hours (breaks, lunch hour, before or after work) is permitted. However, employees may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races or religions, or in manners that otherwise violate city policies related to respectful workplace and harassment prevention. This prohibition includes information on social media sites such as Facebook and MySpace blogs and microblogs such as Twitter. If you are unsure whether a site may include inappropriate information, you should not visit it.
- No software or files may be downloaded from the Internet unless approved in advance by your department head or the City Administrator. This includes but is not limited to free software or downloads, maps, weather information, toolbars, music or photo files, clipart, screensavers and games.
- Employees may not participate in any Internet chat room - an online meeting place to discuss a particular topic, sometimes in semi-privacy - unless the topic area is related to city business.
- The city may monitor any employee's use of the Internet for any purpose without prior notice, as deemed appropriate by the City Administrator.

Passwords and Physical Security of Equipment: Employees are responsible for maintaining computer passwords and following these guidelines:

- Passwords must be at least eight (8) characters long and include both lower and upper case characters, at least one number and at least one non-alpha-numeric character (e.g., *,&,% , etc.). An example might be Pol!ci3S.
- Your passwords should not be shared or told to anyone except for your supervisor. If it is necessary to access an employee's computer when he or she is absent, contact the supervisor, department head or the City Administrator.
- Passwords should not be stored in any location on or near the computer. If necessary, store your password in a document or hard copy file that is locked when you are absent from your desk. Do not store it electronically in a palm pilot or cell phone system.

Use caution if you leave equipment unattended because it is generally small and portable. Do not leave city computer equipment in an unlocked vehicle or unattended at any off-site facility (airport, restaurant, etc.).

Remote Access: Certain employees may be given the ability to access the city's computer systems from remote locations or from home, using either personal equipment or city-owned equipment.

Remote access is limited to staff classified as exempt and who frequently work independently on city business. Non-exempt staff may be given temporary access from time to time as needed, but only with the approval of their supervisor, the City Administrator and the technology consultant.

Employees with remote access privileges will be given specific instructions from the city's technology consultant about how to protect city equipment and information resources. If you have any questions about remote access to the city's network, check with your department head or City Administrator.

Notice of Computer Problems: Employees are responsible for notifying the City Administrator about computer problems or odd computer behavior. Employees should err on the side of caution when reporting issues because small problems may indicate a more serious network or computer system issue.

SECTION 10, DEFINITIONS

10.1 DEFINITIONS

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

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

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

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

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

Department Head/Supervisor: An employee who is responsible for managing a department or division of the City.

Direct Deposit: As permitted by state law, all City employees are required to participate in direct deposit.

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

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

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

Fiscal Year: The period from January 1 to December 31.

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

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

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

Pay Period: A fourteen (14) day period beginning at 12:01 am on Monday through midnight on Sunday, fourteen (14) days later.

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

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

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

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

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

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

Training/Probationary Period: A one-year period at the start of employment with the City (or at the beginning of a promotion, reassignment or transfer) that is designated as a period within which to learn the job. This training period is the last part of the selection process.

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

Weapons: Includes, but is not limited to, firearms, explosives, knives and other weapons that might be considered dangerous or that could cause harm. This includes any object that has been modified to use as a weapon or that can be used as a weapon.

Workweek: A workweek is seven consecutive 24-hour periods. For most employees the workweek will run from Monday through the following Sunday. With the approval of the City Administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g., police department, park and recreation department).

Personnel Policy/Handbook Receipt Acknowledgement

By signing below, I

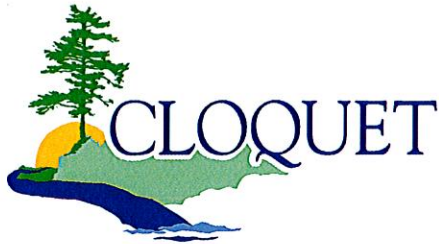
1. Acknowledge that:

- I received the City of Cloquet Personnel Policies
- It is my responsibility to have read and understood the City of Cloquet Personnel Policies
- The City of Cloquet Personnel Policies is intended only as a general reference, and not as a full statement of City of Cloquet procedures or a legal contract.
- City of Cloquet Personnel Policies supersedes and replaces any other existing policies or procedure handbook, manual or the like.
- Acknowledge that the City of Cloquet Personnel Policies/Employment Handbook will be updated periodically and that I can find the most current copy on the City's Website at all times.

Employee Signature

Employee Name (Please Print)


Dated: _____



DEPARTMENT OF PUBLIC WORKS

1307 Cloquet Avenue; Cloquet, MN 55720
Phone: (218) 879-6758 Fax: (218) 879-6555
Street - Water - Sewer – Engineering - Park
www.ci.cloquet.mn.us

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, City Engineer
Reviewed by: Brian Fritsinger, City Administrator 
Date: September 28, 2016

ITEM DESCRIPTION: Wellhead Protection Manager Appointment

Proposed Action

Staff recommends the City Council move to appoint Caleb Peterson (Director of Public Works) as the City of Cloquet Wellhead Protection Plan Manager.

Background/Overview

As a public water supply utilizing groundwater wells, the City of Cloquet is required to update and maintain a Wellhead Protection Plan with the Minnesota Department of Health. The primary focus of program is to protect our drinking water supplies by identifying potential contaminant sources in the area of our municipal wells. The City's Plan was most recently updated in December of 2016 however, with the recent retirement of Jim Prusak, the Council must formally designate a new Plan manager.

Policy Objectives

State requirement.

Financial/Budget/Grant Considerations

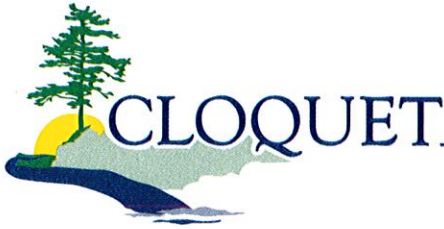
None.

Advisory Committee/Commission Action

N/A.

Supporting Documentation Attached

None.



ADMINISTRATIVE OFFICES

1307 Cloquet Avenue • Cloquet, MN 55720
Phone: 218-879-3347 • Fax: 218-879-6555
email: admin@ci.cloquet.mn.us
www.ci.cloquet.mn.us

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, Director of Public Works
Reviewed by: Brian Fritsinger, City Administrator
Date: September 27, 2016

ITEM DESCRIPTION: North Road Vehicle Noise Sign

Proposed Action

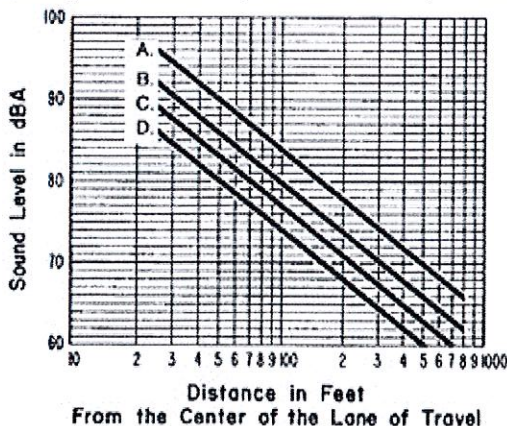
Staff recommends the City Council move to adopt **RESOLUTION 16-70, A RESOLUTION SUPPORTING THE PLACEMENT OF VEHICLE NOISE SIGNAGE ALONG NORTH ROAD (CSAH 2) AND THE ENFORCEMENT OF MINNESOTA STATUTE 169.693 (MOTOR VEHICLE NOISE LIMITS).**

Background/Overview

In recent months staff has received multiple concerns regarding engine breaking by logging trucks on North Road. After further review it was determined that this corridor is not posted “vehicle noise laws enforced” as is the case with the other major logging routes in town. MnDOT standards allow for such postings by the local governmental unit provided the installation is permitted and the local agency agrees to enforce the signs under Minnesota Statute 169.693 (Motor Vehicle Noise Limits). Current Statute makes it unlawful to operate a motor vehicle in violation of noise rules adopted by the Minnesota Pollution Control Agency as follow:

RULE 7030.1040 NOISE LIMIT FOR VEHICLES OVER 10,000 POUNDS.

Motor vehicle noise limits for vehicles with a manufacturer's gross vehicle weight rating of more than 10,000 pounds and any combination of vehicles towed by such motor vehicle.



A. Speed limits greater than 35 mph.

B. Speed limits equal to or less than 35 mph and stationary run-up tests (for vehicles with governed engines). For stationary run-up tests on all-paved surfaces, add 2 dBA.

C. Speed limits equal to or less than 35 mph and stationary run-up tests (for vehicles with governed engines), for vehicles manufactured on or after January 1, 1978. For stationary run-up tests on all-paved surfaces, add 2 dBA.

D. Speed limits equal to or less than 35 mph and stationary run-up tests (for vehicles with governed engines), for vehicles manufactured on or after January 1, 1982. For stationary run-up tests on all-paved surfaces, add 2 dBA.

The Police Chief has reviewed this request and found the terms of the attached resolution acceptable. It is anticipated the sign would be placed in the vicinity of Heather Avenue.

Policy Objectives

To work cooperatively with Carlton County in accordance with State rules.

Financial /Budget/Grant Considerations

The anticipated cost of the sign and mounting hardware is approximately \$300.

