



AGENDA
REGULAR MEETING OF THE
WINDSOR HEIGHTS CITY COUNCIL
Monday, July 1, 2024 - 6:00 PM
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66th ST
ZOOM: <https://us02web.zoom.us/j/7832856334>
Meeting ID: 783 285 6334

Notice to the Public: If you would like the supporting documents and information, please call City Hall by noon the day of the meeting. Copies of City Council Agendas are free to the public. In consideration of all, if you have a cell phone, please turn it off or put it on silent ring. The use of obscene and vulgar language, hate speech, racial slurs, slanderous comments, and any other disruptive behavior during the Council meeting will not be tolerated and the offender may be barred by the presiding officer from further comment before the Council during the meeting and/or removed from the meeting.

1. **Call to Order/Roll Call/Pledge of Allegiance**
2. **Approval of the Agenda**
3. **Public Forum:** This is time set aside for comments from the public on topics of City business other than those listed on the agenda. No action may be taken. Please come to the podium, state your name and address for the record and keep your comments to no more than 5 minutes.
4. **Consent Agenda:** Any item on the Consent Agenda may be removed for separate consideration.
 - A. Approve Minutes of the Regular Council Meeting on June 17, 2024
 - B. Approve Financial Reports
 - C. Approve Liquor License - Thirsty Pigs LLC - 6900 School Street
 - D. Approve Liquor License - Little Brother - 6587 University Ave
 - E. Approve 68th Street Reconstruction Pay Request 8
 - F. Approve Resolution No. 2024-43 A Resolution Approving FY24 IPAIT Transfers
 - G. Approve Resolution No. 2024-44 A Resolution Consenting to Assignment of The Windsor Development Agreement Payments
 - H. Approve Resolution No. 2024-45 A Resolution Approving FY24 IPAIT Bond Fund Transfers
 - I. Approve Resolution No. 2024-46 - Approving and Updating the Fee Schedule
 - J. Approve Resolution No.2024-50 - A Resolution: (1) Setting Requirements For The Disposal Of Certain Property Located Within The Windsor Heights Consolidated Urban Renewal Area; (2) Determining That The Proposal Submitted By A Developer Satisfies The Requirements And Declaring The Intent Of The City To Accept The Proposal Proposed, In The Event That No Competing Proposals Are Submitted; And (3) Soliciting Competing Proposals

The agenda was posted on the official bulletin boards, posted to www.windsorheights.org, and city social media platforms in compliance with the requirements of city ordinances and the open meetings law. Scan the QR Code to visit our online Agenda Center. Select the meeting date and view the agenda packet including supporting documents and staff reports.



5. **Action Items:**

- A. Consideration of CEC Solar Bids
- B. Consideration of Resolution 2024-47 - A Resolution Approving the Future Land Use Map and Future Land Use Designation Definitions within the Comprehensive Plan for the City of Windsor Heights
- C. Consideration of Resolution 2024-48 - A Resolution Approving the Zoning Map for the City of Windsor Heights
- D. Consideration of Resolution No. 2024-49 - A Resolution Approving the Site Plan for a Salt Shed at 6800 School Street
- E. Consideration of Managed IT Provider RFP
- F. Consideration of Updated Employee Handbook
- G. Consideration of Neighborhood Finance Corporation Funding
- H. Consideration of the 2nd Reading of Ordinance No. 2024-05 - An Ordinance Amending the Code of Ordinances for the City of Windsor Heights, Iowa, By Adding Chapter 182, Vacant Property Registration

6. **Reports:**

- A. Mayor, Council Reports and Committee Updates, and Administration Reports

7. **Adjourn**

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City of Windsor Heights Regular Business Meeting Minutes
Monday, June 17, 2024 - 6:00 PM
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66th ST

1. **Call to Order/Roll Call/Pledge of Allegiance**

Mayor Mike Jones called the meeting to order at 6:00 PM. Council members present: Susan Skeries, Joseph Jones, Michael Libbie, Lauren Campbell, and Threase Harms. Staff present: City Administrator Adam Plagge, City Clerk Adam Strait, City Attorney Erin Clanton, Public Works Director Jason Roberts, Public Works Supervisor Andy Larson, Police Chief Pete Roth, Fire Chief Jim Mease, and City Engineer Justin Ernst.

2. **Approval of the Agenda**

Motion by Threase Harms to APPROVE. Seconded by Susan Skeries. Motion passed 5-0.

3. **Juneteenth Proclamation**

Mayor Mike Jones presented a Juneteenth Proclamation which proclaimed the recognition of June 19, 2024 as Juneteenth National Freedom Day in Windsor Heights.

A. Proclamation

4. **Public Forum:** This is time set aside for comments from the public on topics of City business other than those listed on the agenda. No action may be taken. Please come to the podium, state your name and address for the record and keep your comments to no more than 5 minutes.

Julie - Earhart 1029 68th Street - Provided compliments to city workers for the May storm debris clean up and to Deputy City Clerk Nate Leuthold for his work on code enforcement issues. She also asked for an update on the status of 68th Street sidewalks. Justin Ernst stated that talks are ongoing with MidAmerican.

5. **Consent Agenda:** Any item on the Consent Agenda may be removed for separate consideration.

Motion by Threase Harms to APPROVE. Seconded by Joseph Jones. Motion passed 5-0.

A. Approve Minutes of the Regular Council Meeting on June 3, 2024

B. Approve Financial Reports

C. Approve Liquor License (Ownership Update) - Kum & Go # 4098 - 7229 University Ave

D. Approve Liquor License - Thirsty Pigs LLC - 6900 School Street

E. Approve FY25 Tobacco Permits

F. Approve 73rd Street Phase 1 STP-U-8477(615)—70-77 Pay Request 1

G. Approve 2023 Colby Park Improvements Pay Request 5

H. Approve Resolution No. 2024-42 - A Resolution Approving Fiscal Year 2024 Year End Balance Transfers for the City of Windsor Heights

6. Action Items:

A. Consideration of Space Use Analysis Proposal from OPN Architects

Adam Plagge presented the background on the proposal. The plan is for early July to walk facilities and keep council updated through discussions with OPN. Adam asked Council if they would like updates or to form a committee. It was decided Susan Skeries and Michael Libbie will form an ad hoc committee working with department heads. Motion by Michael Libbie to APPROVE. Seconded by Threase Harms. Motion passed 5-0.

B. Consideration of Street Tree Grant Program

Adam Plagge presented the background of the proposal. To help pay for the program, the City will apply to grants including ones from the DNR and MidAmerican. The goal is to replace the City's canopy from storm damage over the past few years including the derecho and May 2024 storms, as well as update the City's GIS tree map to monitor trees within the city. Susan Skeries asked for clarification on who will maintain the trees. City Staff will work on clarifying resident and city responsibility and include language in the program agreement. Motion by Threase Harms to APPROVE. Seconded by Joseph Jones. Motion passed 5-0.

C. Consideration of Authorizing Execution of Contract with JC Midwest Services for Salt Shed Demolition

Jason Roberts presented the background of the salt shed demolition and Andy Larson was present to speak about the quotes gathered. Motion by Michael Libbie to APPROVE. Seconded by Threase Harms. Motion passed 5-0.

D. Consideration of Fireworks Purchase(s) for Windsor Heights Fall Festival from J&M Displays

Adam Plagge presented the background on the fireworks. Susan Skeries spoke about concerns that park improvements would not be finished by Fall Fest and assured it is in the contract to use the fireworks for a later event. Susan also shared Walmart is ok with using their parking lot for fireworks as in previous years. Motion by Michael Libbie to APPROVE the Purchase of the \$15,000 Package for Windsor Heights Fall Festival from J&M Displays. Seconded by Susan Skeries. Motion passed 5-0.

E. Consideration of 2024 Employee Handbook

Rachelle Swisher spoke towards the background of the item. Rachelle asked Council if they would approve of adding Juneteenth as a City holiday noting that the state does not, but it is a federal holiday and many other cities are exploring adding it. Council was supportive. Discussion continued around updating hemp consumable wording with recent law changes. Erin Clanton stated wording can be added and she has seen many private companies begin not to test for the any longer as pre-employment, but would continue to test if during work there is a concern or suspicion. Employees with a CDL would still follow requirements per federal law. Threase Harms spoke towards federal changes to marijuana and hemp. Stating we can not go against federal law but we don't want to disparage and use due to health reasons. Language will be

brought back to Council at a future meeting. The next area of discussion was Susan Skeries concern about employees being required to take a leave if they are running as candidates for office and the ability to enforce this. Susan brought up that Clive has language she prefers that speaks toward having an elected official who would be directly supervising a spouse and family member. Lauren Campbell also brought up that the wording sounds as if this policy would apply to someone who runs for an office not within Windsor Heights. Erin stated she will take a closer look at the wording and bring back a recommendation. The last area of discussion was the non-fraternization policy. Susan brought up concerns that the policy seems unclear and questioned why it specifically calls out council members as council only supervises the City Administrator. Stated that neighboring cities' policies state the policy does not apply to non-direct reports. Erin will look at clarifying the language and bring back a recommendation. Susan stated she was ok approving the handbook as presented with City Staff to address concerns. Rachelle assured Council the concerns will be addressed and that moving forward the goal will be to review the handbook every six months. Motion by Threase Harms to APPROVE the 2024 Employee Handbook with the Addition of Juneteenth as a City Holiday. Seconded by Joseph Jones . Motion passed 5-0.

F. Consideration of Purchase Policy Update

Adam Plagge presented the background of policy. Susan Skeries was concerned with the steep increase in the amount of a purchase that goes in front of Council. Michael Libbie proposed a smaller increase of \$15,000 instead of \$20,000. Adam was agreeable to the change. Other increases were amended as well including professional services to \$7,500 and competitive bids to \$15,000. Motion by Susan Skeries to APPROVE the Purchase Policy Update as Amended. Seconded by Threase Harms. Motion passed 5-0.

G. Consideration of the 1st Reading of Ordinance No. 2024-05 - An Ordinance Amending the Code of Ordinances for the City of Windsor Heights, Iowa, By Adding Chapter 182, Vacant Property Registration

Adam Plagge presented the background on the ordinance. Stated that the ordinance is mirroring a similar ordinance in the City of Des Moines. Des Moines shared with Adam that it has been effective though theirs only applies to commercial properties and Windsor Heights' will apply to residential as well. Susan Skeries asked for clarification that if a house remains for sale for more than 180 days will they need to register. Adam confirmed that it would. Erin Clanton stated it is important for public safety to know what's vacant as it could affect how an emergency is handled. Motion by Michael Libbie to APPROVE. Seconded by Threase Harms. Motion passed 5-0.

7. Reports:

A. Mayor, Council Reports and Committee Updates, and Administration Reports

Threase Harms - MAC had a strategic planning session that included a preplan survey session, The new chair of MAC is really committed to refocusing the organization and having positive outcomes, Strategized the upcoming year with a focus on financial, infrastructure, legislation, and social issues, There will also be a focus on how to communicate city needs to legislators as well as how

to ensure communication is happening and consistent, The social aspect will include homelessness and workforce housing, Will serve on the legislative and communications committees, There is also a Halloween Date committee with Mayor Jones is on.

Lauren Campbell - Attended the DART commission meeting on June 4, The City was awarded the BRAVO public art grant , The Foundation's Ice Cream Social is on Sunday, Special Events committee will meet this Friday

Michael Libbie - The Windsor Heights Ice Cream Social is this upcoming Sunday and will be hosting on 80th Street, Welcome packets for new residents are in City Hall and hope to start the delivery process soon.

Joseph Jones - No report given.

Susan Skeries - On June 5th toured the Runnels land fill and if you would like a tour as well Susan can set up on up, On June 29 they will be having a big tour through the land fill as well and all ages are welcome, Thank you to Threase, Public Safety, and Public Works for helping move the last Movies in Park into CEC, Thanks to Adam Plagge for coming to CEC to help with AV, There were about 300 people in attendance, We had new volunteers who came out to help, On Tuesday attended the Chamber's PM Bash and connected with Delaney from Anytime Fitness who will be doing free yoga in the park, Excited to have this back in the park after hiatus, Promoted special events and have two more potential sponsors, On Wednesday attended the Bankers Trust Customer Appreciation Day where Public Safety grilled lunch, The State of the City is tomorrow at 8am with a tour of Colby Park construction, Attending the Metro Waste board meeting on Wednesday, Thursday is the Catch Des Moines meeting, Friday Special Events committee will meet, Will be volunteering for Catch Des Moines' Jr Rodeo on Saturday, The Foundations Ice Cream Social is June 23rd and there is still a need for volunteers, Will be hosting on 64th Street, On June 25th is the AM Exchange with the Chamber and will be meeting with Tiffany to go over the sponsorship process, Next Tuesday starts the Foundation's Nights in the Heights series.

Adam Plagge - Bravo's 20th celebration is on June 28th, Will be out of town but City Clerk Adam Strait will attend and others are welcome as well, Construction is coming along on 73rd with water testing to connect to the main water line happening, The food truck alley in Colby park in coming along as well and City Staff will work on a strip to the pavilion for events such as Nights in the Heights.

i Mayor's Report

ii Fire Chief's Report

iii Police Chief's Report

8. **Adjourn**

Motion by Joseph Jones to adjourn at 7:16 PM. Seconded by Threase Harms. Motion passed 5-0.

Mike Jones, Mayor

Adam Strait, City Clerk



**STAFF REPORT
CITY COUNCIL**
July 1, 2024

TO: CITY COUNCIL
FROM: Rachelle Swisher, Finance Director
SUBJECT: Approve Financial Reports

GENERAL INFORMATION

ATTACHMENTS

1. CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK#	CHECK DATE
ABSOLUTE CONCRETE CONSTRUCTION	73RD ST PHASE 1 PAY REQUEST #1		309,421.45	56996	6/21/24
AIRGAS	OXYGEN		7.44	56997	6/21/24
AMAZON CAPITAL SERVICES	POPCORN BAGS	33.99		56954	6/14/24
AMAZON CAPITAL SERVICES	FIT TEST KIT/EQUIPMENT	594.03	628.02	56998	6/21/24
AMERITAS LIFE INS. CORP.	VISION INS		237.84	4987	6/18/24
ASSURITY	BENEFITS	11.76		4982	6/17/24
ASSURITY	ASSURITY	735.54	747.30	4991	6/18/24
BANKERS TRUST COMPANY	CC FEES	119.00		4977	6/14/24
BANKERS TRUST COMPANY	CC FEES	37.12		4978	6/14/24
BANKERS TRUST COMPANY	CC FEES	77.01		4979	6/14/24
BANKERS TRUST COMPANY	See Vendor Activity	6,816.75	7,049.88	56957	6/14/24
BASEPOINT BUILDING AUTOMATIONS	CEC DOOR REPAIRS		285.40	56999	6/21/24
BITUMINOUS MATERIALS	AMIBOND		150.00	56958	6/14/24
BOOT BARN INC	CLOTHING ALLOWANCE		118.99	56959	6/14/24
BREESE, TAMMY	MAY/JUNE CELL PHONE		100.00	57000	6/21/24
BULLZEYE, INC	APRIL CEC CLEANINGS		570.00	57001	6/21/24
CALIBER CONCRETE LLC	COLBY PARK PAY REQUEST #5		311,782.75	57002	6/21/24
CAPITAL CITY KUBOTA	KUBOTA REPAIRS		128.31	56960	6/14/24
CHARLES GABUS FORD	CAR 25 OIL/TIRES		97.74	57003	6/21/24
CINTAS	SUPPLIES		41.53	56961	6/14/24
CLIVE, CITY OF	28E COST SHARE HWY 6		13,593.77	56962	6/14/24
CLIVE POWER EQUIP.	SUPPLIES		20.99	56963	6/14/24
CONSTRUCTION MATERIALS TESTING	73RD ST CONSTRUCTION		563.75	56964	6/14/24
DES MOINES WATER WORKS	1133 66TH ST	66.75		56965	6/14/24
DES MOINES WATER WORKS	6900 SCHOOL ST	37.75	104.50	57004	6/21/24
DIAMOND OIL CO.	FUEL		951.58	57005	6/21/24
DINGES FIRE COMPANY	FIRE GEAR		4,560.00	57006	6/21/24
EMPLOYEE BENEFIT SYSTEMS	HEALTH INS	20,620.12		4980	6/17/24
EMPLOYEE BENEFIT SYSTEMS	HEALTH INS	21,183.97	41,804.09	4981	6/17/24
FAST SIGNS	HELMET STICKERS	26.76		56966	6/14/24
FAST SIGNS	SIGNS	168.00	194.76	57007	6/21/24
FEDERAL TAX DEPOSIT	FED/FICA TAX		27,986.78	4988	6/18/24
FENNER IRRIGATION	BACKFLOW REPLACEMENT/TESTING		1,779.00	56967	6/14/24
GALLS INC	CLOTHING ALLOWANCE		70.55	56968	6/14/24
GANNETT IOWA LOCALIQ	PUBLICATIONS		700.20	56969	6/14/24
GENERAL FIRE AND SAFETY EQUIP	EXTINGUISHER INSPECTION		83.00	57008	6/21/24
GOODRICH, WILLIAM	MAY/JUNE CELL PHONE		100.00	57009	6/21/24
GRIMES ASPHALT & PAVING	STREET MAINTENANCE SUPPLIES	83.25		56970	6/14/24
GRIMES ASPHALT & PAVING	STREET MAINTENANCE SUPPLIES	150.75	234.00	57010	6/21/24
O'DONNELL ACE HICKMAN	CONCRETE MIX		41.98	56971	6/14/24
HOTT OFF THE PRESS	MAY 2024 NEWSLETTER		1,644.56	56972	6/14/24
HY-VEE ACCOUNTS RECEIVABLE	PLANTS/FLOWERS		91.89	56973	6/14/24
ICMA RETIREMENT TRUST	ICMA	528.87		4985	6/18/24
ICMA RETIREMENT TRUST	ICMA	1,275.12	1,803.99	4992	6/18/24
INTERSTATE ALL BATTERY	BATTERIES		14.40	56974	6/14/24
IOWA LAW ENFORCEMENT ACADEMY	ILEA PLEINNESS TRAINING		7,100.00	56975	6/14/24
IOWA LEAGUE OF CITIES	MEMBERSHIP DUES		3,078.00	56976	6/14/24
IOWA PRIMARY CARE ASSOC	REFUND OF RENTAL FEE		1,056.00	56977	6/14/24
IPERS	PROTECT IPERS		34,706.33	4984	6/18/24
IRLBECK, MICHAEL	MAY/JUNE CELL PHONE		100.00	57011	6/21/24
ISOLVED BENEFIT SERVICES	FLEX - BENEFITS		1,810.00	4989	6/18/24
JC MIDWEST SERVICES LLC	STORM CLEANUP 5/22-5/31/24		23,400.00	56978	6/14/24
JOHNSON, KYLE	MAY/JUNE CELL PHONE		100.00	57012	6/21/24
KING'S MATERIAL, INC	LIONS PARK MULCH		331.85	56979	6/14/24

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK#	CHECK DATE
LARSON, ANDY	MAY/JUNE CELL PHONE		100.00	57013	6/21/24
LEMONS, ANNA	STORMWATER REIMBURSEMENT PROG		743.01	56980	6/14/24
LEUTHOLD, NATE	MAY MILEAGE	66.20		56981	6/14/24
LEUTHOLD, NATE	MAY/JUNE CELL PHONE	100.00	166.20	57014	6/21/24
LOWE'S	CEC STORAGE CLOSET		107.59	56982	6/14/24
MANHATTANLIFE	MANHATTAN LIFE	288.74		4990	6/18/24
MANHATTANLIFE	BENEFITS	99.77	388.51	56983	6/14/24
WINDSOR HEIGHTS MP LLC	PIZZA MOVIES IN THE PARK		152.00	57015	6/21/24
MARTIN MARIETTA AGGREG.	SUPPLIES		734.28	56984	6/14/24
MEASE, JIM	MAY/JUNE CELL PHONE		100.00	57016	6/21/24
METRONET	INTERNET		167.15	57017	6/21/24
MIDAMERICAN ENERGY	801 73RD ST		30.73	4983	6/17/24
MIDWEST DEFENSE SOLUTIONS	CLOTHING ALLOWANCE		285.00	57018	6/21/24
MOTOROLA SOLUTIONS, INC	POLICE RADIOS		271,023.70	57019	6/21/24
NATIONAL PELRA	IOWA MEMBERSHIP		107.50	57020	6/21/24
NEROTEK INDUSTRIES	COMMUNITY CENTER REPAIRS		150.00	57021	6/21/24
NORRIS, CHAD	MAY/JUNE CELL PHONE		100.00	57022	6/21/24
PLAGGE, ADAM	MAY/JUNE CELL PHONE		181.14	57023	6/21/24
QPS EMPLOYMENT GROUP	DOUGLAS, LOUIS 06/01/24		295.74	56985	6/14/24
RADARSIGN	DIGITAL SPEED SIGN		3,085.00	57024	6/21/24
REW SERVICES CORPORATION	ASBESTOS REMOVAL		2,299.00	57025	6/21/24
ROBERTS, JASON	MAY/JUNE CELL PHONE		100.00	57026	6/21/24
ROTH, PETE	MAY/JUNE CELL PHONE		100.00	57027	6/21/24
SECURITY EQUIPMENT INC	ELECTRONIC CARD ACCESS		844.45	56986	6/14/24
SPOTFREE CAR WASH	CAR WASHES		496.57	56987	6/14/24
STAR EQUIPMENT LTD	EQUIPMENT RENTAL		1,225.00	57028	6/21/24
STRAIT, ADAM	MAY/JUNE CELL PHONE		100.00	57029	6/21/24
SWISHER, RACHELLE	REIMBURSEMENT	126.97		56988	6/14/24
SWISHER, RACHELLE	MAY/JUNE CELL PHONE	100.00	226.97	57030	6/21/24
THE UPS STORE	MONITOR SHIPPING		32.15	56989	6/14/24
TITAN MACHINERY	END LOADER		129,259.00	57031	6/21/24
TOMPKINS INDUSTRIES INC.	SKID LOADER REPAIRS		673.34	56990	6/14/24
TREASURER STATE OF IOWA	STATE TAXES		8,502.90	4986	6/18/24
UMB BANK	2016A BOND FEES	250.00		4993	6/21/24
UMB BANK	2016B BOND FEES	250.00	500.00	4994	6/21/24
UPHDM OCCUPATIONAL MED	NEW HIRE PHYSICALS		308.58	56991	6/14/24
WEST DES MOINES TRUE VALUE	CLOTHING ALLOWANCE		49.42	56992	6/14/24
WRIGHT OUTDOOR SOLUTIONS	SUMMER ANNUALS		3,141.63	56993	6/14/24
ZIEGLER INC.	GENERATOR MAINTENANCE	948.01		56994	6/14/24
ZIEGLER INC.	SERVICE CONTRACT GENERATOR	1,321.36	2,269.37	57032	6/21/24
ZIMCO SUPPLY CO	SUPPLIES		308.00	57033	6/21/24
ZWC CONDOMINIUM ASSOC	PEST CONTROL/BACK FLOW TEST		186.00	57034	6/21/24
Accounts Payable Total			1,227,932.55		

Payroll Checks

001	GENERAL	201.62
Total Paid On: 6/18/24		201.62
001	GENERAL	70,407.78
110	ROAD USE TAX	9,100.71

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	740 STORM WATER		1,522.41		

	Total Paid On: 6/21/24		81,030.90		
			=====		
	Total Payroll Paid		81,232.52		
			=====		
	Report Total		1,309,165.07		
			=====		

CLAIMS REPORT
CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
001	GENERAL	179,611.17
110	ROAD USE TAX	37,168.60
112	EMPLOYEE BENEFITS	43,499.32
200	DEBT SERVICE	500.00
303	COLBY PARK	311,782.75
322	73RD STREET PROJECT	309,985.20
350	CAPITAL EQUIPMENT FUND	400,282.70
670	LANDFILL/GARBAGE	23,400.00
740	STORM WATER	2,935.33

	TOTAL FUNDS	1,309,165.07

ACCOUNTS PAYABLE VENDOR ACTIVITY

6/13/2024 THRU 6/27/2024

INVOICE NO	LN	DATE	PO NO	REFERENCE	TRACK		1099	NET	CHECK	PD DATE
					CD	GL ACCOUNT				
58 BANKERS TRUST COMPANY										
06142024 1	1	6/14/24		CC FEES		001-620-6405		119.00	4977	6/14/24 E
06142024 2	1	6/14/24		CC FEES		001-620-6405		37.12	4978	6/14/24 E
06142024 3	1	6/14/24		CC FEES		001-620-6405		77.01	4979	6/14/24 E
06142024 3526	1	6/14/24		STORAGE UNIT		001-470-6499		31.99	56957	6/14/24
06142024 3526	2	6/14/24		OFFICE CHAIR		001-620-6507		303.89	56957	6/14/24
06142024 3526	3	6/14/24		IMFOA DUES STRAIT		001-620-6210		50.00	56957	6/14/24
06142024 3526	4	6/14/24		GCMOA		001-620-6240		15.70	56957	6/14/24
06142024 3526	5	6/14/24		NOTARY STAMPS		001-620-6506		63.00	56957	6/14/24
06142024 3526	6	6/14/24		ZOOM		001-610-6507		31.98	56957	6/14/24
06142024 3526	7	6/14/24		MPI - STRAIT		001-620-6230		64.00	56957	6/14/24
06142024 3526	8	6/14/24		ACROBAT		001-615-6507		251.91	56957	6/14/24
06142024 3534	1	6/14/24		CONSTANT CONTACT		001-620-6373		81.00	56957	6/14/24
06142024 3534	2	6/14/24		LASERFICHE CONF REGISTRATION		001-620-6373		1670.00	56957	6/14/24
06142024 8417	1	6/14/24		IPCA CONF HOTEL		001-110-6240		362.31	56957	6/14/24
06142024 8425	1	6/14/24		FD ADOBE		001-615-6507		254.27	56957	6/14/24
06142024 8425	2	6/14/24		A553 DOOR LOCK		001-160-6350		12.99	56957	6/14/24
06142024 8425	3	6/14/24		REPLACEMENT WEIGHT BENCH		001-150-6504		369.99	56957	6/14/24
06142024 8425	4	6/14/24		SHOWER MAT		001-150-6599		18.49	56957	6/14/24
06142024 8425	5	6/14/24		ELECTRIC DOOR LOCKS A553		001-150-6332		25.98	56957	6/14/24
06142024 8425	6	6/14/24		ELECTRICAL REPAIR KIT		001-150-6332		29.98	56957	6/14/24
06142024 8425	7	6/14/24		RESISTANCE BANDS		001-150-6504		24.99	56957	6/14/24
06142024 8425	8	6/14/24		TITAN BENCH		001-150-6504		159.36	56957	6/14/24
06142024 8425	9	6/14/24		WASHING MACHINE GASKET		001-160-6504		169.90	56957	6/14/24
06142024 8425	10	6/14/24		PRINTER INK		001-150-6506		199.98	56957	6/14/24
06142024 8425	11	6/14/24		CAR WASH BRUSH		001-150-6504		26.99	56957	6/14/24
06142024 8433	1	6/14/24		POP UP CANOPY		001-430-6504		156.95	56957	6/14/24
06142024 8433	2	6/14/24		CLOTHING ALLOWANCE		110-210-6180		51.99	56957	6/14/24
06142024 8433	3	6/14/24		BACKGROUND CHECKS		110-210-6407		30.00	56957	6/14/24
06142024 8433	4	6/14/24		EARTH DAY PLANTS		001-430-6511		208.99	56957	6/14/24
06142024 8433	5	6/14/24		TRAINING		110-210-6230		75.00	56957	6/14/24
06142024 8433	6	6/14/24		CLOTHING ALLOWANCE		110-210-6180		269.99	56957	6/14/24
06142024 8433	7	6/14/24		BALL FIELD REPAIRS		001-430-6511		149.50	56957	6/14/24
06142024 8433	8	6/14/24		OFFICE SUPPLIES		110-210-6507		19.89	56957	6/14/24
06142024 8433	9	6/14/24		CLOTHING ALLOWANCE		110-210-6180		66.94	56957	6/14/24
06142024 8433	10	6/14/24		TRAINING		110-210-6230		94.74	56957	6/14/24
06142024 9969	1	6/14/24		DC TRIP PARKING		001-620-6240		7.25	56957	6/14/24
06142024 9969	2	6/14/24		METRO MANAGER LUNCH		001-620-6240		284.68	56957	6/14/24
06142024 9969	3	6/14/24		AJ MEETING		001-620-6240		29.61	56957	6/14/24
06142024 9977	1	6/14/24		NUISANCE CONFERENCE		001-620-6230		80.00	56957	6/14/24
06142024 9977	2	6/14/24		MPI - LEUTHOLD		001-620-6210		496.00	56957	6/14/24
06142024 9977	3	6/14/24		PUBLICATIONS		001-620-6414		22.88	56957	6/14/24
06142024 9977	4	6/14/24		IMFOA DUES LEUTHOLD		001-620-6210		20.00	56957	6/14/24
06142024 9985	1	6/14/24		7221 WINDSHIELD REPAIR		001-110-6332		89.99	56957	6/14/24
06142024 9993	1	6/14/24		EQUIPMENT		001-110-6504		98.90	56957	6/14/24
06142024 9993	2	6/14/24		PLEXA MEETING		001-110-6499		344.75	56957	6/14/24
BANKERS TRUST COMPANY								7049.88		
***** REPORT TOTAL *****								7049.88		



**STAFF REPORT
CITY COUNCIL**
July 1, 2024

TO: CITY COUNCIL

FROM: Adam Strait, City Clerk

SUBJECT: Approve Liquor License - Thirsty Pigs LLC - 6900 School Street

GENERAL INFORMATION

License is for Nights in the Heights events at Colby Park.

ATTACHMENTS

None



**STAFF REPORT
CITY COUNCIL**
July 1, 2024

TO: CITY COUNCIL

FROM: Adam Strait, City Clerk

SUBJECT: Approve Liquor License - Little Brother - 6587 University Ave

GENERAL INFORMATION

ATTACHMENTS

None



**STAFF REPORT
CITY COUNCIL**
July 1, 2024

TO: CITY COUNCIL

FROM: Justin Ernst, City Engineer

SUBJECT: Approve 68th Street Reconstruction Pay Request 8

GENERAL INFORMATION

ATTACHMENTS

1. Pay Request 8_Signed



**BOLTON
& MENK**

Real People. Real Solutions.

430 E Grand Avenue
Suite 101
Des Moines, IA 50309

Ph: (515) 259-9190
Fax: (515) 233-4430
Bolton-Menk.com

June 25, 2024

Mr. Adam Plagge
City Administrator
City of Windsor Heights, Iowa

RE: 68th Street Reconstruction Pay Request 8

Dear Mr. Plagge:

Submitted for your approval is Pay Request 8 for the above-mentioned project. Pay Request 8 is for a total payment of \$25,858.45. The total value completed to date is \$1,826,764.94, minus 5% retainage of \$91,338.25. Please see Pay Request 8 for a full summary of the items completed that are included in this payment.

Bolton & Menk, Inc. recommends the approval of Pay Application 8. Upon approval of Pay Request 8, please sign 3 copies in the space provided. Return one executed copy of the pay request to our office and one executed copy of the pay request to All Star Concrete with payment.

Please let me know if you have any questions.

Sincerely,

Bolton & Menk, Inc.

Justin Ernst, PE
Project Manager

Contractor's Application for Payment

Owner:	City of Windsor Heights	Owner's Project No.:	
Engineer:	Bolton & Menk, Inc.	Engineer's Project No.:	0A1.127880
Contractor:	All Star Concrete	Other Project No.:	
Project:	68th Street Reconstruction		
Contract:	Paving, Municipal		

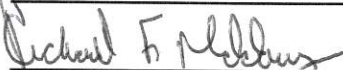
Application No.:	8	Application Date:	5/20/2024
Application Period:	From 1/1/2024	to	5/1/2024

1. Original Contract Price	\$	1,922,231.25
2. Net change by Change Orders	\$	-
3. Current Contract Price (Line 1 + Line 2)	\$	1,922,231.25
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	1,826,764.94
5. Retainage		
a. 5% X \$ 1,826,764.94 Work Completed	\$	91,338.25
b. 5% X \$ - Stored Materials	\$	-
c. Total Retainage (Line 5.a + Line 5.b)	\$	91,338.25
6. Amount eligible to date (Line 4 - Line 5.c)	\$	1,735,426.69
7. Less previous payments (Line 6 from prior application)	\$	1,709,568.24
8. Amount due this application	\$	25,858.45

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: All Star Concrete**Signature:****Date:**

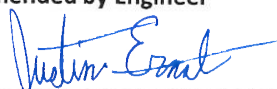
6/18/24

Name:

Rich Nix

Title:

SUPERINTENDENT

Recommended by Engineer**Approved by Owner****By:****By:****Name:**

Justin Ernst

Name:**Title:**

Civil Project Manager

Title:**Date:**

6/25/2024

Date:

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Windsor Heights	Owner's Project	
Engineer:	Bolton & Menk, Inc.	Engineer's Project	0A1.127880
Contractor:	All Star Concrete	Other Project No.:	
Project:	68th Street Reconstruction		
Contract:	Paving, Municipal		

Application No.:		8	Application Period:		From	01/01/24	to	05/01/24	Application Date:					05/20/24			
A	B				C	D	E	F	F1		F2	G		H	J	K	L
Bid Item No.	Description	Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Contract Information		Previous Estimate		Work Completed		Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)			
						Quantity Previous Estimate	Value Previous Estimate	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)								
Original Contract																	
1	CLEARING AND GRUBBING	1	LS	\$ 8,500.00	\$ 8,500.00			1.00	8,500.00	1.13	\$ 9,600.00	\$ 9,600.00	113%	\$ (1,100.00)			
2	TOPSOIL, ON-SITE	375	CY	\$ 20.00	\$ 7,500.00			375.00	7,500.00	375.00	\$ 7,500.00	\$ 7,500.00	100%	\$ -			
3	EXCAVATION, CLASS 10	1,085	CY	\$ 20.00	\$ 21,700.00			1,085.00	21,700.00	1,085.00	\$ 21,700.00	\$ 21,700.00	100%	\$ -			
4	BELOW GRADE EXCAVATION (CORE OUT)	230	CY	\$ 60.00	\$ 13,800.00			-	-	-	\$ -	\$ -	-	\$ 13,800.00			
5	SUBGRADE PREPARATION	5,515	SY	\$ 3.25	\$ 17,923.75			4,053.15	13,172.74	4,053.15	\$ 13,172.74	\$ 13,172.74	73%	\$ 4,751.01			
6	SUBGRADE TREATMENT, 15% POZZO STONE	560	TON	\$ 50.00	\$ 28,000.00			-	-	-	\$ -	\$ -	-	\$ 28,000.00			
7	SUBBASE, MODIFIED, 8"	5,515	SY	\$ 14.50	\$ 79,967.50			4,053.15	58,770.68	5,515.00	\$ 79,967.50	\$ 79,967.50	100%	\$ -			
8	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	200	CY	\$ 70.00	\$ 14,000.00			-	-	-	\$ -	\$ -	-	\$ 14,000.00			
9	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC TRUSS, 8"	20	LF	\$ 210.00	\$ 4,200.00			-	-	-	\$ -	\$ -	-	\$ 4,200.00			
10	SANITARY SEWER SERVICE STUB, PVC, 4"	1	EA	\$ 3,500.00	\$ 3,500.00			-	-	-	\$ -	\$ -	-	\$ 3,500.00			
11	STORM SEWER, TRENCHED, RCP, 15"	640	LF	\$ 85.00	\$ 54,400.00			632.00	53,720.00	632.00	\$ 53,720.00	\$ 53,720.00	99%	\$ 680.00			
12	STORM SEWER, TRENCHED, RCP, 18"	84	LF	\$ 140.00	\$ 11,760.00			90.00	12,600.00	90.00	\$ 12,600.00	\$ 12,600.00	107%	\$ (840.00)			
	STORM SEWER, TRENCHED, RCP, 24"	99	LF	\$ 125.00	\$ 12,375.00			85.00	10,625.00	85.00	\$ 10,625.00	\$ 10,625.00	86%	\$ 1,750.00			
14	REMOVAL OF STORM SEWER, LESS THAN 36"	132	LF	\$ 25.00	\$ 3,300.00			132.00	3,300.00	132.00	\$ 3,300.00	\$ 3,300.00	100%	\$ -			
15	SUBDRAIN, HDPE, 6"	2,365	LF	\$ 25.00	\$ 59,125.00			2,365.00	59,125.00	2,365.00	\$ 59,125.00	\$ 59,125.00	100%	\$ -			
16	SUBDRAIN CLEANOUT, TYPE A-1, 6"	11	EA	\$ 700.00	\$ 7,700.00			11.00	7,700.00	11.00	\$ 7,700.00	\$ 7,700.00	100%	\$ -			
17	SUBDRAIN OUTLETS AND CONNECTIONS, CMP, 6"	9	EA	\$ 350.00	\$ 3,150.00			9.00	3,150.00	9.00	\$ 3,150.00	\$ 3,150.00	100%	\$ -			
18	CONNECT TO SUBDRAIN PIPE	1	EA	\$ 125.00	\$ 125.00			-	-	-	\$ -	\$ -	-	\$ 125.00			
19	WATER MAIN, TRENCHED, C900 DR18 PVC, RESTRAINED	20	LF	\$ 100.00	\$ 2,000.00			20.00	2,000.00	20.00	\$ 2,000.00	\$ 2,000.00	100%	\$ -			
20	WATER MAIN, TRENCHED, C900 DR18 PVC, STAB JOINT, 8"	1,245	LF	\$ 75.00	\$ 93,375.00			1,245.00	93,375.00	1,245.00	\$ 93,375.00	\$ 93,375.00	100%	\$ -			
21	WATER MAIN, TRENCHED, C900 DR18 PVC, RESTRAINED	160	LF	\$ 85.00	\$ 13,600.00			160.00	13,600.00	160.00	\$ 13,600.00	\$ 13,600.00	100%	\$ -			
22	FITTING, 6"	120	LB	\$ 25.00	\$ 3,000.00			139.00	3,475.00	139.00	\$ 3,475.00	\$ 3,475.00	116%	\$ (475.00)			
23	FITTING, 8"	1,220	LB	\$ 15.00	\$ 18,300.00			1,266.00	18,990.00	1,266.00	\$ 18,990.00	\$ 18,990.00	104%	\$ (690.00)			
24	WATER SERVICE TRANSFER, COPPER, 1" (SAME SIDE)	13	EA	\$ 2,500.00	\$ 32,500.00			12.00	30,000.00	12.00	\$ 30,000.00	\$ 30,000.00	92%	\$ 2,500.00			
25	WATER SERVICE TRANSFER, COPPER, 1" (OPPOSITE SIDE)	13	EA	\$ 3,500.00	\$ 45,500.00			14.00	49,000.00	14.00	\$ 49,000.00	\$ 49,000.00	108%	\$ (3,500.00)			
26	WATER MAIN REMOVAL	150	LF	\$ 30.00	\$ 4,500.00			60.00	1,800.00	60.00	\$ 1,800.00	\$ 1,800.00	40%	\$ 2,700.00			
27	VALVE, GATE, DUCTILE IRON (DI), 6"	1	EA	\$ 2,400.00	\$ 2,400.00			1.00	2,400.00	1.00	\$ 2,400.00	\$ 2,400.00	100%	\$ -			
28	VALVE, GATE, DUCTILE IRON (DI), 8"	4	EA	\$ 3,100.00	\$ 12,400.00			3.00	9,300.00	3.00	\$ 9,300.00	\$ 9,300.00	75%	\$ 3,100.00			
29	FIRE HYDRANT ASSEMBLY	3	EA	\$ 8,000.00	\$ 24,000.00			3.00	24,000.00	3.00	\$ 24,000.00	\$ 24,000.00	100%	\$ -			
30	FLUSHING DEVICE (BLOW OFF), MIN 2 IN DIAMETER,	3	EA	\$ 2,400.00	\$ 7,200.00			2.00	4,800.00	2.00	\$ 4,800.00	\$ 4,800.00	67%	\$ 2,400.00			
31	FIRE HYDRANT ASSEMBLY REMOVAL	3	EA	\$ 800.00	\$ 2,400.00			3.00	2,400.00	3.00	\$ 2,400.00	\$ 2,400.00	100%	\$ -			
32	VALVE BOX REMOVAL	5	EA	\$ 400.00	\$ 2,000.00			5.00	2,000.00	5.00	\$ 2,000.00	\$ 2,000.00	100%	\$ -			
33	TAP FEE, 1", REPLACEMENT TAP FOR WATER SERVICE	26	EA	\$ 450.00	\$ 11,700.00			26.00	11,700.00	26.00	\$ 11,700.00	\$ 11,700.00	100%	\$ -			
34	PREPARE EXCAVATION FOR TAPPING SLEEVE AND VALVE	2	EA	\$ 2,200.00	\$ 4,400.00			2.00	4,400.00	2.00	\$ 4,400.00	\$ 4,400.00	100%	\$ -			
35	FOUNDATION ROCK	50	TON	\$ 60.00	\$ 3,000.00			-	-	-	\$ -	\$ -	-	\$ 3,000.00			
36	STORM MANHOLE, SW-401, 48"	1	EA	\$ 6,500.00	\$ 6,500.00			1.00	6,500.00	1.00	\$ 6,500.00	\$ 6,500.00	100%	\$ -			
37	INTAKE, SW-503	1	EA	\$ 10,500.00	\$ 10,500.00			1.00	10,500.00	1.00	\$ 10,500.00	\$ 10,500.00	100%	\$ -			
38	INTAKE, SW-505	6	EA	\$ 10,500.00	\$ 63,000.00			6.00	63,000.00	6.00	\$ 63,000.00	\$ 63,000.00	100%	\$ -			
39	INTAKE, SW-508	1	EA	\$ 11,500.00	\$ 11,500.00			1.00	11,500.00	1.00	\$ 11,500.00	\$ 11,500.00	100%	\$ -			
40	INTAKE, SW-510, MODIFIED, 13' X 5'	1	EA	\$ 35,000.00	\$ 35,000.00			1.00	35,000.00	1.00	\$ 35,000.00	\$ 35,000.00	100%	\$ -			
41	MANHOLE ADJUSTMENT, MINOR	3	EA	\$ 1,600.00	\$ 4,800.00			3.00	4,800.00	3.00	\$ 4,800.00	\$ 4,800.00	100%	\$ -			

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Windsor Heights	Owner's Project	
Engineer:	Bolton & Menk, Inc.	Engineer's Project	0A1.127880
Contractor:	All Star Concrete	Other Project No.:	
Project:	68th Street Reconstruction		
Contract:	Paving, Municipal		

Application No.: 8		Application Period:		From	01/01/24		to	05/01/24		Application Date: 05/20/24				
A	B	C	D	E	F	F1	F2	G	H	J	K	L		
Bid Item No.	Description	Item Quantity	Contract Information		Value of Bid Item (C X E) (\$)	Previous Estimate		Work Completed		Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)		
			Units	Unit Price (\$)		Quantity Previous Estimate	Value Previous Estimate	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)					
42	MANHOLE ADJUSTMENT, MAJOR	2	EA	\$ 3,700.00	\$ 7,400.00	2.00	7,400.00	2.00	\$ 7,400.00	\$ 7,400.00	100%	\$ -		
43	REMOVE INTAKE	5	EA	\$ 800.00	\$ 4,000.00	5.00	4,000.00	5.00	\$ 4,000.00	\$ 4,000.00	100%	\$ -		
44	PAVEMENT, PCC, 7"	4,280	SY	\$ 67.00	\$ 286,760.00	4,280.00	286,760.00	4,280.00	\$ 286,760.00	\$ 286,760.00	100%	\$ -		
45	PAVEMENT, PCC, 10"	35	SY	\$ 100.00	\$ 3,500.00	33.00	3,300.00	33.00	\$ 3,300.00	\$ 3,300.00	94%	\$ 200.00		
46	REMOVAL OF SIDEWALK	25	SY	\$ 22.00	\$ 550.00	33.00	726.00	33.00	\$ 726.00	\$ 726.00	132%	\$ (176.00)		
47	REMOVAL OF DRIVEWAY	835	SY	\$ 17.00	\$ 14,195.00	835.00	14,195.00	835.00	\$ 14,195.00	\$ 14,195.00	100%	\$ -		
48	SIDEWALK, PCC, 4"	560	SY	\$ 60.00	\$ 33,600.00	601.51	36,090.60	626.22	\$ 37,573.20	\$ 37,573.20	112%	\$ (3,973.20)		
49	SIDEWALK, PCC, 6"	25	SY	\$ 85.00	\$ 2,125.00	12.10	1,028.50	12.10	\$ 1,028.50	\$ 1,028.50	48%	\$ 1,096.50		
50	DETECTABLE WARNING	20	SF	\$ 55.00	\$ 1,100.00	20.00	1,100.00	20.00	\$ 1,100.00	\$ 1,100.00	100%	\$ -		
51	DRIVEWAY, PAVED, PCC, 6"	885	SY	\$ 70.00	\$ 61,950.00	825.35	57,774.50	825.35	\$ 57,774.50	\$ 57,774.50	93%	\$ 4,175.50		
52	DRIVEWAY, GRANULAR	250	TON	\$ 50.00	\$ 12,500.00	69.55	3,477.50	69.55	\$ 3,477.50	\$ 3,477.50	28%	\$ 9,022.50		
53	PAVEMENT REMOVAL	4,075	SY	\$ 13.00	\$ 52,975.00	4,075.00	52,975.00	4,075.00	\$ 52,975.00	\$ 52,975.00	100%	\$ -		
54	TEMPORARY TRAFFIC CONTROL	1	LS	\$ 13,850.00	\$ 13,850.00	1.00	13,850.00	1.00	\$ 13,850.00	\$ 13,850.00	100%	\$ -		
55	PERFORATED SQUARE STEEL TUBE POSTS	12	EA	\$ 600.00	\$ 7,200.00	8.00	4,800.00	12.00	\$ 7,200.00	\$ 7,200.00	100%	\$ -		
56	WATERING	25	MGAL	\$ 60.00	\$ 1,500.00	25.00	1,500.00	25.00	\$ 1,500.00	\$ 1,500.00	100%	\$ -		
57	SOD	215	SQ	\$ 65.00	\$ 13,975.00	215.00	13,975.00	231.00	\$ 15,015.00	\$ 15,015.00	107%	\$ (1,040.00)		
58	SWPPP PREPARATION	1	LS	\$ 1,500.00	\$ 1,500.00	1.00	1,500.00	1.00	\$ 1,500.00	\$ 1,500.00	100%	\$ -		
59	SWPPP MANAGEMENT	1	LS	\$ 2,100.00	\$ 2,100.00	1.00	2,100.00	1.00	\$ 2,100.00	\$ 2,100.00	100%	\$ -		
60	FILTER SOCK, 8"	2,450	LF	\$ 2.00	\$ 4,900.00	245.00	490.00	245.00	\$ 490.00	\$ 490.00	10%	\$ 4,410.00		
61	STABILIZED CONSTRUCTION ENTRANCE	100	SY	\$ 15.00	\$ 1,500.00	-	-	-	\$ -	\$ -	-	\$ 1,500.00		
62	EROSION CONTROL MULCHING, HYDRO MULCHING	0.45	AC	\$ 3,000.00	\$ 1,350.00	-	-	-	\$ -	\$ -	-	\$ 1,350.00		
63	INLET PROTECTION DEVICE, MAINTENANCE, AND REMOVAL	15	EA	\$ 200.00	\$ 3,000.00	18.00	3,600.00	18.00	\$ 3,600.00	\$ 3,600.00	120%	\$ (600.00)		
64	MODULAR BLOCK RETAINING WALL	250	SF	\$ 50.00	\$ 12,500.00	250.00	12,500.00	250.00	\$ 12,500.00	\$ 12,500.00	100%	\$ -		
65	MOBILIZATION	1	LS	\$ 499,000.00	\$ 499,000.00	1.00	499,000.00	1.00	\$ 499,000.00	\$ 499,000.00	100%	\$ -		
66	MAINTENANCE OF POSTAL SERVICE	1	LS	\$ 3,000.00	\$ 3,000.00	1.00	3,000.00	1.00	\$ 3,000.00	\$ 3,000.00	100%	\$ -		
67	MAINTENANCE OF SOLID WASTE COLLECTION	1	LS	\$ 13,200.00	\$ 13,200.00	1.00	13,200.00	1.00	\$ 13,200.00	\$ 13,200.00	100%	\$ -		
68	TEMPORARY PEDESTRIAN RESIDENTIAL ACCESS	1	LS	\$ 75,000.00	\$ 75,000.00	1.00	75,000.00	1.00	\$ 75,000.00	\$ 75,000.00	100%	\$ -		
69	CONCRETE WASHOUT	1	LS	\$ 2,600.00	\$ 2,600.00	1.00	2,600.00	1.00	\$ 2,600.00	\$ 2,600.00	100%	\$ -		
70	CURBSIDE MAILBOX	26	EA	\$ 800.00	\$ 20,800.00	24.00	19,200.00	24.00	\$ 19,200.00	\$ 19,200.00	92%	\$ 1,600.00		
Original Contract Totals					\$ 1,922,231.25		\$ 1,799,545.52		\$ 1,826,764.94	\$ 1,826,764.94	95%	\$ 95,466.31		



**STAFF REPORT
CITY COUNCIL**
July 1, 2024

TO: CITY COUNCIL

FROM: Rachelle Swisher, Finance Director

SUBJECT: Approve Resolution No. 2024-43 A Resolution Approving FY24 IPAIT Transfers

GENERAL INFORMATION

ATTACHMENTS

1. Resolution No. 2024-43 A Resolution Approving FY24 IPAIT Transfers

Resolution No. 2024-43

A RESOLUTION APPROVING FISCAL YEAR 2024 IOWA PUBLIC AGENCY INVESTMENT TRUST (IPAIT) TRANSFERS FOR THE CITY OF WINDSOR HEIGHTS, IOWA

WHEREAS, the Windsor Heights City Council approves transfers as needed for budget balancing purposes; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Windsor Heights, Iowa, that the transfers outlined below are hereby approved with an effective date of 6/24/2024 and the Finance Director is authorized to make the transfers in accord with this resolution.

From: IPAIT - General
To: General Fund
Amount: \$600,000

From: IPAIT – Road Use Tax Fund
To: Road Use Tax Fund
Amount: \$100,000

From: IPAIT – Employee Benefits
To: Employee Benefits
Amount: \$50,000

From: IPAIT – University Ave Project
To: University Ave Project
Amount: \$615,502.09

From: IPAIT – 2020 Streets Project
To: 2020 Streets Project
Amount: \$263,212.10

From: IPAIT – 68th Street North Project
To: 68th Street North Project
Amount: \$2,000,000

From: IPAIT – Future Street Projects
To: Future Street Projects
Amount: \$500,000

From: IPAIT – Landfill/Garbage
To: Landfill/Garbage
Amount: \$200,000

Passed and approved this 1st day of July 2024

Mike Jones, Mayor

Attest: _____
Adam Strait, City Clerk



**STAFF REPORT
CITY COUNCIL**

July 1, 2024

TO: CITY COUNCIL

FROM:

SUBJECT: Approve Resolution No. 2024-44 A Resolution Consenting to Assignment of
The Windsor Development Agreement Payments

GENERAL INFORMATION

ATTACHMENTS

1. Resolution No. 2024-44 A Resolution Consenting to Assignment of The Windsor Development Agreement Payments
2. TIF Assignment Staff Report

Resolution No. 2024-44

A RESOLUTION CONSENTING TO ASSIGNMENT OF URBAN RENEWAL PAYMENTS FOR THE WINDSOR DEVELOPMENT AGREEMENT

WHEREAS, The Windsor LLC, Windsor Millang LLC, and Jensfarm LLC ("Borrower") entered into that certain Urban Renewal Development Agreement dated June 25th, 2024 ("Development Agreement"), with the City of Windsor Heights, Iowa ("City"). As consideration for Lender making a loan to Borrower for the development of the Project, Borrower has conditionally assigned in favor of Lender all of its right, title, and interest in the Development Agreement pursuant to that certain Assignment of Urban Renewal Development Agreement dated June 25th, 2024 (the "Assignment").

WHEREAS, Lender has requested that City provide this Resolution contemporaneous with the execution of the Assignment.

WHEREAS, City hereby consents to the conditional assignment of all of Bborrower's right, title, and interest in the Development Agreement, together with any and all supporting instruments, documents and agreements, to Lender.

WHEREAS, As of the date of this Resolution, and to the best of City's knowledge, the Development Agreement is in full force and effect and City has not issued any notice of default by Borrower or Borrower's predecessor in interest under the Development Agreement. City agrees to provide Lender with copies of any notice of default or termination issued to Borrower under the Development Agreement. Lender may, upon notice to City, cure such default on Borrower's behalf during the cure period established in the default notice.

WHEREAS, If Lender acquires the Property by foreclosure, a deed in lieu of foreclosure, or any other exercise of its rights as a secured lender, Lender may, at its option and after providing Borrower and/or City with applicable notice and opportunity to cure, transfer and assign the Development Agreement and Borrower's rights therein, to a party or parties satisfactory to Lender and the City.

WHEREAS, City agrees to direct all payments under the Development Agreement to Lender, pursuant to the Assignment. Payments to be mailed c/o Freedom Financial Bank Attn: Travis Nicholson 600 Martin Luther King Jr Pkwy, Des Moines, IA 50312.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Windsor Heights consents to the assignment of Development Agreement Payments For The Windsor Development per this Resolution.

Passed and approved this 1st day of July 2024

Mike Jones, Mayor

Attest: _____
Adam Strait, City Clerk



TO: The Windsor LLC & Freedom Financial Bank

FROM: Adam Plagge, City Administrator

DATE: June 17th, 2024

SUBJECT: Assignment of The Windsor TIF Payments

I have received the signed request from The Windsor LLC, JensFarm LLC, and Millang Windsor LLC to assign TIF Payments per the June 3rd, 2024 Development Agreement between the aforementioned parties and City of Windsor Heights. This Memo acknowledges the request. I shall inform our Finance Department to direct future TIF Payments per The Development Agreement to Freedom Financial Bank and obtain confirmation from The Windsor Heights City Council affirming this action henceforth.

Thanks,

Adam Plagge
Windsor Heights City Administrator



STAFF REPORT
CITY COUNCIL
July 1, 2024

TO: CITY COUNCIL

FROM: Rachelle Swisher, Finance Director

SUBJECT: Approve Resolution No. 2024-45 A Resolution Approving FY24 IPAIT Bond Fund Transfers

GENERAL INFORMATION

ATTACHMENTS

1. Resolution No. 2024-45 A Resolution Approving FY24 IPAIT Bond Fund Transfers

Resolution No. 2024-45

**A RESOLUTION APPROVING FISCAL YEAR 2024
IOWA PUBLIC AGENCY INVESTMENT TRUST (IPAIT)
TRANSFERS, BOND FUND,
FOR THE CITY OF WINDSOR HEIGHTS, IOWA**

WHEREAS, the Windsor Heights City Council approves transfers as needed for budget balancing purposes; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Windsor Heights, Iowa, that the transfers outlined below are hereby approved with an effective date of 6/27/2024 and the Finance Director is authorized to make the transfers in accord with this resolution.

From: IPAIT – Bond Funds (201)
To: 73rd Street
Amount: \$1,000,000

From: IPAIT – Bond Funds (201)
To: 68th Street South
Amount: \$250,000

Passed and approved this 1st day of July 2024

Mike Jones, Mayor

Attest: _____
Adam Strait, City Clerk



**STAFF REPORT
CITY COUNCIL**

July 1, 2024

TO: CITY COUNCIL

FROM: Adam Strait, City Clerk

SUBJECT: Approve Resolution No. 2024-46 - Approving and Updating the Fee Schedule

GENERAL INFORMATION

We are raising the Demolition Fee to \$100 from \$50. This is due to an increase from Safe Building to cover the permit review and associated inspection.

ATTACHMENTS

1. Resolution No. 2024-46 - Approving and Updating the Fee Schedule
2. Resolution No. 2024-46 - EXHIBIT A Fee Schedule Updated 7.2.24

Resolution No. 2024-46

**A RESOLUTION APPROVING AN UPDATED FEE SCHEDULE FOR THE
CITY OF WINDSOR HEIGHTS, IOWA**

WHEREAS, the City of Windsor Heights, Polk County, Iowa, City Council has reviewed the proposed amended fees for services as attached and determined said fees are necessary and appropriate for continuing the delivery of high quality services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windsor Heights, Iowa, on this 1st day of July, 2024, that the attached Exhibit A fee schedule is hereby approved and in effect the 2nd day of July, 2024.

Passed and Approved this 1st day of July, 2024

Mike Jones, Mayor

Attest: _____
Adam Strait, City Clerk

City of Windsor Heights
Fee Schedule
Effective 07/02/2024

Public Safety	
REPORTS, COPIES, DIGITAL MEDIA, TESTS & RELEASES, PERMITS	
Copies - Public Records	Black/white \$.05 per single page copy in excess of 5 pages Color \$.50 per single page copy
Incident Report or Call for Service (CFS)	No charge < 30 minutes to produce
Accident Report	\$5.00
Media (audio/video)	No charge < 30 minutes to produce
Vehicle Impound Release	\$20.00
Hourly rate for contract staff time or City Staff needed to produce or review documents	Actual cost of employee time if time involved exceeds thirty (30) minutes
Fingerprinting per card	\$20.00
Mailing or shipping a record	Billed at actual costs
PET LICENSE	
Pet License – spayed/neutered	\$20.00 per calendar year
Pet License – not spayed/neutered	\$30.00 per calendar year
Pet Unlicensed Delinquency Fee	Double original license fee (after April 1)
Disposition of Impounded Animal Fee	\$100
PERMITS	
Dance Hall Inspection Fee	\$50.00
Dance Hall Permit Fee	\$100 (inspection fee is credited to permit fee)
Temporary Noise Permit Fee	\$20.00 per day
Peddler, Solicitor, Transient Merchant Fee	\$20.00 application fee 1 Day - \$20.00 1 Week - \$100.00 90 Day - \$500.00 \$25.00 per each additional peddler, etc.

Fire Department	
Rental Fees	
Rental Registration Fee (*Additional inspection fees required to be paid at time of registration)	\$35 - Single Family \$50 – Duplex \$150 Apartment
Rental Inspection Fee	\$100 Single Family Inspection \$125 Duplex -\$25 per additional living unit beyond two \$150 Apartment - \$22 per additional living unit beyond four If a property fails initial inspection, additional fees for the reinspection will apply and will be collected by the building inspector at the time of reinspection
Additional Fee if owner cannot be identified/reached and City must research and contact current tenant	\$50.00
Fire Dept Plan Review	
The Windsor Heights Fire Department requires Fire Protection System plan reviews to be conducted by a third party. Fees for any required third party review are not included within the City fee schedule.	

Commercial/ Fire Code	
Initial Inspection/First Re-Inspection (performed 30 days after initial inspection)	\$0
Second Re-Inspection (performed 2 weeks after first re-inspection)	\$100.00
Third Re-Inspection (performed 2 weeks after second re-inspection)	\$200.00
Fourth Re-Inspection (performed 2 weeks after third re-inspection)	\$400.00
Fifth Re-Inspection (performed 2 weeks after fourth re-inspection)	\$800.00
Hazmat Fees	
Heavy Response Apparatus with 4 personnel (Engine, ladder, heavy rescue)	\$361.20*
Light Response Apparatus with 2 personnel (Tanker, brush truck, ambulance, staff car)	\$288.96*
Extra Response Personnel	\$28.38*
Expended materials (foam, containment booms, sand, absorbent, etc.)	Replacement Cost including shipping
*Minimum of one hour. Billed in 15-minute increments beyond the first hour. This fee schedule is based on Iowa Fire Service Annual Hazardous Materials Responses Fee Structure	
Ambulance Fees	
Basic Life Support (BLS) – Non-Emergent	\$590.00
Basic Life Support (BLS) - Emergent	\$695.00
Advanced Life Support (ALS) Non-Emergent	\$690.00
Advanced Life Support (ALS) – Emergent	\$807.00
Advanced Life Support (ALS) Level 2	\$1,065.00
Treat / No Transport	\$277.00
Critical Care Transport	\$1,254.00
Loaded Mileage Rate	\$13.80
Oxygen	\$30.00
Additional Attendant	\$50.00
ALS Supplies	\$50.00
BLS Supplies	\$50.00
IV Supplies	\$35.00
Intubation Supplies	\$25.00
Medications	
▪ Nitrogen Tablet	\$5.00
▪ Ativan/Lorazepam	\$10.00
▪ Oral Glucose, Zofran Iv	\$15.00
▪ Epinephrine, Fentanyl, Morphine Sulfate, Sodium Bicarbonate, Solu-Medrol, Versed	\$20.00
▪ D50w/Dextrose Inj	\$25.00
▪ Albuterol Noncompounded 1mg	\$30.00
▪ Narcan/Naloxone Per 1mg	\$30.00
▪ Glucagon	\$250.00

Nuisance Alarms	
Fee Set by Ordinance	\$50.00 first false alarm, \$75 per additional alarm in 365 day period
City Hall	
Copies	Black and White \$.05 per single page copy in excess of 5 pages Color \$.50 per single page copy
Hourly rate for contract staff time or City Staff needed to produce or review documents	Actual cost of employee time if time involved exceeds thirty (30) minutes
Media (audio/video)	\$5 per 8GB
NSF Check Fee (All Departments)	\$30.00
Special Council Meeting	\$81 per Council member

BUILDING PERMITS	
TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$75.00
\$501.00 to \$2,000.00	\$75.00 for the first \$500.00 + \$.2.75 for each additional \$100.00 or fraction thereof, to and including \$2,000
\$2,001.00 to \$25,000.00	\$116.25 for the first \$2,000 + \$12.50 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,000.00 to \$50,000.00	\$391.25 for the first \$25,000 + \$9.00 foreach additional \$1,000.00 or fraction thereof, to and including \$50,000
\$50,000.00 to \$100,000.00	\$616.25 for the first \$50,000.00 + \$6.25 foreach additional \$1,000.00 or fraction thereof, to and including \$100,000
\$100,000.00 to \$500,000.00	\$928.75 for the first \$100,000.00 + \$5.00 foreach additional \$1,000.00 or fraction thereof, to and including \$500,000
\$500,000.00 to \$1,000,000.00	\$2,928.750 for the first \$500,000.00 + \$4.25 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000
\$1,000,000.00 and up	\$5,053.75 for the first \$1,000,000.00 + \$2.75 for each additional \$1,000.00 or fraction thereof
Re-inspection fees	\$42.00/hour (1-hour minimum)
Commercial Plan Review	65% of permit fee
Temporary Certificate of Occupancy	\$250
Final Site Plan Review	\$250.00 + 65% of total building permit fee
Fire Department Commercial Building Pre Plan Fee	\$75
SUB-CONTRACTOR PERMITS (RESIDENTIAL)	
Mechanical	Flat Fee \$80.00
Plumbing	Flat Fee \$80.00
Electrical	Flat Fee \$80.00
SUB-CONTRACTOR PERMITS (COMMERCIAL)	
Mechanical	Basic Fee \$80.00
Plumbing	Basic Fee \$80.00
Electrical	Basic Fee \$80.00

OTHER PERMITS	
Nuisance Abatement	
▪ Lot mowing	\$175.00/hour (1 hour minimum)
▪ R-O-W mowing	\$100.00/hour (1 hour minimum)
▪ Sidewalk snow removal	\$1.00 per lineal foot; or minimum \$100.00
Zoning verification/Property Research	\$110/hr.
Rezoning	\$400.00
Zoning compliance	\$110/hr.
Home occupation	\$50.00
Preliminary Site Plan Review	\$300.00 + Other Engineer Costs
Conditional Use Permit	\$400.00
Appeal or Variance request	\$400.00
Fence permit	\$100
Pool permit	\$100
Signs	Basic Fee \$100.00+ \$1.00 per square foot
▪ Temporary signs	Basic Fee \$15.00 + \$1.00 per square foot
Grading/Cosesco Permit	\$40.00
Temporary Use	\$25.00/month for up to 4 months; \$50.00/month for the 5 th month; \$100.00/month after 5 th month
Temporary Structure	
▪ Commercial	\$50.00/month
▪ Residential	First 30 days- \$0; Second 30 days- \$20.00, Third 30 days- \$40.00; thereafter- \$20.00 per 30 day extension
Sidewalk / Driveway approach	\$50.00
R-O-W Excavation	\$100.00
Non-Franchise Utility License	\$400.00
Demolition/Raze	\$100.00 \$50.00
Permits or inspections for which no fee is specified	\$40.00
Temporary Obstruction Permit	\$40.00
Temporary Use	
▪ Maximum 4 days	\$30.00
▪ Events longer than 4 days (produce stands, etc.)	\$60.00
▪ Long-term food and beverage	\$280.00
▪ Garden Centers and Large Structures	\$60.00 plus \$500.00 deposit, unless waived by Zoning Administrator
▪ Mobile Food Unit License	\$75.00
▪ Mobile Food Unit Special Occurrence Permit	Fee Set By City Administrator Based On Event
CODE ENFORCEMENT	
Notice to Abate	\$100
Re-Inspection	\$100 per inspection

Administrative Hearing	\$0
Preparation of Abatement Warrant	\$378
Abatement	Actual cost-plus 30%
Cost of Imposing Lien	\$82 plus County charge if any
Additional staff administrative time not covered above	\$95/hour plus actual costs for code enforcement and \$82/hour plus actual costs for finance employees

Community Center Rental Rates			
	Non- Resident Rate	Non-Profit Rate (Proof will be required)	Resident Rate (Proof will be required)
Saturday 6 AM – Midnight	\$2,800		
Weekend 6 PM Fri to 6 PM Sun	\$5,600 Includes overnight storage; renters must still vacate from 12 AM-6AM each night		
1/3 Space Minimum 2 -hour rental	\$130 per hour	\$112 per hour	\$91 per hour
2/3 Space Minimum 2-hour rental	\$155 per hour	\$132 per hour	\$109 per hour
Full Space Minimum 2-hour rental	\$210 per hour	\$176 per hour	\$147 per hour
Full Space 6 AM – Midnight	\$2,800 Full day		
Cleaning Fees	At City’s cost This fee is optional for Mon-Thurs rentals and non-optional for Fri-Sun rentals		
Pavilion 8-hour rental	\$100	\$75	\$70
Pavilion 4-hour rental	\$50	\$37.50	\$35
Resident/Non-Profit will be required to show proof of residency or non-profit status.			
DOWN PAYMENTS			
To confirm all reservations, a down payment of 50% and signed agreement are required. Windsor Heights does not hold dates and all rentals are on a first come basis only. Down payments are non-refundable on any cancellation.			
PARKS			
BALL FIELD RENTALS			
Ball Field rentals are available in full one hour increments only. A 7% sales tax will be applied.			
	Number of Hours	Non-Resident Fee	Resident Fee (with ID)
	1 Hour	\$25.00	\$20.00
	2 Hours	\$40.00	\$36.00
	3 Hours	\$60.00	\$54.00
PAVILION			
\$50.00 for 4-hour rental \$100 for 8-hour rental			
SPECIAL EVENTS PERMIT		\$50.00	
Required on events hosted in the Community Center and Park, which are open to the public			



**STAFF REPORT
CITY COUNCIL**

July 1, 2024

TO: CITY COUNCIL

FROM: Adam Plagge, City Administrator

SUBJECT: Approve Resolution No.2024-50 - A Resolution: (1) Setting Requirements For The Disposal Of Certain Property Located Within The Windsor Heights Consolidated Urban Renewal Area; (2) Determining That The Proposal Submitted By A Developer Satisfies The Requirements And Declaring The Intent Of The City To Accept The Proposal Proposed, In The Event That No Competing Proposals Are Submitted; And (3) Soliciting Competing Proposals

GENERAL INFORMATION

There are specific rules for the disposition of City property within an Urban Renewal Area. This action provides the necessary notice to solicit alternative proposals for acquiring the property proposed to be transferred as part of The Windsor Development Agreement. Alternative proposals are to be received by 11AM August 19th, reviewed and presented to Council August 19th at the City Council meeting.

ATTACHMENTS

1. Resolution No. 2024-50 - Disposal of Property
2. Resolution No. 2024-50 - Exhibit D-2

RESOLUTION NO. 2024-50

A RESOLUTION: (1) SETTING REQUIREMENTS FOR THE DISPOSAL OF CERTAIN PROPERTY LOCATED WITHIN THE WINDSOR HEIGHTS CONSOLIDATED URBAN RENEWAL AREA; (2) DETERMINING THAT THE PROPOSAL SUBMITTED BY A DEVELOPER SATISFIES THE REQUIREMENTS AND DECLARING THE INTENT OF THE CITY TO ACCEPT THE PROPOSAL PROPOSED, IN THE EVENT THAT NO COMPETING PROPOSALS ARE SUBMITTED; AND (3) SOLICITING COMPETING PROPOSALS.

WHEREAS, this Council has previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Windsor Heights Consolidated Urban Renewal Plan; and

WHEREAS, the Plan provides, among other things, for the disposition of property to promote commercial and industrial development in the Urban Renewal Area; and

WHEREAS, the Developer has undertaken a blight alleviation and economic development project on the Property consisting of the construction of a new apartment building (the “Project”) including at least ninety (90) apartment units (the “Apartment Units”); and

WHEREAS, the City has agreed to provide Developer with certain financial assistance in the form of incremental property tax payments to be used by the Developer in paying the costs of constructing the Project, as set forth in the Parties’ Development Agreement; and

WHEREAS, as part of the Development Agreement, the Developer agreed to transfer to the City certain property in exchange for the City transferring to the Developer certain property in order to assist in the design and functionality of the Project; and

WHEREAS, the property to be transferred from the City to Developer for the purchase price of One Dollar (\$1.00) is set forth in the attached Exhibit D-2 (the “Property”); and

WHEREAS, in order to establish reasonably competitive bidding procedures for the disposition of the Property in accordance with the statutory requirements of Chapter 403, Code of Iowa, and particularly section 403.8, and to assure that the City extends a full and fair opportunity to all developers interested in submitting a proposal, a summary of submission requirements that each proposal must satisfy in order to qualify for consideration is described herein; and

WHEREAS, to both recognize the proposal for the transfer of the Property already received by the City, and to give full and fair opportunity for other developers interested in submitting a proposal, this Council hereby establishes by resolution:

1. The fair market value of the Property for uses in accordance with the Plan.
2. Approves the minimum requirements for the purchase of the Property.
3. Approves the Developer’s general terms, subject to modifications and revisions as determined appropriate by Council.

4. Sets a date for receipt of competing proposals and the opening thereof, and provides for review of such proposals with recommendations to this Council.

5. Declares that the proposal submitted by the Developer satisfies the requirements of the offering, and that in the event no other qualified proposal is timely submitted, that the City intends to accept such proposal and direct publication of notice of said intent.

6. Approves and directs publication of a notice to advise and would-be competitors of the opportunity to compete for the sale and purchase of the Property on the terms and conditions set forth herein.

WHEREAS, this Council believes it is in the best interest of the City and the Plan to act as expeditiously as possible to offer this Property as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA:

1. The real property described in the proposal submitted by the Developer consisting of property owned by the City shall be offered for sale by the City in accordance with the terms and conditions contained in this Resolution.

2. It is hereby determined that in order to qualify for consideration for selection, each developer must submit a proposal which:

- a. Contains a proposal on terms no less favorable to the City than those set forth in the Development Agreement with the Developer, and development goals determined acceptable to the City and in compliance with the Plan;
- b. Sets out or provides through other means acceptable to the City the developer's experience and qualifications for conforming with the Plan;

3. It is hereby determined that the proposal submitted by the Developer, subject to modifications as determined appropriate by the City Council, satisfies the requirements of the offering and, in the event that no other qualified proposals are timely submitted, the City intends to accept said proposal;

4. It is hereby determined that the Developer possesses the qualifications, financial resources, and legal ability necessary to acquire and purchase the Property in the manner proposed by this offering and in accordance with the Plan;

5. The City Clerk shall receive and retain for public examination the proposal submitted by the Developer and, in the event no other qualified proposals are timely submitted, shall resubmit the same to this Council for final approval and execution upon expiration of the notice period hereinafter prescribed.

6. This action of the Council shall be considered to be and does hereby constitute notice to all concerned of the intention of this Council, in the event that no other qualified proposals are timely submitted, to accept the proposal of the Developer;

7. The official notice of this offering and the intent of the City, in the event no other qualified proposals are timely submitted, shall be a true copy of the Resolution, but without the attachments referenced herein. The attachments shall be on file for public inspection at the office of the City Clerk, City Hall, 1145 66th Street, Windsor Heights, Iowa;

8. The City Clerk is authorized and directed to secure immediate publication of said Official Notice in a newspaper of general circulation in the community, by publication of the text;

9. Written proposals for the sale and purchase of the Property will be received by the City Clerk at or before 11:00 o'clock a.m. on August 19, 2024 in the City Clerk's Office. Each proposal will then be opened and all proposals will be presented to the City Council at 6:00 P.M. on August 19, 2024, at a meeting to be held in the Council Chambers, City Hall, Windsor Heights, Iowa.

10. The Property shall be competitively offered for sale and purchase on the terms and conditions set forth herein and such offering shall be in substantial conformance with the provisions of section 403.8(2) of the Iowa Code, requiring "reasonable competitive bidding procedures."

11. A public hearing will be held on the proposal to sell the Property at 6:00 P.M. on August 19, 2024, at a meeting to be held in the Council Chambers, City Hall, Windsor Heights, Iowa. Following the public hearing, the City Council may determine to dispose of the Property to the Developer, or in the event additional proposals are received, to the developer whose proposal, if carried out, would be in the best interests of the City in light of the Plan and development objectives of the City.

12. The City Clerk is hereby nominated and appointed as the agent of the City of Windsor Heights, Iowa, to receive proposals for the sale and purchase of the Property at the date and according to the procedures hereinabove specified for receipt of such proposals and to proceed at such time to acknowledge receipt of each such proposals. The City Administrator is hereby authorized to make a preliminary analysis of each such proposal for compliance with the minimum requirements established by this Council hereinabove and to advise the Council with respect hereto. For each such proposal that satisfies these requirements, the Council shall judge the strength of the proposal by the competitive criteria established hereinabove and shall make the final evaluation and selection of the proposal.

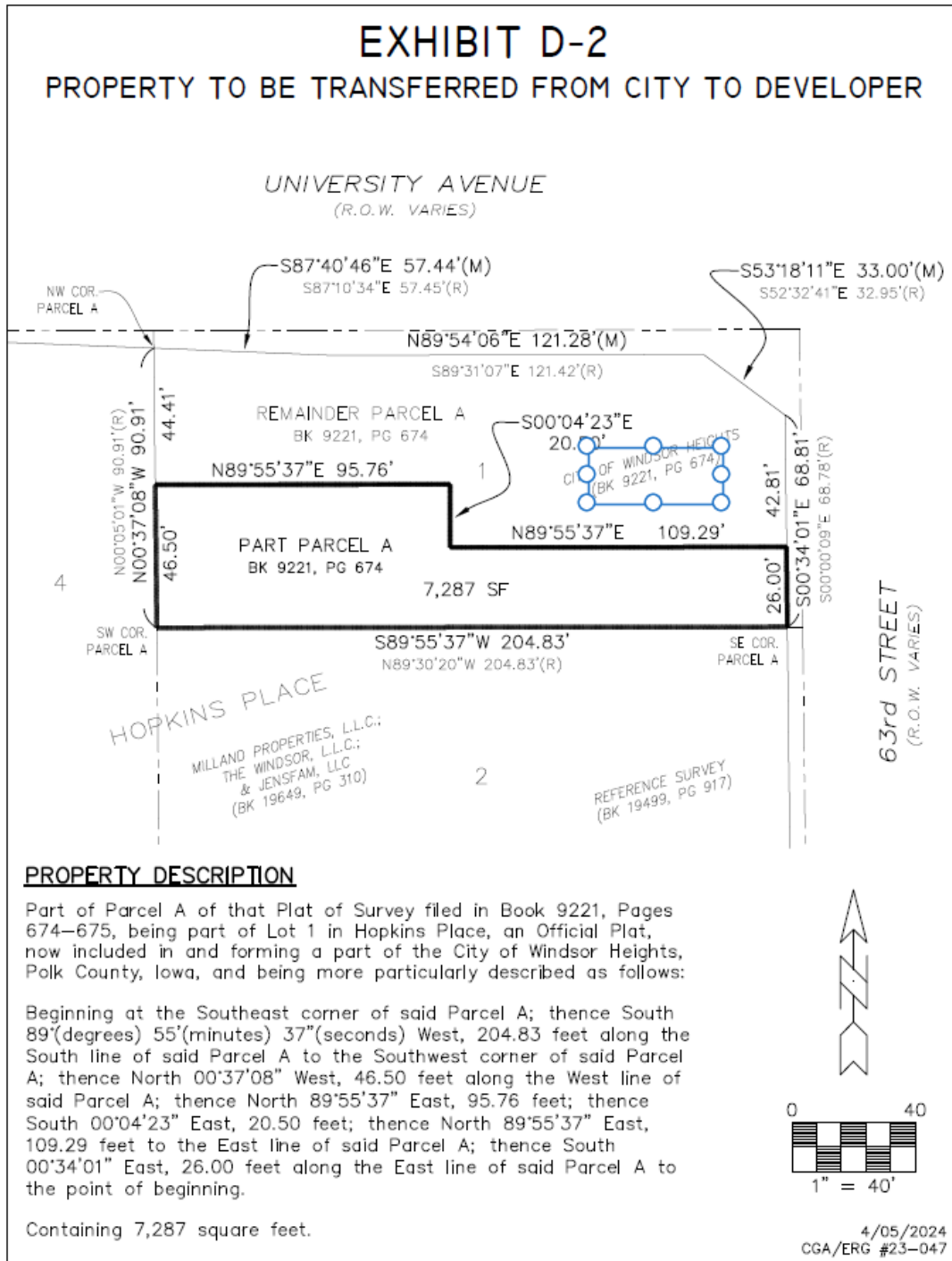
PASSED AND APPROVED this 1st day of July, 2024.

Mike Jones, Mayor

Attest:

Adam Strait, City Clerk

EXHIBIT D-2
PROPERTY TO BE TRANSFERRED FROM CITY TO DEVELOPER



J:\2023 Projects\23-047-Design\23-047-LANDSWAP.dwg, 5/6/2024 3:40:24 PM, DJS



**STAFF REPORT
CITY COUNCIL**

July 1, 2024

TO: CITY COUNCIL

FROM: Adam Plagge, City Administrator

SUBJECT: Consideration of CEC Solar Bids

GENERAL INFORMATION

The low bid for the project came in under the engineer's cost estimate of \$136,000. Administration has experience working with 1SourceSolar and is comfortable proceeding with them as the low bidder. If approved by City Council, the project is expected to be completed by the end of the calendar year. Prior to construction, staff intends to meet with the selected contractor to confirm string invertors are not a viable option for the project and to discuss the process for working through the Federal incentives. Funds for the project are budgeted through the ERP for this fiscal year.

ATTACHMENTS

1. 124-037 Letter of Recommendation
2. 124-037 Windsor Heights Solar Bid Tab
3. Red Lion Renewables Bid
4. 1Source Solar Bid
5. Armor Electric Bid



June 26, 2024

Adam Plagge | City Administrator
City of Windsor Heights
1145 66th St Suite 1
Windsor Heights, IA 50324

RE: Letter of Bid Recommendation
Windsor Heights CEC Solar
Bluestone Project No. 124-037

Dear Adam:

Sealed bids for the subject project were received at your office on June 26, 2024, at 1 p.m., publicly opened and read aloud. We have reviewed the bids received for the work and have enclosed a completed Bid Tabulation for your information. The estimated project cost was \$136,000.00

We recommend that the contract be awarded to 1Source Solar, LLC (Ankeny, IA) for the base bid amount of \$110,980.00 (which was the low bid). We have reviewed 1Source Solar's bid, and it is our opinion based on the submitted information that their bid is complete and that they are qualified to perform the work.

Please contact us if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads 'Caleb Jens'. The signature is fluid and cursive, with the first and last names clearly legible.

Caleb Jens
Project Manager

Attached:
Certified Bid Tabulation
Copies of Bids Received



Certified Bid Tabulation
Windsor Heights CEC Solar (BSE #124-037)

	Armor Electric	1Source Solar	Red Lion Renewables					
BID REQUIREMENTS								
Bid Form	yes	yes	yes					
Bid Bond	yes	yes	yes					
Addendum #1 Acknowledged	yes	yes	yes					
ITEM DESCRIPTION								
Base Bid	\$118,125.00	\$110,980.00	\$179,044.00					

I hereby certify that to the best of my knowledge and belief, this Bid Tabulation is a correct and accurate tabulation of Bids received by the City of Windsor Heights for the Windsor Heights CEC Solar project on June 26, 2024.

Dated this 26th day of June, 2024

Caleb Jens

Caleb Jens
Project Manager

SECTION 00 41 00

BID FORM

THE PROJECT AND THE PARTIES

1.01 TO:

- A. City of Windsor Heights (Owner)
City Hall
1145 66th Street, Suite 1
Windsor Heights, IA 50324

1.02 RECEIVED BY:

- A. Adam Strait
City Clerk
1145 66th Street, Suite 1
Windsor Heights, IA 50324
Phone: 515-645-6810

1.03 FOR:

- A. Project: Windsor Heights CEC Solar
6900 School Street
Windsor Heights, IA 50324
- B. Bluestone Project Number: 124-037

1.04 DATE: 6/19/24 (BIDDER TO ENTER DATE)

1.05 SUBMITTED BY: (BIDDER TO ENTER NAME AND ADDRESS)

- A. Bidder's Full Name Red Lion Renewables
1. Address 2719 Georgetown Avenue
2. City, State, Zip: Norwalk, IA 50211
3. Phone: 515.991.4594

1.06 OFFER

- A. Having examined the Place of The Work and all matters referred to in the Instructions to Bidders and the Contract Documents prepared by KED for the above mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of:
- B. one hundred seventy-nine thousand forty-four dollars
(\$ 179,044), in lawful money of the United States of America.
- C. We have included the required security deposit as required by the Instruction to Bidders.
- D. We have included the required performance assurance bonds in the Bid Amount as required by the Instructions to Bidders.
1. The cost of the required performance assurance bonds is four thousand forty-four dollars
(\$ 4,044), in lawful money of the United States of America.
- E. All applicable federal taxes are included and State of Iowa taxes are excluded from the Bid Sum.

1.07 ACCEPTANCE

- A. This offer shall be open to acceptance and is irrevocable for thirty days from the bid closing date.
- B. If this bid is accepted by Owner within the time period stated above, we will:
1. Execute the Agreement within fourteen (14) days of receipt of Notice of Award.
2. Furnish the required bonds within seven (7) days of receipt of Notice of Award.
- C. If this bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bond(s), the security deposit shall be forfeited as damages to Owner by

Windsor Heights CEC Solar
City of Windsor Heights
Windsor Heights, Iowa

00 41 00
BID FORM
Page 1 of 2

reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this bid and the bid upon which a Contract is signed.

- D. In the event our bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

1.08 CONTRACT TIME

- A. If this Bid is accepted, we will:
- B. Commence work as agreed upon with the Owner after written Notice to Proceed of this bid.
1. Notice is anticipated on or around July 8, 2024.
- C. Substantially complete the Work by the end of the year.
1. Certificate of Occupancy shall be obtained in time for occupancy to also occur on the above date.
 2. Construction schedule to coordinated with Owner based on use, including contracted rentals.

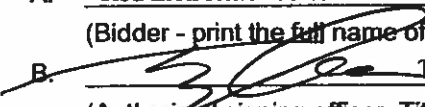
1.09 CHANGES TO THE WORK

- A. When Architect establishes that the method of valuation for Changes in the Work will be net cost plus a percentage fee in accordance with General Conditions, our percentage fee will be:
1. 6 percent overhead and profit on the net cost of our own Work;
 2. 6 percent on the cost of work done by any Subcontractor.
- B. On work deleted from the Contract, our credit to Owner shall be Architect-approved net cost plus 6 of the overhead and profit percentage noted above.

1.10 ADDENDA

- A. The following Addenda have been received. The modifications to the Bid Documents noted below have been considered and all costs are included in the Bid Sum.
1. Addendum # 1 Dated 6/18/24
 2. Addendum # Dated
 3. Addendum # Dated

1.11 BID FORM SIGNATURE(S)

- A. Red Lion Renewables
(Bidder - print the full name of your firm)
- B.  Terry Dvorak, CEO
(Authorized signing officer, Title)

END OF SECTION

**SECTION 00 41 00
BID FORM**

THE PROJECT AND THE PARTIES

1.01 TO:

- A. City of Windsor Heights (Owner)
City Hall
1145 66th Street, Suite 1
Windsor Heights, IA 50324

1.02 RECEIVED BY:

- A. Adam Strait
City Clerk
1145 66th Street, Suite 1
Windsor Heights, IA 50324
Phone: 515-645-6810

1.03 FOR:

- A. Project: Windsor Heights CEC Solar
6900 School Street
Windsor Heights, IA 50324
- B. Bluestone Project Number: 124-037

1.04 DATE: June 26, 2024 (BIDDER TO ENTER DATE)

1.05 SUBMITTED BY: (BIDDER TO ENTER NAME AND ADDRESS)

- A. Bidder's Full Name One Source Solar, LLC
1. Address 3020 SW Oralabor Rd. #116
2. City, State, Zip: Ankeny, IA 50023
3. Phone: 515-289-1974

1.06 OFFER

- A. Having examined the Place of The Work and all matters referred to in the Instructions to Bidders and the Contract Documents prepared by AIA for the above mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of:
- B. One Hundred Ten Thousand Nine Hundred Eighty dollars Note: Sum includes bond amount in Section 1.06.D.1.
(\$ 110,980.00), in lawful money of the United States of America.
- C. We have included the required security deposit as required by the Instruction to Bidders.
- D. We have included the required performance assurance bonds in the Bid Amount as required by the Instructions to Bidders.
1. The cost of the required performance assurance bonds is Two Thousand Nine Hundred Forty dollars
(\$ 2,940.00), in lawful money of the United States of America.
- E. All applicable federal taxes are included and State of Iowa taxes are excluded from the Bid Sum.

1.07 ACCEPTANCE

- A. This offer shall be open to acceptance and is irrevocable for thirty days from the bid closing date.
- B. If this bid is accepted by Owner within the time period stated above, we will:
1. Execute the Agreement within fourteen (14) days of receipt of Notice of Award.
2. Furnish the required bonds within seven (7) days of receipt of Notice of Award.
- C. If this bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bond(s), the security deposit shall be forfeited as damages to Owner by

reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this bid and the bid upon which a Contract is signed.

- D. In the event our bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

1.08 CONTRACT TIME

- A. If this Bid is accepted, we will:
- B. Commence work as agreed upon with the Owner after written Notice to Proceed of this bid.
1. Notice is anticipated on or around July 8, 2024.
- C. Substantially complete the Work by the end of the year.
1. Certificate of Occupancy shall be obtained in time for occupancy to also occur on the above date.
 2. Construction schedule to coordinated with Owner based on use, including contracted rentals.

1.09 CHANGES TO THE WORK

- A. When Architect establishes that the method of valuation for Changes in the Work will be net cost plus a percentage fee in accordance with General Conditions, our percentage fee will be:
1. 25 percent overhead and profit on the net cost of our own Work;
 2. 25 percent on the cost of work done by any Subcontractor.
- B. On work deleted from the Contract, our credit to Owner shall be Architect-approved net cost plus 20 of the overhead and profit percentage noted above.

1.10 ADDENDA

- A. The following Addenda have been received. The modifications to the Bid Documents noted below have been considered and all costs are included in the Bid Sum.
1. Addendum # 1 Dated 6/18/24
 2. Addendum # Dated
 3. Addendum # Dated

1.11 BID FORM SIGNATURE(S)

- A. Todd A. Miller, MBR One Source Solar, LLC
(Bidder - print the full name of your firm)
- B. Todd A. Miller, President
(Authorized signing officer, Title)

END OF SECTION

SECTION 00 41 00

BID FORM

THE PROJECT AND THE PARTIES

1.01 TO:

- A. City of Windsor Heights (Owner)
City Hall
1145 66th Street, Suite 1
Windsor Heights, IA 50324

1.02 RECEIVED BY:

- A. Adam Strait
City Clerk
1145 66th Street, Suite 1
Windsor Heights, IA 50324
Phone: 515-645-6810

1.03 FOR:

- A. Project: Windsor Heights CEC Solar
6900 School Street
Windsor Heights, IA 50324
B. Bluestone Project Number: 124-037

1.04 DATE: 6/26/2024 (BIDDER TO ENTER DATE)

1.05 SUBMITTED BY: (BIDDER TO ENTER NAME AND ADDRESS)

- A. Bidder's Full Name ARMOR ELECTRIC LLC
1. Address 917 SW ORDNANCE RD
2. City, State, Zip: ANKENY IA 50023
3. Phone: 515 963 3355

1.06 OFFER

- A. Having examined the Place of The Work and all matters referred to in the Instructions to Bidders and the Contract Documents prepared by KED for the above mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of:
- B. ONE HUNDRED AND EIGHTEEN THOUSAND, ONE HUNDRED AND TWENTY FIVE DOLLARS.
(\$ 118,125⁰⁰), in lawful money of the United States of America.
- C. We have included the required security deposit as required by the Instruction to Bidders.
- D. We have included the required performance assurance bonds in the Bid Amount as required by the Instructions to Bidders. THREE THOUSAND FIVE HUNDRED AND
1. The cost of the required performance assurance bonds is FORTY THREE dollars AND SEVENTY FIVE CENTS
(\$ 3,543⁷⁵), in lawful money of the United States of America.
- E. All applicable federal taxes are included and State of Iowa taxes are excluded from the Bid Sum.

1.07 ACCEPTANCE

- A. This offer shall be open to acceptance and is irrevocable for thirty days from the bid closing date.
- B. If this bid is accepted by Owner within the time period stated above, we will:
1. Execute the Agreement within fourteen (14) days of receipt of Notice of Award.
 2. Furnish the required bonds within seven (7) days of receipt of Notice of Award.
- C. If this bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bond(s), the security deposit shall be forfeited as damages to Owner by

D. In the event our bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.



**STAFF REPORT
CITY COUNCIL**

July 1, 2024

TO: CITY COUNCIL

FROM: Adam Plagge, City Administrator

SUBJECT: Consideration of Resolution 2024-47 - A Resolution Approving the Future Land Use Map and Future Land Use Designation Definitions within the Comprehensive Plan for the City of Windsor Heights

GENERAL INFORMATION

ATTACHMENTS

1. 7.1.24 Comprehensive Plan Amendment Staff Report
2. Resolution No. 2024-47 - Comprehensive Plan
3. Resolution No. 2024-47 - Comprehensive Plan EXHIBIT A
4. Windsor Heights Current Future Land Use Map 2020

STAFF REPORT

Date: July 1st, 2024
To: Windsor Heights City Council
From: Trey Rouse
Subject: Future Land Use Map and Comprehensive Plan Amendment

Summary

The importance of the Future Land Use map cannot be stated enough when it comes to deciding the future development within the City of Windsor Heights. This map is reviewed and referenced for every development that is proposed within the community along with the definitions for each Future Land Use designation. Making sure the Future Land Use map reflects the wants of the community is important and vital for achieving the goals and objectives laid out within the Comprehensive Plan. This map is supposed to be amended when necessary and changes to the community happen. With the update to the Zoning Code, there is reason to update the Future Land Use Map along with the definitions that outline each of the Future Land Use designations.

City Staff has gone through a review process of the Zoning Code and the current version of the Future Land Use Map to determine what amendments are needed to make sure that the Comprehensive Plan coincides with the updated Zoning Code and vice versa. The proposed changes are outlined further within this Staff Report.

Current Future Land Use Map

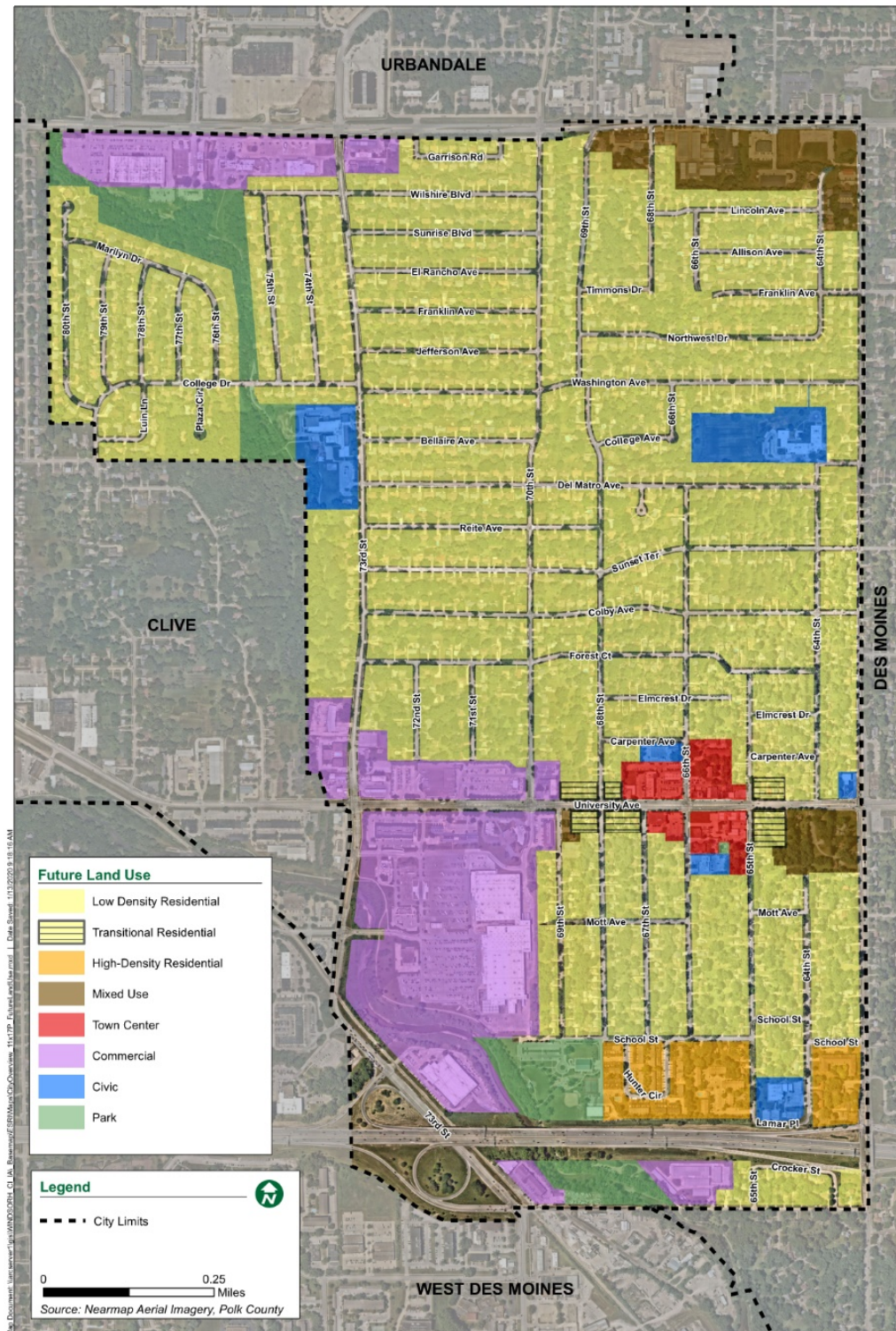


Figure 1: Current Future Land Use Map

Proposed Future Land Use Map



Windsor Heights Future Land Use Map
May 2024

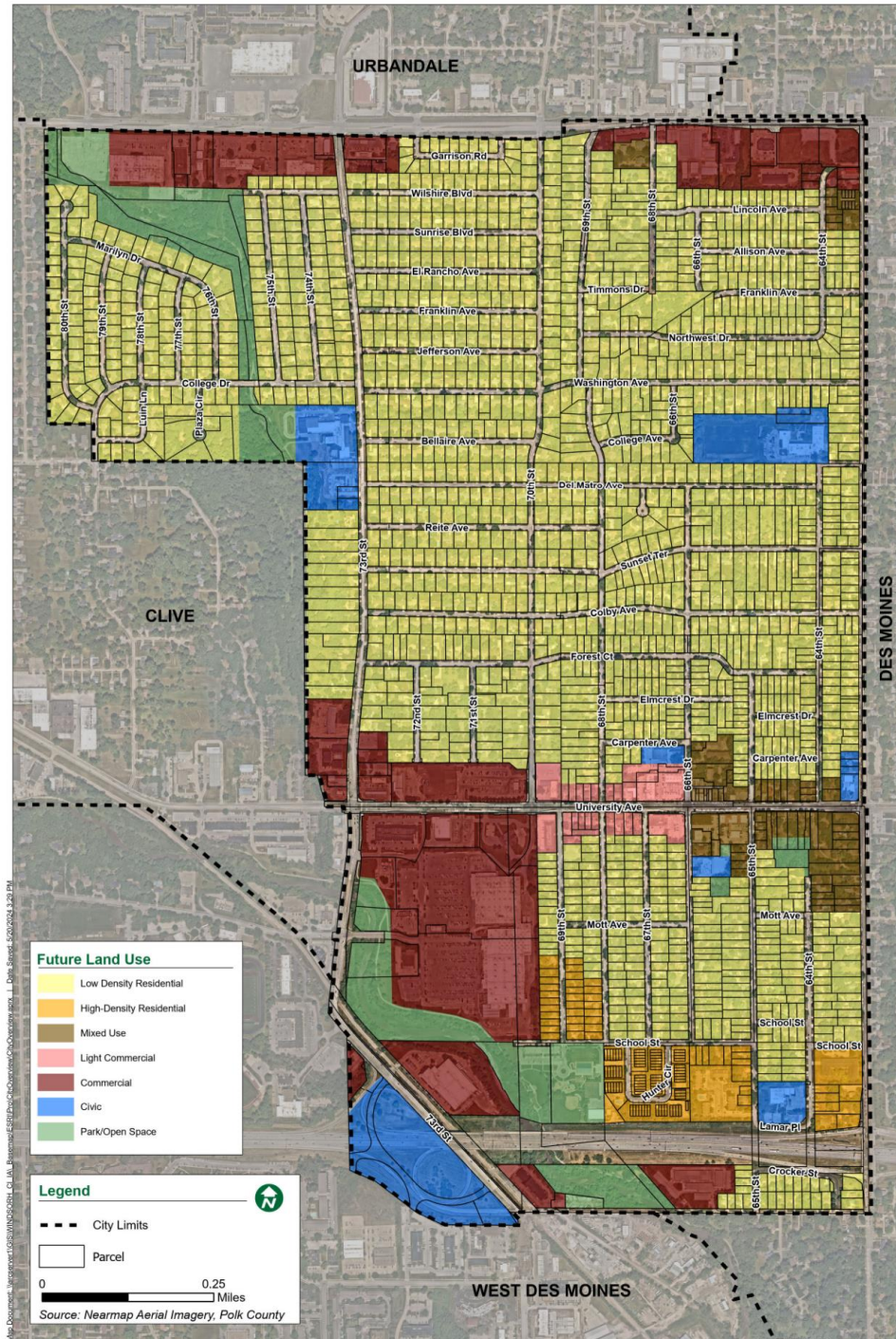
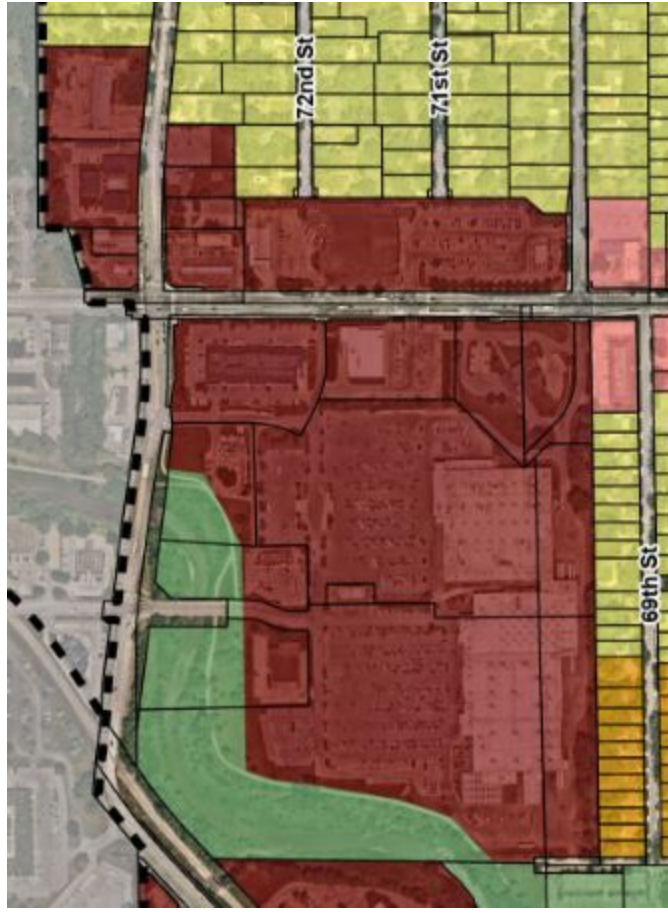


Figure 2: Proposed Future Land Use Map

Outlined Changes to Map

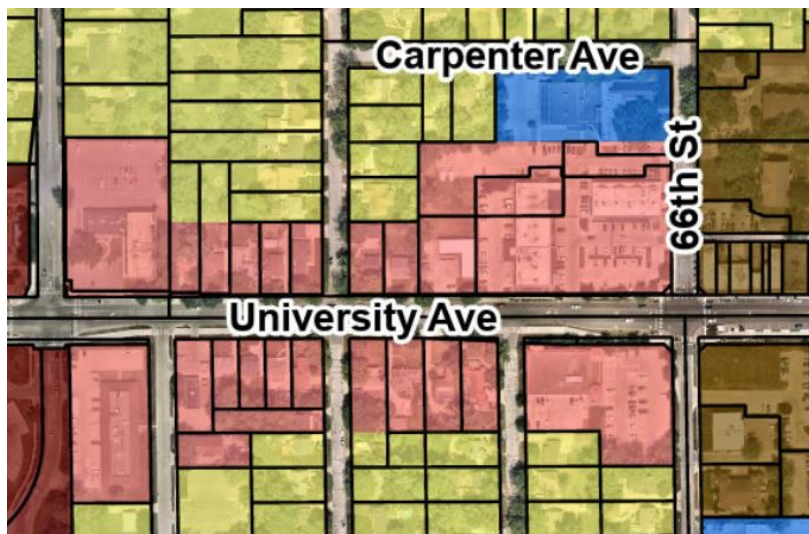
1. Updated color scheme of the Future Land Use Designations to match common planning best practices.
 - a. Explanation: To have the map coincide with other planning maps and diagrams.
2. Updated northwestern most corner of the community, expanded the Park/Open Space to cover Floodplain area so future development wouldn't be impacted.
 - a. Explanation: To protect parcels within the 100-yr floodplain area and to make sure development and use befits that area.
3. Updated northeastern corner of the community, changed this area from being entirely "Mixed Use" to a majority "Commercial" with some remaining "Mixed Use" on the edges.
 - a. Explanation: The large majority of this corridor is utilized as commercial, especially along Hickman Road. Establishing that as a commercial corridor is the best use of the land in the future while still allowing surrounding parcels the flexibility of Mixed-Use development.
4. Removed the Town Center Future Land Use Designation in the center of town.
 - a. Explanation: The Town Center District no longer exists within the Zoning Code and other Future Land Use Designations achieve what the Town Center designation's purpose was.
5. Removed the Transitional Residential Future Land Use Designation in the center of town.
 - a. Explanation: This Future Land Use designation is no longer needed in the community. This area is to be redeveloped into "Light Commercial" or "Mixed Use" uses in the future and includes residential housing types usually of higher density. The Economic Development Committee and City Staff recognized that some houses within this area have historical value. When these areas are brought up to be redeveloped (if ever), the preservation of historical and uniquely designed homes/buildings will be considered.
6. Updated Commercial areas in the community, redefined "Commercial" Future Land Use Designation area and had it reaching from the west city boundary to 70th Street.



a.

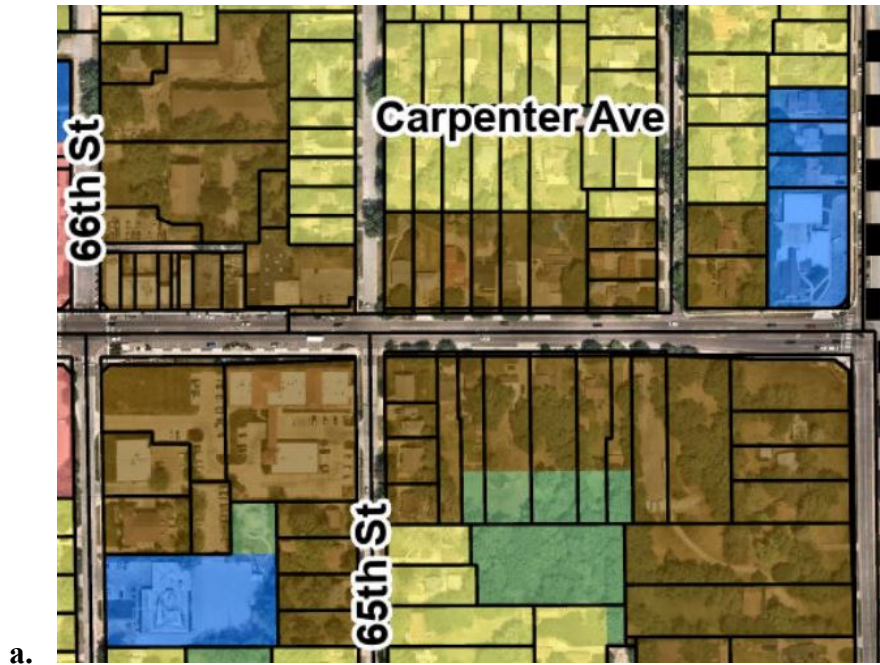
- i. Explanation: The commercial area was changed based upon the creation of the “Light Commercial” Future Land Use Designation creation. The commercial boundary was then adjusted to show the difference in the auto oriented commercial area and the more walkable commercial area.