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- Resolution 16-70

**CITY OF CLOQUET
COUNTY OF CARLTON
STATE OF MINNESOTA**

RESOLUTION NO. 16-70

**RESOLUTION SUPPORTING THE PLACEMENT OF VEHICLE NOISE SIGNAGE
ALONG NORTH ROAD (CSAH 2) AND THE ENFORCEMENT OF MINNESOTA
STATUTE 169.693 (MOTOR VEHICLE NOISE LIMITS).**

WHEREAS, The City of Cloquet desires to place vehicle noise signage along North Road (CSAH 2) in order to deter engine breaking by heavy truck traffic using the corridor; and

WHEREAS, Carlton County is the road authority on North Road; and

WHEREAS, The City must apply for a permit to place signage in Carlton County right-of-way; and

WHEREAS, Local law enforcement must agree to enforce Minnesota Statute as part of the approval process.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF
CLOQUET, MINNESOTA:**

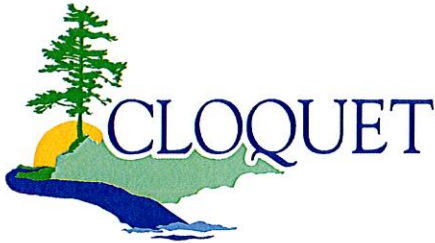
1. That the Public Works Director or his designee is hereby authorized to apply for a permit to place Vehicle Noise Signage along North Road.
2. That the City of Cloquet Police Department hereby agrees to enforce said signage under Minnesota Statute 169.693 (Motor Vehicle Noise Limits).

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 4th DAY OF OCTOBER, 2016.**

Dave Hallback, Mayor

ATTEST:


Brian Fritsinger, City Administrator



DEPARTMENT OF PUBLIC WORKS

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, City Engineer
Reviewed By: Brian Fritsinger, City Administrator 
Date: September 27, 2016

ITEM DESCRIPTION: 2017 Park Improvements

Proposed Action

Staff recommends the City Council move to adopt the proposal from SEH, Inc. to complete bidding documents for planned improvements to Dunlap Island, Broadway Avenue, and the north riverfront.

Background/Overview

The recently developed Capital Improvement Plan calls for 2017 park, street and highway landscape improvements on Dunlap Island, the north riverfront and along the Broadway Avenue corridor. The scope of proposed improvements were taken directly from the recently adopted Riverfront and Highway 33 Landscape Plans which were completed by SEH over the past three years. Those improvements under consideration for completion in 2017 include the following:

Dunlap Island

- Destination Play Structure
- Picnic Shelters/Restroom
- Lighting
- Parking Lot
- Trails
- Landscaping
- Shoreline Enhancement

Broadway Avenue

- Pavement Rehabilitation
- Lighting
- Landscaping
- Wayfinding Signage
- Sidewalk/Trail Improvements

North Riverfront

- Existing Trail Repairs
- Erosion Repairs
- Corridor Planning

The design process will begin with data collection and concept refinement. Due to size of the project and possible wetland impacts associated with the proposed improvements, it is important to begin design as soon as possible. The City Council and Park Commission will be asked to provide further feedback in 4-8 weeks following completion of the 30% design level documents.

Policy Objectives

Park Master Plan Policy 1.3 – Improvements to parks shall follow a process that engages park users, stakeholders, and neighbors to ensure changes are aligned with community needs and interests.

Park Master Plan Policy 2.5 – All park resources shall be maintained in a way that ensures they are safe and attractive.

Financial/Budget/Grant Considerations

\$4.13 million in sales tax funding was included as part of the 2017 budget for completion of these projects as follows:

Dunlap Island	\$2.7 million
Broadway Streetscape	\$1.0 million
North Riverfront	\$ 150,000
Highway 33 Landscaping	\$ 280,000

The proposed design fee of \$325,000 was included as part of the project budget.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- SEH Proposal



Building a Better World
for All of Us®

September 27, 2016

RE: 2017 Riverfront Improvements
Cloquet, Minnesota
SEH No. CLOQU P-134296

Mr. Caleb Peterson
City Engineer
City of Cloquet
1307 Cloquet Avenue
Cloquet, MN 55720

Dear Mr. Peterson:

Short Elliott Hendrickson Inc. (SEH®) is pleased to submit this proposal for the improvements associated with Dunlap Island, Broadway Street, and the North Riverfront Improvements identified within the City's 2017 Capital Improvement Plan. We applaud the City's efforts in undertaking additional phases of the Riverfront Master Plan (prepared by SEH in 2015), to transform and engage the Cloquet Riverfront with downtown and its residents and visitors. This proposal is based on conversations with City staff, review of documents provided by the City, and our knowledge of the area from previous work.

Project Overview

We understand the City would like to continue the implementation of the 2015 Riverfront Master Plan through the design, engineering and construction of Dunlap Island Improvements, Broadway Streetscape and resurfacing from Cloquet Avenue to Dunlap Island, and trail enhancement near the Chamber of Commerce's office trailhead near the St. Louis River's north shoreline. The following Work Plan and Fee Estimate is based on this understanding.

Work Plan

Task 1 Data Collection and Project Management

This work consists of collecting the necessary information for the project area including a geotechnical investigation, topographic and boundary survey, and a focused wetland delineation effort. The location of the proposed collection area is attached as Exhibit 1 – Data Collection Area. It is critical that this work be completed as soon as possible to allow for the project to meet the desired schedule. Particularly, the wetland investigation must be completed by the end of the growing season so as to have a certified delineation in hand. Additionally, the topographic and legal survey will be critical path items in refining the design in Task 2 of the work.

Deliverables for this task include:

- A. Certified Wetland Delineation in project impact areas submitted to LGU (City of Cloquet) and Army Corps of Engineers.
- B. Topographic Survey of the project sites including identification of observable site features as well as incorporating data provided by the utility one call system.
- C. Soil Borings (by subconsultant) in locations of proposed structures and utilities. This effort is currently estimated as ten (10) flight auger borings (to determine bedrock depth only) throughout the site, and six (6) standard penetration borings at specific locations to determine foundation requirements. Additional borings, if needed, would be based on City approval. A report will accompany the boring information.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 418 West Superior Street, Suite 200, Duluth, MN 55802-1512

SEH is an equal opportunity employer | www.sehinc.com | 218.279.3000 | 888.722.0547 | 888.908.8166 fax

- D. Kickoff meeting with the City of Cloquet to collect and review available data, along with discuss the approach for other tasks listed below.

Task 2 Concept Refinement

The initial phase of this task would consist of refining the enhancement elements identified in the Waterfront Master Plan by comparing the scope against the City's proposed budget for this phase and then developing designs and plans to the 30% level of detail. The improvements and elements will be categorized as shown in the Waterfront Master Plan and the City's Capital Improvement Plan.

Project Scope is generally proposed to include the following:

- A. **Broadway Streetscape Design.**
 - 1. Streetscape, lighting, signage, branding, and wayfinding enhancements
 - 2. Mill and overlay street
 - 3. Enhance pedestrian, vehicular, industrial trucking, ATV trail, train operations, circulation, and safety improvements
- B. **Dunlap Island.**
 - 1. Park and playground
 - 2. Pavilion and restroom
 - 3. Utility extensions to serve site improvements
 - 4. Trailheads and wayfinding signage
 - 5. Site lighting, furnishings, and amenities
- C. **Riverfront Trails Enhancements.**
 - 1. Review in-place facility function and improvement needs against available funding and overall improvement plans
- D. **TH33 Landscape Enhancements.**
 - 1. Preliminary design consistent with TH33 study parameters
- E. It is understood, MnDOT in concert with BNSF Railroad, has plans for upgrading on the BNSF crossing at Broadway Street. For the City to capitalize incorporation of the proposed improvements with the MnDOT project, the Broadway Street improvements addressing the crossing need to be finalized and submitted to MnDOT by mid-November for incorporation in their project.
- F. Develop and present the 30% plans to a joint City Council, Park Board, and EDA work session for input and approval of the 30% concept and scope.
- G. Incorporate review comments and proceed to 60% design stage.

Deliverables for this task include:

- A. 30% design drawings and engineer's opinion of probable construction cost for Broadway Streetscape, Dunlap Island, Riverfront Trails Enhancements, and TH33 Landscape Enhancements.
- B. Design drawings in detail needed by MnDOT / BNSF Railroad to coordinate, design and build the crossing improvements within the Broadway Street corridor.

Task 3 Construction Documentation (60% and 90% milestones)

Completing the plans to the 60% and 90% level will be predicated on the scope and budget, approved in Task 2. It is currently anticipated the overall project budget is \$4.13M (inclusive of design, right-of-way, and permitting costs), allocated generally as follows:

- A. Dunlap Island Redevelopment: \$2.7M
- B. Broadway Street Overlay and Streetscape: \$1.0M
- C. Riverfront Improvements – North Shoreline: \$0.15M
- D. Ridgeview Park / Highway 33 Landscaping: \$0.05M
- E. Dunlap Island / Highway 33 Landscaping: \$0.23M

This phase will continue to develop and refine the plans from the 30% design drawings through the 60% and 90% stages for a public bid in early spring 2017. The design will be reviewed with staff at a 60% level and presented to Council at the 90% level.

Deliverables for this task include:

- A. 60% Construction Drawings & List of Specifications
- B. 90% Construction Drawings & Full Specifications
- C. Engineer's opinion of probable construction cost at 60% and 90%
- D. Permit application for wetland impacts

Task 4 Final Design & Bidding Assistance

This work consists of addressing the City's comments and conditional approval of the 90% Construction Documents, and providing final documents for public bid. SEH will provide bidding assistance through posting the bid documents at an on-line provider (QuestCDN) to track planholders, issue addenda, and answer pre-bid questions, as needed. Bids will be submitted to the City and reviewed by SEH and the City Engineer for responsiveness of the bidders

Deliverables for this task include:

- A. Digital and hard copies of final documents to the City (up to 10 full sets).

Additional Services (if requested by City as additional scope of work)

- A. Construction administration services will be estimated and included in project budget projections but will be negotiated as a separate supplemental agreement and will be based the amount of construction services engagement requested by the City at the time of construction. Construction is anticipated to begin in 2017 with completion in 2018.
- B. Assisting the City in preparation of detailed application documents needed to pursue and leverage outside funding. Scope and level of engagement requested will determine the budget.
- C. Assisting the City in preparation of additional permit applications, environmental documentation, easements, and/or right-of-way needed to construct the project as approved. Scope and level of engagement requested will determine the budget.
- D. Additional workshops or public meetings beyond those identified here-in as requested by the City as needed to complete the project. (\$1200/event)
- E. Creation of a North Riverfront Trail Master Plan which includes development of preferred routes for selected uses along the North Riverfront. This would also include cost estimates and assistance in developing a plan for phased implementation. Scope and level of engagement requested will determine the budget.