7. Created the “Light Commercial” Future Land Use Designation, changed the University Avenue corridor from 70th Street to 66th Street to be “Light Commercial”.



a.

- i. The Light Commercial designation was created to define an area of commercial use that was more focused on promoting alternative forms of transportation to storefronts with limited auto oriented businesses to create a downtown feel to the University Avenue corridor.
- 8. Updated the Mixed-Use area along University Avenue, updated along University Avenue from 66th Street to 63rd Street (except at the northwest corner of 63rd and University) to be Mixed Use.



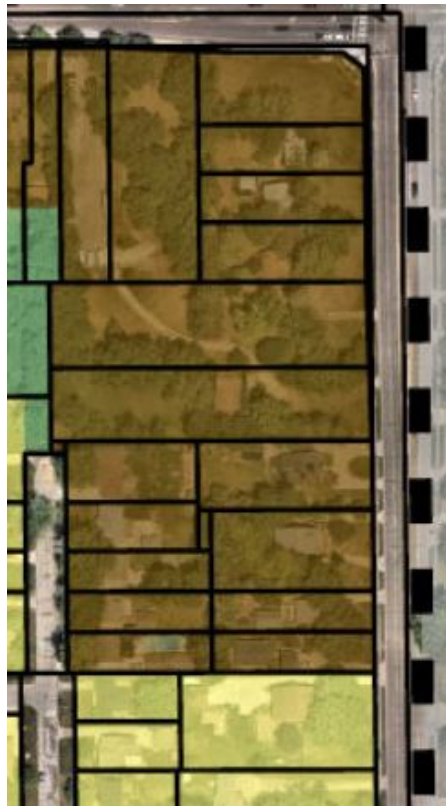
- i. Expanding the Mixed-Use Future Land Use Designation was to encourage further development of various offices, businesses, and residential throughout the corridor. This allows for the most flexibility within this area and allows for historic and uniquely designed homes currently residing to be redeveloped as businesses or remain residential parcels.
- 9. Updated the Civic area at the northwest corner of 63rd and University Avenue, updated the three (3) parcels north of the existing Civic Future Land Use designated parcel to be “Civic” as well.



a.

- i. Explanation: Updating as the Church that exists has acquired those parcels to be a part of the expansion of the church and plans on having them indefinitely.

10. Updated the Mixed-Use area along 63rd Street, updated along 63rd Street heading south to be Mixed Use up to Mott Avenue.

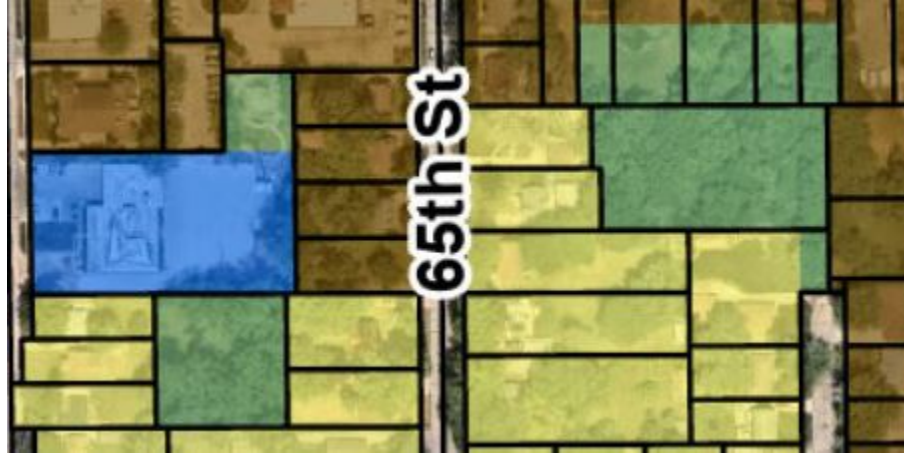


a.

- i. This update allows for flexibility in use or any form of redevelopment that can happen along the corridor. It allows for the existing residential to

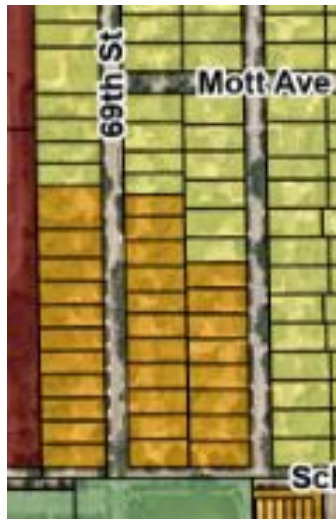
remain, to be redeveloped into light commercial uses, or to be redeveloped into more dense forms of residential.

11. Updated the Parks/Open Space areas near University Avenue, updated the various parcels shown below to be Parks/Open Space.



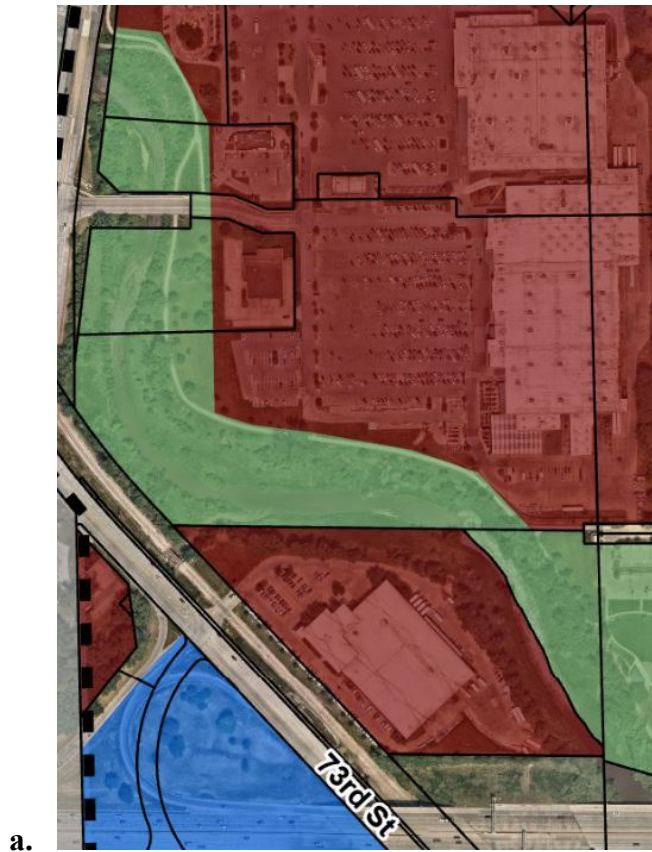
- i. These parcels have been updated to Parks/Open Space based upon their current use and unforeseen change, location, or dedication as open space.

12. Updated the Residential area along 69th Street and 68th Street, within the area shown below the parcels were adjusted from “Low Density Residential” to “High Density Residential”.



- i. These parcels were updated because they exist within the 100-yr floodplain and if they were to be redeveloped then there would need to be preventative measures taken for flood protection. These preventative measures are most commonly and easily done with more dense forms of residential. Based upon the location to commercial and park/open space, this would also create a residential transition between higher intensity uses in the community to lower intensity uses.

13. Updated the Parks/Open Space areas along Walnut Creek, updated these areas from “Commercial” to “Parks/Open Space”.



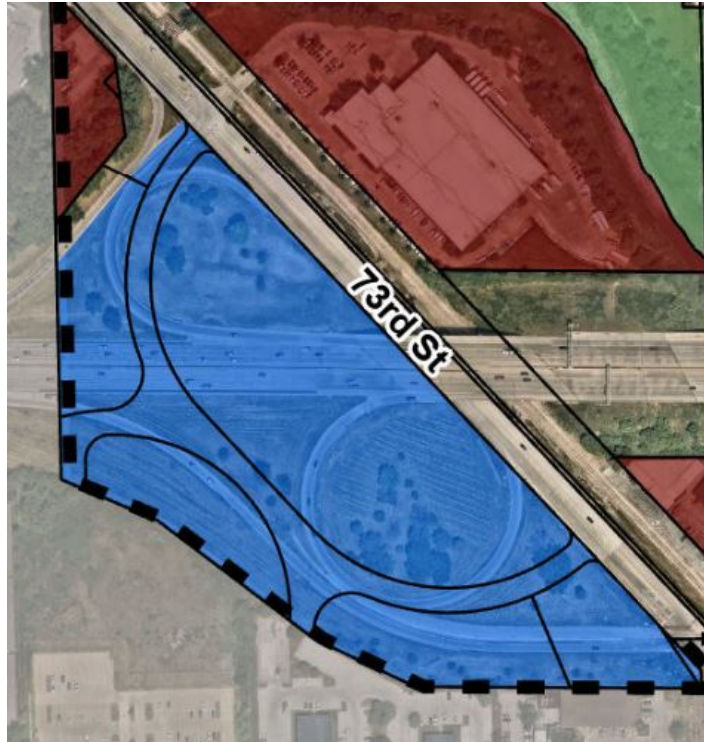
- i. This change was made to protect floodplain areas along with Walnut Creek and allow for a conservation area around the water body.

14. Updated the Parcel at the southwestern most corner of the community, updated the northern parcel to be “Commercial”.



- i. Explanation: This parcel, although currently not in use, was previously a gas station that falls into the commercial category. It is seen as this parcel being used commercially is the best use of the land.

15. Updates the Parcels at the southwestern most corner of the community, updated the southern section of parcels to be “Civic”.



a.

- i. Explanation: These areas are owned by the DOT and thus are designated Civic for government use.

Current Future Land Use Designation Definitions

- *Low Density Residential.* Residential uses with densities below 4 units/acre. This corresponds to single-family development. In addition, duplex or low-density townhouses with densities of up to 8 units/acre may occur.
- *High Density Residential.* Residential uses with densities above 8 units/acre. This corresponds to multi-family development.
- *Transitional Residential.* Transitional Residential allows for single-family dwellings yet recognizes the market demand for these properties to redevelop commercial/mixed-use under current zoning (University Avenue Mixed Use). Transitional Residential intends to protect the integrity of the neighborhood block by requiring a minimum redevelopment size of one-half acre.
- *Mixed Use.* This area encourages combinations of limited commercial, office, and residential uses.
- *Town Center.* The area surrounding 66th Street and University Avenue.
- *Commercial.* Commercial and office uses that are typically more auto oriented.

- *Civic Use.* These areas include religious buildings, public facilities, schools, and other public and semi-public uses.
- *Parks/Open Space.* Spaces for recreation, play, and conservation.

Proposed Future Land Use Designation Definitions

- *Low Density Residential.* Residential uses with densities below 4 units/acre. This corresponds to single-family development. In addition, duplex or low-density townhouses with densities of up to 8 units/acre may occur. (NO CHANGE)
- *High Density Residential.* Residential uses with densities above 8 units/acre. This corresponds to multi-family development. (NO CHANGE)
- *Transitional Residential.* REMOVED
 - Explanation: This was removed as it is no longer needed and other Future Land Use Designations achieve the same or similar goal.
- *Mixed Use.* Mixed Use areas of the community encourage vertical and horizontal combinations of light commercial, office, and diverse forms of residential uses with a density of 6 units/acre or higher.
 - Explanation: This was updated to create a clearer picture of what “Mixed-Use” development can look like in both a horizontal and vertical manner. It also goes to define what forms of housing are best utilized in this Future Land Use category.
- *Town Center.* REMOVED
 - This was removed as it is no longer needed and other Future Land Use Designations achieve the same or similar goal.
- *Light Commercial.* Commercial and Office uses that support a wide variety of businesses that allow for pedestrian focused access along with a lower capacity of auto-oriented access to the area.
 - Explanation: This was added and defined with the assistance of the Economic Development committee to distinguish areas along University Avenue that were meant for commercial excluding auto-focused commercial. Along with that, showing this area as not being for future residential use and separating this area from Mixed Use Future Land Use areas.
- *Commercial.* Commercial and office uses that are typically more auto oriented. (NO CHANGE)
- *Civic Use.* These areas include religious buildings, public facilities, schools, and other public and semi-public uses. (NO CHANGE)
- *Parks/Open Space.* Spaces for recreation, play, and conservation. (NO CHANGE TO DEFINITION, UPDATED LAND USE DESIGNATION NAME)
 - Explanation: To make sure that recreation was noted within the title of the Future Land Use Designation as it is called out in the definition.

Conclusion and Recommendation

After reviewing all of the documentation available and discussing, City Staff compared the changes to the goals and vision of the Comprehensive Plan and the updated Zoning Code. After review and comparison, Staff came to their recommendation.

The staff recommends approval of the changes and amendment to the Future Land Use Map and Future Land Use Designation Definitions within the Comprehensive Plan for the City of Windsor Heights to the City Council.

Planning and Zoning Commission Recommendation

After the Planning and Zoning Commission listened to the Staff presentation, participated in a Public Hearing held on June 26th, 2024, and reviewed all information presented and submitted, they came to their conclusion.

The Planning and Zoning Commission recommends approval of the changes and amendment to the Future Land Use Map and Future Land Use Designation Definitions within the Comprehensive Plan for the City of Windsor Heights to the City Council.

Recommended Motion

Motion to approve the changes and amendment to the Future Land Use Map and Future Land Use Designation Definitions within the Comprehensive Plan for the City of Windsor Heights.

Attachments:

1. City of Windsor Heights Future Land Use Map (Current)
2. City of Windsor Heights Future Land Use Map (Proposed)

RESOLUTION 2024-47

A RESOLUTION APPROVING THE FUTURE LAND USE MAP AND FUTURE LAND USE DESIGNATION DEFINITIONS WITHIN THE COMPREHENSIVE PLAN FOR THE CITY OF WINDSOR HEIGHTS

WHEREAS, on June 26, 2024, upon proper publication of notice, the Planning and Zoning Commission held a public hearing, notice of which was given to property owners within 200 feet; and

WHEREAS, the Planning & Zoning Commission has reviewed this request during its regular meeting on June 26, 2024, and forwarded to City Council with a recommendation of approval; and,

WHEREAS, the City Engineer has reviewed the future land use map, attached as **Exhibit A**, and future land use designation definitions within the comprehensive plan and recommends approval; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA, that the future land use map and future land use designation definitions within the comprehensive plan as outlined below are hereby approved.

Future Land Use Designation Definitions

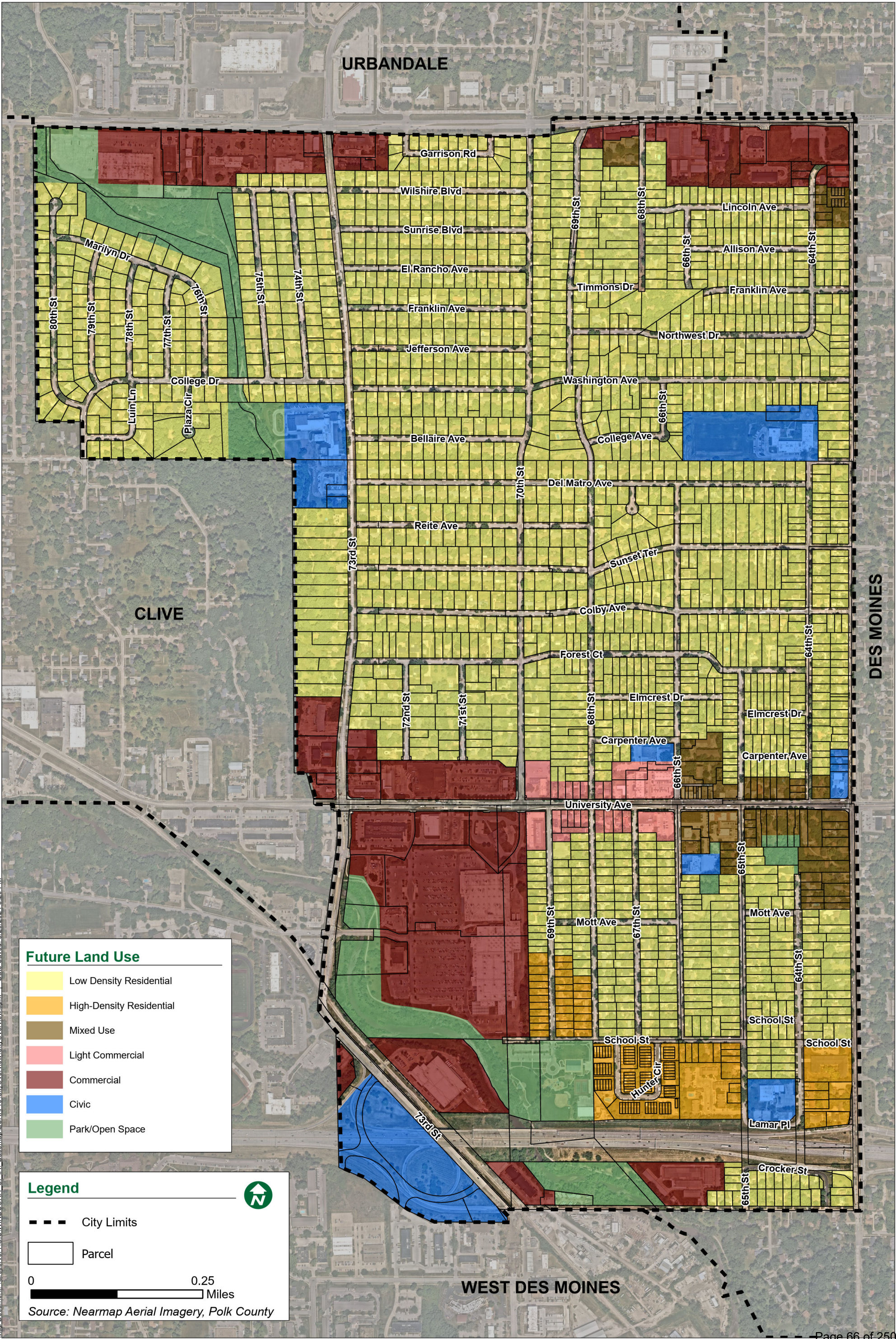
- *Low Density Residential*. Residential uses with densities below 4 units/acre. This corresponds to single-family development. In addition, duplex or low-density townhouses with densities of up to 8 units/acre may occur. (NO CHANGE)
- *High Density Residential*. Residential uses with densities above 8 units/acre. This corresponds to multi-family development. (NO CHANGE)
- *Transitional Residential*. REMOVED
 - Explanation: This was removed as it is no longer needed and other Future Land Use Designations achieve the same or similar goal.
- *Mixed Use*. Mixed Use areas of the community encourage vertical and horizontal combinations of light commercial, office, and diverse forms of residential uses with a density of 6 units/acre or higher.
 - Explanation: This was updated to create a clearer picture of what “Mixed-Use” development can look like in both a horizontal and vertical manner. It also goes to define what forms of housing are best utilized in this Future Land Use category.
- *Town Center*. REMOVED
 - This was removed as it is no longer needed and other Future Land Use Designations achieve the same or similar goal.
- *Light Commercial*. Commercial and Office uses that support a wide variety of businesses that allow for pedestrian focused access along with a lower capacity of auto-oriented access to the area.

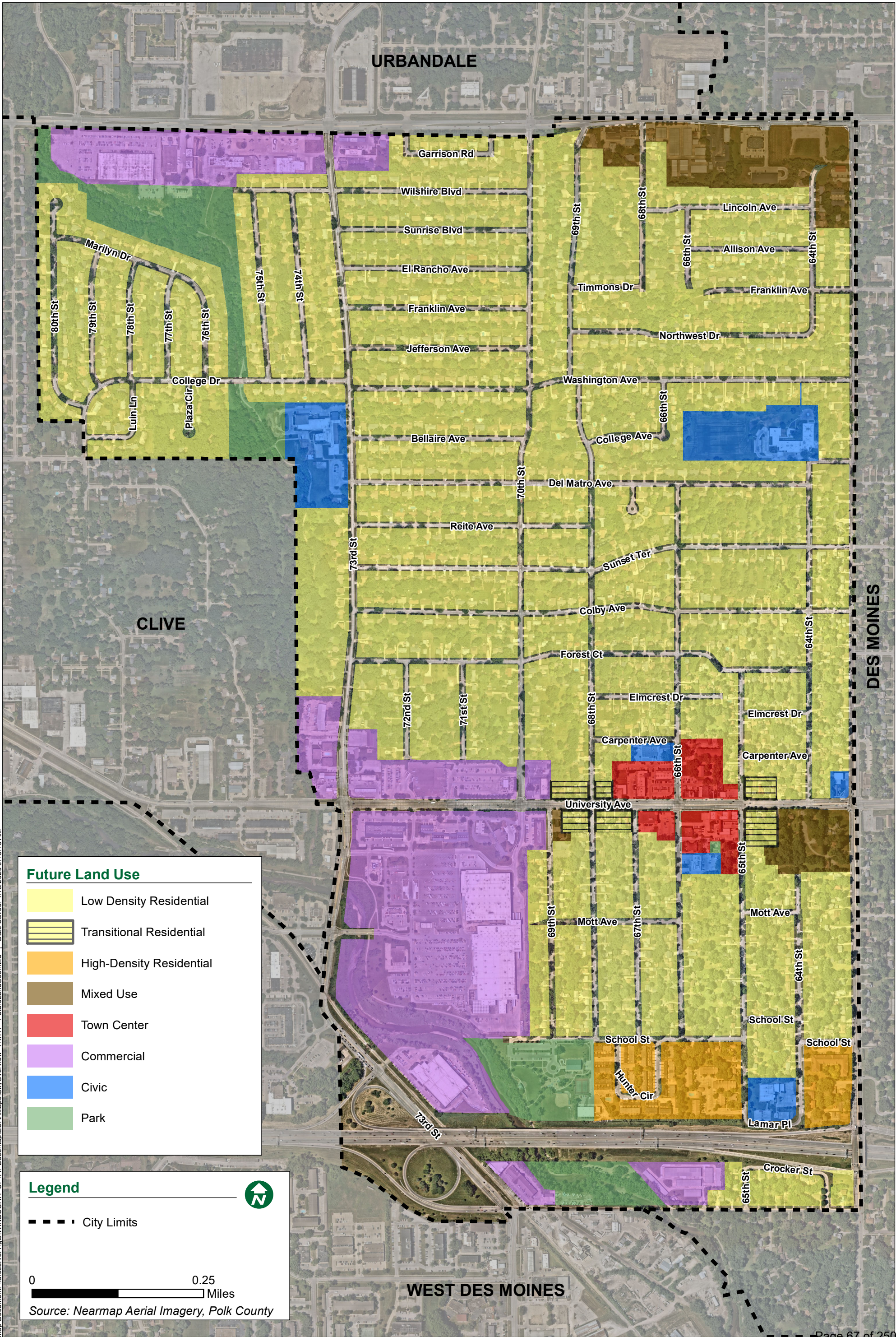
- Explanation: This was added and defined with the assistance of the Economic Development committee to distinguish areas along University Avenue that were meant for commercial excluding auto-focused commercial. Along with that, showing this area as not being for future residential use and separating this area from Mixed Use Future Land Use areas.
- *Commercial*. Commercial and office uses that are typically more auto oriented. (NO CHANGE)
- *Civic Use*. These areas include religious buildings, public facilities, schools, and other public and semi-public uses. (NO CHANGE)
- *Parks/Open Space*. Spaces for recreation, play, and conservation. (NO CHANGE TO DEFINITION, UPDATED LAND USE DESIGNATION NAME)
 - Explanation: To make sure that recreation was noted within the title of the Future Land Use Designation as it is called out in the definition.

PASSED AND APPROVED this 1st day of July, 2024.

MIKE JONES, MAYOR

ADAM STRAIT, CITY CLERK







**STAFF REPORT
CITY COUNCIL**
July 1, 2024

TO: CITY COUNCIL

FROM: Adam Plagge, City Administrator

SUBJECT: Consideration of Resolution 2024-48 - A Resolution Approving the Zoning Map
for the City of Windsor Heights

GENERAL INFORMATION

ATTACHMENTS

1. 7.1.24 Zoning Map Update Staff Report
2. Resolution No. 2024-48 - Zoning Map Update
3. Resolution No. 2024-48 - Zoning Map Update EXHIBIT A
4. Current_WINDSORH_CI_IA_Zoning_11x17P



STAFF REPORT

Date: July 1st, 2024
To: Windsor Heights City Council
From: Trey Rouse
Subject: Zoning Map Update

Summary

With the updates to the Zoning Code that occurred earlier this year, the Zoning Map needs to reflect those changes as well. These changes are commonly updates to the existing Zoning Districts, where they are located within the community, and updating the legend to reflect new titles and color coordination.

The changes that will be seen and are listed within this Staff Report were determined to be necessary by City Staff after reviewing the updated Zoning Code and comparing those changes to the current Zoning Map. The various changes are to make sure that the Zoning Code and Zoning Map reflect the same information.

Current Zoning Map

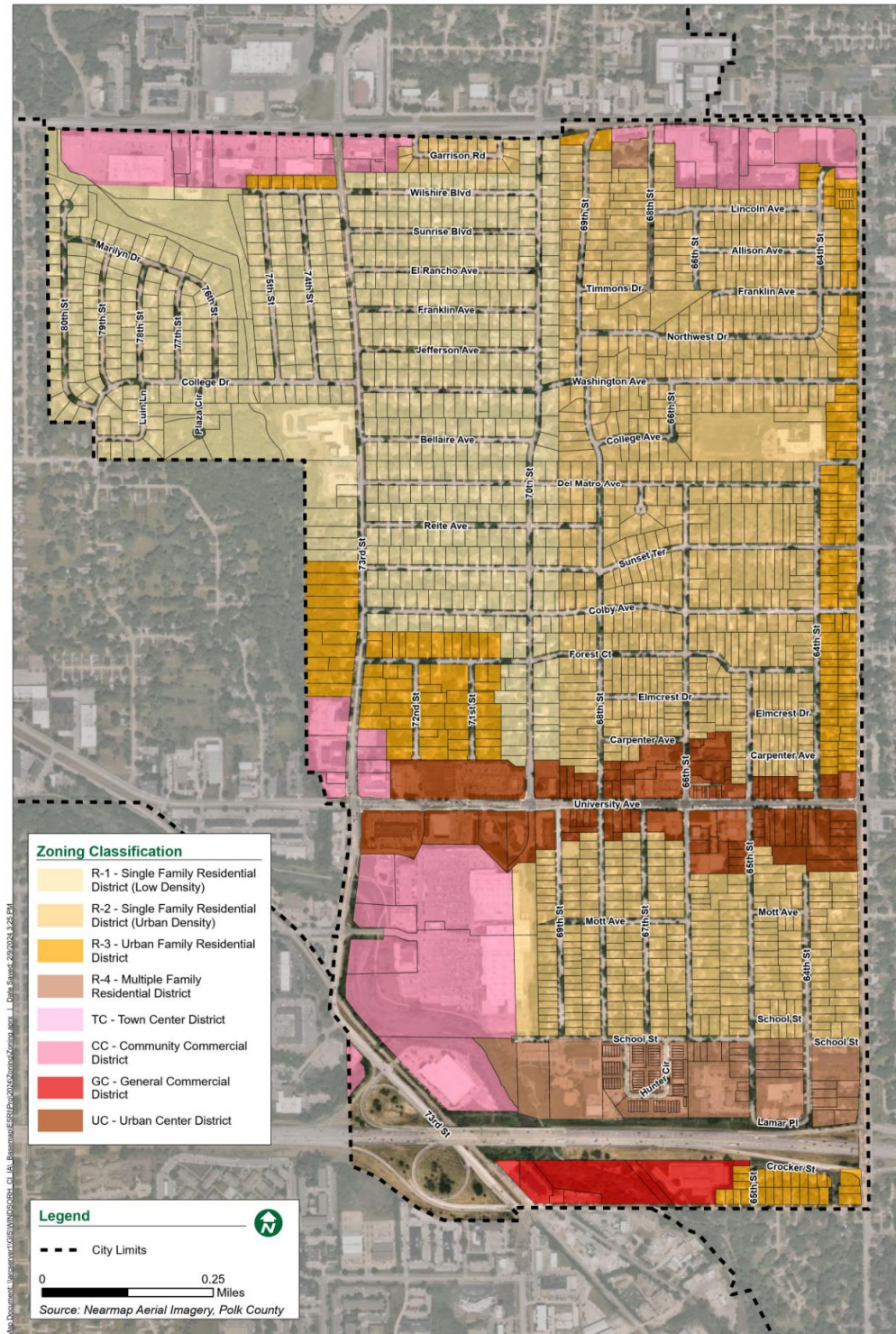


Figure 1: Current Zoning Map

Updated Zoning Map



Windsor Heights Zoning Map
May 2024

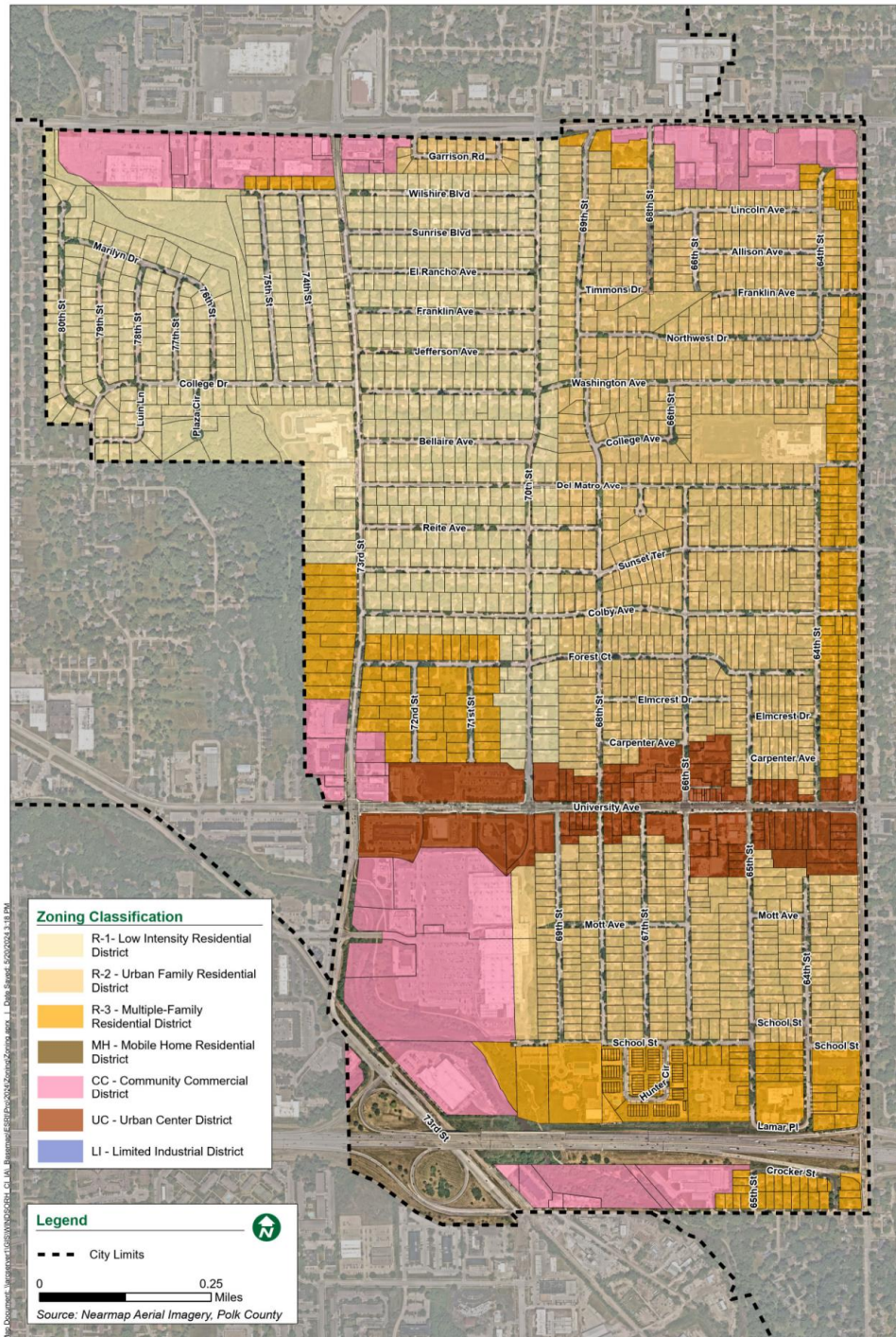


Figure 2: Updated Zoning Map

Outlined Changes to Map

Changes made to the Zoning Map based upon the Zoning Code were as follows:

1. Removed TC – Town Center District from Map Legend
 - a. Explanation: This district is no longer within the Zoning Code and was removed/replaced by the Urban Center District (UC). This change is to reflect that change within the Zoning Code.
2. Removed GC – General Commercial District from Map and Map Legend
 - a. Explanation: This district was merged with the Community Commercial District (CC) within the Zoning Code as there were few differences and utilization of the Zoning District was limited. This change is to reflect that change within the Zoning Code.



3. Removed R-4 – Multi Family Residential District from Map and Map Legend
 - a. Explanation: This district was combined with the previous R-3 District based upon their similarities in uses allowed and uses within the community. This change is to reflect that change within the Zoning Code.

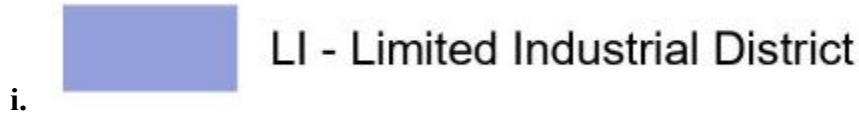


4. Added MH – Mobile Home Residential District to Map Legend
 - a. Explanation: This Zoning District is included within the Zoning Code and many communities (whether it is utilized or not) have it within their Zoning Map as described within Chapter 562B of Iowa Code. Within Windsor Heights, there is no area designated for this Zoning District within the city boundary. This change is to reflect the existence of this Zoning District within the Zoning Code.



5. Added LI - Limited Industrial District to Map Legend

- a. Explanation: This Zoning District is included within the Zoning Code for any future limited industrial opportunities that may arise for Windsor Heights. There is no area designated for this Zoning District within the city boundary. This change is to reflect the existence of this Zoning District within the Zoning Code.



- 6. Adjusted all areas designated as R-4 Multi Family Residential District to R-3 Multi Family Residential District.

- a. Explanation: This district was combined with the previous R-3 District based upon their similarities in uses allowed and uses within the community. This combination accommodates the change within the Zoning Code.



- 7. Adjusted all areas designated as GC – General Commercial District to CC – Community Commercial District.

- a. Explanation: This district was merged with the Community Commercial District (CC) within the Zoning Code as there were few differences and utilization of the Zoning District was limited. This combination accommodates the change within the Zoning Code.



- 8. Updated all Zoning District titles to match and correspond with Zoning Code.

- a. Explanation: This update was made to create consistency with the Zoning Code.

These outlined changes are to make sure that the Zoning Map reflects the updated Zoning Code with the new Zoning Districts, updated legend, and continuity of the titles and meaning of the updated Zoning Code.

Conclusion and Recommendation

After reviewing all of the documentation available and discussing, City Staff compared the changes to the updated Zoning Code. After review and comparison, Staff came to their recommendation.

The staff recommends approval of the updates to the Zoning Map for the City of Windsor Heights to the City Council.

Planning and Zoning Commission

After the Planning and Zoning Commission listened to the Staff presentation, participated in a Public Hearing held on June 26th, 2024, and reviewed all information presented and submitted, they came to their conclusion.

The Planning and Zoning Commission recommends approval of the updates to the Zoning Map for the City of Windsor Heights to the City Council.

Recommended Motion

Motion to approve the updated Zoning Map for the City of Windsor Heights.

Attachments:

1. Windsor Heights Zoning Map (Current)
2. Windsor Heights Zoning Map (Proposed)
3. Zoning Code Excerpt – Zoning Districts

RESOLUTION 2024-48

A RESOLUTION APPROVING THE ZONING MAP FOR THE CITY OF WINDSOR HEIGHTS

WHEREAS, on June 26, 2024, upon proper publication of notice, the Planning and Zoning Commission held a public hearing, notice of which was given to property owners within 200 feet; and

WHEREAS, the Planning & Zoning Commission has reviewed this request during its regular meeting on June 26, 2024, and forwarded to City Council with a recommendation of approval; and,

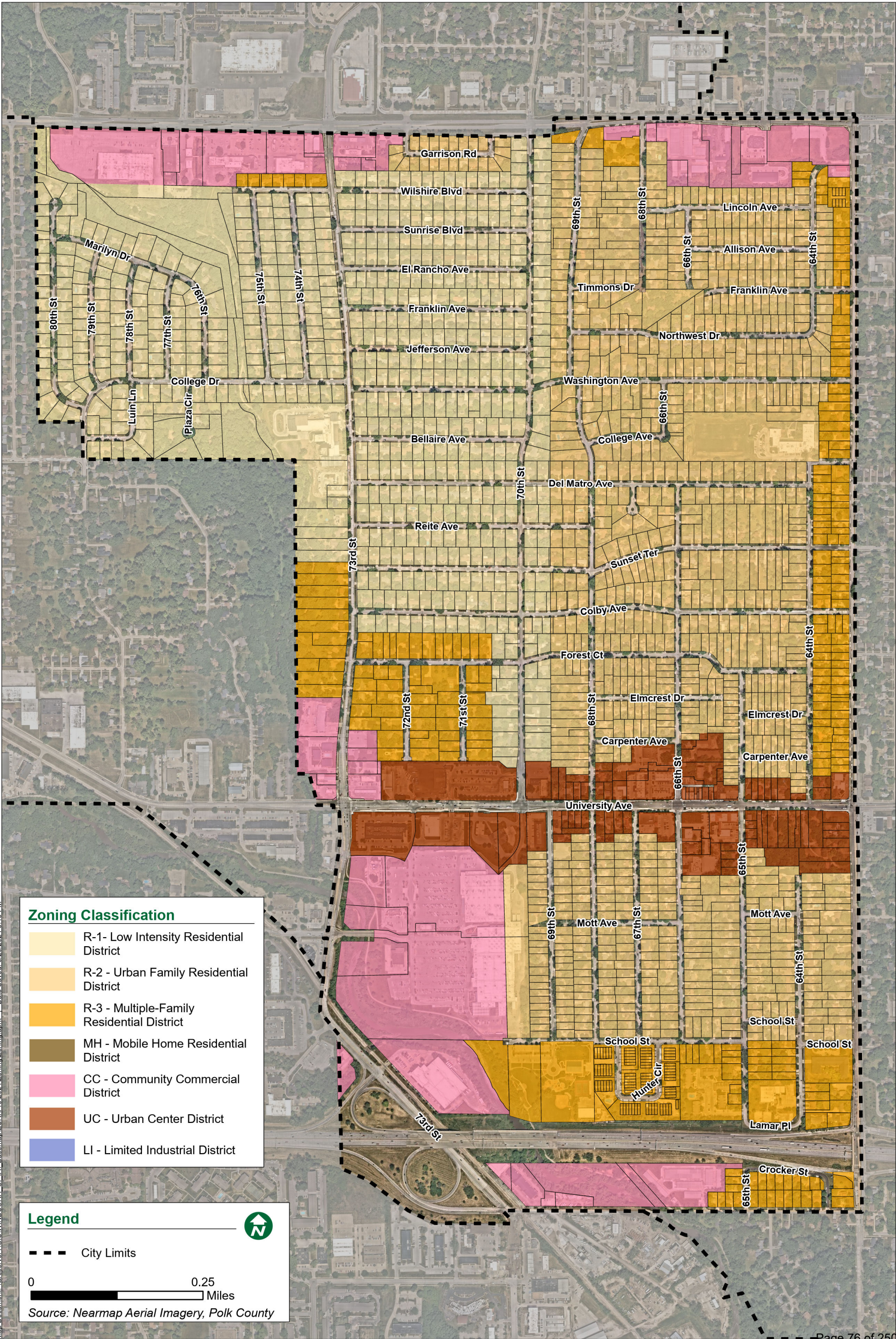
WHEREAS, the City Engineer has reviewed the zoning map, attached as Exhibit A, and recommends approval; and

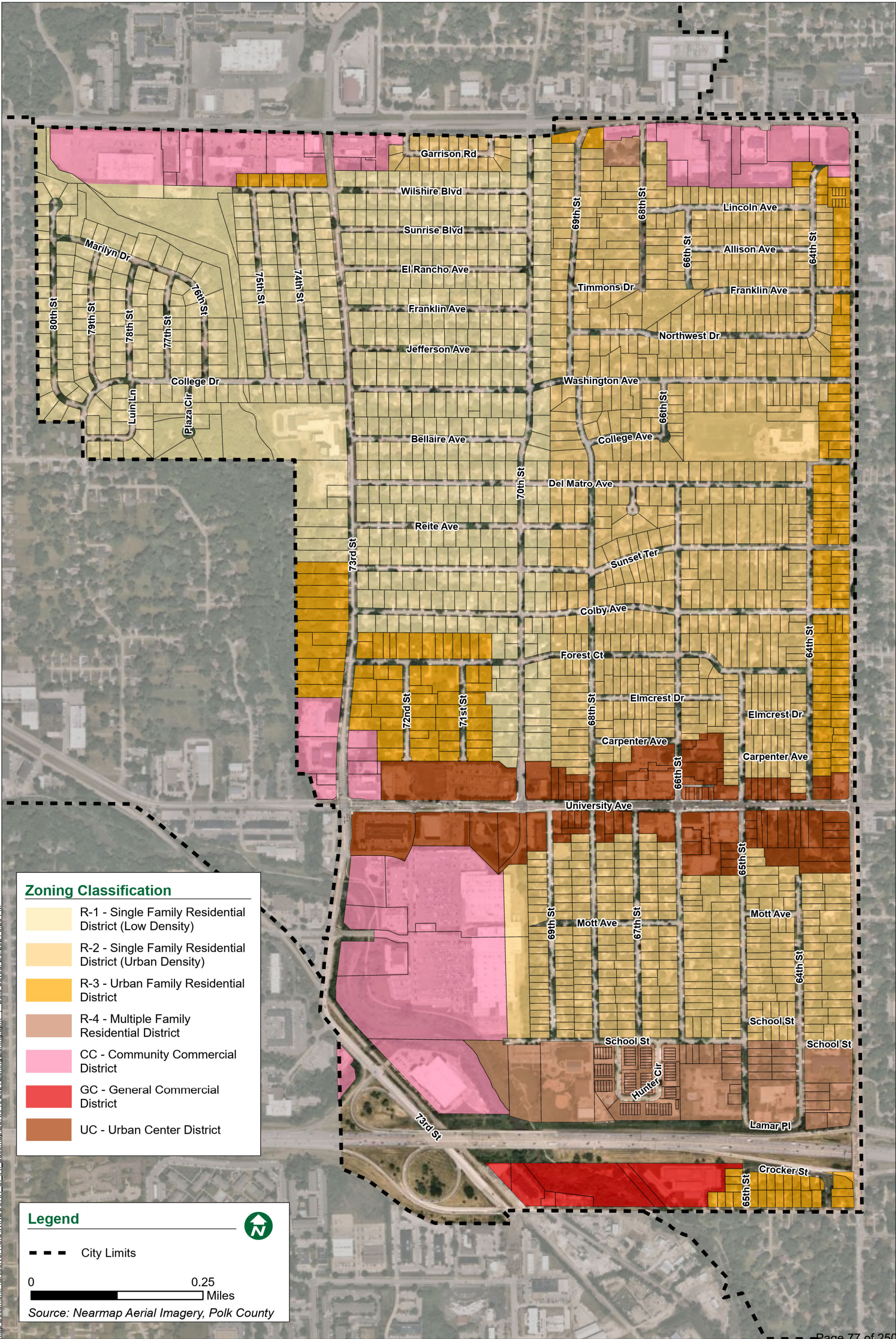
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA, that the zoning map is hereby approved.

PASSED AND APPROVED this 1st day of July, 2024.

MIKE JONES, MAYOR

ADAM STRAIT, CITY CLERK







**STAFF REPORT
CITY COUNCIL**
July 1, 2024

TO: CITY COUNCIL

FROM: Adam Plagge, City Administrator

SUBJECT: Consideration of Resolution No. 2024-49 - A Resolution Approving the Site Plan
for a Salt Shed at 6800 School Street

GENERAL INFORMATION

ATTACHMENTS

1. 7.1.24 Salt Shed Staff Report
2. Salt Shed Application Signed
3. Salt Shed Site Plan Set 6.7.24
4. Resolution No. 2024-49 - Salt Shed Site Plan

STAFF REPORT

Date: July 1st, 2024
To: Windsor Heights City Council
From: Trey Rouse
Subject: Site Plan: 6800 School Street - Public Works Salt Shed

General Information

Applicant: City of Windsor Heights
3611 NE Otterview Circle
Windsor Heights, IA 50021
Property Owner: City of Windsor Heights
Proposed Use: Safety Services
Zoning: R-3 (Multiple-Family Residential District)
Location: 6800 School Street

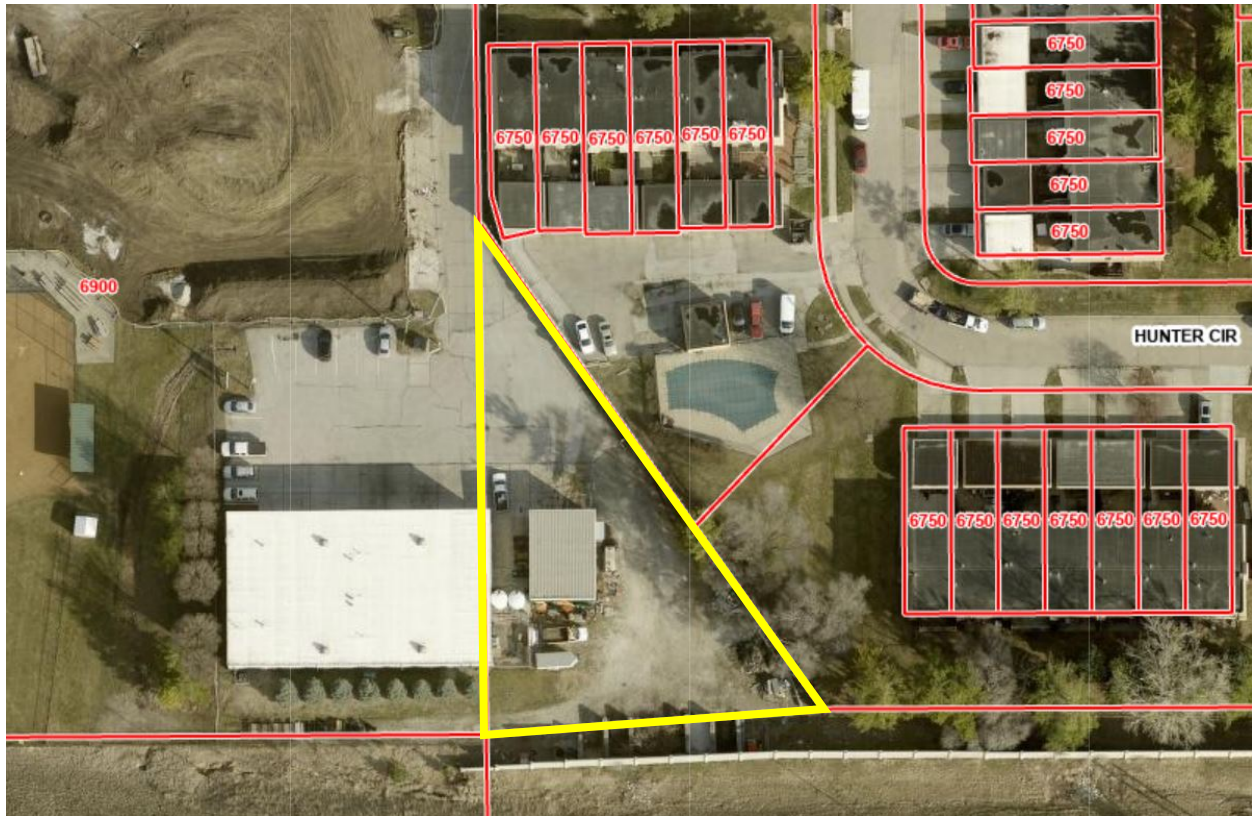
Summary

The applicant, City of Windsor Heights Public Works Department, is requesting to develop an updated Salt Shed to be able to store salt and easily access during the winter to clear the roads of ice and snow during the winter months. The site proposed is in the R-3 District (Multiple-Family Residential District) for the use of the property described as 6800 School Street where the Public Works building is located. The R-3 District (Multiple-Family Residential District) allows for the Safety Services use within the R-3 District by right. This development would include the demolition of the building existing next to the Public Works facility, diesel tanks within the existing building to be removed, a decrease in impervious surface on the parcel by 420 sq. ft., development of a new building at 23' 8" tall.

City Staff has completed a review of the documentation submitted by the applicant. The submitted application materials are attached to this report.

Existing Conditions

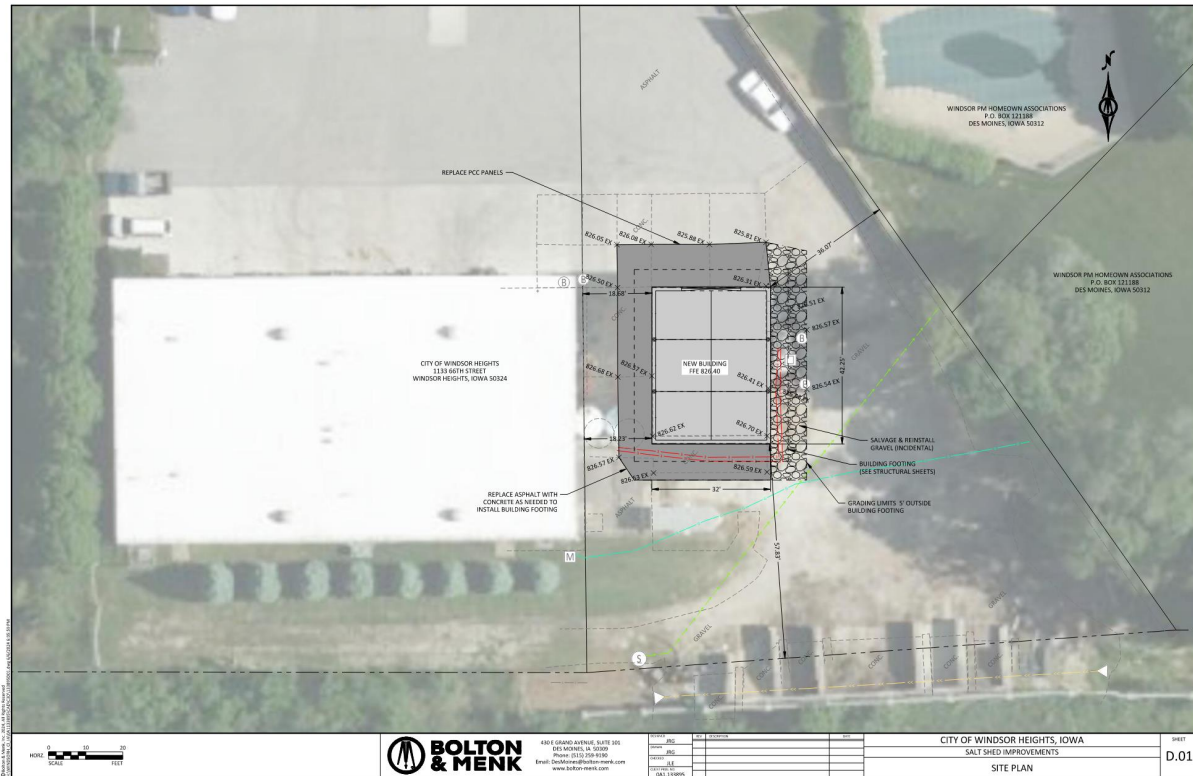
The 0.438-acre lot is in the R-3 – Multiple-Family Residential Zoning District. This Zoning District allows for Safety Service building to be developed to assist with the care of the Windsor Heights community. The property currently has an access to the northeast of the property and also parking space throughout the site on the north, east, and southern portions of the parcel. There is currently a 1,233 sq. ft. building that resides on the parcel and is used for basic storage by the Public Works Department of the City of Windsor Heights.



Legal Description

BEG NW COR THN SE280.1F W TO W LN N 240F TO POB
OL X WINDSOR PARK PLAT NO 2

Site Plan for Development



Background of Parcel/Lot

This parcel has been used by the Public Works Department of the City of Windsor Heights and is owned by the City of Windsor Heights. This parcel previously had a storage area along with parking lots located to the north and the southeast of the existing building. This parcel is still in use by the Public Works Department.

Adjacent Land Use

Direction	Zoning	Use
North	Multi-Family Residential District (R-3)	Residential, Multi-Family
South	N/A	Interstate
East	Multi-Family Residential District (R-3)	Residential, Multi-Family
West	Multi-Family Residential District (R-3)	Safety Services

Zoning Bulk Regulations

Category	R-3
Lot Area	7,200 sq.ft.

Lot Width	50 ft
Front Yard Setback	25 ft
Street Side Yard Setback	25 ft
Interior Side Yard Setback	5 ft
Rear Yard Setback	15 ft

Traffic Study/Traffic Information

There was no request by the City of Windsor Heights for a Traffic Study or analysis as traffic and access was not seen as an issue for the site or proposed development.

Parkland Dedication

Although the property and parcel reside within the R-3 (Multiple-Family Residential) District, it is not proposed to be developed as Residential, Multiple-Family. It is proposed to be developed as Safety Services; this removes the requirement for Parkland Dedication as required by any residential site development.

Landscaping and Plantings

The proposed project and site plan do not require landscaping and plantings of any kind as they are exempt from these requirements by Zoning Code Chapter 173.02.2. This states that if the site is remodeled, rehabilitated, or improved in a manner that does not substantially change the site then it is exempt from the landscaping and planting requirements of the Zoning Code.

Building Façade

The R-3 (Multiple-Family Residential) District does not contain stringent building façade requirements as described for zoning districts like the Urban Center District or the Community Commercial District. As such, the designed building façade is requested to be similar to the existing Public Works building or an improvement to the existing building.

Stormwater/Drainage

The proposed development is a simple build and design. It increases the pervious surface on the property and removes impervious surface that previously existed. Based upon the Zoning Code and the Stormwater requirements adopted by the City of Windsor Heights, the stormwater absorption on the site would be improved and not cause excess runoff or flooding issues on the property or adjacent properties.

Parking Requirements

Based upon the proposed site, development, and use of the development, minimum parking requirements have not been established by the City of Windsor Heights.

The Safety Services use does not have a minimum off-street parking requirement based on the adopted Zoning Code for the City of Windsor Heights.

Screenings and Buffers

Screening and buffers are required to protect less intensive uses found in the R-1, R-2, and R-3 Districts from more intense uses that are commonly found in the UC, CC, and LI Districts. The Salt Shed proposed project is located within the R-3 District, considered a less intensive district thus not requiring any additional screening from other districts. No screening or buffering is required by the Zoning Code.

Comprehensive Plan Review

The Windsor Heights Comprehensive Plan has been reviewed by City Staff to make sure that this project aligns with the goals and ideals of the Comprehensive Plan. The proposed Public Works Salt Shed project meets a goal identified and outlined within the Comprehensive Plan and addresses the following goal as determined by the City Staff. The Comprehensive Plan supports the proposed project as it is presented.

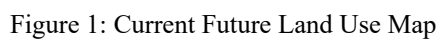
City Works:

1. Plan infrastructure investments that maintain, replace and update systems to keep the foundation of our community health.
 - a. This project has been discussed and planned by Public Works and is an active need for the community and safety of Public Works Staff. This replacement of current City street care and supply storage is an important system for future problem solving by the Public Works Department.

Future Land Use Map

The future land use map should be used as guidance for areas throughout the City. The map identifies this location as High Density Residential, which is defined on page 40 of the 2017 Comprehensive Plan. “High-Density Residential. Residential uses with densities above 8 units per acre. This corresponds to multi-family development.”

The proposed project does not conform to the vision that has been laid out by the Comprehensive Plan Future Land Use Map by definition. However, the safety of the community and updating facilities as needed to maintain the safety and well-being of the community is identified in the Comprehensive Plan. This parcel is currently being used in a similar manner to what is being proposed and within this Future Land Use designation. City Staff are inclined to allow it to remain within this Future Land Use designation.



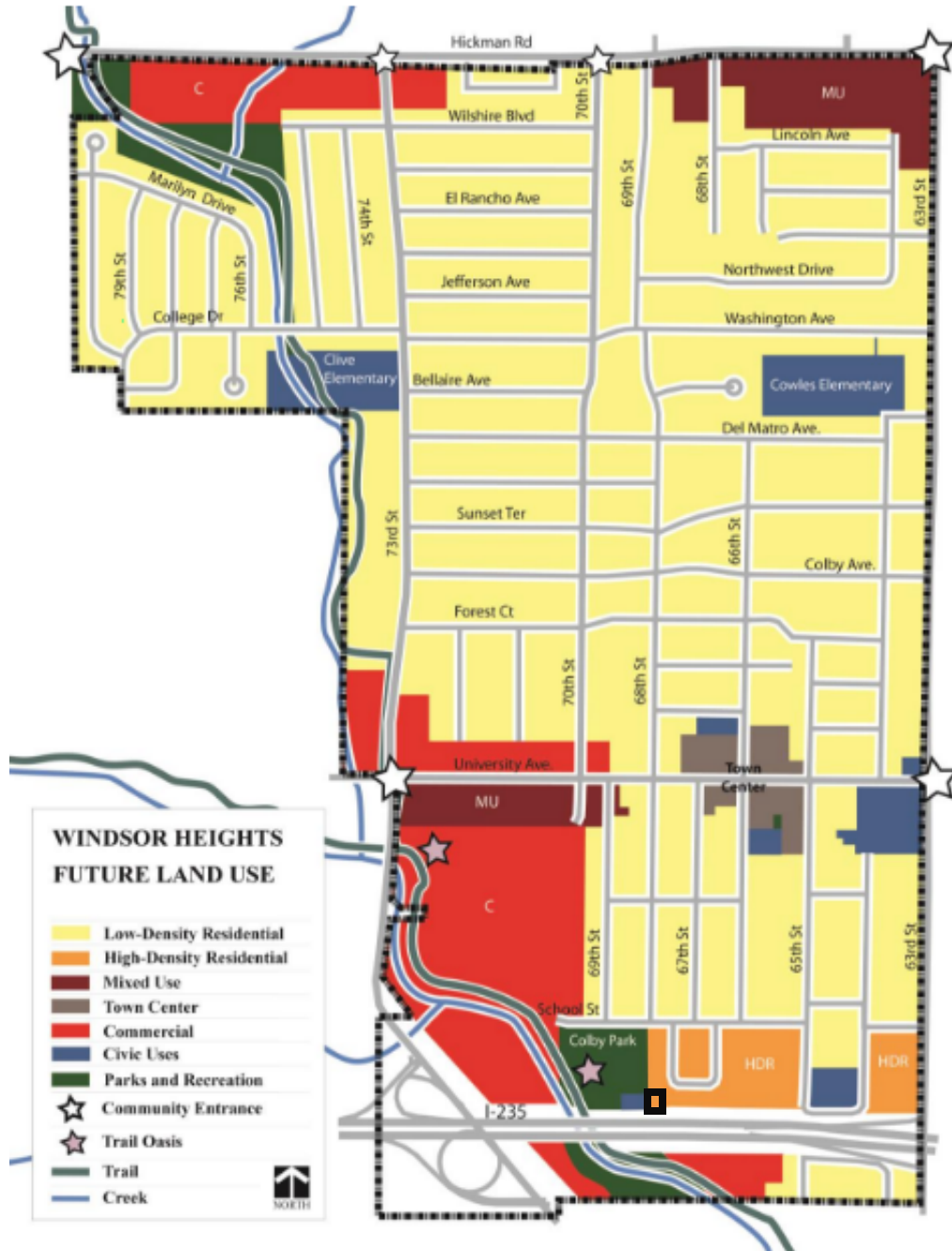


Figure 2: Windsor Heights' 2017 Comprehensive Plan's
Future Land Use Map

Zoning Map

The parcels are currently zoned for Multiple-Family Residential District which is defined in [Table 168-1 Purposes of Zoning Districts](#) as “This district is intended to provide locations primarily for residential multiple-family housing, with supporting and appropriate community facilities. It also permits some nonresidential uses such as offices through a special permit procedure, to permit the development of mixed-use neighborhoods.”

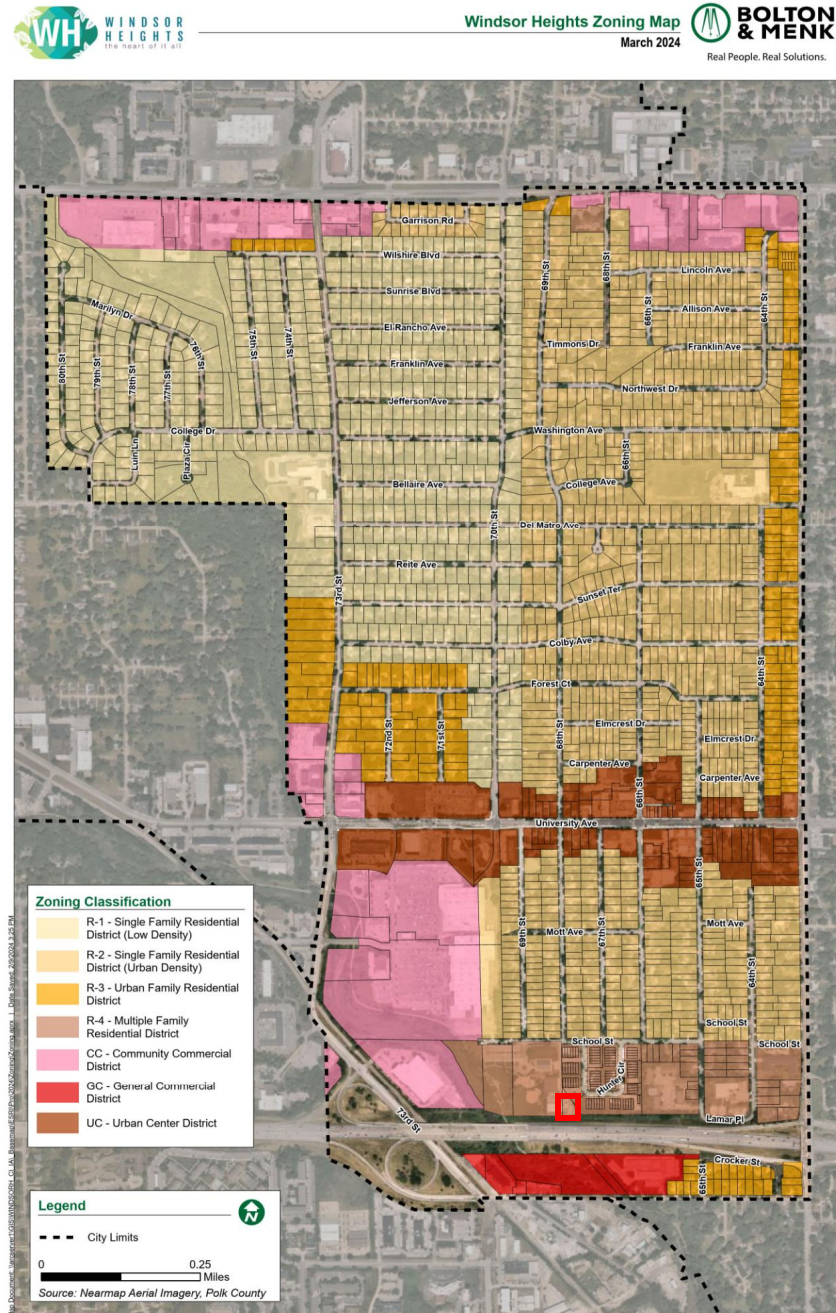


Figure 3: Current Zoning Map

Public Comments Received

The City of Windsor Heights City Staff, at the time of the creation of this Staff Report, has not received public comment on the proposed project of Salt Shed at this property.

Current Work Done at Site

The proposed changes and updates shown in this Staff Report and the proposed Site Plan are only designed proposals. No demolition, grading, or work has been done on the site so far.

Conclusion and Recommendation

After reviewing all of the documentation submitted by the applicant by City Staff and all City Departments, Staff compared the project to the goals and vision of the Comprehensive Plan and other City plans. After review and comparison, Staff came to their recommendation.

The staff recommend approval of the 6800 School Street Site Plan (Public Works Salt Shed) with the following conditions to the City Council.

Planning and Zoning Commission

After the Planning and Zoning Commission listened to the Staff presentation, participated in a Public Hearing held on June 26th, 2024, and reviewed all information presented and submitted, they came to their conclusion.

The Planning and Zoning Commission recommends approval of the 6800 School Street Site Plan (Public Works Salt Shed) with the conditions of approval laid out by City Staff for the City of Windsor Heights to the City Council.

Recommended Motion

Motion to approve the 6800 School Street Site Plan (Public Works Salt Shed) with the conditions of approval laid out by City Staff.

Conditions:

All of the following conditions will be met, reviewed by the city department assigned, and deemed complete before approval of the site plan and before any development can take place.

General Comments

1. All permits related to the project will be held and released concurrently at the approval of the following:
 - a. Approval of signs and utility from Safe Building.
 - b. Revision of site plan application in accordance with the comment letter and all corresponding comments from each City Department.
 - c. Professional Signatures on Final Site Plan including Licensed Surveyor (Chapter 170.10)
 - d. City Council approval of site plan.

Fire Comments

1. The responsible party (whether that be the Public Works Department for the City of Windsor Heights or other entity) ensure that the AGS Tanks to be relocated are relocated

to a spot that is above the flood plain or flood proofed in their new location if they can't be moved to a location that is above the flood plain.

Attachments

1. Application Materials (as submitted)



Send the completed permit application and supporting documents to Justin Ernst from Bolton & Menk at Justin.Ernst@bolton-menk.com or call 515-259-9190 x2786.

APPLICATION FOR DEVELOPMENT REVIEW SITE PLAN/SITE PLAN AMENDMENT

DATE SUBMITTED

6/7/2024

PROJECT TITLE

Salt Shed Site Plan

PROJECT ADDRESS

6900 School Street

APPLICANT INFORMATION

APPLICANT NAME & EMAIL

City of Windsor Heights

ADDRESS

1145 66th St. Suite 1

CITY, STATE, ZIP

Windsor Heights, IA 50324

PHONE

515-645-6810

FAX

LOT #

SUBDIVISION

Windsor Park Plat 2

Please provide seven copies (24"x36" maximum) of all plans and one copy of the project drainage report. In addition, a digital copy (.pdf format preferred) of all plan sheets and drainage report shall be provided.

In order for a submittal to be determined as complete, the following basic information should be provided:

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property.

In addition to the application fee of \$300.00, I understand I am responsible for all development review costs invoiced on a Monthly basis for services performed by City staff or City consultants on my behalf.

Justin Ernst

Print Applicant's Name

Justin Ernst

Applicant's Signature

6/7/2024

Date

Submitted Accepted

Traffic Study (as required by City Engineer) ☐ ☐

Site Survey ☒ ☐

Dimension Plan ☒ ☐

Grading Plan ☒ ☐

Utility Plan ☐ ☐

Landscape Plan ☐ ☐

Drainage Report ☐ ☐

Architectural Plans ☐ ☐

Lighting Plans ☐ ☐

Name & Address of All Properties within 200 ft ☒ ☐

For additional detail on the type of information necessary for each of the items above can be found on the back of this form or by contacting the City Administrator.

Additional Information:

DEVELOPMENT TEAM

Project Manager

Justin Ernst

Address

430 E Grand Avenue, Suite 101

Phone

515-318-8082

Fax

E-Mail Address

justin.ernst@bolton-menk.com

Attorney/Other

Erin Clanton

Address

6701 Westown Parkway, Suite 100

Phone

515-274-1450

Fax

E-Mail Address

erin.clanton@brickgentrylaw.com

Application Approval

- ☐ Approved
☐ Denied

Planner or Authorized Representative

Date

GOVERNING SPECIFICATIONS

THE 2024 EDITION OF THE "IOWA STATEWIDE URBAN SPECIFICATIONS FOR PUBLIC IMPROVEMENTS" AND CITY OF WINDSOR HEIGHTS SPECIFICATIONS.

MUTCD 2009 AS ADOPTED BY IOWA DEPARTMENT OF TRANSPORTATION.

ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND ORDINANCES WILL BE COMPLIED WITHIN THE CONSTRUCTION OF THIS PROJECT.



NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY IOWA ONE CALL 1-800-292-8989 OR 811

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D UNLESS OTHERWISE NOTED. THIS UTILITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF C/ASCE 38-22, ENTITLED "STANDARD GUIDELINE FOR INVESTIGATING AND DOCUMENTING EXISTING UTILITIES".

SITE INFORMATION

SITE ADDRESS
6900 SCHOOL ST
WINDSOR HEIGHTS, IA 50324

SITE AREA
19,099 SF 0.44 ACRES

ZONING
R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT

SETBACKS
FRONT SETBACK 25
STREET SIDE SETBACK 25
INTERIOR SIDE SETBACK 5
REAR SETBACK 15

BUILDING
EXISTING 1233 SF 0.028 ACRES
PROPOSED 1352 SF 0.031 ACRES

BUILDING USES
SALT STORAGE

BUILDING HEIGHT
MAX BUILDING HEIGHT 35
PROPOSED HEIGHT 23' 8"

OPEN SPACE
EXISTING: 17,866 SF 0.41 ACRES
PROPOSED: 17,747 SF 0.41 ACRES
REQUIRED: 6685 SF 0.15 ACRES

IMPERVIOUS SPACE
EXISTING: 7760 SF 0.18 ACRES
PROPOSED: 7340 SF 0.17 ACRES

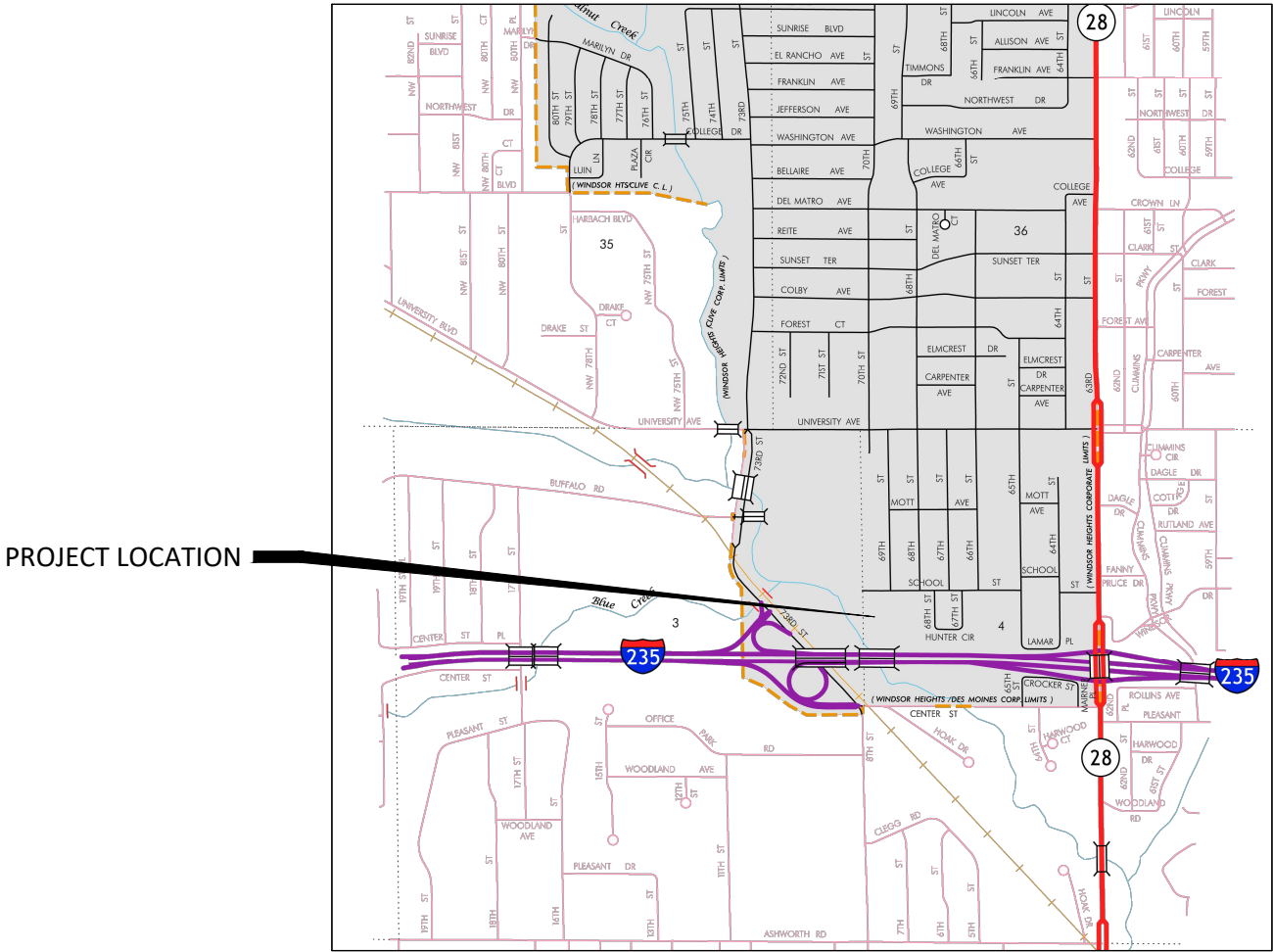
DISTURBED AREAS
EXISTIMATED: 2275 SF 0.052 ACRES

THE DISTURBED AREA FOR THIS SITE IT NOT MORE THAN 1 ACRE. THEREFORE A NPDES PERMIT IS NOT REQUIRED

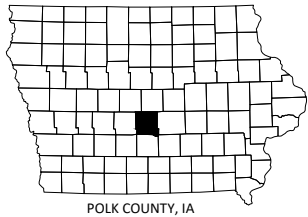
CITY OF WINDSOR HEIGHTS
CONSTRUCTION PLANS FOR
SALT SHED IMPROVEMENTS

SALT SHED

JUNE, 2024



MAP OF THE
CITY OF WINDSOR HEIGHTS
POLK COUNTY, IA



Sheet List Table

Sheet Number	Sheet Title	Revision	Revision Date
A.01	TITLE SHEET		
A.02	LEGEND SHEET		
B.01	TYPICAL DETAILS		
C.01	QUANTITIES & ERN		
D.01	SITE PLAN		
F.01	REMOVAL SHEETS		
S.01	STRUCTUAL NOTES		
S.02	FOUNDATION PLAN		
S.03	FOUNDATION DETAILS		



**BOLTON
& MENK**

430 E GRAND AVENUE, SUITE 101
DES MOINES, IA 50309
Phone: (515) 259-9190
Email: DesMoines@bolton-menk.com
www.bolton-menk.com

DESIGNED	REV	DESCRIPTION	DATE
JRG			
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CITY OF WINDSOR HEIGHTS, IOWA
SALT SHED IMPROVEMENTS

TITLE SHEET

SHEET

A.01

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P:\WINDSOR_HG_CAD\1133895\1133895.dwg 6/6/2024 6:11:45 PM

EXISTING TOPOGRAPHIC SYMBOLS

	ACCESS GRATE		REGULATION STATION GAS
	AIR CONDITION UNIT		SATELLITE DISH
	ANTENNA		SIGN TRAFFIC
	AUTO SPRINKLER CONNECTION		SIGNAL CONTROL CABINET
	BARRICADE PERMANENT		SOIL BORING
	BASKETBALL POST		SIREN
	BENCH		TELEPHONE BOOTH
	BIRD FEEDER		TILE INLET
	BOLLARD		TILE OUTLET
	BUSH		TILE RISER
	CATCH BASIN RECTANGULAR CASTING		TRANSFORMER-ELECTRIC
	CATCH BASIN CIRCULAR CASTING		TREE-CONIFEROUS
	CURB STOP		TREE-DEAD
	CLEAN OUT		TREE-DECIDUOUS
	CULVERT END		TREE STUMP
	DRINKING FOUNTAIN		TRAFFIC ARM BARRIER
	DOWN SPOUT		TRAFFIC SIGNAL
	ELECTRIC CAR CHARGE STATION		TRASH CAN
	FILL PIPE		UTILITY MARKER
	FIRE HYDRANT		VALVE
	FLAG POLE		VALVE POST INDICATOR
	FLARED END / APRON		VALVE VAULT
	FUEL PUMP		VAULT
	GRILL		VENT PIPE
	GUY WIRE ANCHOR		WATER SPIGOT
	HANDHOLE		WELL
	HANDICAP SPACE		WETLAND DELINEATED MARKER
	IRRIGATION SPRINKLER HEAD		WETLAND
	IRRIGATION VALVE BOX		WET WELL
	LIFT STATION CONTROL PANEL		YARD HYDRANT

PROPOSED TOPOGRAPHIC SYMBOLS

	CLEANOUT
	MANHOLE
	LIFT STATION
	STORM SEWER CIRCULAR CASTING
	STORM SEWER RECTANGULAR CASTING
	STORM SEWER FLARED END / APRON
	STORM SEWER OUTLET STRUCTURE
	STORM SEWER OVERFLOW STRUCTURE
	CURB BOX
	FIRE HYDRANT
	WATER VALVE
	WATER REDUCER
	WATER BEND
	WATER TEE
	WATER CROSS
	WATER SLEEVE
	WATER CAP / PLUG
	RIP RAP
	DRAINAGE FLOW
	TRAFFIC SIGNS

SURVEY SYMBOLS

	BENCHMARK LOCATION		CAST IRON MONUMENT
	CONTROL POINT		STONE MONUMENT
	MONUMENT FOUND		

EXISTING TOPOGRAPHIC LINES

	RETAINING WALL
	FENCE
	FENCE-DECORATIVE
	GUARD RAIL
	TREE LINE
	BUSH LINE

SURVEY LINES

	CONTROLLED ACCESS
	BOUNDARY
	CENTERLINE
	EXISTING EASEMENT LINE
	PROPOSED EASEMENT LINE
	EXISTING LOT LINE
	PROPOSED LOT LINE
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	SETBACK LINE
	SECTION LINE
	QUARTER LINE
	SIXTEENTH LINE
	TEMPORARY EASEMENT

EXISTING UTILITY LINES

	FORCEMAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER
	STORM SEWER DRAIN TILE
	WATERMAIN
	WATER SERVICE
	RECLAIMED WATER

PROPOSED UTILITY LINES

	FORCEMAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER
	STORM SEWER DRAIN TILE
	WATERMAIN
	WATER SERVICE
	PIPE CASING
	TRENCHLESS PIPE (PLAN VIEW)
	TRENCHLESS PIPE (PROFILE VIEW)

GRADING INFORMATION

	EXISTING CONTOUR MINOR
	EXISTING CONTOUR MAJOR
	PROPOSED CONTOUR MINOR
	PROPOSED CONTOUR MAJOR
	PROPOSED GRADING LIMITS / SLOPE LIMITS
	PROJECT LIMITS
	PROPOSED SPOT ELEVATION
	RISE:RUN (SLOPE)

HATCH PATTERNS

	BITUMINOUS		GRAVEL
	CONCRETE		

EXISTING PRIVATE UTILITY LINES

NOTE:
EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY GOPHER STATE ONE CALL, 1-800-252-1166 OR 651-454-0002.

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D UNLESS OTHERWISE NOTED. THIS UTILITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-22, ENTITLED "STANDARD GUIDELINE FOR INVESTIGATING AND DOCUMENTING EXISTING UTILITIES".

	UNDERGROUND FIBER OPTIC
	UNDERGROUND ELECTRIC
	UNDERGROUND GAS
	UNDERGROUND COMMUNICATION
	OVERHEAD ELECTRIC
	OVERHEAD COMMUNICATION
	OVERHEAD UTILITY

UTILITIES IDENTIFIED WITH A QUALITY LEVEL :

LINE TYPES FOLLOW THE FORMAT: UTILITY TYPE - QUALITY LEVEL
EXAMPLE: G-A G-A UNDERGROUND GAS, QUALITY LEVEL A
UTILITY QUALITY LEVEL (A,B,C,D) DEFINITIONS CAN BE FOUND IN CI/ASCE 38-22.

UTILITY QUALITY LEVELS:

QUALITY LEVEL D: PROVIDES THE MOST BASIC LEVEL OF INFORMATION. IT INVOLVES COLLECTING DATA FROM EXISTING UTILITY RECORDS. RECORDS MAY INCLUDE AS-BUILT DRAWINGS, DISTRIBUTION AND SERVICES MAPS, EXISTING GEOGRAPHIC INFORMATION SYSTEM DATABASES, CONSTRUCTION PLANS, ETC.

QUALITY LEVEL C: INVOLVES SURVEYING VISIBLE SUBSURFACE UTILITY STRUCTURES SUCH AS MANHOLES, HAND-HOLES, UTILITY VALVES AND METERS, FIRE HYDRANTS, PEDESTALS AND UTILITY MARKERS, AND THEN CORRELATING THE INFORMATION WITH EXISTING UTILITY RECORDS TO CREATE COMPOSITE DRAWINGS. INCLUDES QUALITY LEVEL D ACTIVITIES.

QUALITY LEVEL B: INVOLVES DESIGNATING THE HORIZONTAL POSITION OF SUBSURFACE UTILITIES THROUGH SURFACE DETECTION METHODS AND COLLECTING THE INFORMATION THROUGH A SURVEY METHOD. INCLUDES QUALITY LEVEL C AND D TASKS.

QUALITY LEVEL A: PROVIDES THE HIGHEST LEVEL OF ACCURACY. IT INVOLVES LOCATING OR POTHOLING UTILITIES AS WELL AS ACTIVITIES IN QUALITY LEVELS B, C, AND D. THE LOCATED FACILITY INFORMATION IS SURVEYED AND MAPPED AND THE DATA PROVIDES PRECISE PLAN AND PROFILE INFORMATION.

ABBREVIATIONS

A	ALGEBRAIC DIFFERENCE	GRAV	GRAVEL	RSC	RIGID STEEL CONDUIT
ADJ	ADJUST	GU	GUTTER	RT	RIGHT
ALT	ALTERNATE	GV	GATE VALVE	SAN	SANITARY SEWER
B-B	BACK TO BACK	HDPE	HIGH DENSITY POLYETHYLENE	SCH	SCHEDULE
BIT	BITUMINOUS	HH	HANDHOLE	SERV	SERVICE
BLDG	BUILDING	HP	HIGH POINT	SHLD	SHOULDER
BMP	BEST MANAGEMENT PRACTICE	HWL	HIGH WATER LEVEL	STA	STATION
BR	BEGIN RADIUS	HYD	HYDRANT	STD	STANDARD
BV	BUTTERFLY VALVE	I	INVERT	STM	STORM SEWER
CB	CATCH BASIN	K	CURVE COEFFICIENT	TC	TOP OF CURB
C&G	CURB AND GUTTER	L	LENGTH	TE	TEMPORARY EASEMENT
CIP	CAST IRON PIPE	LO	LOWEST OPENING	TEMP	TEMPORARY
CIPP	CURED-IN-PLACE PIPE	LP	LOW POINT	TNH	TOP NUT HYDRANT
CL	CENTER LINE	LT	LEFT	TP	TOP OF PIPE
CL	CLASS	MAX	MAXIMUM	TYP	TYPICAL
CLVT	CULVERT	MH	MANHOLE	VCP	VITRIFIED CLAY PIPE
CMP	CORRUGATED METAL PIPE	MIN	MINIMUM	VERT	VERTICAL
C.O.	CHANGE ORDER	MR	MID RADIUS	VPC	VERTICAL POINT OF CURVE
COMM	COMMUNICATION	NIC	NOT IN CONTRACT	VPI	VERTICAL POINT OF INTERSECTION
CON	CONCRETE	NMC	NON-METALLIC CONDUIT	VPT	VERTICAL POINT OF TANGENT
CSP	CORRUGATED STEEL PIPE	NTS	NOT TO SCALE	WM	WATERMAIN
DIA	DIAMETER	NWL	NORMAL WATER LEVEL		
DIP	DUCTILE IRON PIPE	OHW	ORDINARY HIGH WATER LEVEL	AC	ACRES
DWY	DRIVEWAY	PC	POINT OF CURVE	CF	CUBIC FEET
E	EXTERNAL CURVE DISTANCE	PCC	POINT OF COMPOUND CURVE	CV	COMPACTED VOLUME
ELEC	ELECTRIC	PE	PERMANENT EASEMENT	CY	CUBIC YARD
ELEV	ELEVATION	PED	PEDESTRIAN, PEDESTAL	EA	EACH
EOF	EMERGENCY OVERFLOW	PERF	PERFORATED PIPE	EV	EXCAVATED VOLUME
ER	END RADIUS	PERM	PERMANENT	LB	POUND
ESMT	EASEMENT	PI	POINT OF INTERSECTION	LF	LINEAR FEET
EX	EXISTING	PL	PROPERTY LINE	LS	LUMP SUM
FES	FLARED END SECTION	PRC	POINT OF REVERSE CURVE	LV	LOOSE VOLUME
F-F	FACE TO FACE	PT	POINT OF TANGENT	SF	SQUARE FEET
FF	FINISHED FLOOR	PVC	POLYVINYL CHLORIDE PIPE	SV	STOCKPILE VOLUME
F&I	FURNISH AND INSTALL	PVMT	PAVEMENT	SY	SQUARE YARD
FM	FORCEMAIN	R	RADIUS		
FO	FIBER OPTIC	R/W	RIGHT-OF-WAY		
F.O.	FIELD ORDER	RCP	REINFORCED CONCRETE PIPE		
GRAN	GRANULAR	RET	RETAINING		



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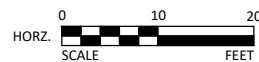
SALT SHED IMPROVEMENTS

LEGEND SHEET

SHEET

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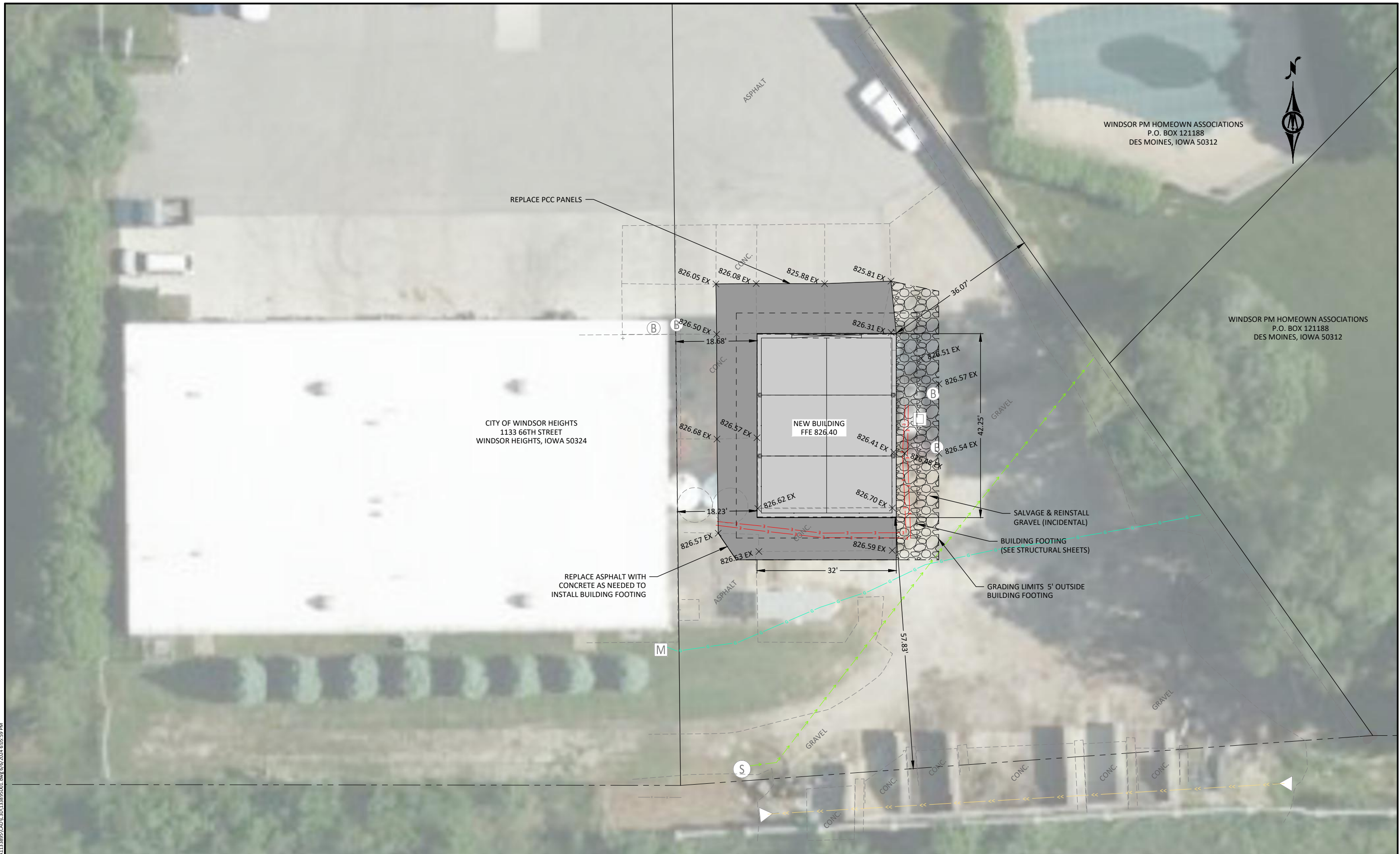


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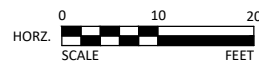
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CITY OF WINDSOR HEIGHTS, IOWA
SALT SHED IMPROVEMENTS
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GP	GENERAL PARAMETERS		
GP1	STRUCTURAL DRAWINGS ARE A PORTION OF THE CONTRACT DOCUMENTS AND ARE INTENDED TO BE USED WITH ARCHITECTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE REQUIREMENTS FROM THESE DRAWINGS INTO THEIR SHOP DRAWINGS AND WORK.		
GP2	VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO FABRICATION OF ANY ITEMS.		
GP3	DRAWINGS SHALL BE COORDINATED WITH ARCHITECTURAL, MECHANICAL, ELECTRICAL, AND PLUMBING DRAWINGS FOR ADDITIONAL OPENINGS, ELECTRICAL COMPONENTS, FLOOR DEPRESSIONS, ETC. NOT SHOWN ON DRAWINGS. COORDINATE LOCATION, SIZE AND REINFORCEMENT OF ALL OPENINGS WITH RESPECTIVE TRADES BEFORE FABRICATION. REPORT ANY DISCREPANCIES AND/OR INTERFERENCE PROBLEMS TO THE ARCHITECT AND STRUCTURAL ENGINEER OF RECORD.		
GP4	THESE GENERAL NOTES SUPPLEMENT THE PROJECT SPECIFICATIONS. REFER TO THE PROJECT SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS. NOTES AND DETAILS ON THE STRUCTURAL DRAWINGS SHALL TAKE PRECEDENCE OVER THE GENERAL NOTES AND TYPICAL DETAILS. WHERE NO DETAILS ARE PROVIDED, CONSTRUCTION SHALL BE AS SHOWN FOR SIMILAR WORK.		
GP5	THE BUILDING IS NOT STRUCTURALLY STABLE UNTIL ALL CONNECTIONS, FRAMING, SHEAR WALLS, X-BRACING, AND EXTERIOR WALLS ARE COMPLETE AND HAVE ACHIEVED FINAL DESIGN STRENGTH. CONTRACTOR IS SOLELY RESPONSIBLE FOR MAINTAINING STRUCTURAL STABILITY OVERALL AND TO ALL PORTIONS OF THE BUILDING DURING DEMOLITION, ERECTION AND CONSTRUCTION. TEMPORARY GRAVITY AND LATERAL FORCE BRACING SYSTEMS THAT MAY BE REQUIRED WILL BE DESIGNED BY, AND AT THE EXPENSE OF, THE CONTRACTOR. STRUCTURAL DRAWINGS DO NOT NECESSARILY INDICATE ANY OR ALL REQUIRED TEMPORARY SUPPORT SYSTEMS. TEMPORARY BRACING SYSTEMS ARE NOT TO BE REMOVED UNTIL STRUCTURAL WORK IS COMPLETE OR CONTRACTOR DEEMS THE AREA UNDER CONSIDERATION TO BE STABLE.		
GP6	CONTRACTOR'S CONSTRUCTION AND/OR ERECTION SEQUENCES SHALL RECOGNIZE AND CONSIDER THE EFFECTS OF THERMAL MOVEMENTS OF STRUCTURAL ELEMENTS DURING THE CONSTRUCTION PERIOD.		
GP7	RETAINING WALLS AND BASEMENT WALLS WHICH TIE TO UPPER SLABS SHALL NOT BE BACKFILLED UNTIL THE UPPER SLABS REACH FULL DESIGN STRENGTH, UNLESS ADEQUATE BRACING IS PROVIDED AT THE TOP OF THE WALL.		
GP8	AS USED IN GENERAL NOTES AND THROUGHOUT STRUCTURAL DRAWINGS, THE TERM "CONTRACTOR" IS DEFINED TO INCLUDE ANY OR ALL OF THE FOLLOWING: GENERAL CONTRACTOR AND THEIR SUBCONTRACTORS, CONSTRUCTION MANAGER AND THEIR SUBCONTRACTORS, FABRICATORS, INSTALLERS, DELEGATED DESIGNERS/ENGINEERS AND ERECTORS.		
DP	DESIGN PARAMETERS		
DP1	THE STRUCTURE IS DESIGNED IN ACCORDANCE WITH THE ICC INTERNATIONAL BUILDING CODE, 2012 EDITION.		
DP2	UNIFORM LIVE LOADS: TYPICAL ROOF (GOVERNED BY SNOW)	BY FABRIC BUILDING SUPPLIER	
DP3	WALL SALT LOADING	80 PCF + 32° ANGLE OF REPOSE	
DP4	SNOW DESIGN PARAMETERS: GROUND SNOW LOAD (Ps) FLAT ROOF SNOW LOAD (Pf) SNOW EXPOSURE FACTOR (C/E) SNOW LOAD IMPORTANCE FACTOR (I) SNOW LOAD THERMAL FACTOR (Ct)	30 PSF 20 PSF 1.0 0.8 1.2	
DP5	EARTHQUAKE DESIGN PARAMETERS: SEISMIC IMPORTANCE FACTOR (IE) Ss S1 SEISMIC SITE CLASS SDs SD1 SHORT-PERIOD SITE COEFFICIENT (Fa) LONG-PERIOD SITE COEFFICIENT (Fv) SEISMIC DESIGN CATEGORY SEISMIC-FORCE-RESISTING SYSTEM: BUILDING LATERAL SYSTEM BY FABRIC BUILDING SUPPLIER ORDINARY CONCRETE SHEAR WALLS AT FOUNDATION SEISMIC BASE SHEAR (V) N-S SEISMIC BASE SHEAR (V) E-W SEISMIC RESPONSE COEFFICIENT (Cs) N-S SEISMIC RESPONSE COEFFICIENT (Cs) E-W RESPONSE MODIFICATION FACTOR (R) N-S RESPONSE MODIFICATION FACTOR (R) E-W REDUNDANCY FACTOR (p) N-S REDUNDANCY FACTOR (p) E-W SEISMIC ANALYSIS PROCEDURE: EQUIVALENT LATERAL FORCE ANALYSIS	1.0 0.065g 0.046g D 0.069g 0.074g 1.6 2.4 B N/A N/A 1.0 1.0 N/A N/A 1.0 1.0	
DP6	WIND DESIGN PARAMETERS: BASIC WIND SPEED (V) (3 SECOND GUST) RISK CATEGORY WIND EXPOSURE CATEGORY INTERNAL PRESSURE COEFFICIENT BASIC DESIGN PRESSURE @ ROOF NET WIND UPLIFT @ ROOF	105 MPH I B BY FABRIC BUILDING SUPPLIER BY FABRIC BUILDING SUPPLIER BY FABRIC BUILDING SUPPLIER	
DP9	ASSUMED FUTURE CONSTRUCTION: VERTICAL HORIZONTAL	NONE NONE	
FP	FOUNDATION PARAMETERS		
FP1	SIZE AND BOTTOM ELEVATIONS OF FOOTINGS HAVE BEEN ESTABLISHED BASED ON THE GEOTECHNICAL REPORT FILE NO. 222114CPR PREPARED BY CONSTRUCTION MATERIALS TESTING AND DATED 11/02/2022. AS EXCAVATION PROGRESSES, UNANTICIPATED SOIL CONDITIONS MAY REQUIRE CHANGES. CONTACT STRUCTURAL ENGINEER OF RECORD FOR EVALUATION OF THESE CHANGES.		
FP2	ALLOWABLE SOIL BEARING PRESSURE CONTINUOUS FOOTINGS	1500 PSF	
FP3	MINIMUM FOOTING DEPTH FOR FROST PROTECTION (BELOW FINISHED GRADE)	42 IN.	
FP5	GEOTECHNICAL ENGINEER IS SOLE JUDGE OF THE SUITABILITY OF UNDERLYING MATERIAL TO SUPPORT FOUNDATIONS. BEARING MATERIAL SHALL BE APPROVED BY GEOTECHNICAL ENGINEER BEFORE FOUNDATION INSTALLATION. DO NOT PROCEED WITHOUT APPROVAL.		
FP6	PRIOR TO COMMENCING EARTHWORK, CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH ALL ASPECTS OF THE GEOTECHNICAL REPORT. CONTACT GEOTECHNICAL ENGINEER IF QUESTIONS OR DISCREPANCIES.		

SU	SUBMITTALS		
SU1	GENERAL CONTRACTOR TO PROVIDE A SHOP DRAWING SUBMITTAL LOG ITEMIZING ALL PROPOSED SUBMITTALS FOR APPROVAL BY STRUCTURAL ENGINEER OF RECORD.		
SU2	ALL SHOP DRAWINGS SHALL BE CHECKED BY THE FABRICATOR AND APPROVED BY THE GENERAL CONTRACTOR PRIOR TO SUBMITTAL TO THE STRUCTURAL ENGINEER OF RECORD. SHOP DRAWING REVIEW BY ENGINEER IS LIMITED TO VERIFYING GENERAL CONFORMANCE TO THE CONTRACT DOCUMENTS. CONTRACTOR IS RESPONSIBLE FOR ANY CHANGES FROM THE CONTRACT DOCUMENTS, DIMENSIONAL ERRORS, COORDINATION ERRORS, OR OMISSIONS IN SHOP DRAWINGS.		
SU3	SHOP DRAWINGS SHALL BE SUBMITTED TO THE ARCHITECT PRIOR TO FABRICATION AND CONSTRUCTION REGARDING ALL STRUCTURAL ITEMS, INCLUDING THE FOLLOWING: • CONCRETE MIX DESIGNS (5 DAYS BEFORE POUR, MIN.) • CONCRETE REINFORCEMENT • PREMANUFACTURED STEEL ROOF TRUSS AND FABRIC ROOF SYSTEMS		
SU4	SHOP DRAWINGS SHALL INCLUDE CONNECTIONS AS WELL AS SIZE, SPACING, AND GRADE OF ALL MEMBERS. PLANS AND ANY DETAILING NECESSARY FOR DETERMINING FIT AND PLACEMENT SHALL ALSO BE INCLUDED.		
SU5	IF SHOP DRAWINGS DIFFER FROM OR ADD TO THE DESIGN OF THE STRUCTURAL DRAWINGS, THEY SHALL BEAR THE SEAL AND SIGNATURE OF AN ENGINEER REGISTERED IN THE APPROPRIATE STATE. ANY CHANGES TO THE STRUCTURAL DRAWINGS SHALL BE SUBMITTED TO THE ARCHITECT AND ARE SUBJECT TO REVIEW AND APPROVAL OF THE STRUCTURAL ENGINEER OF RECORD.		
SU6	DESIGN DRAWINGS, SHOP DRAWINGS, AND CALCULATIONS FOR THE DESIGN AND FABRICATION OF ITEMS THAT ARE DESIGNED BY THE CONTRACTOR, INCLUDING: • PREFABRICATED FLOOD GATE SYSTEMS • PREMANUFACTURED STEEL ROOF TRUSS AND FABRIC ROOF SYSTEMS		
SU7	SHALL BEAR THE SEAL AND SIGNATURE OF AN ENGINEER REGISTERED IN THE APPROPRIATE STATE AND SHALL BE SUBMITTED TO THE ARCHITECT PRIOR TO FABRICATION AND CONSTRUCTION. CALCULATIONS SHALL BE INCLUDED FOR ALL CONNECTIONS TO THE STRUCTURE, CONSIDERING LOCALIZED EFFECTS ON STRUCTURAL ELEMENTS INDUCED BY THE CONNECTION LOADS.		
SU8	ITEMS THAT ARE DESIGNED BY THE CONTRACTOR SHALL BE DESIGNED TO RESIST THE LIVE LOADS INDICATED IN STRUCTURAL NOTES, DEAD LOAD, SELF WEIGHT, ANY ADDITIONAL LOADING INDICATED ON PLANS AND DETAILS, SNOW DRIFT, AND A NET WIND UPLIFT.		
SU10	ITEMS THAT ARE DESIGNED BY THE CONTRACTOR SHALL INCLUDE ANY RELEVANT TECHNICAL LITERATURE FROM MANUFACTURER. ALSO PROVIDE A CERTIFICATION FROM THE MANUFACTURER SHOWING THE PRODUCT IS IN COMPLIANCE WITH ALL APPLICABLE CODES AND STANDARDS.		