Schedule

We will begin work upon execution of a contract. We have outlined below some critical milestones and tentative dates. These dates can be adjusted to meet the scheduled needs of the City.

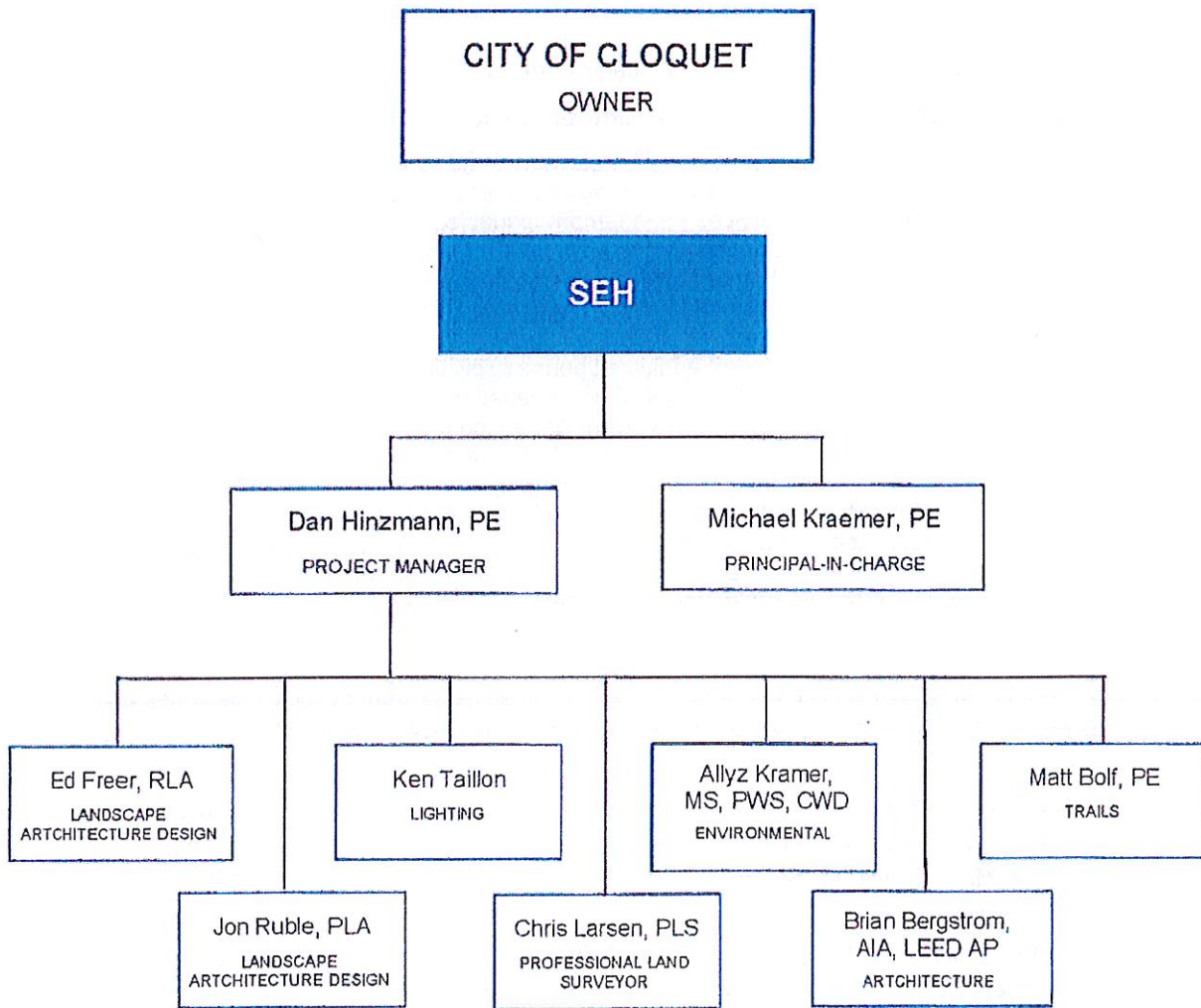
Execution of contract	October 4, 2016
Wetland Delineation submitted to Agencies	October 7, 2016
Topographic Survey Completed	October 14, 2016
Kickoff Meeting with Stakeholders	October 18, 2016
Trails Master Plan Tours & Workshop	October 25, 2016
Dunlap & Broadway Design Alternatives Workshop	November 10, 2016
Complete Design Coordination for Broadway at Railroad Tracks	November 18, 2016
30% Design Drawings	December 2, 2016
60% Construction Documents	January 27, 2017
90% Construction Documents	March 3, 2017
Issue for Bid	March 13, 2017
Construction Contract Award	April 2017

Fee Estimate

We propose a total fee of **\$325,500** to complete our services which would be billed on a Lump Sum basis. Additional requested services authorized by the City would amend this total. Please note that this fee (along with fees for requested additional services) is understood to be part of the total City budget of \$4.13M allocated to these projects.

Team Assignments

Project Organizational Chart



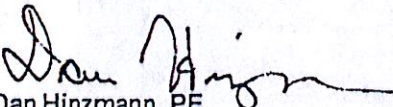
<u>Role</u>	<u>Name</u>	<u>Experience</u>
Project Principal-in-Charge Mike will be responsible for coordination with the City on project contracting & delivery, and will assist with communications with project stakeholders such as attendance at council meetings and other critical project elements.	Michael Kraemer, PE	42 years
Project Manager Dan will serve as Project Manager & Civil Site Designer responsible for civil design, technical coordination with the City on project specific tasks (surveys, wetland delineation), information assembly, coordinating team efforts, managing schedules and budgets, and managing the final construction document development.	Dan Hinzmann, PE	8 years
Project Design Team Leader Ed will serve as the Project Design Team Leader responsible for development of concepts and review of detailed design. This role will capture Ed's extensive experience in waterfront design to ensure the maximum cost-effective potential of the waterfront is captured.	Ed Freer	40 years
Project Designer Jon will be the lead landscape designer responsible for detailed parks and landscaping design on the project. This effort will include molding the landscape concepts into implementable elements of construction.	Jon Ruble	10 years

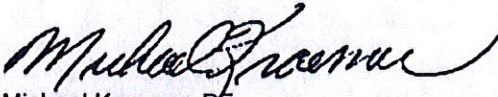
We would be happy to discuss this proposal with you in detail and answer any questions you may have. Our entire team looks forward to serving the City to implement these exciting refinements of the City's riverfront resource.

If this proposal meets your approval, we will forward a contract. If you have any questions, please contact Dan Hinzmann at 218.279.3034 / dhinzmann@sehinc.com or Michael Kraemer at 651.490.2101 / mkraemer@sehinc.com.

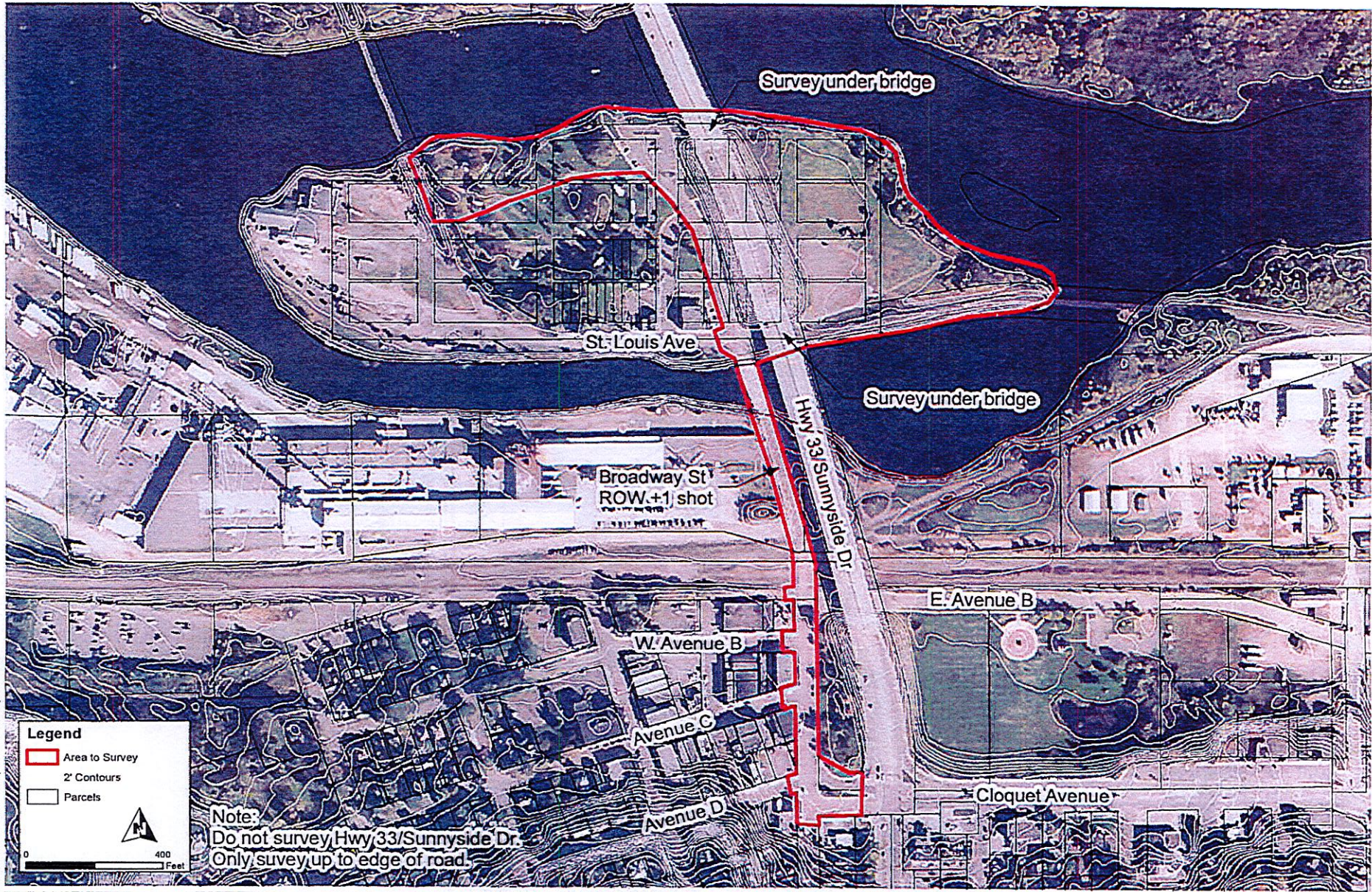
Sincerely,

SHORT ELLIOTT HENDRICKSON INC.