CN	CONCRETE NOTES		
CN1	CONCRETE WORK SHALL CONFORM TO CHAPTER 19 OF THE IBC.		
CN2	WHERE NEW CONCRETE IS PLACED AGAINST EXISTING CONCRETE, THE EXISTING CONCRETE SURFACE SHALL BE CLEANED AND ROUGHENED TO A MINIMUM OF 1/4" AMPLITUDE.		
CN3	ALL EXPOSED EDGES OF CONCRETE MEMBERS SHALL BE CHAMFERED 3/4" U.N.O.		
CN4	CONCRETE FORMWORK: CN4.1 SLEEVES, OPENINGS, CONDUIT, AND OTHER EMBEDDED ITEMS NOT SHOWN ON THE STRUCTURAL DRAWINGS SHALL BE APPROVED BY THE STRUCTURAL ENGINEER PRIOR TO POURING CONCRETE. CONDUITS EMBEDDED IN SLABS SHALL NOT BE LARGER IN OUTSIDE DIMENSION THAN ONE THIRD OF THE THICKNESS OF THE SLAB AND SHALL NOT BE SPACED CLOSER THAN THREE DIAMETERS ON CENTER. CN4.2 VERIFY ALL BLOCK OUTS WITH ARCHITECTURAL, MECHANICAL, ELECTRICAL, AND PLUMBING REQUIREMENTS PRIOR TO POURING.		
CN5	CONCRETE REINFORCEMENT: CN5.1 DETAILING, FABRICATION, AND PLACEMENT OF REINFORCEMENT SHALL CONFORM TO ACI-315. CN5.2 ALL REINFORCEMENT TO BE ASTM A615 GRADE 60 U.N.O. WELDED WIRE FABRIC TO BE ASTM A195 WITH WIRE CONFORMING TO ASTM A62. REINFORCING STEEL SHALL BE SECURELY TIED IN PLACE USING #16 ANNEALED IRON WIRE. REINFORCEMENT SHALL BE CONTINUOUS THROUGH ALL CONSTRUCTION JOINTS, U.N.O. CN5.3 ALL CONTINUOUS REINFORCING SHALL BE SPLICED USING CLASS B TENSION SPLICES, U.N.O. CN5.4 BARS IN BEAMS AND SLABS SHALL BE SUPPORTED ON WELL-CURED CONCRETE BLOCKS OR APPROVED METAL CHAIRS, AS SPECIFIED BY THE CRSI MANUAL OF STANDARD PRACTICE, MSP-1. CN5.5 CONTINUE HORIZONTAL WALL BARS THROUGH PILASTERS, COLUMNS, INTERSECTING WALLS AND INTERSECTING FOUNDATIONS. REFER TO TYPICAL DETAILS FOR LAYOUT OF CORNER BARS AND BARS IN SMALL WALL SECTIONS. SLAB BARS SHALL BE HOOKED INTO WALLS OR HOOKED DOWELS SHALL BE PROVIDED TO MATCH SLAB REINFORCING. PROVIDE HOOKED DOWELS FROM FOOTINGS TO MATCH VERTICAL WALL REINFORCING. CN5.6 ADD TWO DIAGONAL #5 BARS, FOUR FEET LONG, CENTERED, AT EACH CORNER OF FOUNDATION OR SLAB OPENING, U.N.O. CN5.7 U.N.O., INSTALL WWF 1 1/2" FROM TOP OF ALL SLABS ON GRADE, TOPPING SLABS ON DECK, OR TOPPING SLABS ON PRECAST. LAP JOINTS TWO FULL MESHES BUT NOT LESS THAN 8". AT CONSTRUCTION JOINTS, LOCATE WWF AT MID DEPTH OF SLAB.		
CN6	COVERAGE FOR REINFORCEMENT: CN6.1 CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH 3" CN6.2 CONCRETE EXPOSED TO EARTH AND WEATHER 2" #6 THRU #18 BARS 2" #5 BAR, W31 OR D31 WIRE AND SMALLER 1 1/2" CN6.3 CONCRETE NOT EXPOSED TO WEATHER OR IN CONTACT WITH GROUND: SLABS, WALLS, JOISTS 1 1/2" #14 AND # 18 1 1/2" #11 BAR AND SMALLER 3/4" BEAMS, COLUMNS, PRIMARY REINFORCEMENT, TIES, STIRRUPS, SPIRALS 1 1/2"		
CN7	CONCRETE COMPRESSIVE STRENGTHS SHALL BE VERIFIED BY STANDARD 28-DAY CYLINDER TESTS PER ASTM C39 AND SHALL BE AS FOLLOWS: FOOTINGS Fc = 3,000 PSI WALLS/PIERS/COLUMNS Fc = 4,000 PSI SLABS ON GRADE Fc = 4,000 PSI		
CN8	SPECIAL INSPECTOR SHALL BE NOTIFIED IF ANY WATER IS TO BE ADDED IN FIELD.		
CN9	CONCRETE FOUNDATIONS: CN9.1 ALL FOUNDATION EXCAVATIONS MUST BE REVIEWED AND APPROVED BY THE SOILS ENGINEER PRIOR TO PLACEMENT OF CONCRETE. CN9.2 ACCURATELY SET AND SECURELY SUPPORT REINFORCING, DOWELS AND ANCHOR BOLTS PRIOR TO PLACEMENT OF CONCRETE. WET STICKING OR FLOATING OF REINFORCING, DOWELS AND ANCHOR RODS IS NOT ALLOWED. CN9.3 PROVIDE CONSTRUCTION JOINTS, INSERTS, SLEEVES, DOWELS, ANCHORS, ETC., AS SHOWN. ITEMS SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS AND ACCORDING TO USUAL ACCEPTED STANDARDS OF THE TRADE. ANCHOR RODS PER ASTM F1554 AS SHOWN. CN9.4 ALL FOUNDATION COLD JOINTS SHALL BE KEYED, CONTINUOUS REINFORCING SHALL EXTEND ONE DEVELOPMENT LENGTH PLUS 6". LOCATE FOUNDATION COLD JOINTS AT EXPANSION JOINTS IN MASONRY VENEER WHEN POSSIBLE. CN9.5 REINFORCING SHOWN ON DETAILS IS THE REQUIRED MINIMUM AT CONTRACTOR'S OPTION. ADDITIONAL REINFORCING MAY BE PERMITTED TO ASSIST IN EASE OF CONSTRUCTABILITY. ADDITIONAL REINFORCING MUST BE SUBMITTED FOR REVIEW ON SHOP DRAWINGS.		
CN10	PROVIDE MINIMUM 6000 PSI NON-SHRINK, NON-METALLIC GROUT UNDER COLUMN BASE PLATES. GROUT SHALL NOT CONTAIN GYPSUM. COLUMN BASES TO BE GROUTED BEFORE PLACEMENT OF CONCRETE TOPPING ON STEEL FORMS.		
CN11	MINIMUM CONCRETE SLAB ON GRADE PER PLAN, OVER VAPOR BARRIER, OVER A MINIMUM 24" COMPACTABLE, TRIMMABLE, GRANULAR FILL, TYP. U.N.O. ON DRAWINGS AND GEOTECHNICAL REPORT.		
CN12	SLAB CONTROL JOINTS: CN12.1 PROVIDE SLAB CONTROL JOINTS FOR THE FOLLOWING, U.N.O.: • SLAB ON-GRADE 10' ± 2" • PRECAST TOPPING SLABS (NON-COMPOSITE) 10' ± 2" CN12.2 PROVIDE SLAB CONTROL JOINTS ON GRID LINE WHERE PRACTICAL. CN12.3 MAINTAIN A SLAB CONTROL JOINT APPROX. RATIO OF APPROXIMATELY 1:1. CN12.4 DO NOT PROVIDE SLAB CONTROL JOINTS FOR THE FOLLOWING, U.N.O.: • COMPOSITE SLAB ON METAL DECK • COMPOSITE PRECAST TOPPING SLAB		
CN13	PROVIDE VERTICAL WALL JOINTS AS FOLLOWS, U.N.O.: CN13.1 WALLS TALLER THAN 12' H (H = WALL HEIGHT) CN13.2 WALLS 8' - 12' 2'H CN13.3 WALLS SHORTER THAN 8' 3'H CN13.4 PROVIDE WALL JOINT WITHIN 10' OF ALL CORNERS AND IN LINE WITH EDGES OF ALL WALL OPENINGS. CN13.5 MAXIMUM WALL JOINT SPACING SHALL NOT EXCEED 25 FEET.		
CN14	CONCRETE ACCESSORIES: CN14.3 U.N.O., EXPANSION BOLTS TO BE HILTI KWIK BOLT TZ OR APPROVED EQUIVALENT WITH EQUAL ICC TENSION AND SHEAR VALUES. EXPANSION ANCHORS SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. DO NOT CUT REINFORCING IN NEW OR EXISTING CONCRETE DURING INSTALLATION. CN14.4 U.N.O., EPOXY ANCHORS TO BE HILTI HIT-RE 500 V3 OR APPROVED EQUIVALENT WITH EQUAL ICC TENSION AND SHEAR VALUES. EPOXY ANCHORS SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. DO NOT CUT REINFORCING IN NEW OR EXISTING CONCRETE DURING INSTALLATION.		
CN17	EPOXY REPAIR ADHESIVE SHALL CONFORM TO ASTM C881 AND SHALL BE A TWO-COMPONENT, LIQUID EPOXY WITH NON-SAG CONSISTENCY AND A LONG POT LIFE. THE EPOXY ADHESIVE SHALL BE SUITABLE FOR USE IN DRY OR DAMP CONDITIONS. MINIMUM SHEAR STRENGTH SHALL BE 5,000 PSI; MINIMUM TENSILE STRENGTH SHALL BE 4,000 PSI. HOLE SIZES AND INSTALLATION SHALL BE IN STRICT COMPLIANCE WITH THE APPROVED ICC REQUIREMENTS. DO NOT CUT REINFORCING IN NEW OR EXISTING CONCRETE DURING PLACEMENT.		
CN18	COLD WEATHER PROTECTION CN18.1 DURING COLD WEATHER CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR PROTECTING CURING CONCRETE PER THE ROMTS, OF ACI 306. CN18.2 DURING COLD WEATHER CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR PROTECTING FOUNDATIONS THAT DO NOT EXTEND TO FROST DEPTH FROM HEAVING. AT CONTRACTOR'S OPTION, BOTTOM OF FOOTINGS MAY BE EXTENDED BEYOND THE FROST ZONE, IN LIEU OF SURFACE PROTECTION METHODS. NO ADDL. REINFORCING WILL BE REQD AT EXTENDED FOUNDATIONS. ALL MITIGATION WORK SHALL BE PART OF THE CONTRACTOR BID AND NOT COMPENSABLE BY CHANGE ORDER. CN18.3 CONTRACTOR TO PROVIDE A FROST STOOP PER TYP. STOOP DETAIL @ ALL EXTERIOR DOORS, SEE ARCH. FOR DOOR LOCATIONS.		
CN19	EXPOSED CONCRETE: CN19.4 CONCRETE MIXES USED FOR CONCRETE SURFACES PERMANENTLY EXPOSED TO VIEW SHALL NOT INCLUDE DELETERIOUS MATERIAL WHICH MAY CAUSE FINISHED SURFACE IRREGULARITIES.		

	SPECIAL INSPECTION		
SP1	SPECIAL INSPECTION PROGRAM SHALL CONFORM TO CHAPTER 17 OF THE IBC.		
SP2	THE OWNER SHALL EMPLOY A SPECIAL INSPECTOR TO PERFORM THE REQUIRED TESTS AND SPECIAL INSPECTIONS WITH QUALIFICATIONS DESCRIBED PER IBC CHAPTER 17 AND THE PROJECT SPECIFICATIONS.		
SP3	SPECIAL INSPECTION REPORTS SHALL BE FURNISHED TO BUILDING OFFICIAL, OWNER, ARCHITECT, STRUCTURAL ENGINEER, AND CONTRACTOR.		
SP4	SPECIAL INSPECTOR SHALL SUBMIT A FINAL REPORT STATING THAT THE STRUCTURAL WORK WAS, TO THE BEST OF THE SPECIAL INSPECTOR'S KNOWLEDGE, PERFORMED IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS.		
SP5	SPECIAL INSPECTION PROGRAM:		
VERIFICATION AND INSPECTION			FREQUENCY / TASK
CONCRETE			
1. INSPECT REINFORCEMENT, INCLUDING PRESTRESSING TENDONS, & VERIFY PLACEMENT.			PERIODIC
2. INSPECT REINFORCING BAR WELDING:			
A. VERIFY WELDABILITY OF REINFORCING BARS OTHER THAN ASTM A706.			PERIODIC
B. INSPECT SINGLE-PASS FILLET WELDS, MAXIMUM 5/16".			PERIODIC
C. INSPECT ALL OTHER WELDS.			CONT.
3. INSPECT ANCHORS CAST IN CONCRETE.			PERIODIC
4. INSPECT ANCHORS POST-INSTALLED IN HARDENED CONCRETE MEMBERS:			
A. ADHESIVE ANCHORS INSTALLED IN HORIZONTALLY OR UPWARDLY INCLINED ORIENTATIONS TO RESIST SUSTAINED TENSION LOADS.			CONT.
B. MECHANICAL ANCHORS AND ADHESIVE ANCHORS NOT DEFINED IN 4.A.			PERIODIC
5. VERIFY USE OF REQUIRED DESIGN MIX.			PERIODIC
6. PRIOR TO CONCRETE PLACEMENT, FABRICATE SPECIMENS FOR STRENGTH TESTS, PERFORM SLUMP & AIR CONTENT TESTS AND DETERMINE CONCRETE TEMPERATURE.			CONT.
7. INSPECT CONCRETE PLACEMENT FOR PROPER APPLICATION TECHNIQUES.			CONT.
8. VERIFY MAINTENANCE OF SPECIFIED CURING TEMPERATURE & TECHNIQUES.			PERIODIC
9. INSPECT PRECAST CONCRETE FOR:			
A. APPLICATION OF PRESTRESSING FORCES.			CONT.
B. GROUTING OF BONDED PRESTRESSING TENDONS.			CONT.
10. INSPECT ERECTION OF PRECAST CONCRETE MEMBERS.			PERIODIC
11. VERIFY OF IN-SITU CONCRETE STRENGTH, PRIOR TO STRESSING OF TENDONS IN POST TENSIONED CONCRETE & PRIOR TO REMOVAL OF SHORES & FORMS FROM BEAMS & STRUCTURAL SLABS.			PERIODIC
12. INSPECT FORMWORK FOR SHAPE, LOCATION & DIMENSIONS OF THE CONCRETE MEMBER BEING FORMED.			PERIODIC
SOILS			
1. VERIFY MATERIALS BELOW SHALLOW FOUNDATIONS ARE ADEQUATE TO ACHIEVE THE DESIGN BEARING CAPACITY.			PERIODIC
2. VERIFY EXCAVATIONS ARE EXTENDED TO PROPER DEPTH & HAVE REACHED PROPER MATERIAL.			PERIODIC
3. PERFORM CLASSIFICATION & TESTING OF COMPACTED FILL MATERIALS.			PERIODIC
4. VERIFY USE OF PROPER MATERIALS, DENSITIES & LIFT THICKNESSES DURING PLACEMENT & COMPACTION OF COMPACTED FILL.			CONT.
5. PRIOR TO PLACEMENT OF COMPACTED FILL, OBSERVE SUBGRADE & VERIFY THAT SITE HAS BEEN PREPARED PROPERLY.			PERIODIC

PROGRAM FOOTNOTES

1. THE ITEMS INDICATED ABOVE SHALL BE INSPECTED IN ACCORDANCE WITH CHAPTER 17 OF THE IBC BY A CERTIFIED SPECIAL INSPECTOR FROM AN ESTABLISHED TESTING AGENCY. FOR MATERIAL SAMPLING AND TESTING REQUIREMENTS, REFER TO THE PROJECT SPECIFICATIONS & THE SPECIFIC STRUCTURAL NOTES SECTIONS. THE TESTING AGENCY SHALL SEND COPIES OF ALL STRUCTURAL TESTING & INSPECTION REPORTS DIRECTLY TO THE ARCHITECT, STRUCTURAL ENGINEER, CONTRACTOR, & BUILDING OFFICIAL. ANY MATERIALS WHICH FAIL TO MEET THE PROJECT SPECIFICATIONS SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE ARCHITECT. SPECIAL INSPECTION TESTING REQUIREMENTS APPLY EQUALLY TO ALL BIDDER DESIGNED COMPONENTS.

2. CONT. - CONTINUOUS SPECIAL INSPECTION. SPECIAL INSPECTOR IS PRESENT WHEN & WHERE THE WORK TO BE INSPECTED IS BEING PERFORMED. (IBC SECTION 1702)

3. PERIODIC - PERIODIC SPECIAL INSPECTION. SPECIAL INSPECTOR IS INTERMITTENTLY PRESENT WHERE THE WORK TO BE INSPECTED HAS BEEN OR IS BEING PERFORMED.

4. OBSERVE - SPECIAL INSPECTOR SHALL OBSERVE THESE ITEMS ON A RANDOM BASIS. OPERATIONS NEED NOT BE DELAYED PENDING THESE INSPECTIONS (ASCE 360 SECTION N5).

5. PERFORM - SPECIAL INSPECTOR SHALL PERFORM THESE TASKS FOR EACH JOINT, CONNECTION, ELEMENT OR MEMBER (ASCE 360 SECTION N5).

6. SPECIAL INSPECTION IS NOT REQUIRED FOR WORK PERFORMED BY AN APPROVED FABRICATOR (IBC SECTION 1704.2.2).

9. INSPECTION FOR PREFABRICATED CONSTRUCTION SHALL BE THE SAME AS IF THE MATERIAL USED IN THE CONSTRUCTION TOOK PLACE ON SITE. CONTINUOUS INSPECTION WILL NOT BE REQUIRED DURING PREFABRICATION IF THE APPROVED AGENCY CERTIFIES THE CONSTRUCTION AND FURNISHES EVIDENCE OF COMPLIANCE.

NOT FOR CONSTRUCTION

ISSUE

DATE

Job No.

Proj. Mgr.

RRE241123

AJS

Sheet Title

STRUCTURAL NOTES

Sheet No.

S.01

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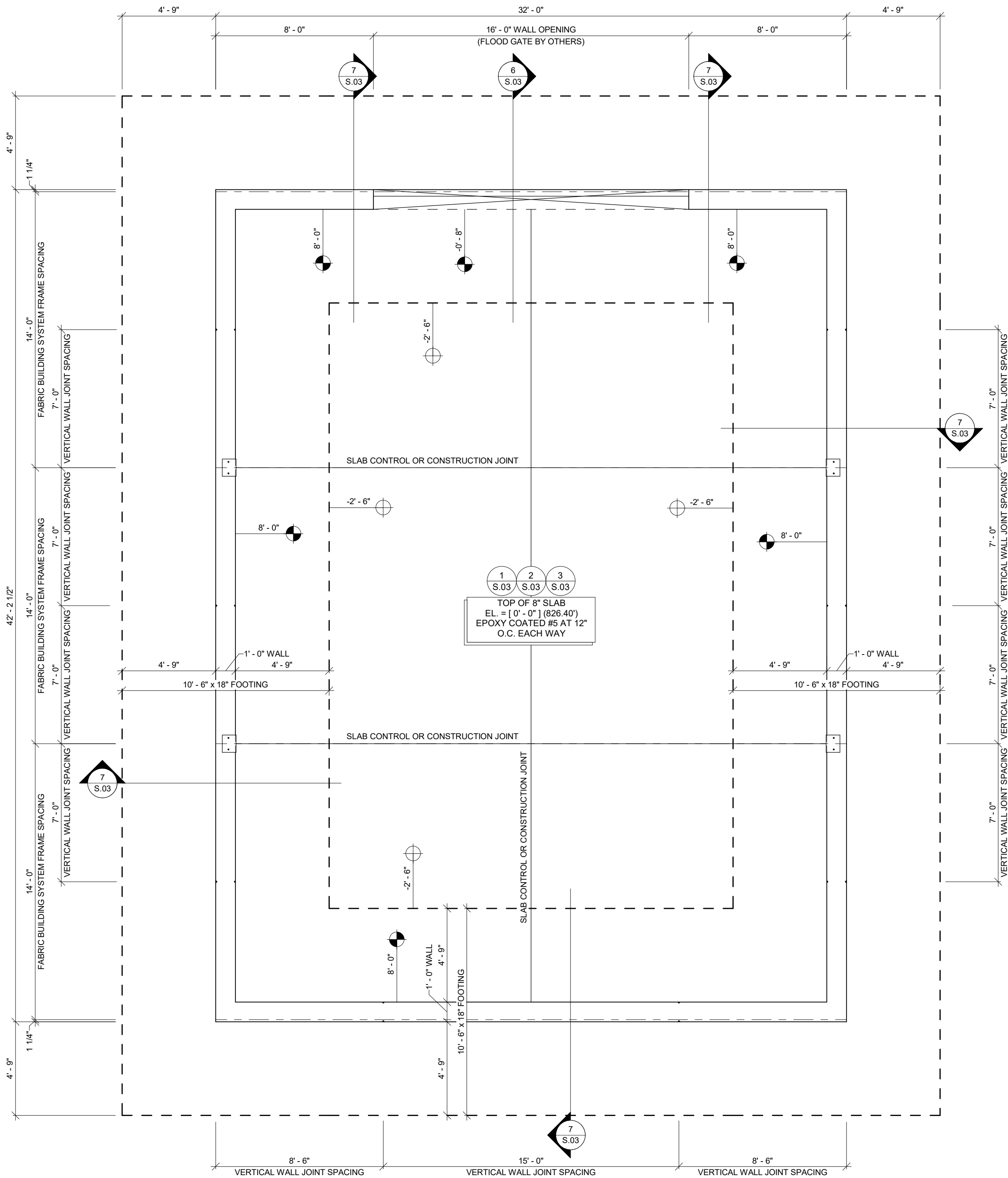
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CITY OF WINDSOR HEIGHTS

SALT SHED IMPROVEMENTS

6800 SCHOOL ST
WINDSOR HEIGHTS, IA 50324



A SALT SHED FOUNDATION PLAN

1/4" = 1'-0"

FOUNDATION SYMBOL KEY	
	T/I WALL
	T/I FOOTING

NOT FOR CONSTRUCTION

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ENGINEERING**

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**CITY OF WINDSOR HEIGHTS
SALT SHED IMPROVEMENTS**

6900 SCHOOL ST
WINDSOR HEIGHTS, IA 50324

ISSUE	Date
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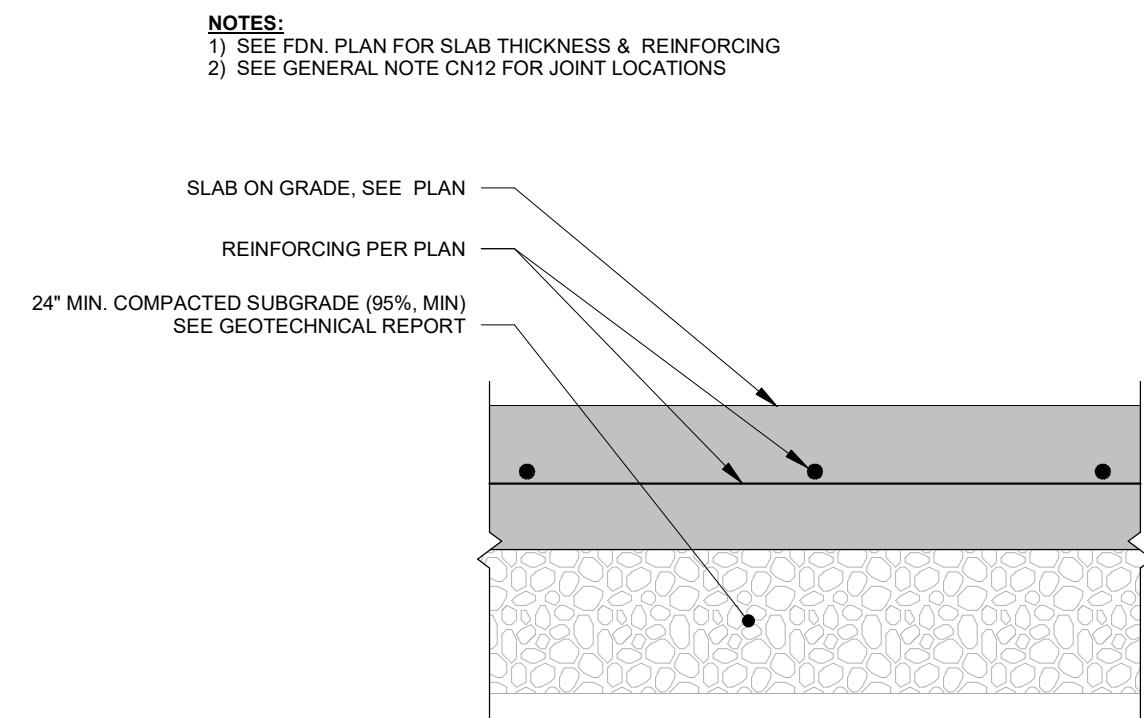
Job No. **RRE24123** Proj. Mgr. **AJS**
Sheet Title

**FOUNDATION
PLAN**

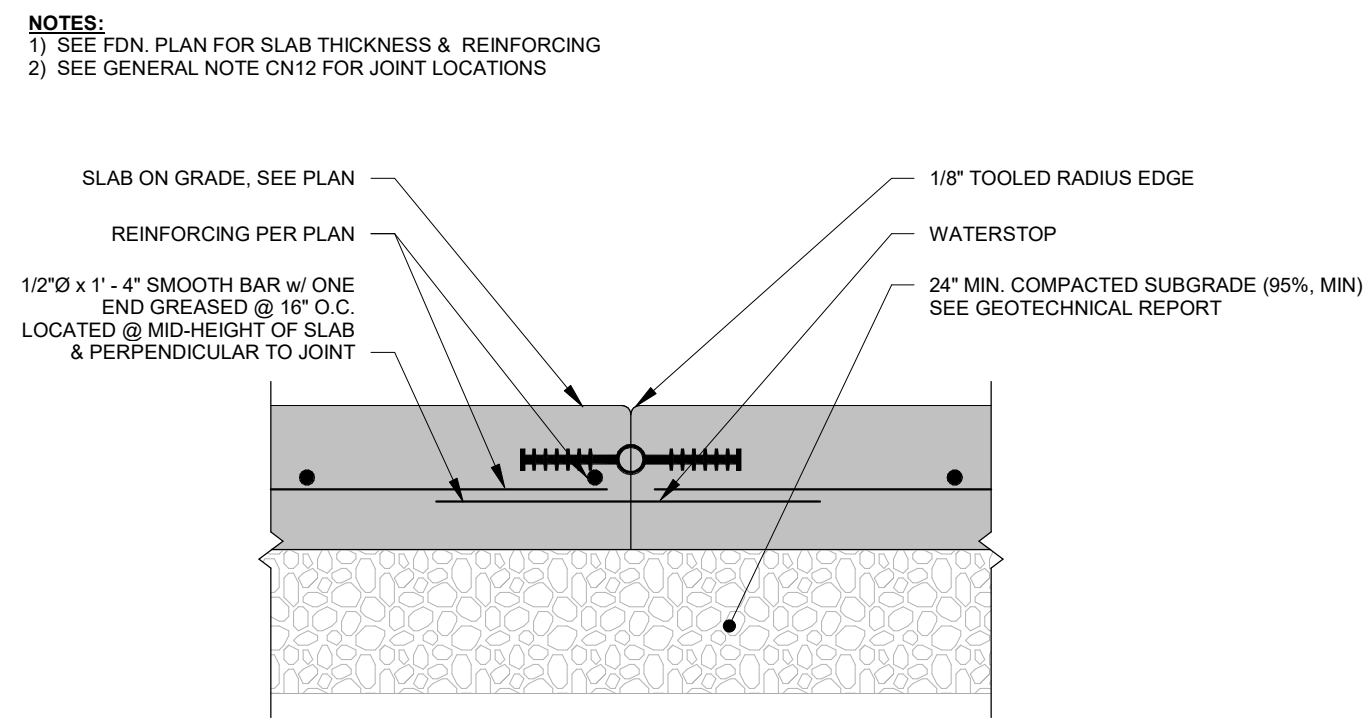
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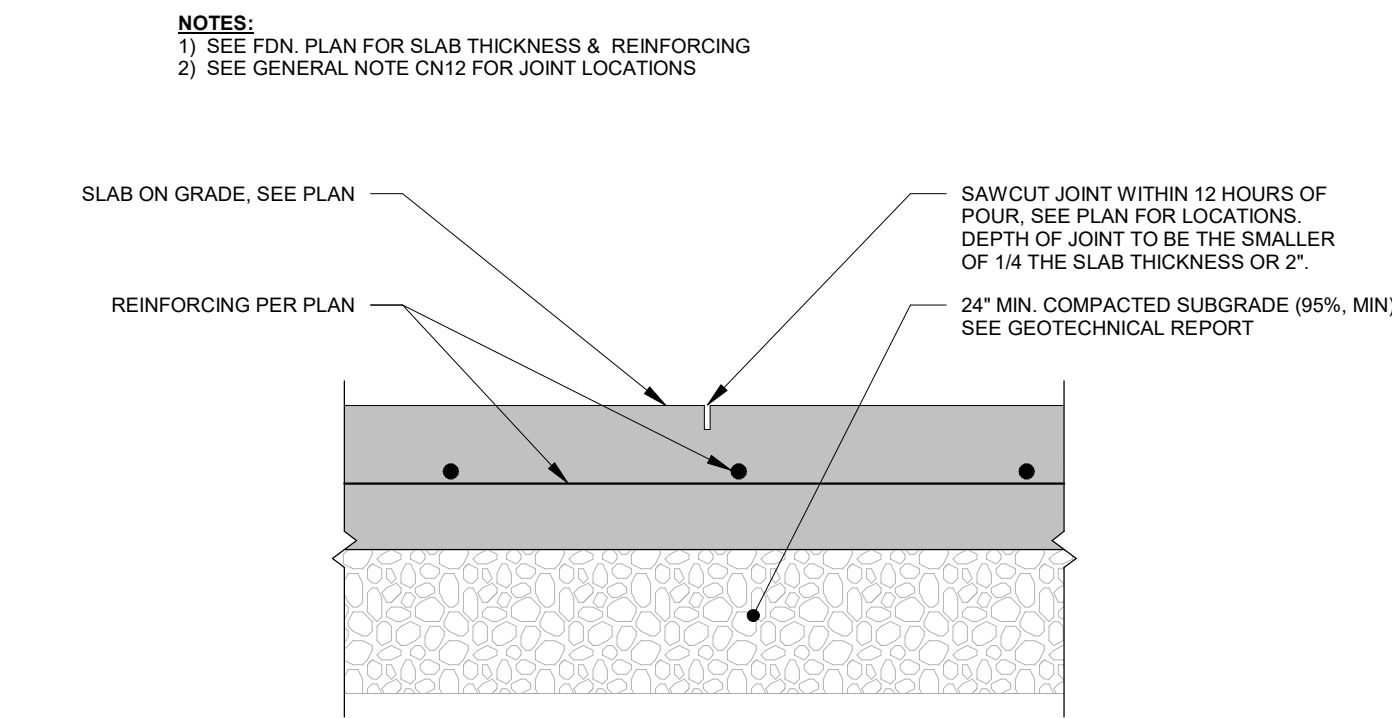
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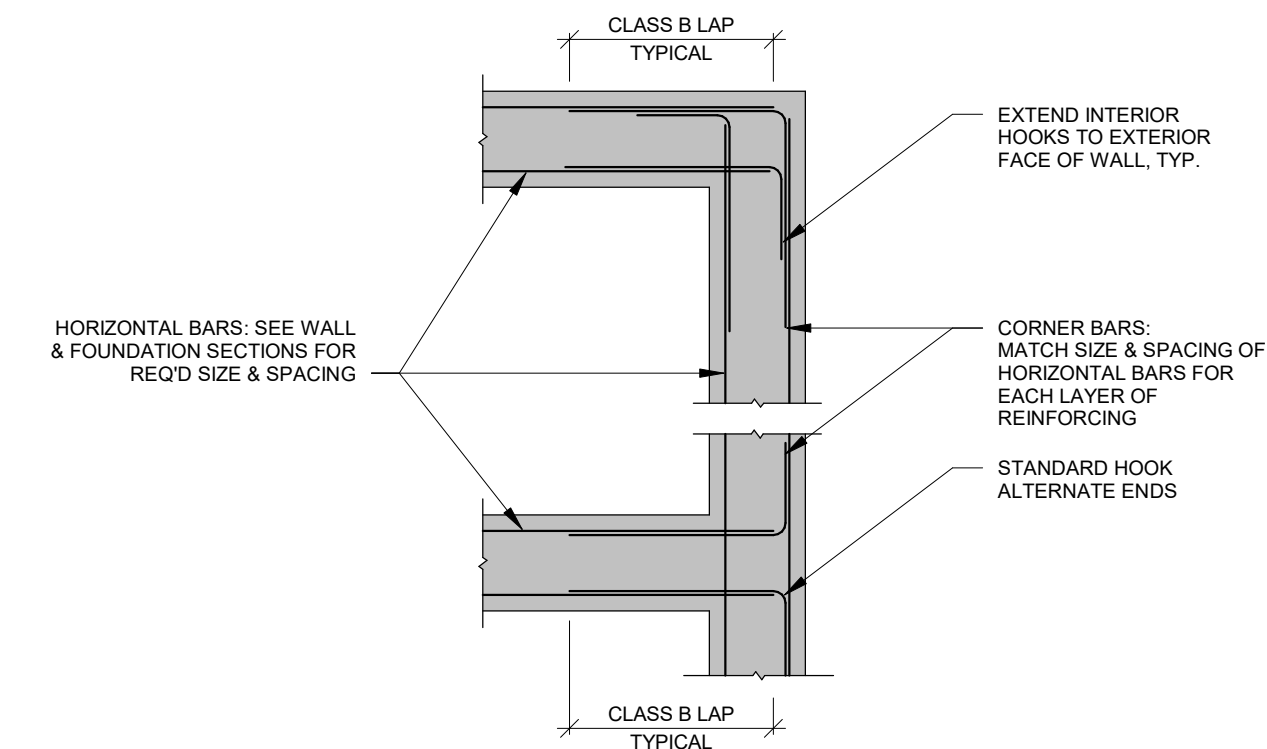
1 TYP. SLAB ON GRADE
1 1/2" = 1'-0"



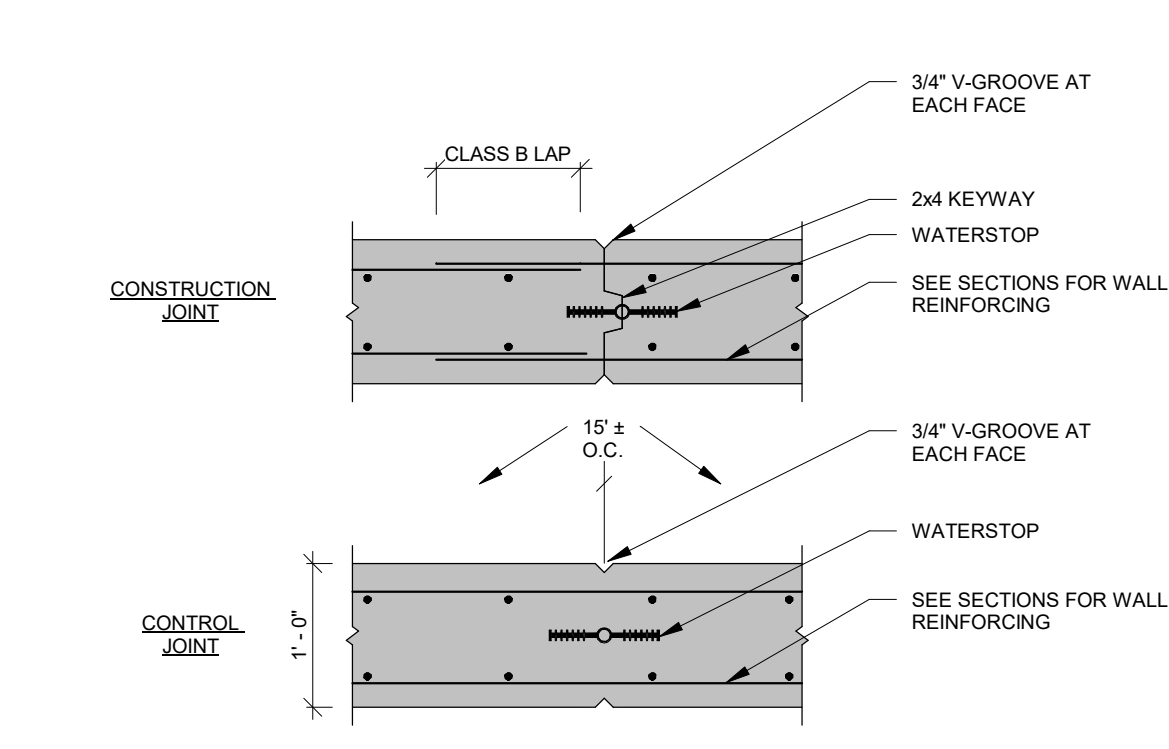
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1 1/2" = 1'-0"



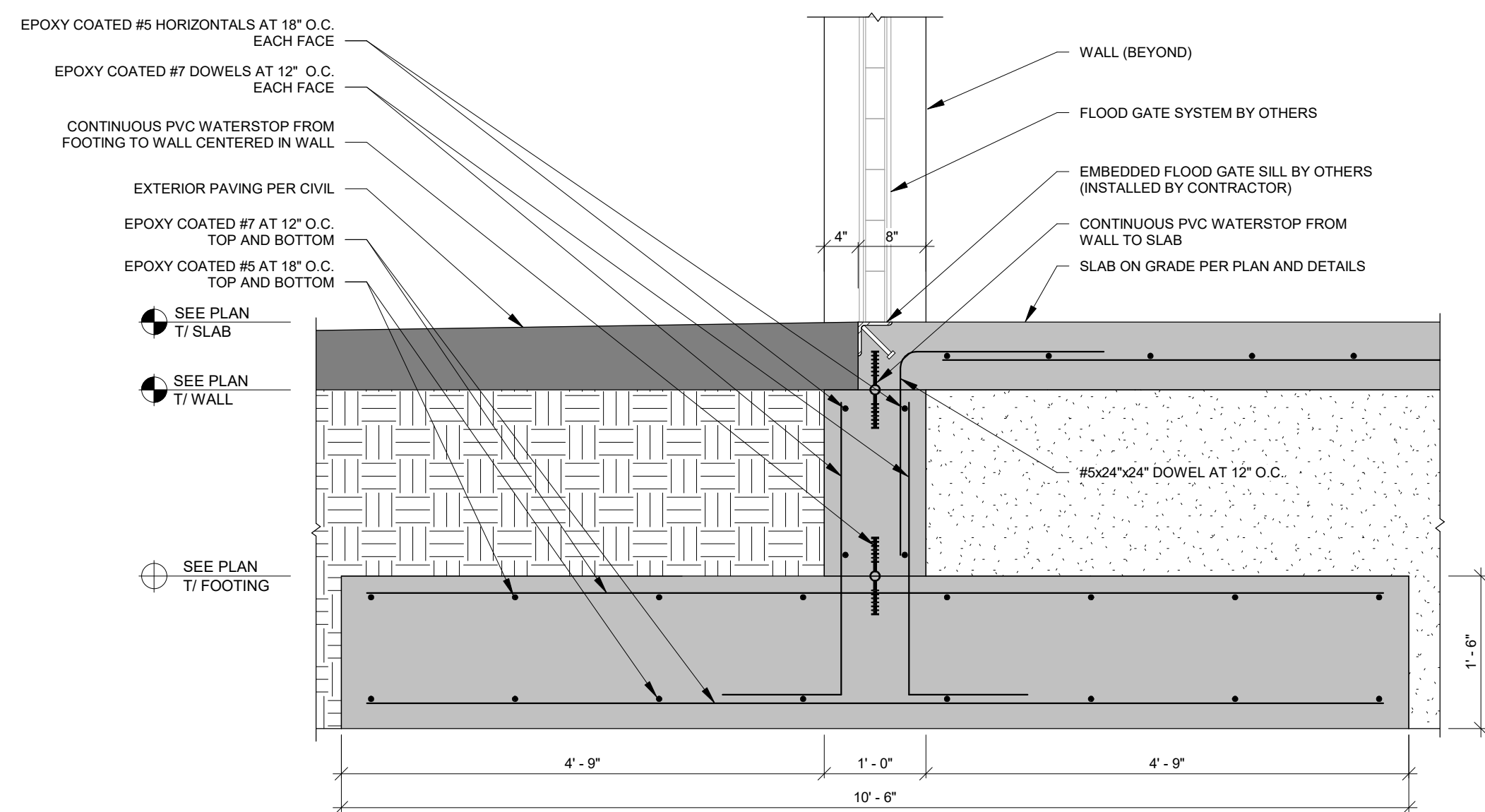
3 TYP. SLAB ON GRADE CONTROL JOINT
1 1/2" = 1'-0"



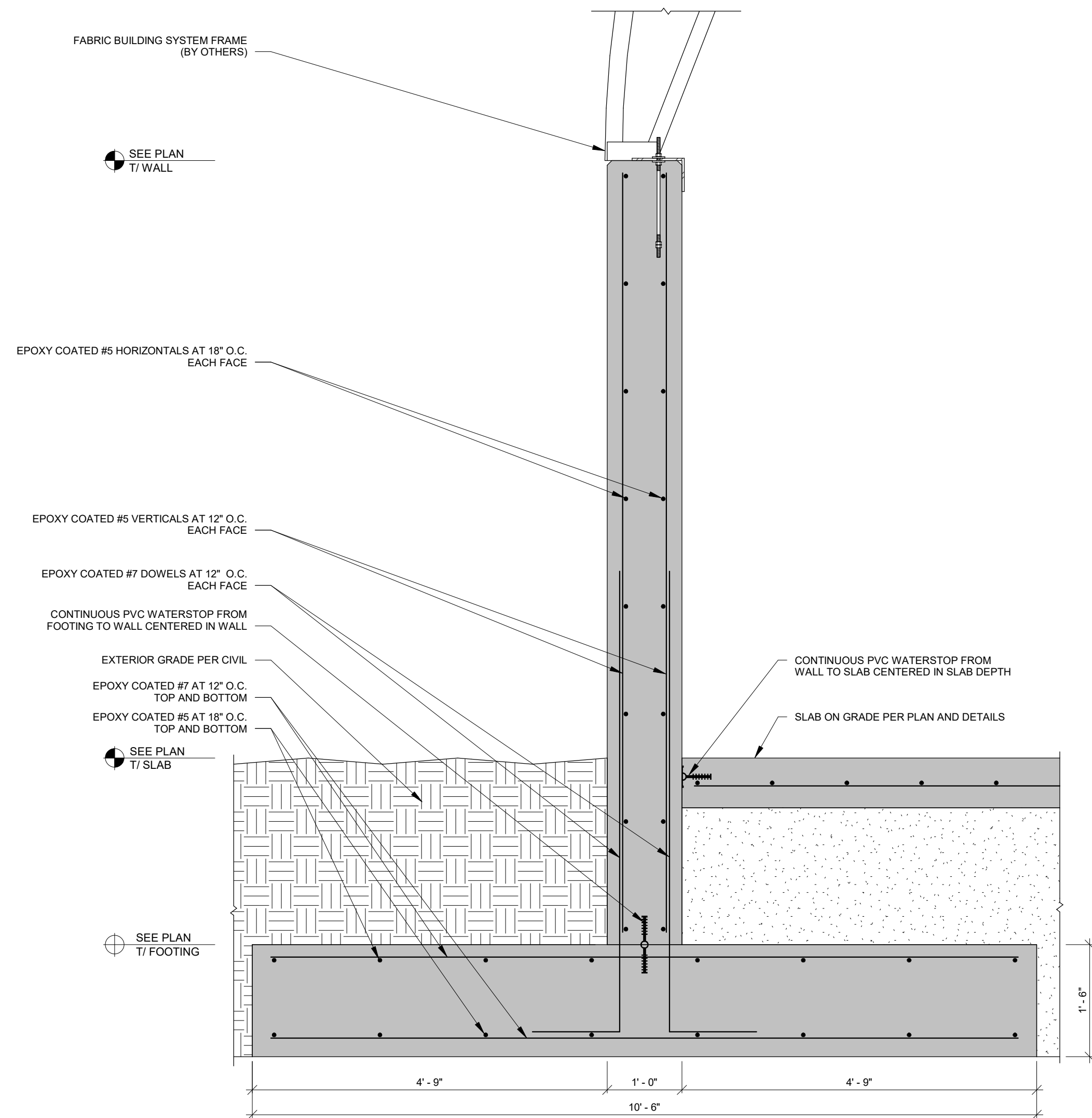
4 TYP. REINFORCING @ CORNERS
1/2" = 1'-0"



5 TYP. VERTICAL CONCRETE WALL JOINTS
3/4" = 1'-0"



6 SALT SHED WALL AT ENTRANCE
3/4" = 1'-0"



7 TYPICAL SALT SHED WALL DETAIL
3/4" = 1'-0"

RESOLUTION 2024-49

A RESOLUTION APPROVING THE SITE PLAN FOR A SALT SHED AT 6800 SCHOOL STREET

WHEREAS, on June 26, 2024, upon proper publication of notice, the Planning and Zoning Commission held a public hearing, notice of which was given to property owners within 200 feet; and

WHEREAS, the Planning & Zoning Commission has reviewed this request during its regular meeting on June 26, 2024, and forwarded to City Council with a recommendation of approval; and,

WHEREAS, the City Engineer has reviewed the Site Plan and recommends approval with the noted conditions; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA, that the Site Plan for Salt Shed at 6800 School Street is hereby approved subject to the following conditions:

1. All of the following conditions will be met, reviewed by the city department assigned, and deemed complete before approval of the site plan and before any development can take place.

General Comments

1. All permits related to the project will be held and released concurrently at the approval of the following:
 - a. Approval of signs and utility from Safe Building.
 - b. Revision of site plan application in accordance with the comment letter and all corresponding comments from each City Department.
 - c. Professional Signatures on Final Site Plan including Licensed Surveyor (Chapter 170.10)
 - d. City Council approval of site plan.

Fire Comments

1. The responsible party (whether that be the Public Works Department for the City of Windsor Heights or other entity) ensure that the AGS Tanks to be relocated are relocated to a spot that is above the flood plain or flood proofed in their new location if they can't be moved to a location that is above the flood plain.

PASSED AND APPROVED this 1st day of July, 2024.

MIKE JONES, MAYOR

ADAM STRAIT, CITY CLERK



STAFF REPORT
CITY COUNCIL
July 1, 2024

TO: CITY COUNCIL

FROM: Adam Plagge, City Administrator

SUBJECT: Consideration of Managed IT Provider RFP

GENERAL INFORMATION

Staff has provided a paper handout of the proposed RFP for a Managed IT Provider. It is not included in the packet out of an abundance of caution. The RFP will be distributed to reputable IT companies in the Metro, including the City's current provider Aureon. Responses will be reviewed by staff and IT consultant Derek Meyer starting July 31st and a recommendation to award a contract provided to City Council by August 19th.

In the interim, the server upgrade is being undertaken by Aureon next week as this project could no longer be put off. Aureon will also be installing/replacing wifi access points across city facilities. Current access points are rented from Aureon, replacements will be owned by the city as this is the more economical option and provides flexibility going forward.

ATTACHMENTS

None



**STAFF REPORT
CITY COUNCIL**
July 1, 2024

TO: CITY COUNCIL

FROM: Adam Plagge, City Administrator

SUBJECT: Consideration of Updated Employee Handbook

GENERAL INFORMATION

Legal Counsel has updated the Handbook with revisions to the Code of Ethics/Political Activities, Non-Fraternization, and Drug and Alcohol Testing for Council consideration. Juneteenth was also added as a holiday. The revised version is attached as 2024 WHeights Handbook July 2024. A comparison with the version passed by City Council is also attached.

ATTACHMENTS

1. WHeights Handbook July 2024
2. June and July Handbook Comparision



W I N D S O R
H E I G H T S

EMPLOYEE HANDBOOK

Revised June 2024

Welcome!

Welcome to the City of Windsor Heights! We are delighted you have chosen to join our organization and hope you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further the City's goals.

You are joining an organization that strives to provide our residents, businesses, and visitors with a safe environment and exceptional city services through our team approach. The result is a unique, sustainable, and vibrant community! We sincerely hope you will take pride in being an important part of the community of Windsor Heights.

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Introduction

Purpose

The purpose of these policies and procedures is to establish a fair and equitable system of personnel administration that will facilitate efficient and effective public service for the City. This handbook was written for all City of Windsor Heights ("City") employees regardless of status, excluding elected officials, commission members and volunteers. Employees are expected to read this handbook and retain it for future reference. Should an employee have any questions regarding any policies, they should speak to their supervisor, Department Head, Human Resources, or City Administrator. If at any time there is a conflict between this handbook and an applicable state or federal statute, the terms of the statute will govern in all cases.

In the event any policies contained in this handbook differ from the terms of a collectively bargained agreement, the Collective Bargaining Agreement (CBA) entered into according to the Iowa Public Employment Relations Act (Iowa Code Chapter 20) shall apply to employees included in the CBA group.

This Handbook should be retained for future reference alongside other departmental policies and written communications regarding employee policies.

Adoption and Policy Amendment

These policies and procedures are adopted by resolution of the Windsor Heights City Council (“City Council or Council”). Policy amendments shall become effective upon consideration and adoption by the Council. City Council action will approve exceptions to policies or procedures outlined in this manual.

The City reserves the right to amend, rescind, or modify any of these policies, practices, or benefits at any time with or without prior notice. If you are uncertain about any policy or procedure, please check with your Department Head or the City Administrator.

At-Will Employment

Employment with the City of Windsor Heights is at-will and can be terminated at any time with or without cause without prior notice by either the employee or the City, except as otherwise provided by law or the terms of a collective bargaining agreement. This handbook is not a contract guaranteeing employment for any specific duration. Nothing in this handbook creates or is intended to create a promise or representation of continued employment. This handbook supersedes any and all prior handbooks, written documents (with the exception of a duly authorized Collective Bargaining Agreement), or oral or implied representations that might otherwise contradict the at-will nature of employment.

Equal Opportunity and Commitment to Diversity

Equal Employment Opportunity (EEO)

The City provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, ancestry, national origin, sex, sexual orientation, age, disability, gender identity, genetic information, service in the military, or any other characteristic protected by law.

Equal employment opportunity applies to all terms and conditions of employment, including:

- Recruitment

- Employment
- Promotion
- Transfer
- Training
- Working conditions
- Wages and salary administration
- Employee benefits and application of policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with the City.

The City expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties will not be tolerated.

Remedies

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of their immediate Supervisor, Department Head, or the City Administrator. Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. The City will promptly, thoroughly, and fairly investigate every issue brought to its attention in this area and will take corrective action, when appropriate, up to and including termination of employment.

Americans with Disabilities Act (ADA) and Reasonable Accommodation

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act (ADAAA) are federal laws that require employers not to discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position. To ensure equal employment opportunities to qualified individuals with a disability, the City will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the organization would result. Employees who may require reasonable accommodation should contact their immediate Supervisor, Department Head, or the City Administrator.

On receipt of an accommodation request, the Department Head will meet with the requesting individual to discuss and identify the precise limitations resulting from the disability. Medical certification from the employee's physician may be required. The Department Head, City Administrator and physician, counselor or other appropriate professional will determine the feasibility of the requested accommodation, considering factors, including, but not limited to, the nature and cost of the accommodation requested, the availability of outside funding, the City's overall financial resources and the accommodation's impact on the operation of the City.

Commitment to Diversity

The City is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the organization and are valued for their skills, experience, and unique perspectives. This commitment is embodied in City policy and the way we do business in the City and is an important principle of sound business management.

Harassment Prevention

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, as well as many state laws. Harassment based on a characteristic protected by law, such as race, color, religion, sex, sexual orientation, gender identity, age, qualified disability, national origin, veteran status, genetic information, or other characteristic protected by law, is prohibited.

It is the City's policy to provide a work environment free of sexual and other harassment. To that end, harassment of City employees by management, coworkers, or non-employees who are in the workplace is prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment or discrimination complaint will not be tolerated. Based upon the seriousness of the offense, the City will take corrective action, when appropriate, up to and including termination of employment.

Definition of Unlawful Harassment. "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to: epithets, slurs, jokes, pranks, innuendo, comments, written or graphic material, stereotyping, or other threatening, hostile, or intimidating acts based on any protected characteristics listed above, or other characteristics protected by law.

Definition of Sexual Harassment. "Sexual harassment" is defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions; *or*
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that may constitute sexual harassment

depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Unwelcome, unwanted physical contact, including but not limited to, touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Leering, whistling, sexual gestures, or suggestive or insulting comments;
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.
- Sexual harassment includes the foregoing conduct regardless of whether the persons involved are of the opposite sex or same sex.

Harassment and Discrimination Complaint Procedure

All employees of the City, both management and non-management, are responsible for assuring that a workplace free of harassment and discrimination is maintained. Any employee who believes they have been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested, and encouraged to make a complaint. You may bring your complaint directly to your immediate Supervisor or Department Head, the City Administrator, or any other member of management with whom you feel comfortable bringing such a complaint. Nothing in this policy requires any person complaining of harassment, sexual or otherwise, to report the matter to the individual who is the subject of the complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

Whenever the City is made aware of a situation that may violate this policy, it will conduct a thorough and objective investigation. If the City determines that prohibited harassment has occurred, it will take appropriate action against any person found to have engaged in harassment. The type of discipline administered will be dependent upon the severity of the conduct, as well as any other factors presented in particular circumstances. All complaints and investigations are treated confidentially to the extent possible, however confidentiality cannot be promised. The City will take adequate steps to ensure that the complainant and witnesses are protected from retaliation during and after the investigation.

Supervisor Responsibility. Supervisors must deal expeditiously and fairly when they have any knowledge of behavior or conduct that may violate City policy within their departments, whether or not there has been a formal complaint. They must:

1. Take all complaints or concerns of alleged or possible discrimination or harassment seriously no matter how minor or who is involved.
2. Report all incidents to the City Administrator immediately so that a prompt investigation can occur and be documented.
3. Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Supervisors are responsible for exerting their authority and enforcing this policy when aware of discrimination or harassment, including when the person discriminating, or the harasser is another Supervisor. Supervisors who knowingly allow or tolerate inappropriate behavior including but not limited to discrimination, harassment, or retaliation, including the failure to immediately report such misconduct are in violation of this policy and subject to discipline up to and including termination.

Prohibited Retaliation. The City will not allow any form of retaliation against individuals who raise issues of equal employment opportunity, for making a good-faith complaint or report of discrimination or harassment, or for assisting in the investigation of any such complaint or report. If an employee feels they have been subjected to any such retaliation, they should bring it to the attention of the City Administrator.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process. “Adverse conduct” includes but is not limited to:

- shunning and avoiding an individual who reports harassment, discrimination, or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; or
- denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above. All complaints will be investigated promptly and, to the extent possible, with regard to confidentiality. If the investigation confirms conduct contrary to this policy has occurred, the City will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

Whistleblower

A whistleblower as defined by this policy is an employee of the City of Windsor Heights who reports an activity that they consider to be illegal or dishonest to one or more of the parties specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact their Department Head or the City Administrator. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to corrective action up to and including termination.

The City will not retaliate against a whistleblower who filed a good-faith complaint. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes they are being retaliated against must contact their Department Head or the City Administrator immediately. The right of a whistleblower for

protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Veterans' Preference

Any honorably discharged veteran, as defined in Iowa Code Chapter 35C of the Code of Iowa, shall be entitled to preference in appointment, employment, and promotion over other applicants of no greater qualifications in accordance with Iowa Code Chapter 35C.

Conflicts of Interest and Ethical Business Practices

Conflicts of Interest

The City expects all employees to conduct themselves and City business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests as set forth in Iowa Code §68B.2A.

The City recognizes and respects the individual employee's right to engage in activities outside of employment which are private in nature and do not in any way conflict with or reflect poorly on the City, however your outside employment must not conflict with the interests of the City or interfere with the performance of your duties with the City.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises where there is a potential conflict of interest, the employee should discuss this with a Supervisor for advice and guidance on how to proceed. The list below suggests some of the types of activity that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

1. No employee or employee's relative or partner shall hold any public office within the City government, or any other office, which may create a conflict of interest.
2. Holding a substantial interest in, or participating in the management of, a firm to which the City makes sales or from which it makes purchases.
3. Accepting substantial gifts or excessive entertainment from an outside organization or agency.
4. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the City.
5. Using one's position in the City or knowledge of its affairs for personal gains.
6. For a vendor to work as an employee, consultant, independent contractor or in any other additional capacity with the City.

Code of Ethics

The City expects all team members to display honesty and integrity at all levels. We value trustworthiness and expect ethical conduct. Employees must always act honorably in business interactions with team members, constituents, vendors, and others.

Proper conduct includes strict compliance with the spirit and letter of the laws and regulations pertinent to the City's business activities. It also means your business practices reflect the highest standards of integrity, are honest, and are ethical. The City's commitment to professional conduct is outlined below, although this is not to be an exhaustive list of ethical behaviors expected:

- You shall be impartial and dedicated to the best interests of the City. You shall conduct yourself, both inside and outside the City's service, so as not to cause distrust of your impartiality or of your dedication to the City's best interests.
- You shall affirm the dignity and worth of the services rendered by the government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
- You shall carry out the established policies of the City.
- You shall buy without prejudice, seeking to obtain the maximum value for each expenditure of public funds.
- You shall never engage in acts of corruption or bribery, nor will you condone such acts by other employees.
- You shall not directly or indirectly accept or receive any gift or series of gifts, as defined in Section 68B.22 of the Code of Iowa. This includes special discounts or offers that are not available to the general public.
- You shall be responsible for your own standard of professional performance and will take every reasonable opportunity to enhance and improve your level of knowledge and competence.
- You shall be responsible for being familiar with the laws applicable to your area of work, complying with such laws and maintaining the highest level of honesty and integrity in your business conduct.
- You shall promptly report to management when there is a reason to believe a violation of law, regulation, policy, or the Code has occurred or may have occurred.

Employees may not engage in any outside employment or an activity that involves the use of the City's time, facilities, equipment, and supplies or the use of the City badge, uniform, business card, or other evidences of office or employment to give the person or member of the person's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public.

Failure to adhere to ethical conduct expectations can result in corrective action up to and including termination.

Political Activities

Campaign Activities. You have a right to express your individual opinions on political issues and candidates, however, in accordance with Section 721.3 of the Iowa Code, candidates or committee members cannot solicit contributions or receive political support from you during work hours.

Employees may participate in, or contribute to, the election or appointment of public officials; however, employees shall not solicit political contributions while on the job or while using City equipment. Political activity must not interfere with normal work duties. No city employee will be forced or compelled to take part in political campaigns to favor the appointment or election of candidates for any office.

Candidates for Office. Should the employee file papers or campaign for elected office for the City of Windsor Heights, the employee will be required to take an immediate, unpaid leave of absence until after the election. Should the employee be elected, said employee will be separated from employment effective with the elected official's oath of office. The leave without pay begins upon either an announcement of candidacy or filing of a petition for office. However, this will not be later than 30 days before the primary or general election day, and it continues until the employee is no longer a candidate.

If elected, the employee may be required to resign their city position per Iowa Code chapter 372 and the incompatibility of offices doctrine.

However, the employee may be a candidate for a non-city, non-partisan office that is not related to their employment. If this is the case, they will not be required to take the leave of absence without pay, as long as they do not campaign while on duty as an employee or let their duties interfere with their city job responsibilities. Leave requests for candidacy and service will be granted in accordance with Iowa Code chapter 55.

Political Activities Not Affected. Employees are not prohibited from:

- Becoming or continuing to be a member of a political club or organization;
- Attending a political meeting;
- Enjoying entire freedom from all interference in casting their vote;
- Seeking signatures to any initiative or referendum petition directly affecting their rates of pay, hours of work, retirement, or other working conditions; or,
- Distributing badges, pamphlets, dodgers, or handbills or other participation in any campaign or campaign in connection with a petition, if the activity is not carried out during hours of work or on City property.

If employees are unsure about whether an activity might violate this policy, or employees have questions about this policy, they should speak with their Department Head or the City Administrator.

Outside Employment

Employees are permitted to have outside employment as long as it does not interfere with their job performance or result in a conflict of interest with the City. If a situation arises where there is

a potential conflict of interest, the employee should discuss this with their Supervisor or the City Administrator for advice and guidance on how to proceed. Employees with outside employment are expected to work their assigned schedules. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to corrective action, up to and including termination.

Use of City Property

You must protect City-owned and private property located on agency work sites or other City premises. Therefore, the following are prohibited: unauthorized use, abuse, misuse, or waste of property or materials; unauthorized possession or sale of items; and unlawful operation or use of City vehicles and equipment for other than City business or approved use. You must use the City's long-distance service and City-owned cellular phones for official City business only. You must keep local personal calls from City office phones to a minimum. City postage stamps and metered mail are for official business only. You must check out City equipment through a management representative before removal from the premises. You may not take equipment off the premises for personal use.

Employment Relationship

Employment Classification

It is the intent of the City to define the employment classifications so that employees understand their employment status and benefits eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment relationship at will at any time and for any reason is retained by both the employee and the City of Windsor Heights.

Fair Labor Standards Act (FLSA) Job Classifications

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws:

- **Nonexempt:** Employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.
- **Exempt:** Employees who hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor that allows for an exemption from the minimum wage and overtime provisions of the FLSA; these employees are paid on a salaried basis.

Employee Job Categories

The City of Windsor Heights has established the following categories for employees:

- **Regular Full-time:** Employees who are regularly scheduled to work a minimum of 30 hours per week. Generally, they are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefit program.
- **Regular Part-time:** Employees who are regularly scheduled to work an average of less than 30 hours per week. Regular Part-time employees are eligible to participate in some of the benefits offered by the City, subject to the terms, conditions, and limitations of the program.
- **Paid-On-Call:** Employees who are in the Fire Department receive an hourly rate of pay for time they are responding to calls and during department approved training or other assignments. Paid-on-call employees are not eligible to participate in any of the City's benefits programs.
- **Temporary:** Employees who are hired on a full- or part-time basis to work on a specific project for a period of up to one hundred eighty (180) days or the pay limit established under IPERS. Additional time may be allowed with the approval of the Council. Temporary employees are not eligible to participate in any of the City's benefits programs.
- **Seasonal:** Employees who are hired to temporarily supplement the workforce or to assist in the completion of a specific project and are temporarily scheduled to work the City's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Seasonal employees are not eligible to participate in any of the City's benefits programs.
- **Terminal:** Employees who are retired and elect to have the balance of their accrued leaves paid in regular disbursements instead of a lump sum. Terminal employees are not eligible to participate in any of the City's benefits programs unless mandated by law.

Work Week and Hours of Work

The standard workweek is from Saturday 12:00 a.m. until Friday 11:59 p.m. and generally consists of 40 work hours. The general hours of operation for City offices are from 8:00 a.m. until 4:30 p.m. Monday through Friday. Individual work schedules may vary depending on the needs of each department. Hours may be further determined due to factors such as operational demands, at the discretion of the appropriate Department Head.

Work break schedules shall be determined on a departmental basis and shall be the responsibility of the Department Head to oversee. Any non-standard schedules or non-traditional work arrangements must be approved by the City Administrator.

Summer hours will entail City offices closing at 3:00 p.m. on Fridays from May through September. City offices may occasionally be closed by approval of the City Administrator due to training, staffing issues, or inclement weather.

Paycheck Information

Pay dates. The City's pay date for all employees is biweekly on Friday. If a payday falls on a Federal holiday, employees will receive their paycheck on the preceding workday.

Reporting Errors. Any errors in the processing or calculations of the payroll check should be reported to the employee's supervisor and/or the Finance Officer immediately.

Direct Deposit. All employees are required to utilize direct deposit for paychecks. You may direct deposit in up to two separate accounts; all first-time direct deposit requests require pre-authorization on the account. Employees will receive a hardcopy payroll check until the authorization is successfully confirmed, usually prior to a second paycheck.

Payroll Check Deductions. Deductions from an employee's payroll check may consist of:

- statutory deductions such as federal, state, and local taxes;
- court-ordered withholdings;
- employee's elective benefit plans: cost-sharing portion or retirement plan contributions;
- any other deductions required by law.

Time Records

All non-exempt employees are required to complete accurate weekly time reports showing all time actually worked and leave time taken. These records are required by governmental regulations and are used to calculate regular and overtime pay. All exempt employees must accurately report any leave time taken in a pay period. At the end of each pay period, the employee and their supervisor must sign the timesheet attesting to its correctness or use the City's digital time recording program. No one may record hours on another's timesheet, without approval from the Department Head. Tampering with another's timesheet is cause for disciplinary action up to and including termination, of both employees. In the event of an error in recording time, the employee will notify their supervisor.

Overtime

When required due to the needs of the organization, employees may be required to work additional hours. In accordance with the Fair Labor Standards Act, all non-exempt employees, except those covered by a Collective Bargaining Agreement or those who elect to receive compensatory time, will be paid overtime compensation at the rate of one and one-half their regular rate of pay for all hours over 40 actually worked in a single workweek.

- Paid leave, such as holiday, Paid Time Off (PTO), bereavement time, and jury duty does not apply toward work time.

All overtime work must be approved in advance (when possible) by an employee's supervisor.

Schedule and Overtime for Fire Department Employees per the 2025-2026 Union

Agreement: The regular workday and work schedule rotation for full-time Fire Department employees shall consist of 48 hours on followed by 96 hours off. As per allowances within FLSA Section 7(k), each 14-day work period for Fire Department employees shall consist of up to 106 actual hours worked before overtime shall be due to an employee. Overtime shall be paid at the rate of one and one-half (1 ½) the employee's straight time hourly rate for all work performed in excess of 106 hours per work period. Overtime shall not be paid more than once for

the same hours worked. Vacations and leaves are not considered time worked for the purpose of determining overtime.

Compensatory Time

All non-exempt employees, except those covered by a Collective Bargaining Agreement, whose total work hours and/or compensatory time used exceed 40 hours in a standard work week are eligible for overtime or compensatory time.

Compensatory time is calculated at a rate of one and one-half (1 ½) hours for each one (1) hour worked in excess of 40 hours in a regular work week. A maximum of 48 hours will be allowed to accumulate.

The City Administrator or appropriate Department Head shall authorize compensatory time for an eligible employee. Should an employee accumulate more than 48 hours, the employee may be required by their Supervisor to schedule and take time off. Due to extenuating circumstances, the City Administrator may extend the maximum amount accumulated to meet organizational needs.

Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request if the use of compensatory time does not unduly disrupt operations. Normally notice of three days will be required for the use of compensatory time.

Upon resignation, termination, or change to a position that is not eligible for compensation time, all earned but unused compensatory time will be paid out.

On-Call Pay

The City Administrator may, at his/her discretion, institute a system of employees being on call during hours normally outside the normal work week, unless otherwise covered under a collective bargaining agreement. Hours, responsibilities, and rate of pay for these cases shall be approved by the City Council and are incorporated into this document by reference.

Pay Change for Temporary Assignment

During the course of normal City operations, it may become necessary for an employee to perform the duties of an employee in a higher classification due to an extended absence or turnover in the position. Any person with the qualifications to temporarily fill a vacancy in a position of higher pay grade shall receive the rate of pay of the higher classification after performing such duties of the higher classification for thirty (30) consecutive workdays. Refer to Collective Bargaining Agreement (CBA) for details on this process for union employees.

In no event shall the employee receive less than the employee's current role's normal hourly wage. This is subject to the approval of the City Administrator and City Council. However, unless a permanent change of classification is made for the employee performing the duties, they shall return to the original rate of pay at the end of the temporary assignment. A temporary assignment may last no longer than 120 working days.

Pay and Performance

The purpose of the City's compensation and performance evaluation systems are to support the recruitment, motivation, success, and retention of qualified and productive employees and to encourage and reward activities that promote the City. To that end, the City looks to recruit and retain individuals who are customer-oriented, demonstrate initiative, are team players, and accept responsibility, authority, and accountability for work performance. The City will offer appropriate developmental opportunities and recognize performance with incentives for employee success, retention, and professional development. The City will administer this in an open, fair, and equitable fashion.

Job Performance. Communication between employees and Supervisors is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their Supervisor if they feel additional ongoing feedback is needed.

Generally, formal performance reviews are conducted at the six-month mark for new employees and annually for all others. These reviews include a written performance appraisal and a discussion between the employee and the Supervisor about job performance and expectations for the coming year.

Pay Increases. A performance evaluation does not always guarantee either an increase in compensation or continuing employment. Wages increases will be determined by the City Administrator typically at the six-month review and thereafter annually. Decisions may be based on a number of factors, including but not limited to performance, attendance, and cost of living adjustments. Union employees will follow the collective bargaining agreement in place for pay increases. Refer to the City's Pay for Performance procedures for additional details including calculations and rating scales.

- **Annual Wage Adjustment (AWA).** A non-union employee may receive an Annual Wage Adjustment (AWA). The adjustment may be based on a number of factors, including but not limited to the annual performance evaluation, progress made towards an individual's identified goal(s) for professional growth and positive interactions with City stakeholders. This increase will be made to the employees' base wage.
- **Annual Pay Changes Schedule:**
 - First Pay Period in July - All approved AWA pay increases are effective.

Pay Ranges. Pay ranges will be established annually for approval by the City Council. Pay ranges are determined for each job after periodic review of salary surveys. The salary range/structure shall be designed to reflect the levels of responsibility for the various jobs within the City of Windsor Heights. Compensation adjustments may be recommended based on a salary survey findings and the City's financial condition. If appropriate, compensation for some positions may be frozen if they are at or above maximum, until such time as the market range reaches equity with the City's pay.

Longevity Pay

The City offers regular full-time employees longevity pay as a way to recognize and appreciate their long-term commitment and the work they do on behalf of the City. When an eligible employee has completed 5 years of employment with the City, they will receive \$6.00 on each paycheck. They will then receive an additional \$6.00 per paycheck in each successive year. It is the employee's responsibility to inform their supervisor of an impending anniversary date so longevity can be added or increased.

Cell Phone Reimbursement/Stipend

The City may provide a City-issued cell phone or a monthly reimbursement stipend for select positions as identified by the City Administrator requiring non-compensatory business use of their own personal cell phone. In addition, the City Administrator may authorize a reimbursement stipend for additional positions as deemed necessary that will be in an amount not to exceed \$80.00 per month depending on the amount of City business use reasonable for that position. In no case will a reimbursement stipend exceed the employee's actual cost of maintaining the line.

City Vehicle Policy

At no time shall an employee use a City-owned vehicle, facility, or equipment for personal use. The City recognizes that certain employees need the regular use of a vehicle to fulfill their job duties and responsibilities. The City Administrator, or designee, assigns the use and responsibility of a vehicle to some employees where their job duties and responsibilities make a vehicle necessary.

- Prior permission shall be received from the City Administrator before a City-owned vehicle is used for meetings out of town that would require an overnight stay. Employees, with Department Head approval, may take City-owned vehicles home when they are on-call, or otherwise approved, however, they should not use the vehicle for personal reasons.
- Employees shall operate City vehicles in a safe, courteous, and prudent manner while performing City business including, specifically, the use of seat belts by both the driver and passengers. In addition, all employees are required to comply with all traffic regulations, laws, and ordinances when operating a City vehicle or personal vehicle for City business. This includes the law prohibiting texting while driving. At no time should employees jeopardize the safety of themselves, other City employees, or the public when operating motor vehicles.
- Vehicles are to be serviced by the manufacturer's specifications at recommended intervals.
- Vehicles are to be kept neat, clean, and in a good state of repair. Repairs are to be made promptly.

- Per the Iowa Smoke Free Air Act, it is prohibited to smoke in any City-owned vehicle. Violation of this policy may result in corrective action including termination.
- Employees are responsible for operating City vehicles in compliance with all laws. The employee will pay all fines, moving or parking violations, imposed as a result of violations driving a City-owned vehicle.
- Employees must maintain a valid driver's license and the City may request a copy of your driving record from the state at any time.
- It is strictly prohibited to operate a City vehicle while under the influence of alcohol or drugs.
- City vehicles are covered by liability, comprehensive, and collision insurance. All accidents, no matter how minor, must be reported to the appropriate law enforcement agency immediately.

According to the Internal Revenue Code, Section 274, employees are subject to be taxed for vehicle use if not for City benefit. This would include vehicles used to commute to and from work, drive home, break time, and lunch hours. Not subject to the fringe benefits tax would be police, fire, ambulance, and utility "trucks," or vehicles driven home for the benefit of the City, such as the Public Works Department due to specialized equipment in vehicles. Employees who are on-call for a shift can exempt the days that they were actually called out and that they reported directly to the job site to fulfill the essential portions of their supervisory jobs. Normal workdays without callouts are not to be exempted.

Travel and Expenses

The City of Windsor Heights has prepared this policy to establish a consistent basis for the actions of City personnel with regards to City-paid travel, training, and meal expenditures and to provide broad guidelines for the reimbursement of such expenditures. It is the policy of the City to reimburse employees for all necessary and reasonable expenses incurred while on authorized City business.

Travel Approval

- Any travel outside of a 50-mile radius will need prior approval from the Department Head.
- Out-of-state travel requires the approval of the appropriate Department Head and the City Administrator.
- Out-of-state travel involving overnight accommodations will require prior approval from the City Administrator.

Travel Arrangements

- Transportation should be the most reasonable and economical method of travel considering distance, travel time, number of persons making the trip, duration of stay, other commitments, and other factors as may be appropriate. The least expensive mode of travel is the amount for which an individual will be reimbursed.

Travel Expense Reimbursement

- Reimbursement will be made only upon the successful completion (including authorized approval signatures and all attached receipts) of a travel expense report. All requests for reimbursement must be made within 30 days of the completion of the travel. Expenses that do not have an associated receipt will not be reimbursed.
- Lodging expenses shall not exceed \$175 per day unless specifically authorized by the City Administrator.
- Expenses for meals shall not exceed an average of the GSA's Meals & Incidental rates for the primary travel location unless specifically authorized by the City Administrator.
- In the case of a one-day conference where the employee attends the conference during the day in their hometown and can eat breakfast and dinner before and after the conference, the City will only reimburse for the lunch meal at the above-specified rate.
- Mileage reimbursement shall be based on the current IRS rate in effect when using a privately-owned automobile.
- Expenditures for alcoholic beverages are not eligible for reimbursement.

Incidentals

- An employee is allowed to claim up to \$15 per day for incidental items that will typically not have a receipt available, such as taxi, valet or airport baggage handler tips, parking meter fees, etc. The \$15 incidentals is based on an honor system and should generally be expected to correspond with hotel or airport arrival and departure days.
- Fees for tolls, shuttle service, etc., where a receipt is readily available upon request, must have a receipt submitted for reimbursement. Origination and destination information should be documented on the receipts.

Residency Requirement

Residence is defined as the physical place where the employee resides along with other family members and would entitle the employee to become a registered voter at such residence and if owned by the employee, to homestead the property for real estate tax purposes.

Full-time City employees must reside within an hour response time to their primary work facility (e.g., City Hall, Public Works, etc.). The City Administrator and Department Heads must reside within 30 miles of the corporate boundary limits identified by the 30-mile residency map (see City Clerk for map) unless otherwise approved by the City Council.

Employees residing outside of the 30-mile corporate boundary limit will not be authorized to drive City-owned vehicles home on a regular basis.

Newly hired full-time employees will have 12 months from the date of hire to comply with this policy.

An employee covered by an individual employment agreement or a collective bargaining agreement with provisions that conflict with any portion of this requirement will follow the provisions of the agreement.

Non-Fraternization

To avoid instances in which the hiring process or any term or condition of employment is or may be inappropriately influenced by relationships, it shall be a violation of policy for a City employee in a position of authority to (i) date or engage in a romantic relationship with any employee over whom they have direct authority or supervision; or (ii) employ a relative or domestic partner in a position over which they have direct authority or supervision. Relatives, domestic partners, or those in a close personal relationship may be hired by the City if:

- the persons concerned will not work in a direct supervisory relationship; and
- employment will not pose difficulties for supervision, security, safety, or morale.

For the purposes of this policy, “relatives” are spouse, domestic partner, child, parent, siblings, step relatives, father-in-law, mother-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew, niece, cousin, grandchild, grandparent, and domestic partner relatives. A “domestic partnership” is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements. Personal relationships could also include, but are not necessarily limited to, dating, shared living accommodations, landlord/tenant, or leaser/leasee relationships.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with the City provided they don’t work in a direct supervisory relationship with each other or otherwise pose difficulties as mentioned above. Supervisors who fail to report their involvement in a personal relationship with a subordinate employee may be subject to corrective action up to and including termination. If employees who marry or live together do work in a direct supervisory relationship with each other, the City will attempt to reassign one of the employees to another position for which they are qualified if such a position is available.

In addition, the City reserves the right where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, to separate parties by reassignment or terminate employment.

Separation from Employment

Voluntary Resignation. Employees are encouraged to provide adequate notice to the City Administrator, preferably in writing, to facilitate a smooth transition out of the organization. Supervisors, Department Heads, and administrative personnel are requested to provide notice at least 15 working days prior to the last day of work; all other employees are requested to provide notice at least 10 working days prior to the last day of work.

If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

Upon voluntary termination of employment:

- The separating employee must return all City property at the time of separation, including and not limited to, cell phones, keys, laptops, cameras, computer equipment and identification cards.
- Accrued unused Paid Time Off (PTO) will be paid out.

- If an employee has accumulated compensatory time that is unused, it will be paid out.
- The notice period must be actual working days; paid time off will not be counted toward the notice period.

Retirement. Employees are expected to give a minimum of 20 days' notice or as much notice as possible to their direct supervisor of their intent to retire. Such notice shall be in writing.

Application for retirement benefits should be made directly to IPERS.

- Employees may elect at retirement to be paid for unused leave balances as follows:
 - Paid in one lump sum with applicable federal, state, and local taxes withheld; or
 - Receive the balance of the payments in 40-hour weekly increments (as if it were a standard payroll) with all the applicable federal, state, and local taxes withheld.

Involuntary Separations. Employees of the City of Windsor Heights are employed on an at-will basis, and the City retains the right to terminate an employee for any reason and at any time, except as otherwise provided by law or by the terms of a collective bargaining agreement.

Reduction in Force. Employees may be laid off due to the elimination of a position, budget requirements or to meet other organizational needs. In the event of a reduction in force, the City will attempt to provide as much notice as practicable. Employees recalled after being laid off shall be notified at least 10 days in advance.

Access to Personnel Files

Employee files are maintained by the City Clerk's office and are considered confidential. Supervisors may only have access to personnel file information on a need-to-know basis. Upon request, personnel file access by current employees will generally be permitted within three days of the request unless otherwise required under state law. Personnel files can be requested from the City Clerk; files may not be taken outside the department. Employees may request a copy of any items in their personnel file and may be charged a fee for copies made. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Public Record Notice

Pursuant to Iowa Code section 22.15, the City must notify employees that should they be demoted, discharged, or resign in lieu of being discharged, the fact of the demotion, discharge, or resignation will be public record. In addition, any documentation showing the reasons or rationale for the disciplinary action will be public records and disclosed should any member of the public request the records.

Notification of Convictions and Other Governmental Action

Employees are expected to perform their assigned jobs, respect, and follow City policies, and obey the law. In the event that employees receive notice of the disposition of any criminal charges pending against them (including, but not limited to, a conviction, a guilty plea, or a plea of nolo contendere (no contest)) or receive notice of any charges relating to operating a motor

vehicle while intoxicated (for positions with driving requirements), they must notify their Department Head and the City Administrator.

Notification to the Department Head and City Administrator must occur within five business days of notification to the employee. Employees whose duties require possession of a Commercial Driver's License and/or who regularly and frequently operate City vehicles must report all charges and citations, including traffic tickets such as speeding tickets. Other employees need not report such traffic tickets.

Employees who have any contact with minor children must notify their Department Head and the City Administrator of any child abuse complaints filed against them. Employees must notify the Department Head and City Administrator regarding the findings of any complaint against them alleging child abuse. The Department Head and City Administrator must be notified of any complaints and findings within five business days of notification to the employee.

Information relating to arrests, criminal charges, and child abuse complaints will be treated as confidential and maintained in a confidential file. Employees who do not notify the City as required by this policy may be subject to corrective action up to and including termination.

Employment Verification

All employment verification requests, reference requests for current or former employees, or any other requests are to be referred to Human Resources. Requests for employment verification for credit or mortgage purposes will only be provided if the employee has signed a release.

Workplace Safety

Drug-Free and Alcohol-Free Workplace

It is the policy of the City to maintain a drug- and alcohol-free work environment that is safe and productive for employees and others having business with the City.

The unlawful use, possession, purchase, sale, manufacture, distribution, or being under the influence of any illegal drug and/or the misuse of legal drugs or alcohol while on City premises or while performing services for the City is strictly prohibited. The City also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, the City prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the City's reputation in the community.

If an employee feels they may have an alcohol and/or drug problem they are encouraged to contact the employee assistance program (EAP) for confidential assistance. Additionally, employees can contact the Substance Abuse and Mental Health Administration Services (SAMHSA) National Helpline at 800-662-HELP[4357] or visit the online treatment locator at www.samhsa.gov/treatment. Employees seeking assistance for substance abuse issues are

expected to meet the same standards of performance, productivity and conduct that are expected of all employees, including the prohibition against alcohol or drug use while working.

Drug and Alcohol Testing Policy & Procedures

In compliance with the Drug-Free Workplace Act of 1988, the City has a longstanding commitment to providing a safe, quality-oriented, and productive work environment consistent with the standards of the community in which the City operates. Alcohol and drug abuse pose a threat to the health and safety of City employees and to the security of the City's equipment and facilities. For these reasons, the City is committed to the elimination of drug and alcohol use and abuse in the workplace.

For purposes of this policy, "the workplace" includes any City facility, City premises, City vehicle, and private vehicle while on City business. The policy provides that the unlawful manufacture, distribution, dispensing, possession or use of an illegal drug or controlled substance in the workplace is strictly prohibited. Violations of this policy may result in corrective action, up to and including termination of employment, and may have legal consequences. Employees who perform work duties covered by the DOT (Department of Transportation) and FMCSA (Federal Motor Carrier Safety Administration) regulations are also subject to DOT Drug and Alcohol regulations.

Definitions

- A. Abuse of alcohol or a legal drug - Any use of alcohol or a legal drug which impairs an individual's faculties (other than use of a legal drug for appropriate purposes in accordance with applicable medical directions). In addition, the taking of a prescription drug that was prescribed for another shall be considered "abuse" of a legal drug.
- B. Accident - An incident that happens while on the job involving an employee or City equipment or vehicle, unexpectedly and or unintentionally, typically resulting in damage or injury.
- C. Alcohol - Ethanol, isopropanol, or methanol.
- D. CDL/DOT driver - An employee that holds a valid commercial driver's license (CDL) and has been authorized to drive City vehicles that require a CDL. An employee may hold a valid CDL but not be a designated CDL Driver for the City. CDL drivers are subject to Department of Transportation (DOT) Regulations regarding Controlled Substances and Alcohol Use and Testing.
- E. Collection facility - A certified collection site such as an occupational health center, a hospital or otherwise identified clinic or facility to which a prospective or current employee may be sent for a drug test or alcohol test.
- F. Controlled substance - Any drug or substance defined as a controlled substance and included in schedule I, II, III, IV, or V under the federal Controlled Substances Act, 21 U.S.C. §801 et seq.
 - a. Said substances include, but are not necessarily limited to, cocaine, phencyclidine (PCP), opiates, amphetamines, and marijuana.
- G. Drug test - Any breath, blood, urine, saliva, chemical or skin tissue test conducted for the purpose of detecting the presence of a chemical substance in an individual.
- H. Illegal drug - Any drug which is declared illegal by law, or which has not been legally obtained, or which cannot be legally obtained.

This section also applies to prescribed drugs that are not being used as prescribed. Prescribed drugs must be in their original container, which contains the name of the doctor and the drug prescribed. This section also includes look-a-likes or any mind altering substance that impair motor functions, senses, or responses, or otherwise modify the employee's behavior during the scope of employment.

- I. Legal drug - A drug for which there is a valid prescription or over-the-counter drug for the employee which has been obtained legally and is being used for the purpose prescribed or manufactured.
- J. Medical Review Officer - An individual, qualified by the State Board of Health, who is responsible for receiving results from a testing facility which have been generated by an employer's drug or alcohol test program, and who has knowledge and training to interpret and evaluate an individual's test results together with the individual's medical history and other relevant information.
- K. Prospective employee - A person who has made an application, whether written or oral, to our City to become an employee and has been formally offered a position which is contingent upon a negative test result.
- L. Random - An unannounced drug or alcohol test conducted on a periodic basis without advance notice to employees. Selections for testing from each job pool are conducted by a neutral and objective entity and are made by computer-based random number generation. All employees in a job pool have an equal chance of being selected for each unannounced test.
- M. Reasonable suspicion - Means facts and circumstances known to the observer that would logically lead a prudent person to believe an offense may have been committed.
- N. Refuse to cooperate - To obstruct the collection or testing process; to submit an altered, adulterated or substituted sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure.
- O. Sample - A sample from the human body capable of revealing the presence of alcohol or drugs, or other metabolites, such as breath, urine, saliva, skin, or hair. "Sample" does not include blood [except in situations where a blood test was made on an employee involved in a workplace accident if the test was administered by or at the direction of a person providing treatment to the employee and the test was not made at the request of or by the suggestion of the employer].
- P. Safety Sensitive Employee - Is an individual who performs a duty related to the safe operation of City equipment. Safety Sensitive duties include the following:
 - a. operation of a service department vehicle;
 - b. operation of any vehicle when such operation requires the operator to have a Commercial Driver's License; and
 - c. personnel who are assigned to carry firearms as part of their job.
- Q. Under the influence of alcohol - An alcohol concentration equal to or greater than .02 BAC, or actions, appearance, speech, or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.
- R. Under the influence of drugs - A confirmed positive test result showing illegal drug use or with an alcohol concentration equal to or greater than .02 BAC or admission by the employee of illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly OTC) when there is not a valid prescription from a

physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization).

- S. Workplace - Any location where employees perform work for the City including job sites, City property or premises (including all buildings, offices, facilities, grounds, parking lots, lockers), City vehicles, and personal vehicles being used on City business.

For purposes of this policy, samples will be urine, saliva, blood, and breath.

Definitions are listed as per Iowa Law and will be used as such unless otherwise indicated.

Legal Drugs

Prescription Drugs - An employee may bring to work and take a prescription drug during work hours only if the drug has been prescribed for the employee by a physician or other authorized prescriber and only if the drug is taken in accordance with the prescriber's directions. The City of Windsor Heights will not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to perform their job duties safely and effectively.

Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.

Over-the-Counter Drugs - An employee may bring to work and take an over-the-counter drug during work hours only if the drug is used for its intended purposes and in accordance with package directions and any supplemental directions of the employee's physician.

Notification - An employee must notify their immediate Supervisor whenever they are using a prescription or over-the-counter drug which potentially may affect safety or work-performance. In making this determination, the employee should rely on the warnings or cautions that are received with a particular lawful drug. The City does not seek information on all drugs that an individual may be taking, but only those where there is an indication that the drug may affect performance, or there is a caution that one should not engage in certain activities which are part of the employee's job duties while taking the drug. The City of Windsor Heights reserves the right to take appropriate action (including relieving the employee from work) if the use of the drug is impairing the employee's faculties or work performance.

Abuse - Abuse of legal drugs will not be tolerated and will be dealt with in the same manner as the use of a controlled substance.

Drug-Free Workplace Act of 1988 Notification

Employees shall notify their Supervisor of the employee's conviction under any criminal drug statute for a violation occurring in the workplace, as defined above, no later than 5 days after such conviction. If an employee is convicted of a violation of a criminal drug statute for a violation occurring in the workplace, the City will take appropriate corrective action against the employee, up to and including termination or the City will require the employee to successfully participate in an approved drug abuse assistance or rehabilitation program. If the City requires the employee to successfully participate in an approved drug abuse assistance or rehabilitation program and the employee fails to do so, the City will take appropriate corrective action against the employee, up to and including termination.

Alcohol or Drug Possession, Transfer or Use, Other Than Use Detected by a Drug or Alcohol Test

An employee bringing or attempting to bring onto the City's premises or property, or to a City worksite, having possession of, using, consuming, selling, transferring, or attempting to sell or transfer, any alcoholic beverage or any prescription drug or any form of controlled substance, or any "look alike" substance, while on or off City business, on City premises, while operating City vehicles or other equipment without authorization, or in an official capacity, is guilty of gross misconduct and is subject to corrective action including discharge or suspension without pay, even for the first offense.

Impairment During Work Hours

It is the City's intent that an employee whose faculties appear to be impaired during work hours will not be allowed to work, regardless of the cause.

An employee whose faculties are impaired during work hours due to the effects of the use of alcohol and/or illegal use of a controlled substance (including the abuse of a legal drug) is subject to corrective action up to and including termination.

Alcohol and/or Drug Testing

The City reserves the right to conduct alcohol and/or drug testing under any of the following circumstances:

- Where there is evidence that an employee may be impaired on the job due to the use of illegal drugs, controlled substances and/or alcohol;
- Where there is evidence that an employee has violated some provisions of this policy;
- Where the employee has suffered a work-related injury which was due to intoxication, as provided by Iowa Code Section 85.16;
- Where the employee has caused an accident at work that resulted in an injury to a person for which a report could be required under Iowa Code Chapter 88 if the person were an employee;
- Where the employee has caused an accident at work that resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed \$1,000.00.

Work Rules

Whenever employees are working, are operating any City vehicle, are present on City premises, or are conducting City-related work offsite, they are prohibited from:

- Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (including possession of drug paraphernalia).
- Being under the influence of alcohol or an illegal drug as defined in this policy.
- Possessing or consuming alcohol, unless at an official, approved function where alcohol is legally served.

The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system, while performing City business or while in a City facility, is prohibited.

Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Required Testing

Pre-employment Testing

All prospective employees will be required to complete a drug test after they have been extended a conditional offer of employment by the City of Windsor Heights. The following is a list of drugs for which testing will be conducted during pre-employment exams:

Barbituates;
Propoxyphene;
Methadone;
Methaqualone;
Cocaine;
Opiates (including morphine and codeine);
Phencyclidine;
Amphetamines (including methamphetamines);
Benzodiazepines

A prospective employee for a safety-sensitive position (as defined above) will also be screened for marijuana.

Prospective employees who refuse to take the required drug test who fail to cooperate in any aspect of the testing procedure, or who test positive for any of the designated drugs, will be ineligible for City employment and will be removed from all recruitments and/or eligibility lists.

Notice of the testing will be part of any notice or advertisement soliciting applicants for employment and as part of the employment application.

Reasonable Suspicion/Cause

A specific active employee may be required to submit to a drug or alcohol test if the City has evidence that the employee is using or has used alcohol or drugs in violation of the City's policy. This evidence must be drawn from specific objective and articulable facts and reasonable conclusions drawn from those facts. Examples that might support such are:

- Observations made at work, such as direct observation of alcohol or drug use or the physical symptoms of being impaired by alcohol or drug use;
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- The employee is in a position where such impairment presents a danger to the safety of the employee, another employee, a member of the public, or the property of the City, or when impairment, due to the effects of alcohol/drugs, is a violation of a known work rule of the City;
- Evidence that an individual has tampered with any alcohol or drug test during the individual's employment with the current employer;
- Evidence that an employee has caused an accident while at work which resulted in an injury to a person for which injury, if suffered by an employee, a record or report could be required under Iowa Code Chapter 88, or resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed one thousand dollars (\$1,000).

Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used, or transferred drugs while working, or while on the employer's premises or while operating the

employer's vehicle, machinery or equipment may be cause for termination. Refusing to cooperate to submit a required test will result in termination.

In instances where reasonable suspicion occurs, the following procedures will be followed:

- 1) Employees suspected of being under the influence of drugs or alcohol shall be transported to a designated laboratory for the purpose of drug or alcohol testing. At the time the sample is collected, an employee may provide any information, which may be relevant to the drug test. Such information may include identification of prescription or nonprescription drugs currently or recently used or any other relevant medical information.
- 2) Probable cause incidents will be documented by a supervisor that will include any witnesses.
- 3) The City may perform drug or alcohol testing on employees involved in vehicular accidents if probable cause is established and in all serious injury accidents.
- 4) In the event an employee is relieved of duties under this section, then a "return to duty test" may be required by the employer prior to the employee's return to work.

The following is a list of drugs for which testing will be conducted under reasonable suspicion/cause circumstances:

Marijuana
Barbituates;
Propoxyphene;
Methadone;
Methaqualone;
Cocaine;
Opiates (including morphine and codeine);
Phencyclidine;
Amphetamines (including methamphetamines);
Benzodiazepines

Pre-Result Suspension

Prior to the City receiving the results of the employee's drug test, employment with the City will be suspended without pay, pending the outcome of the test. If the result of the test does not violate the terms of this written policy, the employee will be reinstated, with back pay.

Return to Duty Testing

An employee who has a positive drug test result will be required to take a return to duty drug test. Before a return-to-duty test is performed, the employee must be evaluated by a Substance Abuse Professional (SAP) to determine whether the employee has followed the recommendations for action by the SAP, including participation in any rehabilitation program. The employee must have a verified negative drug test result to return to their job. If a drug test result is cancelled, the City shall require the employee to submit to and pass another drug test. A positive test result will be cause for termination from the City.

The following policies pertain to employees working in positions that require a Commercial Driver's License (CDL):

Post-Accident and Random Testing

Employees who use a commercial motor vehicle and who are required to have a Commercial Driver's License (CDL) are subject to testing under the following circumstances:

- Prior to employment
- Reasonable Suspicion/Cause
- Unannounced random basis
- After an accident occurs
- Prior to returning to duty after failing a drug or alcohol test
- On a follow-up basis after failing a drug or alcohol test

The City conducts random drug and alcohol testing of all CDL Drivers as required by the Department of Transportation. All random, unannounced selections are made by a random generator computer program that complies with federal requirements. Selections are made at various, unannounced times throughout the year to ensure the City tests 50% of drivers for drugs and 10% of drivers for alcohol. The number of safety sensitive employees can be altered by the City joining a consortium. The total number of tests will remain at 50% for drug testing and 10% for alcohol testing. All DOT regulated employees have an equal chance of being selected. To assure confidentiality, the City will contract the random selection process with an outside firm who will work with the covered employees.

Upon notification that an employee has been selected for testing, the third party vendor will notify the employee's Supervisor and the collection site. The employee will be instructed to go to the collection site and must be prepared to provide their Commercial Driver's License.

The City of Windsor Heights recognizes that the use or abuse of alcohol or controlled substance(s) by drivers of commercial vehicles presents a serious threat to safety and health of the drivers, other City employees, and the general public. It is the policy of the City that all drivers are free of drugs and alcohol while on duty and as otherwise required by the Omnibus Transportation Employee Testing Act (OTETA) of 1991.

In order to comply with this law, the City of Windsor Heights has established a drug and alcohol testing program designed to discourage drug and alcohol abuse and prevent traffic accidents and injuries to City employees and the public.

This policy pertains to employees required to hold a CDL and whose duties include the performance of safety-sensitive functions in connection with the operation of a commercial vehicle. Safety-sensitive functions include the following:

- Waiting to be dispatched or remaining in readiness to operate a vehicle. For employees who are required to have a CDL, this generally means all hours of work;
- Operating a commercial vehicle;
- Performing maintenance or loading or unloading a commercial vehicle.

Covered employees will not engage in the following conduct:

- Be on standby, report for duty, or remain on duty, requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 BAC or greater;
- Be on duty or operate a commercial motor vehicle while possessing alcohol;
- Use alcohol while performing safety-sensitive functions;
- Perform safety-sensitive functions within four hours after using alcohol;

- Use alcohol for eight hours following an accident or until undergoing a post-accident test;
- Refuse to submit an alcohol or drug test;
- Be on standby for duty, report for duty, remain on duty, or perform safety sensitive functions if tested positive for drugs.

All covered employees may use prescription drugs only if the doctor has advised the employee that the drug will not adversely affect the driver's ability to safely operate a vehicle. Employees using prescription drugs must carry such drugs in their original containers, which must be labeled with the name of the doctor and the drug prescribed.

The following policies pertain to all employees.

Testing Costs and Procedures

Drug Testing will be done through the collection of a urine specimen under controlled circumstances set by the Federal Guidelines. Breath Alcohol Testing will be done by a trained professional at the prescribed collection point using certified equipment. Alcohol testing may be done using other procedures as they are approved if they are determined to be appropriate.

City employees will be offered the opportunity to review and sign a consent form prior to any drug testing being done. Should the employee refuse to sign a consent form for testing, it shall be considered the same as a positive test and all restrictions stated in the federal law of this policy statement shall apply.

The City shall pay the costs associated with the initial and confirmatory drug and alcohol testing. Testing of employees shall normally occur during, or immediately before or after, a regular work period. The time required for such testing, including travel time, will be deemed work time for the purposes of the Fair Labor Standards Act and for calculating compensation and benefits.

A sample will be taken from the prospective or current employee for the drug and/or alcohol test at an established collection facility. The collection of samples shall be performed under sanitary conditions and with regard to the privacy of the individual from whom the sample is being obtained and, in a manner, reasonably calculated to preclude contamination or substitution of the sample.

Sample collection for testing of current employees shall be performed so that the sample is split into two components at the time of the collection. The second portion of the sample shall be sufficient quantity to permit a second, independent confirmatory test. Both portions of the sample shall be forwarded to the laboratory conducting the initial confirmatory testing. The laboratory shall store the second portion of any sample until receipt of a confirmed negative test results or for a period of at least forty-five (45) calendar days following the completion of the initial confirmatory testing, if the first portion yielded a confirmed positive test result.

An employee or prospective employee shall be given an opportunity to provide any information which may be considered relevant to the test, including identification of prescription or nonprescription drugs currently or recently used, or other relevant medical information. A Medical Review Officer shall review and interpret any confirmed positive test results and offer the employee or prospective employee a chance to share any potentially relevant, medically valid information, prior to the results being reported to the City.

In conducting those tests designed to identify the presence of chemical substances in the body, the City shall ensure, to the extent feasible, that the tests only measure, and that the records of the tests only show, or make use of information regarding chemical substances in the body which are likely to affect the ability of the employee to perform their duties safely while on the job.

Prospective and current employees shall be notified in writing by certified mail, return receipt requested, of confirmed positive test results, the name and address of the Medical Review Officer who made the report, and of the individual's right to request records and a confirmatory test. Current employees may request and obtain a confirmatory test of the second sample collected at an approved laboratory of the employee's choice if the request is made in person or by certified mail to the City Administrator within seven days of the date of the certified letter and the employee pays for the fees associated with the second test within that time frame. If the results of the second test do not confirm the results of the initial confirmatory test, the employer shall reimburse the individual for the fee paid for the second test and the results from the initial confirmatory test shall not be considered a confirmed positive drug or alcohol test for purposes of taking corrective action.

Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO will be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

Inspections

The City of Windsor Heights reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband; affected employees may have union representation involved in this process. All employees and contract employees may be asked to cooperate in inspections of their work areas and personal property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate corrective action, up to and including termination.

Education and Training

Policy and guidelines will be distributed by the City to each covered employee and provided to a representative of any employee labor organization. Employees will be provided with informative training regarding the effects of alcohol and drug use, company policy, and procedures for identifying alcohol or drug problems in others. Employees who have questions about the City's drug and alcohol testing program should contact the City Administrator.

Supervisors designated to make reasonable suspicion determinations for drug or alcohol testing under this policy shall attend a minimum of two hours of initial training and to attend on an annual basis thereafter, a minimum of one hour of subsequent training. The training shall include, but not be limited to, information concerning the recognition of evidence of employee alcohol and other drug abuse, the documentation and corroboration of employee alcohol and other drug abuse, and the referral of employees who abuse alcohol or other drugs to the EAP.

Disciplinary Procedures

Upon a violation of this policy, disciplinary action may be taken including the following:

- (1) Enrollment in an employer-provided or approved rehabilitation, treatment, or counseling program, which may include additional drug or alcohol testing, participation in and successful completion of which is a condition of continued employment. Rehabilitation is only provided if the employee has been employed by the City for at least twelve of the preceding eighteen months, if it is agreed upon by the employee, and if the employee has not previously violated this policy.
- (2) Suspension of the employee, with or without pay, for a designated period of time.
- (3) Termination of employment.
- (4) Other adverse employment action in conformance with the employer's written policy and procedures, including any relevant collective bargaining agreement provisions.

Following a drug or alcohol test, but prior to receipt of the final results of the drug or alcohol test, the employee may be suspended, with or without pay, pending the outcome of the test.

Smoke-Free & Tobacco-Free Workplace

Smoking is not allowed inside or outside of any public buildings or on any public grounds including, but not limited to work areas, vehicles, or motorized equipment. "Smoking" includes the use of tobacco products (including chewing tobacco), electronic smoking devices, and e-cigarettes.

Workplace Violence Prevention

The City is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at City-sponsored functions.

All City employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their Supervisor, Department Head, or the City Administrator. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the City, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in corrective action up to and including termination.

The City prohibits the possession of weapons on its property at all times, including City-owned parking lots or City-owned vehicles. Additionally, while on duty, employees may not carry a weapon of any type. Weapons include, but are not limited to, handguns, rifles, automatic weapons, and knives that can be used as weapons (excluding pocketknives, utility knives, and other instruments that are used to open packages, cut string, and for other work-related tasks), martial arts paraphernalia, stun guns, and tear gas. Any employee violating this policy is subject to discipline up to and including dismissal for the first offense. This section shall not apply to City employees who are authorized to use approved weapons in the performance of their job responsibilities (e.g. police), or for those who are authorized to use hazardous tools or devices as bona fide portions of their job (e.g. machete for clearing brush, small knives to cut rope or piping, etc.).

The City may inspect the contents of lockers, storage areas, file cabinets, desks, and workstations at any time and may remove all City property and other items that are in violation of City rules and policies.

Commitment to Safety

Protecting the safety of our employees and visitors is the most important aspect of running our organization. All employees have the opportunity and responsibility to contribute to a safe work environment by using common sense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

The prevention of occupational injuries and illnesses must therefore always be given serious priority. Safety is the shared responsibility of management, supervisors, and employees. Commitment and cooperation among all staff will create a work environment that protects the well-being of individuals and the City.

Injuries arising out of and in the course of employment with the City will be administered in accordance with safety best practices and any related compensation and or benefit from the work related injury or illness will be administered in accordance with applicable state of Iowa workers' compensation laws (Chapter 85 or 411).

Employees can serve as a good role model to co-workers for work practices and behaviors by:

- Following established safety policies and procedures.
- Complying with applicable laws and policies that pertain to health and safe work practices.
- Maintaining their personal work area in a clean and orderly manner.
- Wearing, maintaining, and properly storing personal protective equipment.
- Using safe work practices to eliminate slips, trips, and falls.
- Lifting safely and helping others do the same.

- Knowing evacuation procedures and the location of weather refuge locations.
- Completing all safety training assigned.

In the event of an emergency, notify the appropriate emergency personnel by dialing 911 to activate the medical emergency services.

Employee Safety/On the Job Injury Policy

The procedures contained herein are intended to ensure that all employees of the City of Windsor Heights are familiar with the expectations and processes required following a serious illness or injury in the workplace in order to protect employees and mitigate the risk of future occurrences.

Policy Statement

This policy describes the basic responsibilities of all employees of the City. Additionally, a step-by-step process is included to assure all employees get the care they need and to collect the information necessary to thoroughly understand how the injury occurred. Workplace safety stems from personal accountability and the information provided in this policy will help to promote a safety-conscious atmosphere which is pertinent to improving the safety of City employees.

Safety Responsibilities

A. Department Head Safety Responsibilities

Department Heads are responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for managers to personally observe all employee activities, management must rely on and assure that all supervisors are trained and aware of their safety responsibilities. Other safety responsibilities for managers include:

1. Provide leadership and direction concerning safety activities.
2. Participate actively in the continuous evaluation of the safety program.
3. Set goals concerning safety performance within your department.
4. Review losses for potential trends on a regular basis.
5. Enforce all safety rules.
6. Participate in facility and work site audits.
7. Participate in and support all accident investigation activities.
8. Review accident reports and recommend corrective actions.

B. Supervisors' Safety Responsibilities

Important safety considerations and supervisory responsibilities include, but are not limited to:

1. Familiarity with and enforcement of the safety rules and regulations that have been established by applicable local, state and federal organizations.
2. Correcting and mitigating all reported hazards. Operating under known hazardous conditions will not be tolerated.
3. Preventing new or inexperienced employees under your supervision from working with power tools, machinery or complex equipment without proper instruction and training.
4. Providing adequate instructions. Do not assume that an employee knows how to do a job unless you personally have knowledge that the person can perform the task correctly.
5. Ensuring tools, equipment and machinery being used in the workplace are in proper working condition. Do not allow the use of unsafe tools or equipment under any circumstances.
6. Ensuring proper personal protective equipment is available and used by employees when necessary or required.
7. Setting a good example in safety, such as wearing the proper safety equipment (safety glasses, hard hats, etc.), following policies/procedures, using seat belts, etc.
8. Consistently enforcing the requirements of the safety program and any associated rules or policies.
9. Ensuring that all employees have access to a copy of the safety program.
10. Encouraging safety suggestions from employees under your supervision.
11. Obtaining prompt first aid for injured employees.
12. Participating in accident or incident investigations involving your employees.
13. Conducting audits of all work areas and facilities on a regular basis in an effort to improve housekeeping, eliminate unsafe conditions, and encourage safe work practices.

C. Employees' Safety Responsibilities

All employees carry a certain amount of responsibility in any safety program. You must be aware that your actions, mental state, physical condition, and attitude directly affect the safety of yourself and your fellow employees. All employees are expected to:

1. Know your job, follow instructions, and think before you act.
2. Use protective equipment (eye protection, hard hats, gloves, etc.), as the job requires.

3. Work according to good safety practices as posted, instructed, and/or discussed.
4. Refrain from any unsafe act that might endanger yourself or your fellow workers.
5. Use all safety devices provided for your protection.
6. Report any unsafe situation or act to your supervisor immediately.
7. Assume responsibility for thoughtless or deliberate acts that may cause injury to yourself or your fellow workers.
8. Abide by all policies, procedures, rules, etc. associated with the Safety Program.
9. Never operate equipment that you are unfamiliar with or not trained to use. Also, do not use equipment that is defective or in need of repairs, report deficiencies to your supervisor.
10. Report all accidents/incidents to your supervisor as soon as they occur. Failure to report any injury or incident may be cause for disciplinary action.

Process

In the event of a serious illness while at work or a work-related injury, the following process must be followed.

- A. In accord with section C.(10) of this policy, the affected employee shall immediately report any work related illness or injury to their supervisor as early as practical provided they are not incapacitated nor in doing so would interfere with proper and immediate necessary care.
- B. The informed supervisor shall ensure that injured employee immediately receives the appropriate level of medical care. Any injury may be treated by the supervisor or other available personnel in accordance with their individual abilities and the severity of the injury.
 1. 911 must be called if the employee experiences any of the following:
 - a. Severe chest pains
 - b. Traumatic injuries (head injury or severe cuts)
 - c. Loss of consciousness or severe dizziness
 2. Any non-life threatening injuries must be evaluated at the City's designated clinic. The supervisor will determine the method of travel, e.g. ambulance, co-worker transport, or for minor injuries self-transport may be appropriate.
- C. Once emergency aid is rendered, notify supervisor.
- D. Supervisors must secure the site of the injury in order to limit access and to prevent further injuries.
 1. Lockout/Tagout any equipment related to the injury.

- E. Employees must complete an IMWCA Employee Injury or Illness Notification within twenty four (24) hours of the injury. This form may be completed with the assistance of a supervisor or solely by a supervisor if the employee is incapable of completing the form on their own. It is also acceptable to provide a verbal report to the City's Work Comp liaison who will email the appropriate information to IMWCA.
- F. Employees must report any work-related injury to COMPANY NURSE by calling 1-888-770-0928 and use group code: IMWCA. Employees that fail to report injuries to COMPANY NURSE within 24 hours may be subject to disciplinary action.
- G. Supervisors must complete an investigative report within three (3) days of the injury, with information consistent with that requested from the IMWCA Employer Investigation Report form.
- H. Supervisors must follow the post-accident drug and alcohol testing procedures as outlined in the Drug and Alcohol Testing Procedures section of this employee handbook.

Authorized Care Providers

A. Non-life Threatening Injuries:

Iowa Methodist Occupational Health and Wellness

Lakeview Medical Park Campus – 6000 University Avenue

B. Life Threatening Injuries:

Nearest Emergency Room

Post Incident Procedures

It is the responsibility of managers, supervisors, and safety personnel to conduct an after action review following an injury. The purpose of this review is to disseminate any information, reports, and investigation findings to all concerned parties. At this time, it will be determined if any course of action is needed in order to put control measures in place, modify workplace procedures, or provide training to prevent additional injuries of a similar nature.

Supervisors and the injured employee should reference the Return to Work/Light Duty Program outlined within this employee handbook.