Dan Hinzmann, PE
Project Manager


Michael Kraemer, PE
Project Principal


mh
Attachments: Exhibit 1



File: B:\ECL\001\Comments\Cloquet Parks 2017\Survey\Area.mxd


Legend

- Area to Survey
- 2' Contours
- Parcels



0 400 Feet

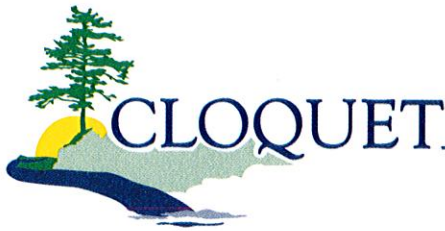
Note:
 Do not survey Hwy 33/Sunnyside Dr.
 Only survey up to edge of road.

 Project Number: XXXXX 000900
 Print Date: 9/14/2016
 Map by: rhenal
 Projection:
 Source:

CLOQUET PARKS 2017
 City of Cloquet, Minnesota

Exhibit 1
 Data Collection Area

This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.



ADMINISTRATIVE OFFICES

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Phone: 218-879-3347 • Fax: 218-879-6555
email: admin@ci.cloquet.mn.us
www.ci.cloquet.mn.us

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, Director of Public Works
Reviewed by: Brian Fritsinger, City Administrator
Date: September 27, 2016

ITEM DESCRIPTION: Dump Truck/Snow Plow Purchase

Proposed Action

Staff recommends the City Council move to authorize the purchase of a tandem axle dump truck chassis from Maney International of Duluth in the amount of \$77,292.00 including trade, and the purchase of a dump box, plows, a sander and the installation of all related equipment on the truck chassis from Towmaster, Inc. in the amount of \$117,778.00

Background/Overview

As part of the 2017 Capital Improvement Program (CIP) and annual budget, a new tandem axle dump truck is scheduled to be purchased by the Public Works Department. Due to the extended period of time required between order and delivery, Public Works is requesting the order be placed now with no payment due until delivery in fall of 2017.

Under a Cooperative Purchase Agreement with the State of Minnesota, local governments are allowed to purchase such equipment directly off a previously awarded state contract. After reviewing available equipment and developing specifications for this truck purchase, Public Works staff has put together a recommended purchase that involves two vendors off of the State Contract and one local dealer. Under this proposal, the truck chassis will be purchased from Maney International of Duluth. Once this chassis is delivered, it will then be transferred to Towmaster, who will furnish and install the dump box, three plows, salt brine tanks, a tailgate sander and all necessary electrical and hydraulic equipment to complete the unit. The truck to be traded in will be a 2005 International 7400 Plow Truck, VIN #1HTWHAAT75J045362 (City Unit #224). The following is a summary of the related costs:

Boyer Trucks (State Bid)	Truck Chassis & Warrantee	\$ 111,422.00
	Less Trade-In	(25,000.00)
	Net Truck Chassis Purchase	\$ 86,422.00
Maney of Duluth	Truck Chassis & Warrantee	\$ 107,292.00
	Less Trade-In	(30,000.00)
	Net Truck Chassis Purchase	\$ 77,292.00
Towmaster (State Bid)	Box, Plows, Sander plus Installation	\$ 117,778.00
	Total Truck Purchase	\$ 195,070.00

Request for Council Action
Dump Truck Purchase
September 27, 2016
Page 2

Policy Objectives

To replace necessary equipment in accordance with the approved Capital Improvement Plan.

Financial/Budget/Grant Considerations

The 2017 Capital Improvement Program (CIP) and annual budget included \$215,000 for this purchase.

Advisory Committee/Commission Action

N/A

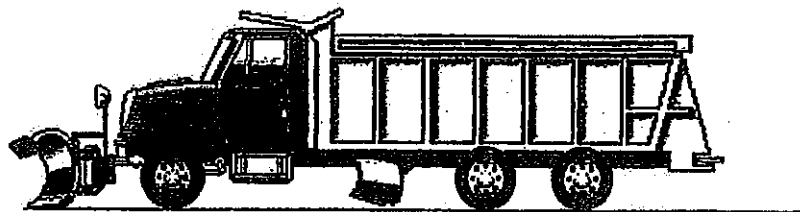
Supporting Documentation Attached

- Bid Proposals

Prepared For:
 CITY OF CLOQUET
 paul paul
 410 ARMORY RD.
 CLOQUET, MN 55720-
 (218)879 - 7762
 Reference ID: N/A

Presented By:
 MANEY INTL OF DULUTH
 Mike MCLEOD
 P.O. BOX 16266
 DULUTH MN 55816
 218-624-4855

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.



Model Profile
2017 7500 SFA 6X4 (SF537)

APPLICATION:	Front Plow and Underbelly Scraper with Spreader
MISSION:	Requested GVWR: 66000. Calc. GVWR: 62540 Calc. Start / Grade Ability: 17.80% / 1.90% @ 55 MPH Calc. Geared Speed: 72.6 MPH
DIMENSION:	Wheelbase: 203.00, CA: 128.00, Axle to Frame: 85.00
ENGINE, DIESEL:	{Navistar N10} EPA 2010, SCR, 370 HP @ 2000 RPM, 1250 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 370 Peak HP (Max)
TRANSMISSION, AUTOMATIC:	{Allison 3000_RDS_P} 5th Generation Controls; Close Ratio, 6-Speed, With Double Overdrive; On/Off Hwy; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 80,000-lb GVW & GCW Max.
CLUTCH:	Omit Item (Clutch & Control)
AXLE, FRONT NON-DRIVING:	{Meritor MFS-18-133A} Wide Track, I-Beam Type, 18,000-lb Capacity
AXLE, REAR, TANDEM:	{Meritor RT-46-184P} Single Reduction, Standard Width, 46,000-lb Capacity, With Lube Oil Pump, With Driver Controlled Locking Differential in Forward-Rear and Rear-Rear Axle, 200 Wheel Ends Gear Ratio: 5.63
CAB:	Conventional
TIRE, FRONT:	(2) 315/80R22.5 Load Range J UNISTEEL G291 (GOODYEAR), 497 rev/mile, 75 MPH, All-Position
TIRE, REAR:	(8) 11R22.5 Load Range G G622 RSD (GOODYEAR), 497 rev/mile, 75 MPH, Drive
SUSPENSION, REAR, TANDEM:	{Hendrickson HMX-460-54} Walking Beam Type 54" Axle Spacing; 46,000-lb Capacity, With Rubber End Bushings, Transverse Torque Rods, Less Shock Absorbers
PAINT:	Cab schematic 100GM Location 1: 0311, Omaha Orange (Std) Chassis schematic N/A

<u>Code</u>	<u>Description</u>
SF53700	Base Chassis, Model 7500 SFA 6X4 with 203.00 Wheelbase, 128.00 CA, and 85.00 Axle to Frame.
1CAJ	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.866" x 3.622" x 0.433" (276.0mm x 92.0mm x 11.1mm); 456.0" (11582mm) Maximum OAL
1LLK	BUMPER, FRONT Omit Item
1WDS	FRAME EXTENSION, FRONT Integral; 20" In Front of Grille
1WGB	WHEELBASE RANGE 177" (450cm) Through and Including 226" (575cm)
2ARZ	AXLE, FRONT NON-DRIVING (Meritor MFS-18-133A) Wide Track, I-Beam Type, 18,000-lb Capacity
	<u>Notes</u> : The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.
3708	SHOCK ABSORBERS, FRONT
3ACR	SUSPENSION, FRONT, SPRING Multileaf, Shackle Type; 18,000-lb Capacity; Less Shock Absorbers
	<u>Includes</u> : SPRING PINS Rubber Bushings, Maintenance-Free
	<u>Notes</u> : The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications
	<u>Includes</u> : BRAKE LINES Color and Size Coded Nylon : DRAIN VALVE Twist-Type : GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster : PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel : PARKING BRAKE VALVE For Truck : QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4 : SLACK ADJUSTERS, FRONT Automatic : SLACK ADJUSTERS, REAR Automatic : SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4
	<u>Notes</u> : Rear Axle is Limited to 46,000-lb GAWR with Code 04091 BRAKE SYSTEM, AIR and Standard Rear Air Cam Brakes Regardless of Axle /Suspension Ordered.
4193	BRAKES, FRONT, AIR CAM 16.5" x 6", Includes 24 SqIn Long Stroke Brake Chambers
	<u>Notes</u> : The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.
4619	TRAILER CONNECTIONS Four-Wheel, With Hand Control Valve and Tractor Protection Valve, for Straight Truck
4732	DRAIN VALVE (Berg) Manual; With Pull Chain, for Air Tank
	<u>Includes</u> : DRAIN VALVE Mounted In Wet Tank
4AZA	AIR BRAKE ABS (Bendix AntiLock Brake System) Full Vehicle Wheel Control System (4-Channel)
4EBD	AIR DRYER (Meritor Wabco System Saver 1200) with Heater
	<u>Includes</u> : AIR DRYER LOCATION Inside Left Rail, Back of Cab

<u>Code</u>	<u>Description</u>
4EVH	BRAKE CHAMBERS, REAR AXLE (MGM TR3030LP3TSHD) 30/30 Spring Brake <u>Includes</u> : BRAKE CHAMBERS, SPRING (2) Rear Parking; WITH TRUCK BRAKES: All 4x2, 4x4; WITH TRACTOR BRAKES: All 4x2, 4x4; 6x4 & 6x6 with Rear Tandem Axles Less Than 46,000-lb. or GVWR Less Than 54,000-lb. : BRAKE CHAMBERS, SPRING (4) Rear Parking; WITH TRUCK BRAKES: All 6x4, 6x6; WITH TRACTOR BRAKES: 6x4 & 6x6 with Rear Tandem Axles 46,000-lb. or Greater or GVWR of 54,000-lb. or Greater
4EXV	BRAKE CHAMBERS, FRONT AXLE (Bendix) 24 Sq.in
4NDB	BRAKES, REAR, AIR CAM S-Cam; 16.5" x 7.0"; Includes 30/30 Sq.In. Long Stroke Brake Chamber and Spring Actuated Parking Brake <u>Notes</u> : The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires.
4SBC	AIR COMPRESSOR (Bendix Tu-Flo 550) 13.2 CFM Capacity
4VCL	AIR TANK LOCATION (2) Mounted 25" Back of Cab, Outside Right Rail, with Ground Clearance
4WBX	DUST SHIELDS, FRONT BRAKE for Air Brakes
4WDM	DUST SHIELDS, REAR BRAKE for Air Brakes
5708	STEERING COLUMN Tilling
5CAL	STEERING WHEEL 2-Spoke, 18" Dia., Black
5PTB	STEERING GEAR (2) (Sheppard M100/M80) Dual Power
6DDE	DRIVESHAFT SYSTEM (Dana Spicer) SPL170XL with SPL170XL Inneraxle Shaft in lieu of 1810 Drive shaft with 1710 Inneraxle Shaft
7BKE	EXHAUST SYSTEM Switchback Horizontal Aftertreatment Device, Frame Mounted Right Side Under Cab; Includes Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab, for Improved Ground Clearance
7WAZ	TAIL PIPE (1) Turnback Type, Non-Bright, for Single Exhaust
7WZY	SWITCH, FOR EXHAUST 2 Position, Lighted & Latching, ON/OFF Type, Mounted in IP, Inhibits Diesel Particulate Filter Regeneration as Long as Switch is In ON Position
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment <u>Includes</u> : DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab : FUSES, ELECTRICAL SAE Blade-Type : HAZARD SWITCH Push On/Push Off, Located on Top of Steering Column Cover : HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever : HEADLIGHTS (2) Sealed Beam, Round, with Chrome Plated Bezels : JUMP START STUD Located on Positive Terminal of Outermost Battery : PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light : STARTER SWITCH Electric, Key Operated : STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector : TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature : WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever : WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted : WIRING, CHASSIS Color Coded and Continuously Numbered
8518	CIGAR LIGHTER Includes Ash Cup
8718	POWER SOURCE Cigar Type Receptacle without Plug and Cord

<u>Code</u>	<u>Description</u>
8GGN	ALTERNATOR (Bosch LH160) Brush Type, 12 Volt 160 Amp. Capacity, Pad Mount
8HAB	BODY BUILDER WIRING Back of Standard Cab at Left Frame or Under Extended or Crew Cab at Left Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/Accessory Power/Ground and Sealed Connector for Stop/Turn
8HAG	ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Separate Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake accommodation package With Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket
8MMG	BATTERY SYSTEM (Deka/EAST PENN 9A31) Maintenance-Free (3) AGM 12-Volt 2775CCA Total
8RMA	RADIO AM/FM/WB/Clock/Bluetooth/USB Input/3MM Auxiliary Input, MP3, Apple Device Play & Control, Bluetooth for Phone & Music, with Multiple Speakers
8THJ	AUXILIARY HARNESS 3.0' for Auxiliary Front Head Lights and Turn Signals for Front Plow Applications
8TKK	TRAILER AUXILIARY FEED CIRCUIT for Electric Trailer Brake Accommodation/Air Trailer ABS; With 30 Amp Fuse and Relay, Controlled by Ignition Switch
8VAY	HORN, ELECTRIC Disc Style
8VTR	BATTERY BOX Aluminum, with Plastic Cover; Mounted 35" Back of Cab, Left Side Perpendicular to Frame Rail
8WBW	JUMP START STUD Remote Mounted <u>Includes</u> : JUMP START STUD Mounted to Battery Box
8WCL	HORN, AIR Black, Single Trumpet, Air Solenoid Operated
8WDG	BACK-UP ALARM (Preco 1059) Electronic; Solid State, Dual Function, 112 dBA
8WGL	WINDSHIELD WIPER SPD CONTROL Force Wipers to Slowest Intermittent Speed When Park Brake Set and Wipers Left on for a Predetermined Time
8WPH	CLEARANCE/MARKER LIGHTS (5) (Truck Lite) Amber LED Lights, Flush Mounted on Cab or Sunshade
8WPZ	TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights
8WRB	HEADLIGHTS ON WWPERS Headlights Will Automatically Turn on If Windshield Wipers are turned on
8WTK	STARTING MOTOR (Delco Remy 38MT Type 300) 12 Volt; less Thermal Over-Crank Protection
8WWJ	INDICATOR, LOW COOLANT LEVEL With Audible Alarm
8WXB	HEADLIGHT WARNING BUZZER Sounds When Head Light Switch is on and Ignition Switch Is in "Off" Position
8WXD	ALARM, PARKING BRAKE Electric Horn Sounds in Repetitive Manner When Vehicle Park Brake is "NOT" Set, With Ignition "OFF" and any Door Opened
8XAH	CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III With Trip Indicators, Replaces All Fuses Except For 5-Amp Fuses
8XGT	TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender
8XHD	BATTERY DISCONNECT SWITCH 300 Amp; Cab Mounted, Disconnects Charging Circuits; Locks with Padlock
9ANG	HOOD, HATCH (01) for Servicing
9HAN	INSULATION, UNDER HOOD for Sound Abatement
9HBM	GRILLE Stationary, Chrome
9HBN	INSULATION, SPLASH PANELS for Sound Abatement

<u>Code</u>	<u>Description</u>
9WBC	FRONT END Tinting, Fiberglass, With Three Piece Construction; for 2007 & 2010 Emissions
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100 <u>Includes</u> : PAINT SCHEMATIC ID LETTERS "GM"
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone
10UAD	VEHICLE REGISTRATION IDENTITY ID for 49 States, Excluding California
10WCY	SAFETY TRIANGLES
10WJH	PROMOTIONAL PACKAGE Government and Municipal Silver Package; Two Year Limited Subscription of On-Command Service Information (Formerly Fleet ISIS), and On-Command Parts Information (Formerly Fleet Parts Catalog), Requires Specific Feature Combinations
11001	CLUTCH Omit Item (Clutch & Control)
12703	ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection
12851	PTO EFFECTS, ENGINE FRONT Less PTO Unit, Includes Adapter Plate on Engine Front Mounted
12926	RADIATOR HOSES Silicone; Molded
12NWX	ENGINE, DIESEL (Navistar N10) EPA 2010, SCR, 370 HP @ 2000 RPM, 1250 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 370 Peak HP (Max)
12THZ	FAN DRIVE (Horton Drivemaster Polar Extreme) Direct Drive Type, Two Speed, With Residual Torque Device for Disengaged Fan Speed <u>Includes</u> : FAN Nylon
12UPA	FEDERAL EMISSIONS (Navistar N9 & N10) EPA, OBD and GHG Certified for Calendar Year 2016
12UWY	RADIATOR Cross Flow, Series System; 1228 SqIn Aluminum Radiator Core and 1167 SqIn Charge Air Cooler <u>Includes</u> : DEAERATION SYSTEM with Surge Tank : HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps : RADIATOR HOSES Premium, Rubber
12VAL	AIR CLEANER Dual Element, with Integral Snow Valve and In-Cab Control <u>Includes</u> : GAUGE, AIR CLEANER RESTRICTION Air Cleaner Mounted
12VXT	THROTTLE HAND CONTROL Engine Speed Control: Electronic, Stationary, Variable Speed; Mounted on Steering Wheel
12VYP	ENGINE CONTROL, REMOTE MOUNTED - No Provision Furnished for Remote Mounted Engine Control
12WBR	FAN OVERRIDE Manual; With Electric Switch on Instrument Panel, (Fan On With Switch On)
12WTH	BLOCK HEATER, ENGINE (Phillips) 120V/1250W, With "Y" Cord From Socket in Standard Location, For a Dealer Installed Oil Pan Heater, With Extended Life Coated Metal/Plastic/Metal Material Oil Pan <u>Includes</u> : BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door <u>Notes</u> : MPM material is single sheet composite with two layers of sheet metal sandwiching plastic material. MPM material has electro-deposition prime coat with powder coating for the final finish coat.
12WZE	EMISSION COMPLIANCE Federal, Does Not Comply With California Clean Air Idle Regulations