Emergency Closings

The City will always make every attempt to be open to the public. If employees choose to leave earlier than their scheduled shift end time or arrive later than their scheduled shift starting time,

such as due to inclement weather, they will be paid only for actual hours worked, and they must take available paid time off for the remainder of their scheduled shift. If an employee leaves early or arrives late due to emergencies or inclement weather, they are to notify their supervisor in advance.

If the office is officially closed during the course of the day to permit employees to leave early, non-exempt employees who are working on-site as of the time of the closing will be paid for a full day. If an employee leaves earlier than the official closing time, they will be paid only for actual hours worked, or they can take available paid time off. Exempt employees will be paid for a normal full day but are expected to complete their work at another time.

Refer to the Collective Bargaining Agreement (CBA) for details on emergency closings for union employees.

Workplace Guidelines

Attendance

Regular and predictable attendance is considered a performance standard as every position is vital to the overall success of the City. All employees are expected to arrive on time, ready to work, every day they are scheduled to work and work their full shift.

If unable to arrive at work on time, leaving a shift early or if an employee is absent for an entire day, the employee must contact the Supervisor at least an hour in advance or as soon as possible. Supervisors will establish how notification is to occur for their team. Excessive absenteeism or tardiness may result in corrective action up to and including termination.

Flex Scheduling

Employees may, with the approval of their Department Head, participate in "flex scheduling." The Department Head will determine if flex scheduling is available within each respective department.

Remote Work

Employees may, with the approval of their Department Head, work remotely up to eight hours a week. The City Administrator and Department Head will determine whether remote work is appropriate based on job requirements, staffing, security, and individual employee's remote work effectiveness. An employee's Department Head may approve remote work in excess of eight hours a week under special circumstances.

Job Abandonment

Not reporting to work or failing to call to report the absence is a no-call/no-show and a serious matter and may result in corrective action. If an employee fails to show up for work or to call in for a period of three consecutive shifts, they will be considered to have abandoned their job and voluntarily resigned.

Employee Conduct

It is the City's expectation that an employee's behavior be appropriate to the work situation, contribute to the customer-service and helping orientation and present a friendly, cooperative work environment for coworkers. Employees are to conduct themselves and behave in a manner that leads to the efficient and effective operation of the City.

It is not possible to include an exhaustive list of all desired or prohibited employee behaviors. In the interest of providing a safe and comfortable work environment, inappropriate behavior may result in corrective action up to and including termination. The examples listed below of inappropriate conduct are not intended to be definitional, descriptive, or exhaustive:

- Theft, disobedience, or insubordination;
- Failure to perform an assigned job;
- Willful destruction, defacing or gross misuse of City property;
- Actions which result in damage to the reputation of the City or monetary costs due to error or omission of a serious nature;
- Dishonesty, including but not limited to such offenses as:
 - Falsification of information in an employment application;
 - Providing false or misleading documents or information to the City;
 - Alteration or falsification of timecards, including punching another employee's timecard;
 - Falsifying expense reimbursement reports;
- Willful performance of unsafe acts, willfully directing an employee to perform an unsafe act or willful or reckless negligence resulting in a safety hazard;
- Harassment of another employee, including use of abusive or obscene language or gestures toward another person;
- Engaging in behavior which creates discord and lack of harmony;
- Other inappropriate behavior as described in other conduct-related policies.

This is not meant to be an all-encompassing list. Other violations may be grounds for immediate discipline or discharge at the discretion of the City Administrator. An employee may be dismissed for unsatisfactory work performance whenever work habits, attitude, production, or ability to handle the duties of the position fall below the desired standards for continued employment.

Dress and Appearance

It is important for all employees to project a professional image while at work by being appropriately attired. City employees are expected to be neat, clean, and well-groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed. If clothing is deemed questionable, the Department Head will address it with the individual employee. Department Heads will establish standards appropriate in their respective areas, taking into account safety needs, interaction with the public and other relevant considerations to the work performed. If your supervisor feels your attire and/or grooming is out of place, you may be asked to leave your workplace until you are properly groomed and/or attired. Non-exempt employees will not be compensated for any work time missed due to non-compliance with this policy. Employees who violate dress code standards may be subject to appropriate disciplinary action.

Uniform and Uniform Allowances

The City expects all employees to be dressed appropriately to provide a safe work environment. To assist employees in doing this, the City will provide uniforms and/or clothing reimbursement for those in roles that require additional clothing and gear to meet safety considerations. The City will reimburse eligible employees for items established as relevant to their particular role. The employee must submit for reimbursement within the same fiscal year that the item was bought. The amount of reimbursement will be determined by the City Administrator.

Employees covered by a Collective Bargaining Agreement should refer to their contract for information regarding uniforms and clothing reimbursement.

Items purchased with this allocation must be purchased at vendors designated by the City and for use in positions that require the designated articles of clothing. Any amounts over the maximum rate will be the responsibility of the employee at the time of purchase unless otherwise approved.

Computers, Internet, Email, and Other Resources

The City maintains computer systems, network utilities, electronic mail, digital assistance, telephone system, cell phones, wireless devices, and fax to assist in conducting business. The electronic messaging system and Internet access, like paper files and notebooks, are assets provided to City employees to assist them in performing their work efficiently. These tools, and the work they contain, are the property of the City and should be used for business purposes. Employees found to have violated this policy, or to have engaged in illegal or unethical practices, will be subject to disciplinary action, which could include termination of employment and criminal prosecution.

Privacy

Because all electronic communications and content are the property of the City, employees should not expect that communications or content are private. The City reserves the right to audit, intercept, access, retrieve, monitor, block, review, copy, delete, or disclose any communications or other content in the electronic communications systems, for any purpose, without notice to the employee and without seeking permission of the employee. The confidentiality of any message should not be assumed.

The City provides computer hardware and software systems for use by City employees in the performance of their City duties. Use of computer resources is limited to legitimate City business consistent with the work assignment. All information and communications transmitted or received by, received from, or stored in these systems are the property of the City.

Business Use. All City electronic communication systems are to be used primarily for business purposes. Any personal use of electronic communication systems is not private, is subject to this policy, and must be incidental, occasional, and kept to a minimum. Chain letters, joke chains, gambling, games, and similar activities are not allowed.

Business Form. Email and voicemail messages reflect the City image. They should be courteous, professional, and businesslike. It is expected that employee communications on the electronic communication systems will reflect favorably on the City and on the employee.

Sensitive Communications. Email, voicemail, Internet, wireless, and facsimile transmissions may not be appropriate vehicles for certain sensitive or confidential communications. Employees shall consider if it is better to discuss certain topics face-to-face to protect the City's proprietary or confidential information or sensitive personnel matters.

Open Records Laws. Notwithstanding the City's right to access communications and other content contained on its electronic communication systems, employees are expected to respect the confidentiality of content and communications sent to or received by others, subject to Open Records Laws of the State of Iowa.

Password Protection/Disclosure. Unauthorized access of any other user's messages or files is strictly prohibited. Employees are to use password protection when appropriate and not write it down somewhere where it might be read by others. Employees are to use the password-protected screen when leaving computers unattended.

Virus Protection. Files from outside can be infected by viruses. No file from an external source (email, Internet, software, document, spreadsheet, etc.) should be stored or loaded on any computer unless it is scanned for viruses. Never download or open an attachment in any message from an unknown sender.

Unacceptable Use. All use of City-provided communications systems, including email and internet use, should conform to our guidelines/policies, including but not limited to the Equal Opportunity, Harassment Prevention, Confidential Information, and Conflicts of Interest along with any applicable federal and state laws.

Electronic Mail. Email is subject to all policies regarding computer use outlined in this policy. Users should not consider electronic communications to be either private or secure. For purposes of monitoring compliance with this policy, the Supervisor, with prior approval from the City Administrator and/or legal counsel and, if applicable, the Department Head, may inspect or monitor electronic messages, provided such inspection is not in violation of state or federal law. The City reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any mail transmitted on any network.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment as

protected under the National Labor Relations Act. Employees have the right to engage in or refrain from such activities.

Social Media

The City has strong interests and expectations as to what is communicated on behalf of the City on social media websites. The City has adopted the following guidelines for social media use:

1. An employee representing the City using social media sites must conduct themselves at all times as a representative of the City and be in accordance with City policies. For example, employees posting on behalf of the City should utilize appropriate and professional language, attire, and profile pictures. Employees who fail to conduct themselves positively and professionally will be subject to discipline, up to and including termination.
2. Employees must be respectful and behave professionally to fellow employees, businesses, community members, and the City, when using social media sites.
3. Employees must refrain from posting material that may promote, foster, or encourage discrimination on the basis of race, age, religion, gender, marital status, national origin, sexual orientation, gender identity, or disability.
4. Employees shall not use the City's name in their online identity (e.g. username, "handle" or screen name) unless expressly authorized by the City.
5. Employees will use the City's intellectual property, logos, trademarks, or copyrights in an approved manner.
6. It is assumed that the predominate use of the internet and electronic mail will be for work use and that any personal use of these resources will be limited; never a priority over work matters. This includes social media sites. If an employee is found using these resources for an excessive amount of time for personal use, the employee would be subject to disciplinary action, up to and including termination.

Everything posted on social media sites is public information, and employees shall not expect privacy regarding information posted on these sites. The City reserves the right to restrict or remove any content that is deemed in violation of this policy.

Cell Phone Use

The purpose of this policy is to provide guidelines regarding the use of City-issued and personal cell phones by employees. The following are general guidelines for cell phone usage:

- An employee issued a cell phone for City business or any employee using a personal cell phone while operating a City-owned vehicle is expected to use hands-free technology or cease motor vehicle operations during the course of the conversation. The City deems it unsafe to hold a cell phone while driving and; therefore, requires the use of hands-free technology. Texting while driving in Iowa is illegal per state law.
- City employees who are issued a cell phone or who receive a cell phone allowance are expected to have it with them for response on a regular basis. The City acknowledges the cell phone may be used occasionally for personal phone calls as well as City-related

phone calls. The employee is expected to reimburse the City for any unapproved expenses related to the use of the City's cell phone.

- The employee shall surrender all City property including a City-issued cell phone and related cellular phone equipment upon termination or on the direction of the Department Head or City Administrator.

Corrective Action

The City expects employees to comply with the City's standards of behavior and performance and to correct any noncompliance with these standards. When an employee violates rules, regulations, standards of conduct and behavior, or acts contrary to the best interests of the City and the community, the employee may be subject to corrective action up to and including termination. Nothing herein is intended to impact the conditions of employment or the "at-will" nature of the employment relationship which allows the relationship to be ended by either party at any time for any reason.

Corrective actions may entail verbal or written warnings, performance improvement plans, suspension, or termination. The City reserves the right to exercise discretion in discipline as no two situations are identical and individual circumstances will determine the appropriate level of corrective action implemented.

The City reserves the right to take any corrective action it considered appropriate, including termination, at any time.

Conflict Resolution Procedure

The purpose of this conflict resolution procedure is to assure fair and equitable treatment for all employees not covered by a union contract, including supervisors and managers; to promote harmonious employer-employee relations; to establish a review procedure on matters for which an appeal and hearing are not specifically provided by law; to provide employees a systematic means for receiving full consideration of problems when efforts to resolve them through discussion have failed; to encourage the settlement of disagreements as near as possible to the point of origin; when necessary to provide an orderly procedure to handle the review and resolution of disagreements by successively higher supervisory levels; and to provide for the resolution of disagreements as quickly and efficiently as possible.

- Formal conflict resolution may be initiated only by the affected employee.
- The parties to the conflict may extend the time limits specified in the conflict resolution procedure by mutual agreement. Upon failure of the City to comply with the time limits set forth in the procedure, the employee may proceed to the next level of review. Failure of the employee to comply with the time limits set forth in the procedure shall constitute an abandonment of the conflict.
- The employee is assured freedom from reprisal from the City or its representatives by using the conflict resolution procedure.
- Records of conflict resolution proceedings and supporting documentation will be maintained in a confidential file.

Options for Redress of Conflicts

Informal Conflict Resolution Procedure. An employee who has a problem or complaint should first try to get it settled through discussion with their immediate supervisor. If, after this discussion, the employee does not believe the problem has been satisfactorily resolved, the employee shall have the right to proceed with the formal procedure.

Formal Conflict Resolution Procedure. If the employee is not in agreement with the decision reached by the informal procedure, a formal appeal shall be filed in writing within 10 working days after the event giving rise to the conflict, or within five working days of the discussion between the employee and their supervisor, whichever is later. In cases where the employee learns of the event after its occurrence, the 10 days shall begin with the time the employee learned, or had a reasonable opportunity to learn, of the occurrence. The following are the steps that should be followed for a formal conflict resolution.

Step 1. The appeal shall be presented in writing to the employee's immediate supervisor, who shall render a decision and comments in writing to the employee within five working days of receiving the appeal.

Step 2. If the employee does not agree with their supervisor's decision, or if no answer has been received within five working days, the employee may present the appeal in writing to the Department Head. The Department Head or a designated representative shall discuss the conflict with the employee and with other appropriate people. The Department Head shall render a decision and provide comments, if any, in writing to the employee within 10 working days of receiving the appeal.

Step 3. If the employee does not agree with the decision reached, or if no answer has been received within 10 working days, the employee may present the appeal in writing to the City Administrator. The City Administrator or designee shall discuss the conflict with the employee and with other appropriate persons. The City Administrator may designate a fact-finding committee, an officer not in the normal line of supervision, or another third-party, to advise the City Administrator concerning the appeal. The City Administrator shall render a decision in writing to the employee within 20 working days of receiving the appeal. The City Administrator's decision shall be final.

If the employee files any claim or complaint, in any form other than under this procedure, then the management shall not be required to process the same claim or set of facts through the formal procedure. All conflicts shall be submitted, if at all, only as provided above. The employee shall not submit their conflict to any elected official; however, the employee may submit their conflict to the City Attorney if the conflict involves the City Administrator or any elected official.

Environmental Responsibility

Employees shall take into consideration the impact of the environment in their official duties as City of Windsor Heights employees and reasonably seek to minimize actions unnecessarily harmful to the environment.

Purchases

All purchases on behalf of the City shall follow the Windsor Heights Purchase Policy which considers fiscally responsible purchases that reduce resource consumption and waste and promote human health and well-being.

City Vehicle Idling

In accordance with the City's Clean Energy Resolution of 2022, employees shall refer to their respective departmental policies regarding excessive vehicle idling.

Time Off and Leaves of Absence

Holidays

All regular full-time employees, excluding those covered by a Collective Bargaining Agreement (CBA), shall receive eight hours paid holiday leave on the following days:

- New Year's Eve
- New Year's Day
- Martin Luther King Jr. Day
- Memorial Day
- Juneteeth
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Workday directly before or after Christmas (as annually designated by the City Administrator)

If one of these holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, it will be observed the preceding Friday.

Floating holidays. Additionally, qualifying employees receive 24 hours in "floating" holidays. Floating holidays may be used pursuant to the same policies as outlined for the use of paid time off (PTO).

Religious observances. Employees who need time off to observe religious practices or holidays not already scheduled by the City should speak with their Supervisor. Depending upon business needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. With a supervisor's pre-approval, employees may also be able to switch a scheduled day with another employee, or take vacation or paid time off, or take off unpaid time if no paid time is available. The City will seek to reasonably accommodate individuals' religious observances.

Executive Leave

Employees classified as salaried exempt are eligible for executive leave. Executive leave is defined as an absence from regular duty which has been administratively authorized, and which does not result in a charge against leave of any kind or a loss in salary. Salaried employees will receive 32 hours of executive leave on the first day of each fiscal year.

Additionally, the City Administrator may approve Executive leave to any employee based on extenuating circumstances. The following are examples, which may warrant executive leave:

- Physical examination for employment with the City or for induction or enlistment in the active armed services;
- Employees volunteering as blood donors without compensation; and
- Employees who are pallbearers or are involved in the color guard or honor guard of any funeral will be granted necessary time off, up to one day, at the discretion of the City Administrator.
- Employees providing duties on behalf of a job related professional organization.

Salaried employees may request additional executive leave for extenuating circumstances. Additional executive leave may be granted by the City Administrator.

Executive leave time may not be carried over from one year to the next unless approved by the City Administrator.

Paid Time Off (PTO)

The City recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The City provides paid time off (PTO) to eligible regular full-time and part-time employees for this purpose and eligible employees will accrue paid time off according to the following schedules. Refer to the Collective Bargaining Agreement (CBA) for details on paid time off for union employees.

Regular Full-Time Employees Accrual Rates

Regular full-time employees will accrue PTO as follows:

Years of Service	Accrual Per Pay Period
1 - 5	6.78 hours
6 - 10	8.27 hours
11 - 20	9.84 hours
21+	11.38 hours

Regular Part-Time Employees Accrual Rates

Regular part-time employees, not including part-time firefighter, will accrue PTO as follows:

Years of Service	Accrual Rate
All	12 PTO hours for every 520 hours worked

Requesting Paid Time Off

PTO can be used in a minimum of 30-minute increments by non-exempt roles and in four (4) hour, or half-day, increments by exempt roles; the City will comply with applicable federal or state law regarding allowance for smaller increments. PTO and other applicable paid leave time must be used prior to recording time as leave without pay.

PTO requests must be made in advance with the employee's Supervisor as follows:

- PTO requests of one week duration or more should normally be made not less than thirty (30) days in advance.
- PTO requests of four (4) days or less can be made at any time but should normally be made 48 hours in advance.

The Supervisor will review the request and will approve or deny the request based on organizational and departmental needs with consideration given to timing of any requests, seniority and prior requests.

Paid Time Off Accrual Maximums

Employees can accrue up to a maximum of 400 hours of paid time off and compensatory hours combined. Once the maximum number of hours is reached, employees will no longer accrue additional paid time off until the bank of hours are reduced. The City Administrator may temporarily extend PTO maximums for employees impacted by staffing shortages or weather related job requirements.

Cash Out Paid Time Off (PTO)

An employee may elect to cash out 40 hours of PTO four times per fiscal year but must have a minimum balance of 80 hours after the cash out.

Donated PTO

Employees are eligible to donate or receive donated leave for an absence from work that meets the definition of Medical/Sick Leave. Leave must be donated in increments of no less than one hour and shall not exceed eight hours. An employee interested in donating or receiving leave should contact the Finance Director.

PTO at Termination

Upon resignation with two weeks' notice provided, an employee shall be paid for all unused PTO at the time of separation from employment. An employee terminated for cause or who resigns without providing two weeks' notice, shall not receive payout of PTO unless otherwise determined by City Administration.

Unpaid Leave of Absence

The City understands that there are times an employee may need additional time off for personal reasons. If an employee has exhausted all applicable PTO, compensatory time and FMLA leave, if eligible, an employee may request an unpaid leave of absence. Approval of unpaid leave is at the discretion of the Department Head and City Administrator.

During an unpaid leave granted under this section, employees do not receive compensation, do not accrue length of service, PTO, and are not eligible for paid holidays. The City does not make contributions to retirement programs for the duration of the leave. Employees may continue in the group health program during an unpaid leave under this section by paying the full cost of the premium by the first of the month for the following month's coverage. Failure to pay the premium on time will result in termination of coverage.

If an employee plans to return to work following unpaid leave taken under this section, the employee must notify their Department Head before the end of the leave. The City will attempt to restore the employee to the position the employee held at the start of the leave, or in a comparable position, if possible. If no such position is available, the employee's employment will be terminated.

Pregnancy and Birth Or Adoption Of Child Leave

If an employee meets the eligibility requirements under FMLA provisions, an employee will be offered FMLA for pregnancy leave. If an employee is not eligible for FMLA, the City will comply with the Iowa Civil Rights Act which requires employers to grant unpaid leave to employees who are temporarily disabled because of pregnancy or related medical conditions, even if similar leaves are not granted for other temporary disabilities, and even if the leave is not available to the employee under any health, temporary disability, or sick leave plan.

If an employee or their spouse gives birth or adopts a child, they shall be eligible for 28 days of Paid Time Off to be used within 365 days. This PTO is not eligible for pay out. If both spouses are employed by the City of Windsor Heights a maximum of 28 days per family unit shall be allocated.

Lactation

The City will provide reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has the need to express the milk. The City will provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

The City will provide a reasonable amount of break time to express milk as frequently as needed by the nursing mother. The frequency of breaks needed to express milk as well as the duration of each break will likely vary, and the employee must communicate with her Supervisor regarding the timing of the breaks.

Employees who use break time to express milk will be compensated in the same way that other

employees are compensated for break time. In addition, the FLSA's general requirement that the employee must be completely relieved from duty or else the time must be compensated as work time applies.

Family and Medical Leave

The City complies with the federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The City also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws. Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Contact your immediate Supervisor or Human Resources to discuss options for leave.

Eligibility

The FMLA defines eligible employees as employees who have worked for the City for at least 12 months, have worked for the City for at least 1,250 hours in the previous 12 months, and work for a covered employer which includes all public agencies, including state, local, and federal employers.

Employees who are applying for and are granted a leave under FMLA must meet notification and documentation requirements as outlined in this policy. Failure to meet these requirements may result in the denial or revocation of the FMLA leave.

Duration and Basis for Leave

Eligible employees are entitled up to 12 work weeks of unpaid, job-protected leave during any 12-month period for one or more of the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or childbirth;
- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent who has a serious health condition;
- A serious health condition that prevents the employee from performing one or more of the essential functions of their position.

Defining a Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school, work, or other daily activities.

The continuing treatment over an extended period of time requirement may be met by:

- Incapacitation for more than three consecutive calendar days (incapacity is broadly defined to mean inability to work, attend school, or perform other regular daily activities) combined with
- Visiting a health care provider two or more times, or
- One visit to a health care provider followed by a regimen of continuing treatment;

- Or incapacity due to pregnancy, or incapacity due to a chronic condition.

The term “serious health condition” as it applies to employees is not intended to cover short-term illnesses for which treatment and recovery are brief (e.g., minor illnesses that last a few days, outpatient surgical procedures that require brief recovery periods).

Military Family Leave Entitlements

Eligible employees with a spouse, child, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from:

- Short notice of deployment (limited to up to seven days of leave);
- Attending certain military events and related activities;
- Arranging childcare and school activities;
- Addressing certain financial and legal arrangements;
- Attending certain counseling sessions;
- Spending time with a covered military family member on short-term temporary rest and recuperation leave (limited to up to five days of leave);
- Attending post-deployment reintegration briefings;
- Arranging care for or providing care to a parent who is incapable of self-care; and
- Any additional activities agreed upon by the employer and employee that arise out of the military member’s active duty or call to active duty.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform their duties and for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Rolling Period Measurement

The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered service member with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period, measured forward from the date an employee first takes that type of leave.

Intermittent or Reduced Work-Schedule Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent or reduced work schedule basis.

An employee who is on intermittent leave or a reduced-schedule leave may be required to transfer temporarily to an available alternative position if they are qualified. This situation may occur if the City believes that the temporary job can more easily accommodate the recurring periods of leave than the employee's regular position.

Substitution of Paid Leave for Unpaid Leave

The City requires employees to use any accrued paid time during an unpaid FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the City's normal paid leave procedures found in those policies.

Combined Leave for Spouses

If an employee and their spouse are employed by the City, their combined FMLA leave eligibility may not exceed 12 work weeks during any 12-month period for the birth, adoption, or foster care of a child or the care of a parent with a serious health condition.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the City's normal call-in procedures.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave. The City also may require a second, and if necessary, a third opinion (at the City's expense) and, when the leave is a result of the employee's own serious health condition, a fitness for duty report to return to work. The City also may delay or deny approval of leave for lack of proper medical certification.

City Responsibilities

The City will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If employees are not eligible, the City will provide a reason for the ineligibility.

The City will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's FMLA leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

Other Provisions

Under an exception to the Fair Labor Standards Act (FLSA) in the FMLA regulations, hourly amounts may be deducted for unpaid leave from the salary of executive, administrative, and professional employees; outside sales representatives; certain highly-skilled computer professionals; and certain highly compensated employees who are exempt from the minimum wage and overtime requirements of the FLSA, without affecting the employee's exempt status. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of FMLA leave.

Employees may not perform work for self-employment or for any other employer during an approved leave of absence, except when the leave is for military or public service or when the City has approved the employment under its Outside Employment policy and the employee's reason for FMLA leave does not preclude the outside employment.

Restoration to Position

When an employee returns to work following an authorized FMLA leave, they will be:

- Restored to the position held when the leave began if they return within the 12-workweek period (different rules may apply for certain highly compensated employees in accordance with applicable law) or;
- Provided with an equivalent position with the same benefits, pay, and other terms and conditions of employment.

However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Continuation of Benefits

During FMLA leave, the City will maintain payment of the employer's portion of the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Vacation, sick and PTO leave benefits do not accrue during any period of unpaid leave.

Military Leave

The City supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. The City will comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Iowa Code Section 29A.28. Employees who are members of a reserve force of the United States or of the state of Iowa shall be granted a leave of absence when ordered to attend a training program or perform other duties under the supervision of the United States or the state of Iowa.

Any employee who needs time off for uniformed service should immediately notify their supervisor and City Administrator, who will provide details regarding the leave. If an employee

is unable to provide notice before leaving for uniformed service, a family member should notify the Supervisor as soon as possible.

A period of military leave shall be counted as full service with the City for the purpose of assessing PTO accrual rights. The City will pay the employee the difference between the "duty" pay received and the normal pay that would have been received if working their full schedule.

Upon return from military leave, employees will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

All employees who enter military service may accumulate a total absence of 5 years and still retain employment rights.

Veterans Day

Veteran employees may request to receive a day off from work on Veterans Day (November 11), if the employee is otherwise scheduled to work. The employee must submit a time off request thirty (30) days in advance requesting to take time off for Veterans Day. An employee is required to use earned paid time off, if eligible, before unpaid time may be used, unless state law otherwise dictates. The City will comply with any applicable federal, state or local laws pertaining to Veterans Day.

Bereavement Leave

The City recognizes that the loss of a family member requires time to grieve and handle matters. Regular full-time and regular part-time employees are eligible for paid bereavement leave in the following circumstances:

Immediate Family. In case of death in the immediate family, which includes spouse, domestic partner, parents, siblings, grandparents, grandchildren, and in-laws of the employee, a regular full-time or regular part-time employee may be granted up to five working days.

Extended Family. In case of death in the extended family, which includes children of siblings, aunts and uncles, a regular full-time or regular part-time employee may be granted up to two working days.

Payment for bereavement leave shall equate to the standard scheduled hours per day during which the employee takes bereavement. Time off granted in accordance with this policy shall not be credited as time worked for the purpose of computing overtime.

Jury Duty/Court Appearance

The City supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their Supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

If an employee is called to serve on a jury, they will incur no loss of pay. Employees are, however, required to return to the City any payment received from the Court for jury service other than travel or expense allowances.

On any day when jury service ends before the end of the employee's usual workday, the employee must check in with their Supervisor to find out whether the employee needs to return to work for that day.

Time for appearance in court for personal reasons/business will be the individual employee's responsibility. Normally, accrued paid time off will be used for this purpose.

Time Off for Voting

The City recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason you think this won't be the case, contact your Supervisor to discuss scheduling accommodation.

Return-To-Work Policy

Temporary Modified Assignment

It is the policy of the City of Windsor Heights (City) to provide temporary modified work, if available at the earliest possible date following an injury or illness, for employees who are unable to return to their regular job classifications. This policy is to complement the procedures applicable to employees eligible for reasonable accommodation or covered under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA).

Inquiries about the ADA or FMLA should be directed to Human Resources.

Eligibility

Whenever an employee becomes unable to temporarily perform his/her regular job classification the City may offer temporary modified work. Whether the City offers temporary modified work is always dependent upon the individual circumstances.

Modified Duty

Temporary work assignments within the worker's physical abilities, knowledge, and skill (also known as light duty and transitional duty). Modified Duty assignments must be accompanied by a Work Status Report or medical provider's certification.

Objectives

- Provide procedures for administering temporary modified return-to-work assignments;

- When possible, temporary modified assignments will be made available to injured workers to minimize or eliminate lost time from work. The City cannot guarantee temporary modified assignments and is under no obligation to offer, create or burden any specific position for the purpose of offering placement to such a position.
- Promote speedy recovery and rehabilitate employee back to work as effectively and as quickly as possible while keeping the employee's work patterns and income consistent.
- Complete the essential tasks of the employee's job function.
- Maintain communication among all parties to ensure quality medical care and to manage claim costs.

Procedures

Employees Direct Supervisor/Human Resources:

- Provides the employee with a job description that reflects the essential functions and physical demands of the position and a Work Status Report for the designated medical provider to complete.
- Reviews the completed Work Status Report or medical certification in conjunction with the job description to determine if temporary modified work is available in any department within the City. Consults with the Designated Medical Provider if necessary.
- Fills out the Return To Work Agreement and meets with the employee to review.
- Monitors on-going medical and work adjustment, meets with employee as needed to review status.
- Determines from Medical Provider whether restrictions apply both at home and at work or other non-work location.

Employee

- Takes required paperwork to designated medical provider appointments (job description, Work Status Report).
- Reviews and signs Return To Work Agreement
- Follows work restrictions as prescribed by designated medical provider.
- Adheres to the temporary restrictions and accommodations, does not perform any activities that exceed work restrictions Adheres to restrictions both at work and elsewhere as determined by Medical Provider.
- Reports immediately to supervisor any work duties or activities that exceed work restrictions.
- Reports immediately to supervisor if any work restriction(s)/accommodation(s) cause discomfort or make medical condition worse.
- Informs supervisor in advance of medical appointments, schedule any medical appointments during non-work time, if possible.
- Updates supervisor with current Work Status Report or updated certification from designated medical provider after every appointment.

In the event an employee refuses a temporary modified assignment, which is within the restrictions identified by the designated medical provider, workers compensation benefits could be affected. In such cases, the City will notify the insurance carrier of the employee's refusal of the temporary modified assignment. For an employee covered by the FMLA, an employee may refuse a light duty or modified work assignment, but it may have an adverse effect on the employee's workers' compensation benefits.

If, at the end of the temporary modified duty assignment, the employee is able to perform his/her regular job duties with or without reasonable accommodations, then the employee may return to his/her regular position. If, at the end of the temporary modified duty assignment, the employee is not able to perform his/her regular job duties with or without reasonable accommodations, the City will review the employee's medical condition and determine whether the individual is a qualified individual with a disability and whether the employee's work restriction can be reasonably accommodated to allow the employee to return to work in some capacity. If no reasonable accommodation is available to return the employee to the previous or different position, the City will then consider placing the employee on a time limited unpaid leave of absence or ending the employment.

Employee Wellbeing Benefits

The City recognizes the value of benefits to employees and their families. The City supports employees by offering a comprehensive and competitive wellbeing benefits program. For more information regarding benefit programs, please refer to the Benefits Booklet, which can be obtained from Human Resources. To the extent of the information provided here conflicts with the full plan document, the full plan document will control.

Wellbeing Benefits Eligibility

Regular, full-time employees working 30 or more hours per week are eligible for benefits on the first day of the month following the date of hire. To maintain coverage, employees must work a minimum of 30 hours per week on average.

Below is a list of wellbeing benefits that may be offered through the City's benefit plan. This is not intended to be a comprehensive list and coverage can change at the discretion of the City. Refer to the City's Benefits Booklet and plan documents for full details regarding benefit plans:

Medical Benefits	Long-Term Disability (LTD)
Dental Benefits	Short-Term Disability (STD)
Vision Benefits	Life Insurance and Accidental Death and Dismemberment (AD&D)

Flexible Spending Account (FSA)	Voluntary Products
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Employees may be required to share in the cost of the benefits through payroll deduction.

City-Funded Deductible Reimbursement Program. The City reimburses eligible employees for expenses incurred in a calendar year (January 1-December 31) for meeting their annual health insurance plan deductibles. Reimbursements will be handled by the third-party provider in conjunction with the health insurance provider.

Inactive employees or former employees covered under COBRA are not eligible for the City-Funded Deductible Reimbursement Program.

Deferred Compensation Account. The City pays \$150.00 per month towards a deferred compensation account for all eligible employees who have employee-only health insurance coverage or opt for no health insurance coverage through the City. Employees who opt out must provide proof of participation in a qualifying plan. To access this benefit, employees must contact the Finance Director.

Hepatitis B Vaccination. Eligible employees can elect to receive the Hepatitis B Vaccination series by meeting the following criteria:

- If an eligible employee elects to receive the series, they may do so from a provider of their choice or a public health organization.
- Upon documentation of the series initiation, the employee or the provider will be compensated for the series cost.
- If a private provider is chosen, reimbursement will not exceed the amount of the cost to the City of providing the injection. Any additional cost in such a case must be borne by the employee.
- Failure to proceed with the series of injections within 30 days of serum order waives the City's offer to pay for the series. In this case, the employee must reimburse the City any Hepatitis B vaccine-related fees paid to the employee or any provider on their behalf, or such fees shall be withheld from the employee's subsequent paycheck.

The City is not responsible for any claim, warranty, or guarantee of the Hepatitis B Vaccine serum, effectiveness thereof or for potential side effects, nor does it acknowledge the need for the series as prevention from infection-related employment with the City.

Eligible employees who do not elect to participate in the Hepatitis B Vaccination program will be asked to sign a waiver declining participation.

Continuation of Wellbeing Benefits

- **Separation of Employment** - If employment is terminated, benefits will end on the last day of the month the employee actually worked.
- **Covered Leave** - Throughout a medical leave of absence, the employee may participate in the City's employee benefit plans as if actively employed. The employee continues to pay the employee cost of all benefits for the first three months. After three months, the employee pays the entire cost of all benefit premiums.

- **Concurrent Coverage** - Disability benefits will run concurrently with FMLA leave and/or any other leave, where permitted by state and federal law.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

When an eligible employee or employee's eligible family member experiences a qualifying event that causes a loss of eligibility for the City's health coverage, they have the option to continue health coverage at their expense under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Refer to the Benefits Booklet for additional information.

- COBRA coverage applies to the type(s) of health coverage (i.e., medical, dental, and/or health care flexible spending account) that the employee had at the time of the qualifying event.
- Coverage is continued only for a specified time period.
- The City may charge up to 2% for administrative fees as allowed by law.

Retirement Savings Plans

IPERS. The retirement program for all regular full-time, part-time, and certain seasonal/temporary employees is the Iowa Public Employees' Retirement System (IPERS).

Deferred Compensation 457(b). Regular full-time employees may defer, or set aside, a portion of their paycheck on a bi-weekly basis and delay paying federal and state taxes on that amount deferred. Changes to contribution amounts by the City are effective on the employee's anniversary date that corresponds with the start of each new year of service. It is the employee's responsibility to monitor their own retirement account.

The City shall match the following percentage of salary to a deferred compensation plan in which the City participates for employees pursuant to the following schedule.

City's Contributions to Deferred Compensation Plan	
Years of Service	% of Employees Salary
3 - 5	1.0%
6 - 10	1.5%
11 - 20	2.0%
21+	2.5%

Refer to the Collective Bargaining Agreement (CBA) for details on the deferred compensation plan for union employees.

Eligibility, vesting, and all other matters relating to these plans are explained in the Benefits Booklet that can be obtained from Human Resources.

Workers' Compensation

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment. The City pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

The City abides by all applicable state workers' compensation laws and regulations.

If an employee sustains a job-related injury or illness, it is important to notify the Supervisor and City Administrator within 24 hours or soon as practicable. The Supervisor will complete an injury report with input from the employee and return the form to Human Resources. The claim will be filed with the insurance company. In cases of true medical emergencies, call 911 or report to the nearest emergency room.

Workers' compensation benefits will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not receive accrued paid leave for approved absences covered by the City's workers' compensation program, except to supplement the workers' compensation benefits such as when the plan only covers a portion of the employee's salary as allowed by state law.

Education/Tuition Assistance

Regular full-time employees are eligible for tuition reimbursement up to \$5,250 per fiscal year upon successful completion of a work-related course. All courses must be pre-approved by the Department Head. Once the course is completed, the employee will submit a certified transcript of grades with receipts for expenses. The reimbursement amount is based on a grading scale as outlined in the table below. Tuition reimbursement has a lifetime maximum payout of \$8,250 for one degree in each of the categories: Associate's, Bachelor's, or Master's.

Maximum Credit Hour Reimbursement	Minimum Required GPA
\$250 per credit hour	3.0
\$150 per credit hour	2.5
\$50 per credit hour	2.0
\$0 per credit hour	Below a 2.0
Pass/Fail Course	100% of maximum for pass / 0% for fail

Course Guidelines

- Obtain Department Head and City Administrator approval prior to enrolling in a course.

- You must have at least one year of full-time service with the City.
- Employees must be enrolled in an accredited college or university.
- Coursework/degree program must be related to the employee's current position or further their career growth within the organization.
- Employees can receive reimbursement for tuition, books, and lab fees.
- Within 60 days of completion of the coursework, employees must turn in the tuition reimbursement form into their Department Head with copies of receipts and official grade reports from the accredited college or university.
- The employee may be required to execute a separate tuition reimbursement agreement.
- Union employees should refer to their Collective Bargaining Agreement.

Separation of Employment

Should the employee's employment terminate voluntarily or involuntarily (with the exception of layoff or reduction in force), within twelve (12) months of receiving any reimbursement under this policy, the employee must repay 100% of the reimbursement amount.

Employee Assistance Program

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for all employees in dealing with issues that affect their lives and the quality of their job performance. The City wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges.

The City encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the City, nor is the City given any information on who chooses to use the services. See the Benefits Booklet for additional information and contact details.

Wellness Program

The well-being of our employees is extremely important to the City. The City provides employees opportunities designed for the cultivation of employee well-being and enrichment of workplace culture. These opportunities target the social, financial, physical, emotional, career and community well-being of our employees. Current wellness programs offered to City employees, elected officials, and immediate family members, in some cases, include:

- **Workout Facility** - Employees (and their immediate family members) and elected officials are welcome to use the facility after completing a waiver of liability.
- **Smoking Cessation Programs** - The City reimburses eligible employees up to \$25/per month (up to 6 months) for expenses incurred from smoking cessation programs. Reimbursable expenses are considered costs incurred from prescriptions and other approved over-the-counter products.
- **Live Healthy Iowa** - Eligible employees who wish to participate in the Live Healthy Iowa Challenge representing the City of Windsor Heights team will receive free registration.

- **Physical Fitness Incentive** - Once per year, eligible employees can elect to participate in the ILEA approved Cooper Test standard (age and gender appropriate). Employees who successfully pass the fitness test shall receive a \$100 fitness incentive in the next available pay period. Employees who maintain a passing score for five or more consecutive years shall receive an annual fitness incentive of \$250 per year.
- **Special Programming** - The City, at City Council or City Administrator's discretion, may offer additional wellness programs throughout the year.

City of Windsor Heights Employee Handbook Receipt and Acknowledgment

I, the undersigned, hereby acknowledge receipt of a copy of the City of Windsor Heights Employee Handbook, which is the property of the City of Windsor Heights. I understand it is my obligation to read and follow the provisions of the Employee Handbook which apply to me during my employment with the City. I understand that if I am a member of a Collective Bargaining Unit (CBU), that the provisions of the CBU may affect certain policies in this handbook and it is my responsibility to read and follow the provisions of the CBU as well.

I understand that this Employee Handbook is provided to me for informational purposes only and is not intended to change the at-will nature of my employment relationship with the City. I recognize that either the City of Windsor Heights or I may terminate the employment relationship at any time, for any reason. Upon termination, the copy of the Employee Handbook shall be returned to your Supervisor. I understand the Employee Handbook is intended solely as a means of clarifying the current operations of the City of Windsor Heights and its policies, practices, and procedures. I further understand that the City of Windsor Heights is committed to reviewing these policies on an ongoing basis and reserves the right to change or eliminate any of the policies at any time.

Employee Signature

Date

Employee Name (printed)

Witness Signature

Date

Witness Name (printed)



W I N D S O R
H E I G H T S

EMPLOYEE HANDBOOK

Revised June 2024

Welcome!

Welcome to the City of Windsor Heights! We are delighted you have chosen to join our organization and hope you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further the City's goals.

You are joining an organization that strives to provide our residents, businesses, and visitors with a safe environment and exceptional city services through our team approach. The result is a unique, sustainable, and vibrant community! We sincerely hope you will take pride in being an important part of the community of Windsor Heights.

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Introduction

Purpose

The purpose of these policies and procedures is to establish a fair and equitable system of personnel administration that will facilitate efficient and effective public service for the City. This handbook was written for all City of Windsor Heights (“City”) employees regardless of status, excluding elected officials, commission members and volunteers. Employees are expected to read this handbook and retain it for future reference. Should an employee have any questions regarding any policies, they should speak to their supervisor, Department Head, Human Resources, or City Administrator. If at any time there is a conflict between this handbook and an applicable state or federal statute, the terms of the statute will govern in all cases.

In the event any policies contained in this handbook differ from the terms of a collectively bargained agreement, the Collective Bargaining Agreement (CBA) entered into according to the Iowa Public Employment Relations Act (Iowa Code Chapter 20) shall apply to employees included in the CBA group.

This Handbook should be retained for future reference alongside other departmental policies and written communications regarding employee policies.

Adoption and Policy Amendment

These policies and procedures are adopted by resolution of the Windsor Heights City Council (“City Council or Council”). Policy amendments shall become effective upon consideration and adoption by the Council. City Council action will approve exceptions to policies or procedures outlined in this manual.

The City reserves the right to amend, rescind, or modify any of these policies, practices, or benefits at any time with or without prior notice. If you are uncertain about any policy or procedure, please check with your Department Head or the City Administrator.

At-Will Employment

Employment with the City of Windsor Heights is at-will and can be terminated at any time with or without cause without prior notice by either the employee or the City, except as otherwise provided by law or the terms of a collective bargaining agreement. This handbook is not a contract guaranteeing employment for any specific duration. Nothing in this handbook creates or is intended to create a promise or representation of continued employment. This handbook supersedes any and all prior handbooks, written documents (with the exception of a duly authorized Collective Bargaining Agreement), or oral or implied representations that might otherwise contradict the at-will nature of employment.

Equal Opportunity and Commitment to Diversity

Equal Employment Opportunity (EEO)

The City provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, ancestry, national origin, sex, sexual orientation, age, disability, gender identity, genetic information, service in the military, or any other characteristic protected by law.

Equal employment opportunity applies to all terms and conditions of employment, including:

- Recruitment
- Employment
- Promotion
- Transfer
- Training
- Working conditions
- Wages and salary administration
- Employee benefits and application of policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with the City.

The City expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties will not be tolerated.

Remedies

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of their immediate Supervisor, Department Head, or the City Administrator. Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. The City will promptly, thoroughly, and fairly investigate every issue brought to its attention in this area and will take corrective action, when appropriate, up to and including termination of employment.

Americans with Disabilities Act (ADA) and Reasonable Accommodation

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act (ADAAA) are federal laws that require employers not to discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

To ensure equal employment opportunities to qualified individuals with a disability, the City will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the organization would result. Employees who may require reasonable accommodation should contact their immediate Supervisor, Department Head, or the City Administrator.

On receipt of an accommodation request, the Department Head will meet with the requesting individual to discuss and identify the precise limitations resulting from the disability. Medical certification from the employee's physician may be required. The Department Head, City Administrator and physician, counselor or other appropriate professional will determine the feasibility of the requested accommodation, considering factors, including, but not limited to, the nature and cost of the accommodation requested, the availability of outside funding, the City's overall financial resources and the accommodation's impact on the operation of the City.

Commitment to Diversity

The City is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the organization and are valued for their skills, experience, and unique perspectives. This commitment is embodied in City policy and the way we do business in the City and is an important principle of sound business management.

Harassment Prevention

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, as well as many state laws. Harassment based on a characteristic protected by law, such as race, color, religion, sex, sexual orientation, gender identity, age, qualified disability, national origin, veteran status, genetic information, or other characteristic protected by law, is prohibited.

It is the City's policy to provide a work environment free of sexual and other harassment. To that end, harassment of City employees by management, coworkers, or non-employees who are in the workplace is prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment or discrimination complaint will not be tolerated. Based upon the seriousness of the offense, the City will take corrective action, when appropriate, up to and including termination of employment.

Definition of Unlawful Harassment. "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to: epithets, slurs, jokes, pranks, innuendo, comments, written or graphic material, stereotyping, or other threatening, hostile, or intimidating acts based on any protected characteristics listed above, or other characteristics protected by law.

Definition of Sexual Harassment. “Sexual harassment” is defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual’s employment or as a basis for employment decisions; *or*
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Unwelcome, unwanted physical contact, including but not limited to, touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life, comments about an individual’s body, comments about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Leering, whistling, sexual gestures, or suggestive or insulting comments;
- Inquiries into one’s sexual experiences; and
- Discussion of one’s sexual activities.
- Sexual harassment includes the foregoing conduct regardless of whether the persons involved are of the opposite sex or same sex.

Harassment and Discrimination Complaint Procedure

All employees of the City, both management and non-management, are responsible for assuring that a workplace free of harassment and discrimination is maintained. Any employee who believes they have been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested, and encouraged to make a complaint. You may bring your complaint directly to your immediate Supervisor or Department Head, the City Administrator, or any other member of management with whom you feel comfortable bringing such a complaint. Nothing in this policy requires any person complaining of harassment, sexual or otherwise, to report the matter to the individual who is the subject of the complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

Whenever the City is made aware of a situation that may violate this policy, it will conduct a thorough and objective investigation. If the City determines that prohibited harassment has occurred, it will take appropriate action against any person found to have engaged in harassment. The type of discipline administered will be dependent upon the severity of the conduct, as well

as any other factors presented in particular circumstances. All complaints and investigations are treated confidentially to the extent possible, however confidentiality cannot be promised. The City will take adequate steps to ensure that the complainant and witnesses are protected from retaliation during and after the investigation.

Supervisor Responsibility. Supervisors must deal expeditiously and fairly when they have any knowledge of behavior or conduct that may violate City policy within their departments, whether or not there has been a formal complaint. They must:

1. Take all complaints or concerns of alleged or possible discrimination or harassment seriously no matter how minor or who is involved.
2. Report all incidents to the City Administrator immediately so that a prompt investigation can occur and be documented.
3. Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Supervisors are responsible for exerting their authority and enforcing this policy when aware of discrimination or harassment, including when the person discriminating, or the harasser is another Supervisor. Supervisors who knowingly allow or tolerate inappropriate behavior including but not limited to discrimination, harassment, or retaliation, including the failure to immediately report such misconduct are in violation of this policy and subject to discipline up to and including termination.

Prohibited Retaliation. The City will not allow any form of retaliation against individuals who raise issues of equal employment opportunity, for making a good-faith complaint or report of discrimination or harassment, or for assisting in the investigation of any such complaint or report. If an employee feels they have been subjected to any such retaliation, they should bring it to the attention of the City Administrator.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process. "Adverse conduct" includes but is not limited to:

- shunning and avoiding an individual who reports harassment, discrimination, or retaliation;
- express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination, or retaliation; or
- denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above. All complaints will be investigated promptly and, to the extent possible, with regard to confidentiality. If the investigation confirms conduct contrary to this policy has occurred, the City will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

Whistleblower

A whistleblower as defined by this policy is an employee of the City of Windsor Heights who reports an activity that they consider to be illegal or dishonest to one or more of the parties

specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact their Department Head or the City Administrator. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to corrective action up to and including termination.

The City will not retaliate against a whistleblower who filed a good-faith complaint. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes they are being retaliated against must contact their Department Head or the City Administrator immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Veterans' Preference

Any honorably discharged veteran, as defined in Iowa Code Chapter 35C of the Code of Iowa, shall be entitled to preference in appointment, employment, and promotion over other applicants of no greater qualifications in accordance with Iowa Code Chapter 35C.

Conflicts of Interest and Ethical Business Practices

Conflicts of Interest

The City expects all employees to conduct themselves and City business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests as set forth in Iowa Code §68B.2A.

The City recognizes and respects the individual employee's right to engage in activities outside of employment which are private in nature and do not in any way conflict with or reflect poorly on the City, however your outside employment must not conflict with the interests of the City or interfere with the performance of your duties with the City.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises where there is a potential conflict of interest, the employee should discuss this with a Supervisor for advice and guidance on how to proceed. The list below suggests some of the types of activity that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

1. No employee or employee's relative or partner shall hold any public office within the City government, or any other office, which may create a conflict of interest.
2. Holding a substantial interest in, or participating in the management of, a firm to which the City makes sales or from which it makes purchases.
3. Accepting substantial gifts or excessive entertainment from an outside organization or agency.
4. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the City.
5. Using one's position in the City or knowledge of its affairs for personal gains.
6. For a vendor to work as an employee, consultant, independent contractor or in any other additional capacity with the City.

Code of Ethics

The City expects all team members to display honesty and integrity at all levels. We value trustworthiness and expect ethical conduct. Employees must always act honorably in business interactions with team members, constituents, vendors, and others.

Proper conduct includes strict compliance with the spirit and letter of the laws and regulations pertinent to the City's business activities. It also means your business practices reflect the highest standards of integrity, are honest, and are ethical. The City's commitment to professional conduct is outlined below, although this is not to be an exhaustive list of ethical behaviors expected:

- You shall be impartial and dedicated to the best interests of the City. You shall conduct yourself, both inside and outside the City's service, so as not to cause distrust of your impartiality or of your dedication to the City's best interests.
- You shall affirm the dignity and worth of the services rendered by the government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
- You shall carry out the established policies of the City.
- You shall buy without prejudice, seeking to obtain the maximum value for each expenditure of public funds.
- You shall never engage in acts of corruption or bribery, nor will you condone such acts by other employees.
- You shall not directly or indirectly accept or receive any gift or series of gifts, as defined in Section 68B.22 of the Code of Iowa. This includes special discounts or offers that are not available to the general public.
- You shall be responsible for your own standard of professional performance and will take every reasonable opportunity to enhance and improve your level of knowledge and competence.
- You shall be responsible for being familiar with the laws applicable to your area of work, complying with such laws and maintaining the highest level of honesty and integrity in your business conduct.
- You shall promptly report to management when there is a reason to believe a violation of law, regulation, policy, or the Code has occurred or may have occurred.

Employees may not engage in any outside employment or an activity that involves the use of the City's time, facilities, equipment, and supplies or the use of the City badge, uniform, business card, or other evidences of office or employment to give the person or member of the person's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public.

Failure to adhere to ethical conduct expectations can result in corrective action up to and including termination.

Political Activities

Campaign Activities. You have a right to express your individual opinions on political issues and candidates, however, in accordance with Section 721.3 of the Iowa Code, candidates or committee members cannot solicit contributions or receive political support from you during work hours.

Employees may participate in, or contribute to, the election or appointment of public officials; however, employees shall not solicit political contributions while on the job or while using City equipment. Political activity must not interfere with normal work duties. No city employee will be forced or compelled to take part in political campaigns to favor the appointment or election of candidates for any office.

Candidates for Office. Should the employee ~~or the employee's relative or partner~~ file papers or campaign for elected office for the City of Windsor Heights, the employee ~~who is the relation or partner to or the candidate,~~ will be required to take an immediate, unpaid leave of absence until after the election. ~~(Refer to Non-Fraternization policy for a description of "relative.")~~ Should the employee ~~or employee's relative or partner~~ be elected, said employee will be separated from employment effective with the elected official's oath of office. The leave without pay begins upon either an announcement of candidacy or filing of a petition for office. However, this will not be later than 30 days before the primary or general election day, and it continues until the employee is no longer a candidate.

If elected, the employee may be required to resign their city position per Iowa Code chapter 372 and the incompatibility of offices doctrine.

However, the employee may be a candidate for a non-city, non-partisan office that is not related to their employment. If this is the case, they will not be required to take the leave of absence without pay, as long as they do not campaign while on duty as an employee or let their duties interfere with their city job responsibilities. Leave requests for candidacy and service will be granted in accordance with Iowa Code chapter 55.

Political Activities Not Affected. Employees are not prohibited from:

- Becoming or continuing to be a member of a political club or organization;
- Attending a political meeting;
- Enjoying entire freedom from all interference in casting their vote;
- Seeking signatures to any initiative or referendum petition directly affecting their rates of pay, hours of work, retirement, or other working conditions; or,

- Distributing badges, pamphlets, dodgers, or handbills or other participation in any campaign or campaign in connection with a petition, if the activity is not carried out during hours of work or on City property.

If employees are unsure about whether an activity might violate this policy, or employees have questions about this policy, they should speak with their Department Head or the City Administrator.

Outside Employment

Employees are permitted to have outside employment as long as it does not interfere with their job performance or result in a conflict of interest with the City. If a situation arises where there is a potential conflict of interest, the employee should discuss this with their Supervisor or the City Administrator for advice and guidance on how to proceed. Employees with outside employment are expected to work their assigned schedules. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to corrective action, up to and including termination.

Use of City Property

You must protect City-owned and private property located on agency work sites or other City premises. Therefore, the following are prohibited: unauthorized use, abuse, misuse, or waste of property or materials; unauthorized possession or sale of items; and unlawful operation or use of City vehicles and equipment for other than City business or approved use. You must use the City's long-distance service and City-owned cellular phones for official City business only. You must keep local personal calls from City office phones to a minimum. City postage stamps and metered mail are for official business only. You must check out City equipment through a management representative before removal from the premises. You may not take equipment off the premises for personal use.