<u>Code</u>	<u>Description</u>
13AVR	TRANSMISSION, AUTOMATIC (Allison 3000_RDS_P) 5th Generation Controls; Close Ratio, 6-Speed, With Double Overdrive; On/Off Hwy; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 80,000-lb GVW & GCW Max.
13WAW	OIL COOLER, AUTO TRANSMISSION (Modine) Water to Oil Type
13WBL	TRANSMISSION SHIFT CONTROL (Allison) Push-Button Type; for Allison 3000 & 4000 Series Transmission
13WDZ	SHIFT CONTROL PARAMETERS Allison S-1 Performance Programming in Primary and Allison Fixed Programming in Secondary
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS); General Purpose Trucks, Construction
13WYH	TRANSMISSION TCM LOCATION Located Inside Cab
13XAM	PTO LOCATION Dual, Left and Right Side of Transmission
14HRE	AXLE, REAR, TANDEM (Meritor RT-46-164P) Single Reduction, Standard Width, 46,000-lb Capacity, With Lube Oil Pump, With Driver Controlled Locking Differential in Forward-Rear and Rear-Rear Axle, 200 Wheel Ends . Gear Ratio: 5.63 <u>Includes</u> : POWER DIVIDER LOCK Electric over Air Operated, Cab Control with Indicator Light : REAR AXLE DRAIN PLUG (2) Magnetic, For Tandem Rear Axle <u>Notes</u> : The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires. : When Specifying Axle Ratio, Check Performance Guidelines and TCAPE for Startability and Performance
14ULY	SUSPENSION, REAR, TANDEM (Hendrickson HMX-460-54) Walking Beam Type 54" Axle Spacing; 46,000-lb Capacity, With Rubber End Bushings, Transverse Torque Rods, Less Shock Absorbers <u>Includes</u> : CROSSMEMBER, SUSPENSION Stamped Steel Double Dogbone <u>Notes</u> : The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires.
14WAL	SUSPENSION/REAR-AXLE IDENTITY for Meritor Tandem Rear Axles With Bar-Pin Beam Attachment Type Suspensions
14WBV	SHOCK ABSORBERS, REAR (4) for Hendrickson HMX Suspension Only, Mounted from Frame to Beam
14WMK	AXLE, REAR, LUBE (EmGard FE-75W-90) Synthetic Oil; 65 thru 89.99 Pints
15924	FUEL TANK STRAPS Bright Finish Stainless Steel
15SGJ	FUEL TANK Top Draw; D-Style, Non-Polished Aluminum, 16" Tank Depth, 50 U.S. Gal., 189 L Capacity, with Quick Connect Outlet, Mounted Left Side, Under Cab
15WDG	DEF TANK 7 U.S. Gal. 26.5L Capacity, Frame Mounted Outside Left Rail, Under Cab
16030	CAB Conventional <u>Includes</u> : ARM REST (2) Molded Plastic; One Each Door : COAT HOOK, CAB Located on Rear Wall, Centered Above Rear Window : CUP HOLDERS Two Cup Holders, Located in Lower Center of Instrument Panel : DOME LIGHT, CAB Rectangular, Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Console, Center Mounted : GLASS, ALL WINDOWS Tinted

<u>Code</u>	<u>Description</u>
	: GRAB HANDLE, CAB INTERIOR (1) "A" Pillar Mounted, Passenger Side : GRAB HANDLE, CAB INTERIOR (2) Front of "B" Pillar Mounted, One Each Side : INTERIOR SHEET METAL Upper Door (Above Window Ledge) Painted Exterior Color : STEP (4) Two Steps Per Door
16975	HEATER HOSES Silicone
16HBA	GAUGE CLUSTER English With English Electronic Speedometer <u>Includes</u> : GAUGE CLUSTER (6) Engine Oil Pressure (Electronic), Water Temperature (Electronic), Fuel (Electronic), Tachometer (Electronic), Voltmeter, Washer Fluid Level : ODOMETER DISPLAY, Miles, Trip Miles, Engine Hours, Trip Hours, Fault Code Readout : WARNING SYSTEM Low Fuel, Low Oil Pressure, High Engine Coolant Temp, and Low Battery Voltage (Visual and Audible)
16HGH	GAUGE, OIL TEMP, AUTO TRANS , for Allison Transmission
16HHE	GAUGE, AIR CLEANER RESTRICTION (Filter-Minder) With Black Bezel Mounted in Instrument Panel
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster
16HLJ	GAUGE, DEF FLUID LEVEL
16JNV	SEAT, DRIVER (National 2000) Air Suspension, High Back With Integral Headrest, Cloth, Isolator, 1 Chamber Lumbar, 2 Position Front Cushion Adjust, -3 to +14 Degree Back Angle Adjust <u>Includes</u> : SEAT BELT 3-Point, Lap and Shoulder Belt Type
16RPX	SEAT, PASSENGER (National) Air-Suspension, High Back With Integral Headrest, Cloth, Isolated, 1 Chamber Lumbar, 2 Position Front Cushion Adjustment, -3 to +14 Degree Seat Back Adjustment <u>Includes</u> : SEAT BELT 3-Point, Lap and Shoulder Belt Type
16SDU	MIRRORS (2) (Lang Mekra) Styled; Rectangular, Power Both Sides, Thermostatically Controlled Heated Heads, Clearance Lights LED, Bright Finish Heads & Brackets, Breakaway Type, 7.09" x 15.75" & Integral Convex Both Sides, 102" Inside Spacing
16SEE	GRAB HANDLE Chrome; Towel Bar Type With Anti-Slip Rubber Inserts; for Cab Entry Mounted Left Side Only at "B" Pillar
16SJX	MIRROR, CONVEX, HOOD MOUNTED (2) (Lang Mekra) Bright, Heated, Left and Right Sides 7.44" Sq
16VSL	WINDSHIELD Heated, Single Piece
16WBY	ARM REST, RIGHT, DRIVER SEAT
16WBZ	ARM REST, LEFT, PASSENGER SEAT
16WCT	AIR CONDITIONER (Blend-Air) With Integral Heater & Defroster <u>Includes</u> : HEATER HOSES Premium : HOSE CLAMPS, HEATER HOSE Mubea Constant Tension Clamps : REFRIGERANT Hydrofluorocarbon HFC-134A
16WHJ	HOSE CLAMPS, HEATER HOSE (Breeze) Belleville Washer Type
16WJT	INSTRUMENT PANEL Center Section, Ergonomic Panel
16WKY	HVAC FRESH AIR FILTER
16WLS	FRESH AIR FILTER Attached to Air Intake Cover on Cowl Tray in Front of Windshield Under Hood

<u>Code</u>	<u>Description</u>
16WRZ	CAB INTERIOR TRIM Premium <u>Includes</u> : "A" PILLAR COVER Molded Plastic : CAB INTERIOR TRIM PANELS Cloth Covered Molded Plastic, Full Height; All Exposed Interior Sheet Metal is Covered Except for the Following: with a Two-Man Passenger Seat or with a Full Bench Seat the Back Panel is Completely Void of Covering : CAB SOUND INSULATION Includes Dash and Engine Cover Insulators : CAB, INTERIOR TRIM, CLOSEOUT Lower Dash Closeout Panel; Molded Plastic; Under Instrument Panel Driver Side : CONSOLE, OVERHEAD Molded Plastic; With Dual Storage Pockets with Retainer Nets, CB Radio Pocket, Speakers, and Reading Lights : COURTESY LIGHT (2) Mounted in Front Map Pocket Left and Right Side : DOOR TRIM PANELS with Cloth Insert on Bolster Driver and Passenger Doors : FLOOR COVERING Rubber, Black : GAUGE, TEMPERATURE, AMBIENT Includes Wiring and Sensor With Display Unit Mounted in Cluster : HEADLINER Soft Padded Cloth : INSTRUMENT PANEL TRIM Molded Plastic with Black Center Section : STORAGE POCKET, DOOR (2) Molded Plastic (Carpet Texture), Full-Length; Driver and Passenger Doors : SUN VISOR (3) Padded Vinyl: 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Vanity Mirror and Toll Ticket Strap, plus 1 Auxiliary Visor (Front Only), Driver Side
16WSK	CAB REAR SUSPENSION Air Bag Type
16XWJ	WINDSHIELD WIPER BLADES Snow Type
27DUS	WHEELS, FRONT {Accuride 41730} DISC; 22.5x9.00 Rims, Polished Aluminum, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs
28DMB	WHEELS, REAR DUAL DISC; 22.5x8.25 Rims, Non-Polished Aluminum, 10-Stud 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs <u>Notes</u> : Aluminum Wheels not Painted or Coated : COMPATIBLE TIRE SIZES: 11R22.5, 12R22.5, 255/70R22.5, 255/80R22.5, 265/75R22.5, 275/70R22.5, 275/80R22.5, 295/75R22.5, 295/80R22.5
28WAP	WHEEL GUARDS, FRONT {Accuride} for Metric Hub Piloted Wheels with Flanged Mounting Nuts Mounted Between Hub and Wheel
29WAR	WHEEL GUARDS, REAR {Accuride} for Metric Hub Piloted Wheels with Flanged Mounting Nuts, Mounted Between Hub & Wheel and Between Dual Wheels
29WLK	WHEEL BEARING, FRONT, LUBE {EmGard FE-75W-90} Synthetic Oil
60AAG	BDY INTG. REMOTE POWER MODULE Mounted Inside Cab behind Driver Seat; Up to 6 Outputs & 6 Inputs; Max. 20 amp. per Channel, Max. 80 amp Total (Includes 1 Switch Pack With Latched Switches)
7372138102	(8) TIRE, REAR 11R22.5 Load Range G G622 RSD (GOODYEAR), 497 rev/mile, 75 MPH, Drive
7702540190	(2) TIRE, FRONT 315/80R22.5 Load Range J UNISTEEL G291 (GOODYEAR), 491 rev/mile, 75 MPH, All-Position
	Services Section:
40118	WARRANTY Standard for Paystar 5000, and Workstar 7500/7600, Effective with Vehicles Built January 2, 2015 or Later, CTS-2003Z
40KMD	SERVICES, TOWING (Navistar) Service Call to 60-Month/Unlimited Mileage to the Nearest Navistar Dealer for Navistar Warrantable Failure as Contract Defined; Includes Engine Failure if Supplier Declines Tow Coverage & ESC Supplied thru Navistar; \$550 (USA) Maximum Benefit per Incident

Code
40KWZ

Description
SRV CONT, EXT AFTERTREATMENT (Navistar) To 72-Month/150,000 Miles (240,000 km), 5,400 Hours;
Aftertreatment Coverage for MaxxFace 10, Navistar N10 and Navistar N13 Engines

40LEL

SRV CONTRACT, EXT ENGINE (Navistar) To 72-Month/150,000 Miles (240,000 km), 5,400 Hours; Includes
Engine Electronics and Injectors; for MaxxFace 10 and Navistar N10 Engines

Syr Allison Warranty Inc. in Price

<u>Description</u>	<u>(US DOLLAR)</u>	<u>Price</u>
Factory List Prices:		
Product Items	\$154,780.00	
Service Items	\$8,600.00	
Total Factory List Price including Options:		\$163,390.00
Freight	\$2,200.00	
Total Freight:		\$2,200.00
Total Factory List Price including Freight:		\$165,590.00
Less Customer Allowance:		(\$58,786.00)
Total Vehicle Price:		\$106,804.00
<i>ALLISON</i> Warranty:		\$488.00
Total Sale Price:		\$107,292.00
Total Per Vehicle Sales Price:		\$107,292.00
Less Trade-in Allowance:		(\$30,000.00)
Net Sales Price:		\$77,292.00

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

Approved by Seller:

Accepted by Purchaser:

Official Title and Date

Firm or Business Name



Authorized Signature

Authorized Signature and Date

This proposal is not binding upon the seller without Seller's Authorized Signature

Official Title and Date

The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.



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TOWMASTER
TRUCK EQUIPMENT
61381 US HWY 12, Litchfield, MN 55355
ph: 320-693-7900 fx: 320-693-7921 ff: 800-462-4517

Reference Number
QT 4881

QUOTATION

Ship To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Cust: 3362 Phone:	Bill To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Phone:
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ATTN: PAUL KORTIE 218-879-1621

Customer PO	Salesperson	Terms	Created	Last Rev	Appx Ship
	TIM ERICKSON	NET 30 DAYS	7/08/16	9/13/16	0/00/00

Serial No.

Other Instructions **STATE CONTRACT #100790 - - VALID THRU 1/31/2017**

Qty	Part No.	Description	Price Ea.	Net Amt.
1	9900130	- Body 146EDGE-RS/CS-56-36-46 - - 56" 7ga Stainless Front w/CS hoist doghouse, 46" 7ga Stainless radius sides, w/Board pockets, 46" 7ga Stainless w/Hardox 450 face Tailgate, 1/4" Hardox-450 Floor, 8" I-Beam Longsills, Air-trip ready linkage, Underside Black	\$16,485.00	\$16,485.00
1	9901701	- Installation of Dump Body to hoist	\$1,750.00	\$1,750.00
1	9900145	- Body acc'y TMTE Air trip kit, w/solenoid valve,	\$259.00	\$259.00
1	9901702	- Installation of air operated tailgate latch kit with solenoid mounted in valve enclosure	\$268.00	\$268.00
1	9900147	- Body acc Box Vibrator - Cougar model DC3200	\$674.00	\$674.00
1	9901703	- Installation of Box Vibrator with solenoid located in valve enclosure	\$302.00	\$302.00
1	9900156	- Cabshield, 1/2 type Stationary Free-Standing style,w/plain STAINLESS STEEL canopy, Hot-Dipped Galvanized tubing construction support stand, , (2) shovel holders, & reservoir mounts, Installed.	\$2,214.00	\$2,214.00
1	9900207	- Ladder Flip-A-Way Access ladder (STAINLESS STEEL) ea, Installed	\$453.00	\$453.00
1	9900211	- Body acc'y Dual "split" sander manifolds in rear corner posts	\$311.00	\$311.00
1	9904246	- Light Warning TMTEISS-3 PKG: (2) STAINLESS STEEL 23H 3-light LED Micro-Edge, (2) 5M-400 Super-LED, (2) Side TIR3 LED, (2	\$4,149.00	\$4,149.00

*** Continued ***

NOTE: If changes are made to an order after a P.O. has been issued, a fee may be assessed and a revised or new P.O. MUST BE submitted to reflect changes.

Accepted by _____ Date _____

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Freight:

Total:



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QUOTATION

Ship To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Cust: 3362 Phone:	Bill To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Phone:
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ATTN: PAUL KORTIE 218-879-1621

Customer PO	Salesperson	Terms	Created	Last Rev	Appx Ship
	TIM ERICKSON	NET 30 DAYS	7/08/16	9/13/16	0/00/00

Serial No.

) 400 Max B-T-T LED, & (2) 400 LED BU Lights, in Stainless M Housings, (1) TIR3 LED Wing light, and (2) 4" LED work lights Installed

1 9900244 - Light Mirror mt HOH plow light pkg INSTALLED	\$667.00	\$667.00
1 9900267 - Fender set Minimizer M400, for Tandem Axle, black Poly, Installed	\$1,132.00	\$1,132.00
1 9901028 - Camera System, Voyager model AOM713WP-VCMS10B-CEC50, w/color LCD screen, Night vision Camera, & Cables, INSTALLED - - Note: for RH rear wing operation viewing	\$646.00	\$646.00
1 9900297 - Pre-Wet Towmaster/Varitech LDS-TMR-190-EGF Body Side Mt Sys for Elliptical body. (2) 95 gal tanks, mtg hardware, plumbi ng, Electric Gravity Feed valve	\$2,877.00	\$2,877.00
1 9902483 - Installation of TMR pre-wet system (New Towmaster Body)	\$818.00	\$818.00
1 9900317 - Hoist Towmaster/MAILHOT CS130-5.5-3 DOUBLE ACTING	\$2,913.00	\$2,913.00
1 9901711 - Installation of Telescopic DOUBLE acting hoist	\$1,287.00	\$1,287.00
1 9900311 - Hoist TMTE 48" Stabilizer	\$1,353.00	\$1,353.00
1 9902503 - Installation of TMTE Stabilizer & Safety Props	\$387.00	\$387.00
1 9904836 - Scraper FALLS IBR-10A 1" Moldboard, w/12" Bolt-On Extension (11' total), LESS CUTTING EDGES	\$9,364.00	\$9,364.00
1 9902873 - VBL 78531WPTSB-PK 7/8" X 5" - 3' w/25° Tung Carbide Insert, Std Punch, Flat Blade, Sgl Bevel	\$206.00	\$206.00

--- Continued ---

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Freight:

Total:



towmastertruck.com

61381 US HWY 12, Litchfield, MN 55355
ph: 320-693-7900 fx: 320-693-7921 n: 800-462-4517

Reference Number
QT 4881

QUOTATION

Ship To:	Cust:	3362 Phone:	Bill To:	Phone:
CLOQUET, CITY OF			CLOQUET, CITY OF	
1307 CLOQUET AVENUE			1307 CLOQUET AVENUE	
CLOQUET		MN 55720 USA	CLOQUET	MN 55720 USA

ATTN: PAUL KORTIE 218-879-1621

Customer PO	Salesperson	Terms	Created	Last Rev	Appx Ship
	TIM ERICKSON	NET 30 DAYS	7/08/16	9/13/16	0/00/00

Serial No.

2	9902874 - VBL 78541WPTSB-PK 7/8" X 5" - 4' w/25° Tungs Carbide Insert, Std Punch, Flat Blade, Sgl Bevel		\$274.00	\$548.00
1	9901707 - Installation of underbody REVERSIBLE scraper		\$2,818.00	\$2,818.00
1	9900351 - Scraper FORCE reverse/Auto-Lift system, ADD-A-FOLD valve, installed		\$466.00	\$466.00
1	9902948 - Wing Falls RHSDL10A-HYDPB Primed LESS CUTTING EDGES **NOTE: CUSTOMER WILL INSTALL THEIR OWN CUTTING EDGES AFTER DELIVERY		\$9,234.00	\$9,234.00
1	9900388 - Installation Falls SDL Series Wing - w/Bulkhead Couplers		\$3,804.00	\$3,804.00
1	9901431 - Wing Falls RL (REAR LIFT) up charge SDL WING		\$391.00	\$391.00
1	9900477 - Wing Falls Hwy Orange - Paint Moldboard		\$278.00	\$278.00
1	9900545 - Plow Hitch (Falls) Installation of Multi-Coupler			
1	9900555 - Plow Hitch Falls 44XB2/STD/STD/SA/SPR-RET/HITCH		\$2,743.00	\$2,743.00
1	9900589 - Installation Falls Plow Hitch - 40 Series 3Line/STDBLKHD		\$1,595.00	\$1,595.00
1	9900625 - Plow Push Unit Falls 24/44 Series Std		\$800.00	\$800.00
1	9903059 - Plow Falls PR1243/TRP-EDG/NOSHU/PRI-E1/10GA LESS CUTTING EDGES		\$6,945.00	\$6,945.00
1	9900637 - Plow Falls High Visibility Marker Set		\$87.00	\$87.00
3	9902872 - VBL 3/4" x 6" - 4' w/25° Tungsten Carbide Insert, Std Punch, Flat Blade		\$248.00	\$744.00

--- Continued ---

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Freight:

Total:



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TOWMASTER
TRUCK EQUIPMENT
61381 US HWY 12, Litchfield, MN 55355
ph: 320-693-7900 fx: 320-693-7921 #: 800-462-4517

Reference Number
QT 4881

QUOTATION

Ship To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Cust: 3362	Phone:	Bill To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Phone:
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ATTN: PAUL KORTIE 218-879-1621

Customer PO	Salesperson	Terms	Created	Last Rev	Appx Ship
	TIM ERICKSON	NET 30 DAYS	7/08/16	9/13/16	0/00/00

Serial No.

1 9902858 - VBL 3/4" x 6" - 12' Carbon Steel Snow Blade **NOTE: MUST BE MADE OUT OF 4' SEGMENTS	\$216.00	\$216.00
1 9900639 - Plow Falls Rubber Belt Deflector Kit - Installed	\$306.00	\$306.00
1 9900641 - Plow Falls Parking Stand - Screw Adj Style	\$273.00	\$273.00
1 9900679 - Plow Falls Hwy Orange Paint, Rev Plow, w/installation	\$369.00	\$369.00
1 9900730 - Plow Falls SCR-ADJ/SHOE/REV-PLW/STD	\$582.00	\$582.00
1 9900758 - Hitch TMTE Heavy Duty plate ass'y w/light holes in plate,	\$317.00	\$317.00
1 9901716 - Hitch Installation of Pup Hitch (weld in style) **NOTE: Leave 5" lower Frame horns extending out rearward to allow use of hydraulic lift jack at customer's location. See Tim for Details	\$687.00	\$687.00
1 9900764 - Hitch PREMIER 2300 Air Cushion Pintle, installed	\$702.00	\$702.00
1 9900773 - Hitch Furnish and install gladhands on truck	\$182.00	\$182.00
1 9900800 - Sander Falls 1ASD9SS-6P-1D-1S, Std 9" x 6" Auger, Stainless Steel Unit, LH (or RH) Discharge, Berm Chute, Single Poly Sp inner Ass'y, Complete	\$4,219.00	\$4,219.00
1 SPECIAL REQUEST - Special Request Charges for: Custom Sander Mounting system (PLYMOUTH PIN STYLE) in lieu of Standard	\$285.00	\$285.00
1 9901718 - Sander Install & dual manifold RH & LH rear	\$614.00	\$614.00
1 9900823 - Sander TMTE Exterior (removable) sander/tailgate spill plates, Stainless Steel	\$356.00	\$356.00

--- Continued ---

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Price:

Net Cost:

Freight:

Total:



TOWMASTER TRUCK EQUIPMENT

61381 US HWY 12, Litchfield, MN 55355
ph: 320-693-7900 fx: 320-693-7921 ff: 800-462-4517

Reference Number
QT 4881

towmastertruck.com

QUOTATION

Ship To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Cust: 3362	Phone:	Bill To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Phone:
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ATTN: PAUL KORTIE 218-879-1621

Customer PO	Salesperson	Terms	Created	Last Rev	Appx Ship
	TIM ERICKSON	NET 30 DAYS	7/08/16	9/13/16	0/00/00

Serial No.

1 9900852 - Valve System, Force Add-A-Fold MCV-ISO Valve 10 Functions , INSTALLED	\$10,656.00	\$10,656.00
1 SPECIAL REQUEST - Special Request Charges for: Stainless Steel bolt-on pan under valve assembly (similar to Woodbury)	\$325.00	\$325.00
1 9900870 - Control System Force ULTRA-4-5100EX Commander control, Installed	\$9,845.00	\$9,845.00
1 9900874 - Filter Force IN-TANK mounted filter installed	\$446.00	\$446.00
1 9900882 - Reservoir TMTE Cabshield mt (stainless steel) w/intank filter provision, installed	\$2,182.00	\$2,182.00
1 9900888 - Pump Force FASD45L LS (6 ci) installed	\$3,523.00	\$3,523.00
1 9900893 - Valve Force Cable pull-off (for use w/telescopic hoist) installed	\$476.00	\$476.00
1 9900871 - Switch TMTE BODY UP Installed (electric controls only)	\$182.00	\$182.00
1 9900884 - Sensor Force Low oil indicator system, SLIM-LINE AND CABSHIELD MOUNTED w/light mounted in cab installed	\$207.00	\$207.00
1 9900904 - Valve 2-port 1/2" Multi-Hose coupler system installed	\$662.00	\$662.00
1 9901014 - Super Tough cover hose in lieu of TOUGH COVER hose TDM application	\$723.00	\$723.00
1 SPECIAL REQUEST - Special Request Charges for: Installation of Customer Provided custom cross-member in	\$475.00	\$475.00

--- Continued ---

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Accepted by _____ Date _____

Price:

Net Cost:

Freight:

Total:



towmastertruck.com

TOWMASTER
TRUCK EQUIPMENT
61381 US HWY 12, Litchfield, MN 55355
ph: 320-693-7900 fx: 320-693-7921 w: 800-462-4517

Reference Number
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Ship To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Cust: 3362	Phone:	Bill To: CLOQUET, CITY OF 1307 CLOQUET AVENUE CLOQUET MN 55720 USA	Phone:
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ATTN: PAUL KORTIE 218-879-1621

Customer PO	Salesperson	Terms	Created	Last Rev	Appx Ship
	TIM ERICKSON	NET 30 DAYS	7/08/16	9/13/16	0/00/00

Serial No.

Transmission Are

Qty	Part No.	Description	Price Ea.	Net Amt.
1		WARRANTY - TOWMASTER EXCLUSIVE WARRANTY: 5 yr Steel/Stainless Steel Body Structure; 5 yr Whelen LED Light Systems; 3 yr Palfinger H		

NOTE: If changes are made to an order after a P.O. has been issued, a fee may be assessed and a revised or new P.O. MUST BE submitted to reflect changes.

Accepted by _____ Date _____

Price: \$117,778.00

Net Cost: \$117,778.00

Freight:

Total: \$117,778.00



- Boyer Trucks Lauderdale
2500 Broadway Dr.
Lauderdale, MN 55113
661-636-5800
- Boyer Ford Trucks
2425 Broadway St NE
Minneapolis, MN 55413
612-378-6000
- Boyer Trucks Sioux Falls
2101 E Benson Rd
Sioux Falls, SD 57104
605-338-6100
- Boyer Bus & Coach
743 Taft St NE
Minneapolis, MN 55413
612-627-5502
- Boyer Trucks Rogers
21701 Industrial Blvd
Rogers, MN 55374
763-428-8660
- Boyer Trucks So. St. Paul
740 Concord St S
So. St. Paul, MN 56075
651-450-1500
- Boyer Trucks Duluth-Superior
1202 Susquehanna Ave
Superior, MN 54880
715-394-9852
- Boyer Trucks Savage
8025 Highway 101
Savage, MN 55378

BUYER (1) City of Cloquet DATE 8-25-16
 BUYER (1) DRIVERS LIC # _____ DOB _____ SALES REP BRI FISHER
 BUYER (2) _____ RESIDENCE PHONE _____
 BUYER (2) DRIVERS LIC.# _____ DOB _____ BUSINESS PHONE _____
 STREET ADDRESS 1307 Cloquet Ave BUSINESS FAX _____
 CITY, STATE Cloquet, MN 55720
 COUNTY, ZIP _____
 PLEASE ENTER MY ORDER FOR QUANTITY NEW USED DEMONSTRATOR AS FOLLOWS

YEAR	MAKE	MODEL	TYPE	COLOR	LICENSE NO. (USED ONLY)
2017	ISUZU	7500	6E4	Orange	
SERIAL NO	MILEAGE	STOCK NO	DELIVERY OR ABOUT	STATE (USED ONLY)	
			VEHICLE SALE PRICE W/OUT FET	102,022	
			TRADE ALLOWANCE	25,000	
			NET DIFFERENCE OR NO TRADE PRICE	77,022	
			SALES TAX		
			FEDERAL EXCISE TAX		
			LICENSE FEE		
			D.O.T. NUMBER		
			TRANSFER FEES		
			DOC FEES		
			TOTAL		
			LESS DEPOSIT		
			WARRANTY		
			BALANCE DUE		
			CASH ON DELIVERY		
			PAY OFF TRADE-IN		

Contract Price 100,247
OFF CONTRACT N9 370HP 1,775
102,022
Extended Warranties
40KMD 60/Unlimited Engine 1,600
40KMD 72/100 4-Stroke treatment 900
Unlimited 60/100 Eng. Ect. Elect. 4,200
Allison Warranty 775

Plus WARRANTY'S \$ 7,475.00
 +
 Aluminum Wheels \$ 1,925.00

\$ 86,422.00

UNLESS OTHERWISE STATED, ALL INCENTIVES TO DEALER
 TRADE IN TITLE

INSURANCE INFORMATION
 POLICY NUMBER _____
 COMPANY _____
 AGENT _____
 ADDRESS _____
 PHONE NUMBER _____

The following statement is to be signed when the above new truck(s) is (are) under 33,000# G.V.W. and equipped with airbrakes
 "I certify that the airbrake-equipped truck(s) above will not be completed as a tractor, but will be completed as a straight truck."
 Buyer's Signature _____

No guarantee or warranty, express or implied, including any implied warranty of merchantability or fitness for a particular purpose. This vehicle is being sold on an "As is Basis with All Faults". The Buyer hereby acknowledges that the entire risk as to the quality and performance of this vehicle is with the Buyer. The Buyer assumes full responsibility for making inspections and repairs as may be necessary before putting this vehicle to use.
 The above warranty information was explained to me prior to the sale
 Buyer's Signature _____

The front and back of this Order comprise the entire agreement affecting this purchase and no other agreement or understanding of any nature concerning same has been made or entered into or will be recognized. I hereby certify that no credit has been extended to me for the purchase of this motor vehicle except as appears in writing on the face of this agreement. I have read the matter printed on the back hereof and agree to it as a part of this order the same as if it were printed above my signature. I certify that I am 18 years of age or older, and hereby acknowledged receipt of a copy of this order.

The terms of this contract of sale were agreed upon and the contract signed in this dealership on the date noted at top of form. If credit is involved, this order is not valid in conjunction with a credit sale until a credit disclosure is made as described in regulation "2", and the buyer accepts the credit extended.
 NOTICE OF SALES REP'S LIMITED AUTHORITY
 Accepted _____
 This order is not valid unless signed and accepted by Sales Manager or Officer of Company

IMPORTANT: THIS MAY BE A BINDING CONTRACT AND YOU MAY LOSE ANY DEPOSITS IF YOU DO NOT PERFORM ACCORDING TO ITS TERMS. UNLESS OTHERWISE STATED, ALL INCENTIVES TO DEALER.