Employment Relationship

Employment Classification

It is the intent of the City to define the employment classifications so that employees understand their employment status and benefits eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment relationship at will at any time and for any reason is retained by both the employee and the City of Windsor Heights.

Fair Labor Standards Act (FLSA) Job Classifications

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws:

- **Nonexempt:** Employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.
- **Exempt:** Employees who hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor that allows for an exemption from the minimum wage and overtime provisions of the FLSA; these employees are paid on a salaried basis.

Employee Job Categories

The City of Windsor Heights has established the following categories for employees:

- **Regular Full-time:** Employees who are regularly scheduled to work a minimum of 30 hours per week. Generally, they are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefit program.
- **Regular Part-time:** Employees who are regularly scheduled to work an average of less than 30 hours per week. Regular Part-time employees are eligible to participate in some of the benefits offered by the City, subject to the terms, conditions, and limitations of the program.
- **Paid-On-Call:** Employees who are in the Fire Department receive an hourly rate of pay for time they are responding to calls and during department approved training or other assignments. Paid-on-call employees are not eligible to participate in any of the City's benefits programs.
- **Temporary:** Employees who are hired on a full- or part-time basis to work on a specific project for a period of up to one hundred eighty (180) days or the pay limit established under IPERS. Additional time may be allowed with the approval of the Council. Temporary employees are not eligible to participate in any of the City's benefits programs.
- **Seasonal:** Employees who are hired to temporarily supplement the workforce or to assist in the completion of a specific project and are temporarily scheduled to work the City's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Seasonal employees are not eligible to participate in any of the City's benefits programs.
- **Terminal:** Employees who are retired and elect to have the balance of their accrued leaves paid in regular disbursements instead of a lump sum. Terminal employees are not eligible to participate in any of the City's benefits programs unless mandated by law.

Work Week and Hours of Work

The standard workweek is from Saturday 12:00 a.m. until Friday 11:59 p.m. and generally consists of 40 work hours. The general hours of operation for City offices are from 8:00 a.m. until 4:30 p.m. Monday through Friday. Individual work schedules may vary depending on the needs of each department. Hours may be further determined due to factors such as operational demands, at the discretion of the appropriate Department Head.

Work break schedules shall be determined on a departmental basis and shall be the responsibility of the Department Head to oversee. Any non-standard schedules or non-traditional work arrangements must be approved by the City Administrator.

Summer hours will entail City offices closing at 3:00 p.m. on Fridays from May through September. City offices may occasionally be closed by approval of the City Administrator due to training, staffing issues, or inclement weather.

Paycheck Information

Pay dates. The City's pay date for all employees is biweekly on Friday. If a payday falls on a Federal holiday, employees will receive their paycheck on the preceding workday.

Reporting Errors. Any errors in the processing or calculations of the payroll check should be reported to the employee's supervisor and/or the Finance Officer immediately.

Direct Deposit. All employees are required to utilize direct deposit for paychecks. You may direct deposit in up to two separate accounts; all first-time direct deposit requests require pre-authorization on the account. Employees will receive a hardcopy payroll check until the authorization is successfully confirmed, usually prior to a second paycheck.

Payroll Check Deductions. Deductions from an employee's payroll check may consist of:

- statutory deductions such as federal, state, and local taxes;
- court-ordered withholdings;
- employee's elective benefit plans: cost-sharing portion or retirement plan contributions;
- any other deductions required by law.

Time Records

All non-exempt employees are required to complete accurate weekly time reports showing all time actually worked and leave time taken. These records are required by governmental regulations and are used to calculate regular and overtime pay. All exempt employees must accurately report any leave time taken in a pay period. At the end of each pay period, the employee and their supervisor must sign the timesheet attesting to its correctness or use the City's digital time recording program. No one may record hours on another's timesheet, without approval from the Department Head. Tampering with another's timesheet is cause for disciplinary action up to and including termination, of both employees. In the event of an error in recording time, the employee will notify their supervisor.

Overtime

When required due to the needs of the organization, employees may be required to work additional hours. In accordance with the Fair Labor Standards Act, all non-exempt employees, except those covered by a Collective Bargaining Agreement or those who elect to receive compensatory time, will be paid overtime compensation at the rate of one and one-half their regular rate of pay for all hours over 40 actually worked in a single workweek.

- Paid leave, such as holiday, Paid Time Off (PTO), bereavement time, and jury duty does not apply toward work time.

All overtime work must be approved in advance (when possible) by an employee's supervisor.

Schedule and Overtime for Fire Department Employees per the 2025-2026 Union

Agreement: The regular workday and work schedule rotation for full-time Fire Department employees shall consist of 48 hours on followed by 96 hours off. As per allowances within FLSA Section 7(k), each 14-day work period for Fire Department employees shall consist of up to 106 actual hours worked before overtime shall be due to an employee. Overtime shall be paid at the rate of one and one-half (1 ½) the employee's straight time hourly rate for all work performed in excess of 106 hours per work period. Overtime shall not be paid more than once for the same hours worked. Vacations and leaves are not considered time worked for the purpose of determining overtime.

Compensatory Time

All non-exempt employees, except those covered by a Collective Bargaining Agreement, whose total work hours and/or compensatory time used exceed 40 hours in a standard work week are eligible for overtime or compensatory time.

Compensatory time is calculated at a rate of one and one-half (1 ½) hours for each one (1) hour worked in excess of 40 hours in a regular work week. A maximum of 48 hours will be allowed to accumulate.

The City Administrator or appropriate Department Head shall authorize compensatory time for an eligible employee. Should an employee accumulate more than 48 hours, the employee may be required by their Supervisor to schedule and take time off. Due to extenuating circumstances, the City Administrator may extend the maximum amount accumulated to meet organizational needs.

Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request if the use of compensatory time does not unduly disrupt operations. Normally notice of three days will be required for the use of compensatory time.

Upon resignation, termination, or change to a position that is not eligible for compensation time, all earned but unused compensatory time will be paid out.

On-Call Pay

The City Administrator may, at his/her discretion, institute a system of employees being on call during hours normally outside the normal work week, unless otherwise covered under a collective bargaining agreement. Hours, responsibilities, and rate of pay for these cases shall be approved by the City Council and are incorporated into this document by reference.

Pay Change for Temporary Assignment

During the course of normal City operations, it may become necessary for an employee to perform the duties of an employee in a higher classification due to an extended absence or turnover in the position. Any person with the qualifications to temporarily fill a vacancy in a position of higher pay grade shall receive the rate of pay of the higher classification after performing such duties of the higher classification for thirty (30) consecutive workdays. Refer to Collective Bargaining Agreement (CBA) for details on this process for union employees.

In no event shall the employee receive less than the employee's current role's normal hourly wage. This is subject to the approval of the City Administrator and City Council. However, unless a permanent change of classification is made for the employee performing the duties, they shall return to the original rate of pay at the end of the temporary assignment. A temporary assignment may last no longer than 120 working days.

Pay and Performance

The purpose of the City's compensation and performance evaluation systems are to support the recruitment, motivation, success, and retention of qualified and productive employees and to encourage and reward activities that promote the City. To that end, the City looks to recruit and retain individuals who are customer-oriented, demonstrate initiative, are team players, and accept responsibility, authority, and accountability for work performance. The City will offer appropriate developmental opportunities and recognize performance with incentives for employee success, retention, and professional development. The City will administer this in an open, fair, and equitable fashion.

Job Performance. Communication between employees and Supervisors is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their Supervisor if they feel additional ongoing feedback is needed.

Generally, formal performance reviews are conducted at the six-month mark for new employees and annually for all others. These reviews include a written performance appraisal and a discussion between the employee and the Supervisor about job performance and expectations for the coming year.

Pay Increases. A performance evaluation does not always guarantee either an increase in compensation or continuing employment. Wages increases will be determined by the City Administrator typically at the six-month review and thereafter annually. Decisions may be based on a number of factors, including but not limited to performance, attendance, and cost of living adjustments. Union employees will follow the collective bargaining agreement in place for pay increases. Refer to the City's Pay for Performance procedures for additional details including calculations and rating scales.

- **Annual Wage Adjustment (AWA).** A non-union employee may receive an Annual Wage Adjustment (AWA). The adjustment may be based on a number of factors, including but not limited to the annual performance evaluation, progress made towards an

individual's identified goal(s) for professional growth and positive interactions with City stakeholders. This increase will be made to the employees' base wage.

- **Annual Pay Changes Schedule:**
 - First Pay Period in July - All approved AWA pay increases are effective.

Pay Ranges. Pay ranges will be established annually for approval by the City Council. Pay ranges are determined for each job after periodic review of salary surveys. The salary range/structure shall be designed to reflect the levels of responsibility for the various jobs within the City of Windsor Heights. Compensation adjustments may be recommended based on a salary survey findings and the City's financial condition. If appropriate, compensation for some positions may be frozen if they are at or above maximum, until such time as the market range reaches equity with the City's pay.

Longevity Pay

The City offers regular full-time employees longevity pay as a way to recognize and appreciate their long-term commitment and the work they do on behalf of the City. When an eligible employee has completed 5 years of employment with the City, they will receive \$6.00 on each paycheck. They will then receive an additional \$6.00 per paycheck in each successive year. It is the employee's responsibility to inform their supervisor of an impending anniversary date so longevity can be added or increased.

Cell Phone Reimbursement/Stipend

The City may provide a City-issued cell phone or a monthly reimbursement stipend for select positions as identified by the City Administrator requiring non-compensatory business use of their own personal cell phone. In addition, the City Administrator may authorize a reimbursement stipend for additional positions as deemed necessary that will be in an amount not to exceed \$80.00 per month depending on the amount of City business use reasonable for that position. In no case will a reimbursement stipend exceed the employee's actual cost of maintaining the line.

City Vehicle Policy

At no time shall an employee use a City-owned vehicle, facility, or equipment for personal use. The City recognizes that certain employees need the regular use of a vehicle to fulfill their job duties and responsibilities. The City Administrator, or designee, assigns the use and responsibility of a vehicle to some employees where their job duties and responsibilities make a vehicle necessary.

- Prior permission shall be received from the City Administrator before a City-owned vehicle is used for meetings out of town that would require an overnight stay. Employees, with Department Head approval, may take City-owned vehicles home when they are on-

call, or otherwise approved, however, they should not use the vehicle for personal reasons.

- Employees shall operate City vehicles in a safe, courteous, and prudent manner while performing City business including, specifically, the use of seat belts by both the driver and passengers. In addition, all employees are required to comply with all traffic regulations, laws, and ordinances when operating a City vehicle or personal vehicle for City business. This includes the law prohibiting texting while driving. At no time should employees jeopardize the safety of themselves, other City employees, or the public when operating motor vehicles.
- Vehicles are to be serviced by the manufacturer's specifications at recommended intervals.
- Vehicles are to be kept neat, clean, and in a good state of repair. Repairs are to be made promptly.
- Per the Iowa Smoke Free Air Act, it is prohibited to smoke in any City-owned vehicle. Violation of this policy may result in corrective action including termination.
- Employees are responsible for operating City vehicles in compliance with all laws. The employee will pay all fines, moving or parking violations, imposed as a result of violations driving a City-owned vehicle.
- Employees must maintain a valid driver's license and the City may request a copy of your driving record from the state at any time.
- It is strictly prohibited to operate a City vehicle while under the influence of alcohol or drugs.
- City vehicles are covered by liability, comprehensive, and collision insurance. All accidents, no matter how minor, must be reported to the appropriate law enforcement agency immediately.

According to the Internal Revenue Code, Section 274, employees are subject to be taxed for vehicle use if not for City benefit. This would include vehicles used to commute to and from work, drive home, break time, and lunch hours. Not subject to the fringe benefits tax would be police, fire, ambulance, and utility "trucks," or vehicles driven home for the benefit of the City, such as the Public Works Department due to specialized equipment in vehicles. Employees who are on-call for a shift can exempt the days that they were actually called out and that they reported directly to the job site to fulfill the essential portions of their supervisory jobs. Normal workdays without callouts are not to be exempted.

Travel and Expenses

The City of Windsor Heights has prepared this policy to establish a consistent basis for the actions of City personnel with regards to City-paid travel, training, and meal expenditures and to provide broad guidelines for the reimbursement of such expenditures. It is the policy of the City to reimburse employees for all necessary and reasonable expenses incurred while on authorized City business.

Travel Approval

- Any travel outside of a 50-mile radius will need prior approval from the Department Head.
- Out-of-state travel requires the approval of the appropriate Department Head and the City Administrator.
- Out-of-state travel involving overnight accommodations will require prior approval from the City Administrator.

Travel Arrangements

- Transportation should be the most reasonable and economical method of travel considering distance, travel time, number of persons making the trip, duration of stay, other commitments, and other factors as may be appropriate. The least expensive mode of travel is the amount for which an individual will be reimbursed.

Travel Expense Reimbursement

- Reimbursement will be made only upon the successful completion (including authorized approval signatures and all attached receipts) of a travel expense report. All requests for reimbursement must be made within 30 days of the completion of the travel. Expenses that do not have an associated receipt will not be reimbursed.
- Lodging expenses shall not exceed \$175 per day unless specifically authorized by the City Administrator.
- Expenses for meals shall not exceed an average of the GSA's Meals & Incidental rates for the primary travel location unless specifically authorized by the City Administrator.
- In the case of a one-day conference where the employee attends the conference during the day in their hometown and can eat breakfast and dinner before and after the conference, the City will only reimburse for the lunch meal at the above-specified rate.
- Mileage reimbursement shall be based on the current IRS rate in effect when using a privately-owned automobile.
- Expenditures for alcoholic beverages are not eligible for reimbursement.

Incidentals

- An employee is allowed to claim up to \$15 per day for incidental items that will typically not have a receipt available, such as taxi, valet or airport baggage handler tips, parking meter fees, etc. The \$15 incidentals is based on an honor system and should generally be expected to correspond with hotel or airport arrival and departure days.
- Fees for tolls, shuttle service, etc., where a receipt is readily available upon request, must have a receipt submitted for reimbursement. Origination and destination information should be documented on the receipts.

Residency Requirement

Residence is defined as the physical place where the employee resides along with other family members and would entitle the employee to become a registered voter at such residence and if owned by the employee, to homestead the property for real estate tax purposes.

Full-time City employees must reside within an hour response time to their primary work facility (e.g., City Hall, Public Works, etc.). The City Administrator and Department Heads must reside within 30 miles of the corporate boundary limits identified by the 30-mile residency map (see City Clerk for map) unless otherwise approved by the City Council.

Employees residing outside of the 30-mile corporate boundary limit will not be authorized to drive City-owned vehicles home on a regular basis.

Newly hired full-time employees will have 12 months from the date of hire to comply with this policy.

An employee covered by an individual employment agreement or a collective bargaining agreement with provisions that conflict with any portion of this requirement will follow the provisions of the agreement.

Non-Fraternization

~~The employment of a relative, domestic partner or those in a close personal relationship with administrative personnel or council members shall not be allowed. To avoid instances in which the hiring process or any term or condition of employment is or may be inappropriately influenced by relationships, it shall be a violation of policy for a City employee in a position of authority to (i) date or engage in a romantic relationship with any employee over whom they have direct authority or supervision; or (ii) employ a relative or domestic partner in a position over which they have direct authority or supervision.~~ Relatives, domestic partners, or those in a close personal relationship may be hired by the City if:

- the persons concerned will not work in a direct supervisory relationship; and
- employment will not pose difficulties for supervision, security, safety, or morale.

For the purposes of this policy, “relatives” are spouse, domestic partner, child, parent, siblings, step relatives, father-in-law, mother-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew, niece, cousin, grandchild, grandparent, and domestic partner relatives. A “domestic partnership” is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements. Personal relationships could also include, but are not necessarily limited to, dating, shared living accommodations, landlord/tenant, or leaser/leasee relationships.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with the City provided they don’t work in a direct supervisory relationship with each other or otherwise pose difficulties as mentioned above. Supervisors who fail to report their involvement in a personal relationship with a subordinate employee may be subject to corrective action up to and including termination. If employees who marry or live together do work in a direct supervisory relationship with each other, the City will attempt to reassign one of the employees to another position for which they are qualified if such a position is available.

In addition, the City reserves the right where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, to separate parties by reassignment or terminate employment.

Separation from Employment

Voluntary Resignation. Employees are encouraged to provide adequate notice to the City Administrator, preferably in writing, to facilitate a smooth transition out of the organization. Supervisors, Department Heads, and administrative personnel are requested to provide notice at least 15 working days prior to the last day of work; all other employees are requested to provide notice at least 10 working days prior to the last day of work.

If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

Upon voluntary termination of employment:

- The separating employee must return all City property at the time of separation, including and not limited to, cell phones, keys, laptops, cameras, computer equipment and identification cards.
- Accrued unused Paid Time Off (PTO) will be paid out.
- If an employee has accumulated compensatory time that is unused, it will be paid out.
- The notice period must be actual working days; paid time off will not be counted toward the notice period.

Retirement. Employees are expected to give a minimum of 20 days' notice or as much notice as possible to their direct supervisor of their intent to retire. Such notice shall be in writing.

Application for retirement benefits should be made directly to IPERS.

- Employees may elect at retirement to be paid for unused leave balances as follows:
 - Paid in one lump sum with applicable federal, state, and local taxes withheld; or
 - Receive the balance of the payments in 40-hour weekly increments (as if it were a standard payroll) with all the applicable federal, state, and local taxes withheld.

Involuntary Separations. Employees of the City of Windsor Heights are employed on an at-will basis, and the City retains the right to terminate an employee for any reason and at any time, except as otherwise provided by law or by the terms of a collective bargaining agreement.

Reduction in Force. Employees may be laid off due to the elimination of a position, budget requirements or to meet other organizational needs. In the event of a reduction in force, the City will attempt to provide as much notice as practicable. Employees recalled after being laid off shall be notified at least 10 days in advance.

Access to Personnel Files

Employee files are maintained by the City Clerk's office and are considered confidential. Supervisors may only have access to personnel file information on a need-to-know basis. Upon request, personnel file access by current employees will generally be permitted within three days of the request unless otherwise required under state law. Personnel files can be requested from the City Clerk; files may not be taken outside the department. Employees may request a copy of any items in their personnel file and may be charged a fee for copies made. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Public Record Notice

Pursuant to Iowa Code section 22.15, the City must notify employees that should they be demoted, discharged, or resign in lieu of being discharged, the fact of the demotion, discharge, or resignation will be public record. In addition, any documentation showing the reasons or rationale for the disciplinary action will be public records and disclosed should any member of the public request the records.

Notification of Convictions and Other Governmental Action

Employees are expected to perform their assigned jobs, respect, and follow City policies, and obey the law. In the event that employees receive notice of the disposition of any criminal charges pending against them (including, but not limited to, a conviction, a guilty plea, or a plea of nolo contendere (no contest)) or receive notice of any charges relating to operating a motor vehicle while intoxicated (for positions with driving requirements), they must notify their Department Head and the City Administrator.

Notification to the Department Head and City Administrator must occur within five business days of notification to the employee. Employees whose duties require possession of a Commercial Driver's License and/or who regularly and frequently operate City vehicles must report all charges and citations, including traffic tickets such as speeding tickets. Other employees need not report such traffic tickets.

Employees who have any contact with minor children must notify their Department Head and the City Administrator of any child abuse complaints filed against them. Employees must notify the Department Head and City Administrator regarding the findings of any complaint against them alleging child abuse. The Department Head and City Administrator must be notified of any complaints and findings within five business days of notification to the employee.

Information relating to arrests, criminal charges, and child abuse complaints will be treated as confidential and maintained in a confidential file. Employees who do not notify the City as required by this policy may be subject to corrective action up to and including termination.

Employment Verification

All employment verification requests, reference requests for current or former employees, or any other requests are to be referred to Human Resources. Requests for employment verification for credit or mortgage purposes will only be provided if the employee has signed a release.

Workplace Safety

Drug-Free and Alcohol-Free Workplace

It is the policy of the City to maintain a drug- and alcohol-free work environment that is safe and productive for employees and others having business with the City.

The unlawful use, possession, purchase, sale, manufacture, distribution, or being under the influence of any illegal drug and/or the misuse of legal drugs or alcohol while on City premises or while performing services for the City is strictly prohibited. The City also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, the City prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the City's reputation in the community.

If an employee feels they may have an alcohol and/or drug problem they are encouraged to contact the employee assistance program (EAP) for confidential assistance. Additionally, employees can contact the Substance Abuse and Mental Health Administration Services (SAMHSA) National Helpline at 800-662-HELP[4357] or visit the online treatment locator at www.samhsa.gov/treatment. Employees seeking assistance for substance abuse issues are expected to meet the same standards of performance, productivity and conduct that are expected of all employees, including the prohibition against alcohol or drug use while working.

Drug and Alcohol Testing Policy & Procedures

In compliance with the Drug-Free Workplace Act of 1988, the City has a longstanding commitment to providing a safe, quality-oriented, and productive work environment consistent with the standards of the community in which the City operates. Alcohol and drug abuse pose a threat to the health and safety of City employees and to the security of the City's equipment and facilities. For these reasons, the City is committed to the elimination of drug and alcohol use and abuse in the workplace.

For purposes of this policy, "the workplace" includes any City facility, City premises, City vehicle, and private vehicle while on City business. The policy provides that the unlawful manufacture, distribution, dispensing, possession or use of an illegal drug or controlled substance in the workplace is strictly prohibited. Violations of this policy may result in corrective action, up to and including termination of employment, and may have legal consequences. Employees who perform work duties covered by the DOT (Department of Transportation) and FMCSA (Federal Motor Carrier Safety Administration) regulations are also subject to DOT Drug and Alcohol regulations.

Definitions

- A. Abuse of alcohol or a legal drug - Any use of alcohol or a legal drug which impairs an individual's faculties (other than use of a legal drug for appropriate purposes in accordance with applicable medical directions). In addition, the taking of a prescription drug that was prescribed for another shall be considered "abuse" of a legal drug.
- B. Accident - An incident that happens while on the job involving an employee or City equipment or vehicle, unexpectedly and or unintentionally, typically resulting in damage or injury.
- C. Alcohol - Ethanol, isopropanol, or methanol.
- D. CDL/DOT driver - An employee that holds a valid commercial driver's license (CDL) and has been authorized to drive City vehicles that require a CDL. An employee may hold a valid CDL but not be a designated CDL Driver for the City. CDL drivers are subject to Department of Transportation (DOT) Regulations regarding Controlled Substances and Alcohol Use and Testing.

- E. Collection facility - A certified collection site such as an occupational health center, a hospital or otherwise identified clinic or facility to which a prospective or current employee may be sent for a drug test or alcohol test.
- F. Controlled substance - Any drug or substance defined as a controlled substance and included in schedule I, II, III, IV, or V under the federal Controlled Substances Act, 21 U.S.C. §801 et seq.
 - a. Said substances include, but are not necessarily limited to, cocaine, phencyclidine (PCP), opiates, amphetamines, and marijuana.
- G. Drug test - Any breath, blood, urine, saliva, chemical or skin tissue test conducted for the purpose of detecting the presence of a chemical substance in an individual.
- H. Illegal drug - Any drug which is declared illegal by law, or which has not been legally obtained, or which cannot be legally obtained.

This section also applies to prescribed drugs that are not being used as prescribed. Prescribed drugs must be in their original container, which contains the name of the doctor and the drug prescribed. This section also includes look-a-likes or any mind altering substance that impair motor functions, senses, or responses, or otherwise modify the employee's behavior during the scope of employment.
- I. Legal drug - A drug for which there is a valid prescription or over-the-counter drug for the employee which has been obtained legally and is being used for the purpose prescribed or manufactured.
- J. Medical Review Officer - An individual, qualified by the State Board of Health, who is responsible for receiving results from a testing facility which have been generated by an employer's drug or alcohol test program, and who has knowledge and training to interpret and evaluate an individual's test results together with the individual's medical history and other relevant information.
- K. Prospective employee - A person who has made an application, whether written or oral, to our City to become an employee and has been formally offered a position which is contingent upon a negative test result.
- L. Random - An unannounced drug or alcohol test conducted on a periodic basis without advance notice to employees. Selections for testing from each job pool are conducted by a neutral and objective entity and are made by computer-based random number generation. All employees in a job pool have an equal chance of being selected for each unannounced test.
- M. Reasonable suspicion - Means facts and circumstances known to the observer that would logically lead a prudent person to believe an offense may have been committed.
- N. Refuse to cooperate - To obstruct the collection or testing process; to submit an altered, adulterated or substituted sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure.
- O. Sample - A sample from the human body capable of revealing the presence of alcohol or drugs, or other metabolites, such as breath, urine, saliva, skin, or hair. "Sample" does not include blood [except in situations where a blood test was made on an employee involved in a workplace accident if the test was administered by or at the direction of a person providing treatment to the employee and the test was not made at the request of or by the suggestion of the employer].

- P. Safety Sensitive Employee - Is an individual who performs a duty related to the safe operation of City equipment. Safety Sensitive duties include the following:
 - a. operation of a service department vehicle;
 - b. operation of any vehicle when such operation requires the operator to have a Commercial Driver's License; and
 - c. personnel who are assigned to carry firearms as part of their job.
- Q. Under the influence of alcohol - An alcohol concentration equal to or greater than .02 BAC, or actions, appearance, speech, or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.
- R. Under the influence of drugs - A confirmed positive test result showing illegal drug use or with an alcohol concentration equal to or greater than .02 BAC or admission by the employee of illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly OTC) when there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization).
- S. Workplace - Any location where employees perform work for the City including job sites, City property or premises (including all buildings, offices, facilities, grounds, parking lots, lockers), City vehicles, and personal vehicles being used on City business.

For purposes of this policy, samples will be urine, saliva, blood, and breath.

Definitions are listed as per Iowa Law and will be used as such unless otherwise indicated.

Legal Drugs

Prescription Drugs - An employee may bring to work and take a prescription drug during work hours only if the drug has been prescribed for the employee by a physician or other authorized prescriber and only if the drug is taken in accordance with the prescriber's directions. The City of Windsor Heights will not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to perform their job duties safely and effectively. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.

Over-the-Counter Drugs - An employee may bring to work and take an over-the-counter drug during work hours only if the drug is used for its intended purposes and in accordance with package directions and any supplemental directions of the employee's physician.

Notification - An employee must notify their immediate Supervisor whenever they are using a prescription or over-the-counter drug which potentially may affect safety or work-performance. In making this determination, the employee should rely on the warnings or cautions that are received with a particular lawful drug. The City does not seek information on all drugs that an individual may be taking, but only those where there is an indication that the drug may affect performance, or there is a caution that one should not engage in certain activities which are part of the employee's job duties while taking the drug. The City of Windsor Heights reserves the right to take appropriate action (including relieving the employee from work) if the use of the drug is impairing the employee's faculties or work performance.

Abuse - Abuse of legal drugs will not be tolerated and will be dealt with in the same manner as the use of a controlled substance.

Drug-Free Workplace Act of 1988 Notification

Employees shall notify their Supervisor of the employee's conviction under any criminal drug statute for a violation occurring in the workplace, as defined above, no later than 5 days after such conviction. If an employee is convicted of a violation of a criminal drug statute for a violation occurring in the workplace, the City will take appropriate corrective action against the employee, up to and including termination or the City will require the employee to successfully participate in an approved drug abuse assistance or rehabilitation program. If the City requires the employee to successfully participate in an approved drug abuse assistance or rehabilitation program and the employee fails to do so, the City will take appropriate corrective action against the employee, up to and including termination.

Alcohol or Drug Possession, Transfer or Use, Other Than Use Detected by a Drug or Alcohol Test

An employee bringing or attempting to bring onto the City's premises or property, or to a City worksite, having possession of, using, consuming, selling, transferring, or attempting to sell or transfer, any alcoholic beverage or any prescription drug or any form of controlled substance, or any "look alike" substance, while on or off City business, on City premises, while operating City vehicles or other equipment without authorization, or in an official capacity, is guilty of gross misconduct and is subject to corrective action including discharge or suspension without pay, even for the first offense.

Impairment During Work Hours

It is the City's intent that an employee whose faculties appear to be impaired during work hours will not be allowed to work, regardless of the cause.

An employee whose faculties are impaired during work hours due to the effects of the use of alcohol and/or illegal use of a controlled substance (including the abuse of a legal drug) is subject to corrective action up to and including termination.

Alcohol and/or Drug Testing

The City reserves the right to conduct alcohol and/or drug testing under any of the following circumstances:

- Where there is evidence that an employee may be impaired on the job due to the use of illegal drugs, controlled substances and/or alcohol;
- Where there is evidence that an employee has violated some provisions of this policy;
- Where the employee has suffered a work-related injury which was due to intoxication, as provided by Iowa Code Section 85.16;
- Where the employee has caused an accident at work that resulted in an injury to a person for which a report could be required under Iowa Code Chapter 88 if the person were an employee;
- Where the employee has caused an accident at work that resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed \$1,000.00.

Work Rules

Whenever employees are working, are operating any City vehicle, are present on City premises, or are conducting City-related work offsite, they are prohibited from:

- Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (including possession of drug paraphernalia).
- Being under the influence of alcohol or an illegal drug as defined in this policy.
- Possessing or consuming alcohol, unless at an official, approved function where alcohol is legally served.

The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system, while performing City business or while in a City facility, is prohibited.

Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Required Testing

Pre-employment Testing

All prospective employees will be required to complete a drug test after they have been extended a conditional offer of employment by the City of Windsor Heights. The following is a list of drugs for which testing will be conducted during pre-employment exams:

Barbituates;

Proproxphene;

Methadone;

Methaqualone;

Cocaine;

Opiates (including morphine and codeine);

Phencyclidine;

Amphetamines (including methamphetamines);

Benzodiazepines

A prospective employee for a safety-sensitive position (as defined above) will also be screened for marijuana.

Prospective employees who refuse to take the required drug test who fail to cooperate in any aspect of the testing procedure, or who test positive for any of the designated drugs, will be ineligible for City employment and will be removed from all recruitments and/or eligibility lists.

Notice of the testing will be part of any notice or advertisement soliciting applicants for employment and as part of the employment application.

Reasonable Suspicion/Cause

A specific active employee may be required to submit to a drug or alcohol test if the City has evidence that the employee is using or has used alcohol or drugs in violation of the City's policy. This evidence must be drawn from specific objective and articulable facts and reasonable conclusions drawn from those facts. Examples that might support such are:

- Observations made at work, such as direct observation of alcohol or drug use or the physical symptoms of being impaired by alcohol or drug use;
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;

- The employee is in a position where such impairment presents a danger to the safety of the employee, another employee, a member of the public, or the property of the City, or when impairment, due to the effects of alcohol/drugs, is a violation of a known work rule of the City;
- Evidence that an individual has tampered with any alcohol or drug test during the individual's employment with the current employer;
- Evidence that an employee has caused an accident while at work which resulted in an injury to a person for which injury, if suffered by an employee, a record or report could be required under Iowa Code Chapter 88, or resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed one thousand dollars (\$1,000).

Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used, or transferred drugs while working, or while on the employer's premises or while operating the employer's vehicle, machinery or equipment may be cause for termination. Refusing to cooperate to submit a required test will result in termination.

In instances where reasonable suspicion occurs, the following procedures will be followed:

- 1) Employees suspected of being under the influence of drugs or alcohol shall be transported to a designated laboratory for the purpose of drug or alcohol testing. At the time the sample is collected, an employee may provide any information, which may be relevant to the drug test. Such information may include identification of prescription or nonprescription drugs currently or recently used or any other relevant medical information.
- 2) Probable cause incidents will be documented by a supervisor that will include any witnesses.
- 3) The City may perform drug or alcohol testing on employees involved in vehicular accidents if probable cause is established and in all serious injury accidents.
- 4) In the event an employee is relieved of duties under this section, then a "return to duty test" may be required by the employer prior to the employee's return to work.

The following is a list of drugs for which testing will be conducted under reasonable suspicion/cause circumstances:

Marijuana
Barbituates;
Proproxphene;
Methadone;
Methaqualone;
Cocaine;
Opiates (including morphine and codeine);
Phencyclidine;
Amphetamines (including methamphetamines);
Benzodiazepines

Pre-Result Suspension

Prior to the City receiving the results of the employee's drug test, employment with the City will be suspended without pay, pending the outcome of the test. If the result of the test does not violate the terms of this written policy, the employee will be reinstated, with back pay.

Return to Duty Testing

An employee who has a positive drug test result will be required to take a return to duty drug test. Before a return-to-duty test is performed, the employee must be evaluated by a Substance Abuse Professional (SAP) to determine whether the employee has followed the recommendations for action by the SAP, including participation in any rehabilitation program. The employee must have a verified negative drug test result to return to their job. If a drug test result is cancelled, the City shall require the employee to submit to and pass another drug test. A positive test result will be cause for termination from the City.

The following policies pertain to employees working in positions that require a Commercial Driver's License (CDL):

Post-Accident and Random Testing

Employees who use a commercial motor vehicle and who are required to have a Commercial Driver's License (CDL) are subject to testing under the following circumstances:

- Prior to employment
- Reasonable Suspicion/Cause
- Unannounced random basis
- After an accident occurs
- Prior to returning to duty after failing a drug or alcohol test
- On a follow-up basis after failing a drug or alcohol test

The City conducts random drug and alcohol testing of all CDL Drivers as required by the Department of Transportation. All random, unannounced selections are made by a random generator computer program that complies with federal requirements. Selections are made at various, unannounced times throughout the year to ensure the City tests 50% of drivers for drugs and 10% of drivers for alcohol. The number of safety sensitive employees can be altered by the City joining a consortium. The total number of tests will remain at 50% for drug testing and 10% for alcohol testing. All DOT regulated employees have an equal chance of being selected. To assure confidentiality, the City will contract the random selection process with an outside firm who will work with the covered employees.

Upon notification that an employee has been selected for testing, the third party vendor will notify the employee's Supervisor and the collection site. The employee will be instructed to go to the collection site and must be prepared to provide their Commercial Driver's License.

The City of Windsor Heights recognizes that the use or abuse of alcohol or controlled substance(s) by drivers of commercial vehicles presents a serious threat to safety and health of the drivers, other City employees, and the general public. It is the policy of the City that all drivers are free of drugs and alcohol while on duty and as otherwise required by the Omnibus Transportation Employee Testing Act (OTETA) of 1991.

In order to comply with this law, the City of Windsor Heights has established a drug and alcohol testing program designed to discourage drug and alcohol abuse and prevent traffic accidents and injuries to City employees and the public.

This policy pertains to employees required to hold a CDL and whose duties include the performance of safety-sensitive functions in connection with the operation of a commercial vehicle. Safety-sensitive functions include the following:

- Waiting to be dispatched or remaining in readiness to operate a vehicle. For employees who are required to have a CDL, this generally means all hours of work;
- Operating a commercial vehicle;
- Performing maintenance or loading or unloading a commercial vehicle.

Covered employees will not engage in the following conduct:

- Be on standby, report for duty, or remain on duty, requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 BAC or greater;
- Be on duty or operate a commercial motor vehicle while possessing alcohol;
- Use alcohol while performing safety-sensitive functions;
- Perform safety-sensitive functions within four hours after using alcohol;
- Use alcohol for eight hours following an accident or until undergoing a post-accident test;
- Refuse to submit an alcohol or drug test;
- Be on standby for duty, report for duty, remain on duty, or perform safety sensitive functions if tested positive for drugs.

All covered employees may use prescription drugs only if the doctor has advised the employee that the drug will not adversely affect the driver's ability to safely operate a vehicle. Employees using prescription drugs must carry such drugs in their original containers, which must be labeled with the name of the doctor and the drug prescribed.

The following policies pertain to all employees.

Testing Costs and Procedures

Drug Testing will be done through the collection of a urine specimen under controlled circumstances set by the Federal Guidelines. Breath Alcohol Testing will be done by a trained professional at the prescribed collection point using certified equipment. Alcohol testing may be done using other procedures as they are approved if they are determined to be appropriate.

City employees will be offered the opportunity to review and sign a consent form prior to any drug testing being done. Should the employee refuse to sign a consent form for testing, it shall be considered the same as a positive test and all restrictions stated in the federal law of this policy statement shall apply.

The City shall pay the costs associated with the initial and confirmatory drug and alcohol testing. Testing of employees shall normally occur during, or immediately before or after, a regular work period. The time required for such testing, including travel time, will be deemed work time for the purposes of the Fair Labor Standards Act and for calculating compensation and benefits.

A sample will be taken from the prospective or current employee for the drug and/or alcohol test at an established collection facility. The collection of samples shall be performed under sanitary conditions and with regard to the privacy of the individual from whom the sample is being obtained and, in a manner, reasonably calculated to preclude contamination or substitution of the sample.

Sample collection for testing of current employees shall be performed so that the sample is split into two components at the time of the collection. The second portion of the sample shall be sufficient quantity to permit a second, independent confirmatory test. Both portions of the sample shall be forwarded to the laboratory conducting the initial confirmatory testing. The laboratory shall store the second portion of any sample until receipt of a confirmed negative test results or for a period of at least forty-five (45) calendar days following the completion of the initial confirmatory testing, if the first portion yielded a confirmed positive test result.

An employee or prospective employee shall be given an opportunity to provide any information which may be considered relevant to the test, including identification of prescription or nonprescription drugs currently or recently used, or other relevant medical information. A Medical Review Officer shall review and interpret any confirmed positive test results and offer the employee or prospective employee a chance to share any potentially relevant, medically valid information, prior to the results being reported to the City.

In conducting those tests designed to identify the presence of chemical substances in the body, the City shall ensure, to the extent feasible, that the tests only measure, and that the records of the tests only show, or make use of information regarding chemical substances in the body which are likely to affect the ability of the employee to perform their duties safely while on the job.

Prospective and current employees shall be notified in writing by certified mail, return receipt requested, of confirmed positive test results, the name and address of the Medical Review Officer who made the report, and of the individual's right to request records and a confirmatory test. Current employees may request and obtain a confirmatory test of the second sample collected at an approved laboratory of the employee's choice if the request is made in person or by certified mail to the City Administrator within seven days of the date of the certified letter and the employee pays for the fees associated with the second test within that time frame. If the results of the second test do not confirm the results of the initial confirmatory test, the employer shall reimburse the individual for the fee paid for the second test and the results from the initial confirmatory test shall not be considered a confirmed positive drug or alcohol test for purposes of taking corrective action.

Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO will be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

Inspections

The City of Windsor Heights reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband; affected employees may have union representation involved in this process. All employees and contract employees may be asked to cooperate in inspections of their work areas and personal property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate corrective action, up to and including termination.

Education and Training

Policy and guidelines will be distributed by the City to each covered employee and provided to a representative of any employee labor organization. Employees will be provided with informative training regarding the effects of alcohol and drug use, company policy, and procedures for identifying alcohol or drug problems in others. Employees who have questions about the City's drug and alcohol testing program should contact the City Administrator.

Supervisors designated to make reasonable suspicion determinations for drug or alcohol testing under this policy shall attend a minimum of two hours of initial training and to attend on an annual basis thereafter, a minimum of one hour of subsequent training. The training shall include, but not be limited to, information concerning the recognition of evidence of employee alcohol and other drug abuse, the documentation and corroboration of employee alcohol and other drug abuse, and the referral of employees who abuse alcohol or other drugs to the EAP.

Disciplinary Procedures

Upon a violation of this policy, disciplinary action may be taken including the following:

- (1) Enrollment in an employer-provided or approved rehabilitation, treatment, or counseling program, which may include additional drug or alcohol testing, participation in and successful completion of which is a condition of continued employment. Rehabilitation is only provided if the employee has been employed by the City for at least twelve of the preceding eighteen months, if it is agreed upon by the employee, and if the employee has not previously violated this policy.
- (2) Suspension of the employee, with or without pay, for a designated period of time.
- (3) Termination of employment.
- (4) Other adverse employment action in conformance with the employer's written policy and procedures, including any relevant collective bargaining agreement provisions.

Following a drug or alcohol test, but prior to receipt of the final results of the drug or alcohol test, the employee may be suspended, with or without pay, pending the outcome of the test.

Smoke-Free & Tobacco-Free Workplace

Smoking is not allowed inside or outside of any public buildings or on any public grounds including, but not limited to work areas, vehicles, or motorized equipment. "Smoking" includes the use of tobacco products (including chewing tobacco), electronic smoking devices, and e-cigarettes.

Workplace Violence Prevention

The City is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at City-sponsored functions.

All City employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their Supervisor, Department Head, or the City Administrator. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the City, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in corrective action up to and including termination.

The City prohibits the possession of weapons on its property at all times, including City-owned parking lots or City-owned vehicles. Additionally, while on duty, employees may not carry a weapon of any type. Weapons include, but are not limited to, handguns, rifles, automatic weapons, and knives that can be used as weapons (excluding pocketknives, utility knives, and other instruments that are used to open packages, cut string, and for other work-related tasks), martial arts paraphernalia, stun guns, and tear gas. Any employee violating this policy is subject to discipline up to and including dismissal for the first offense. This section shall not apply to City employees who are authorized to use approved weapons in the performance of their job responsibilities (e.g. police), or for those who are authorized to use hazardous tools or devices as bona fide portions of their job (e.g. machete for clearing brush, small knives to cut rope or piping, etc.).

The City may inspect the contents of lockers, storage areas, file cabinets, desks, and workstations at any time and may remove all City property and other items that are in violation of City rules and policies.

Commitment to Safety

Protecting the safety of our employees and visitors is the most important aspect of running our organization. All employees have the opportunity and responsibility to contribute to a safe work environment by using common sense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

The prevention of occupational injuries and illnesses must therefore always be given serious priority. Safety is the shared responsibility of management, supervisors, and employees.

Commitment and cooperation among all staff will create a work environment that protects the well-being of individuals and the City.

Injuries arising out of and in the course of employment with the City will be administered in accordance with safety best practices and any related compensation and or benefit from the work related injury or illness will be administered in accordance with applicable state of Iowa workers' compensation laws (Chapter 85 or 411).

Employees can serve as a good role model to co-workers for work practices and behaviors by:

- Following established safety policies and procedures.
- Complying with applicable laws and policies that pertain to health and safe work practices.
- Maintaining their personal work area in a clean and orderly manner.
- Wearing, maintaining, and properly storing personal protective equipment.
- Using safe work practices to eliminate slips, trips, and falls.
- Lifting safely and helping others do the same.
- Knowing evacuation procedures and the location of weather refuge locations.
- Completing all safety training assigned.

In the event of an emergency, notify the appropriate emergency personnel by dialing 911 to activate the medical emergency services.

Employee Safety/On the Job Injury Policy

The procedures contained herein are intended to ensure that all employees of the City of Windsor Heights are familiar with the expectations and processes required following a serious illness or injury in the workplace in order to protect employees and mitigate the risk of future occurrences.

Policy Statement

This policy describes the basic responsibilities of all employees of the City. Additionally, a step-by-step process is included to assure all employees get the care they need and to collect the information necessary to thoroughly understand how the injury occurred. Workplace safety stems from personal accountability and the information provided in this policy will help to promote a safety-conscious atmosphere which is pertinent to improving the safety of City employees.

Safety Responsibilities

A. Department Head Safety Responsibilities

Department Heads are responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for managers to personally observe all employee activities, management must rely on and assure that all supervisors are trained and aware of their safety responsibilities. Other safety responsibilities for managers include:

1. Provide leadership and direction concerning safety activities.
2. Participate actively in the continuous evaluation of the safety program.
3. Set goals concerning safety performance within your department.
4. Review losses for potential trends on a regular basis.
5. Enforce all safety rules.
6. Participate in facility and work site audits.
7. Participate in and support all accident investigation activities.
8. Review accident reports and recommend corrective actions.

B. Supervisors' Safety Responsibilities

Important safety considerations and supervisory responsibilities include, but are not limited to:

1. Familiarity with and enforcement of the safety rules and regulations that have been established by applicable local, state and federal organizations.
2. Correcting and mitigating all reported hazards. Operating under known hazardous conditions will not be tolerated.
3. Preventing new or inexperienced employees under your supervision from working with power tools, machinery or complex equipment without proper instruction and training.
4. Providing adequate instructions. Do not assume that an employee knows how to do a job unless you personally have knowledge that the person can perform the task correctly.
5. Ensuring tools, equipment and machinery being used in the workplace are in proper working condition. Do not allow the use of unsafe tools or equipment under any circumstances.
6. Ensuring proper personal protective equipment is available and used by employees when necessary or required.
7. Setting a good example in safety, such as wearing the proper safety equipment (safety glasses, hard hats, etc.), following policies/procedures, using seat belts, etc.
8. Consistently enforcing the requirements of the safety program and any associated rules or policies.
9. Ensuring that all employees have access to a copy of the safety program.
10. Encouraging safety suggestions from employees under your supervision.
11. Obtaining prompt first aid for injured employees.
12. Participating in accident or incident investigations involving your employees.

13. Conducting audits of all work areas and facilities on a regular basis in an effort to improve housekeeping, eliminate unsafe conditions, and encourage safe work practices.

C. Employees' Safety Responsibilities

All employees carry a certain amount of responsibility in any safety program. You must be aware that your actions, mental state, physical condition, and attitude directly affect the safety of yourself and your fellow employees. All employees are expected to:

1. Know your job, follow instructions, and think before you act.
2. Use protective equipment (eye protection, hard hats, gloves, etc.), as the job requires.
3. Work according to good safety practices as posted, instructed, and/or discussed.
4. Refrain from any unsafe act that might endanger yourself or your fellow workers.
5. Use all safety devices provided for your protection.
6. Report any unsafe situation or act to your supervisor immediately.
7. Assume responsibility for thoughtless or deliberate acts that may cause injury to yourself or your fellow workers.
8. Abide by all policies, procedures, rules, etc. associated with the Safety Program.
9. Never operate equipment that you are unfamiliar with or not trained to use. Also, do not use equipment that is defective or in need of repairs, report deficiencies to your supervisor.
10. Report all accidents/incidents to your supervisor as soon as they occur. Failure to report any injury or incident may be cause for disciplinary action.

Process

In the event of a serious illness while at work or a work-related injury, the following process must be followed.

- A. In accord with section C.(10) of this policy, the affected employee shall immediately report any work related illness or injury to their supervisor as early as practical provided they are not incapacitated nor in doing so would interfere with proper and immediate necessary care.
- B. The informed supervisor shall ensure that injured employee immediately receives the appropriate level of medical care. Any injury may be treated by

the supervisor or other available personnel in accordance with their individual abilities and the severity of the injury.

1. 911 must be called if the employee experiences any of the following:
 - a. Severe chest pains
 - b. Traumatic injuries (head injury or severe cuts)
 - c. Loss of consciousness or severe dizziness
 2. Any non-life threatening injuries must be evaluated at the City's designated clinic. The supervisor will determine the method of travel, e.g. ambulance, co-worker transport, or for minor injuries self-transport may be appropriate.
- C. Once emergency aid is rendered, notify supervisor.
- D. Supervisors must secure the site of the injury in order to limit access and to prevent further injuries.
1. Lockout/Tagout any equipment related to the injury.
- E. Employees must complete an IMWCA Employee Injury or Illness Notification within twenty four (24) hours of the injury. This form may be completed with the assistance of a supervisor or solely by a supervisor if the employee is incapable of completing the form on their own. It is also acceptable to provide a verbal report to the City's Work Comp liaison who will email the appropriate information to IMWCA.
- F. Employees must report any work-related injury to COMPANY NURSE by calling 1-888-770-0928 and use group code: IMWCA. Employees that fail to report injuries to COMPANY NURSE within 24 hours may be subject to disciplinary action.
- G. Supervisors must complete an investigative report within three (3) days of the injury, with information consistent with that requested from the IMWCA Employer Investigation Report form.
- H. Supervisors must follow the post-accident drug and alcohol testing procedures as outlined in the Drug and Alcohol Testing Procedures section of this employee handbook.

Authorized Care Providers

A. Non-life Threatening Injuries:

Iowa Methodist Occupational Health and Wellness

Lakeview Medical Park Campus – 6000 University Avenue

B. Life Threatening Injuries:

Nearest Emergency Room

Post Incident Procedures

It is the responsibility of managers, supervisors, and safety personnel to conduct an after action review following an injury. The purpose of this review is to disseminate any information, reports, and investigation findings to all concerned parties. At this time, it will be determined if any course of action is needed in order to put control measures in place, modify workplace procedures, or provide training to prevent additional injuries of a similar nature.

Supervisors and the injured employee should reference the Return to Work/Light Duty Program outlined within this employee handbook.

Emergency Closings

The City will always make every attempt to be open to the public. If employees choose to leave earlier than their scheduled shift end time or arrive later than their scheduled shift starting time, such as due to inclement weather, they will be paid only for actual hours worked, and they must take available paid time off for the remainder of their scheduled shift. If an employee leaves early or arrives late due to emergencies or inclement weather, they are to notify their supervisor in advance.

If the office is officially closed during the course of the day to permit employees to leave early, non-exempt employees who are working on-site as of the time of the closing will be paid for a full day. If an employee leaves earlier than the official closing time, they will be paid only for actual hours worked, or they can take available paid time off. Exempt employees will be paid for a normal full day but are expected to complete their work at another time.

Refer to the Collective Bargaining Agreement (CBA) for details on emergency closings for union employees.

Workplace Guidelines

Attendance

Regular and predictable attendance is considered a performance standard as every position is vital to the overall success of the City. All employees are expected to arrive on time, ready to work, every day they are scheduled to work and work their full shift.

If unable to arrive at work on time, leaving a shift early or if an employee is absent for an entire day, the employee must contact the Supervisor at least an hour in advance or as soon as possible. Supervisors will establish how notification is to occur for their team. Excessive absenteeism or tardiness may result in corrective action up to and including termination.

Flex Scheduling

Employees may, with the approval of their Department Head, participate in "flex scheduling." The Department Head will determine if flex scheduling is available within each respective department.

Remote Work

Employees may, with the approval of their Department Head, work remotely up to eight hours a week. The City Administrator and Department Head will determine whether remote work is appropriate based on job requirements, staffing, security, and individual employee's remote work effectiveness. An employee's Department Head may approve remote work in excess of eight hours a week under special circumstances.

Job Abandonment

Not reporting to work or failing to call to report the absence is a no-call/no-show and a serious matter and may result in corrective action. If an employee fails to show up for work or to call in for a period of three consecutive shifts, they will be considered to have abandoned their job and voluntarily resigned.

Employee Conduct

It is the City's expectation that an employee's behavior be appropriate to the work situation, contribute to the customer-service and helping orientation and present a friendly, cooperative work environment for coworkers. Employees are to conduct themselves and behave in a manner that leads to the efficient and effective operation of the City.

It is not possible to include an exhaustive list of all desired or prohibited employee behaviors. In the interest of providing a safe and comfortable work environment, inappropriate behavior may result in corrective action up to and including termination. The examples listed below of inappropriate conduct are not intended to be definitional, descriptive, or exhaustive:

- Theft, disobedience, or insubordination;
- Failure to perform an assigned job;
- Willful destruction, defacing or gross misuse of City property;
- Actions which result in damage to the reputation of the City or monetary costs due to error or omission of a serious nature;
- Dishonesty, including but not limited to such offenses as:
 - Falsification of information in an employment application;
 - Providing false or misleading documents or information to the City;
 - Alteration or falsification of timecards, including punching another employee's timecard;
 - Falsifying expense reimbursement reports;

- Willful performance of unsafe acts, willfully directing an employee to perform an unsafe act or willful or reckless negligence resulting in a safety hazard;
- Harassment of another employee, including use of abusive or obscene language or gestures toward another person;
- Engaging in behavior which creates discord and lack of harmony;
- Other inappropriate behavior as described in other conduct-related policies.

This is not meant to be an all-encompassing list. Other violations may be grounds for immediate discipline or discharge at the discretion of the City Administrator. An employee may be dismissed for unsatisfactory work performance whenever work habits, attitude, production, or ability to handle the duties of the position fall below the desired standards for continued employment.

Dress and Appearance

It is important for all employees to project a professional image while at work by being appropriately attired. City employees are expected to be neat, clean, and well-groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed. If clothing is deemed questionable, the Department Head will address it with the individual employee. Department Heads will establish standards appropriate in their respective areas, taking into account safety needs, interaction with the public and other relevant considerations to the work performed. If your supervisor feels your attire and/or grooming is out of place, you may be asked to leave your workplace until you are properly groomed and/or attired. Non-exempt employees will not be compensated for any work time missed due to non-compliance with this policy. Employees who violate dress code standards may be subject to appropriate disciplinary action.

Uniform and Uniform Allowances

The City expects all employees to be dressed appropriately to provide a safe work environment. To assist employees in doing this, the City will provide uniforms and/or clothing reimbursement for those in roles that require additional clothing and gear to meet safety considerations. The City will reimburse eligible employees for items established as relevant to their particular role. The employee must submit for reimbursement within the same fiscal year that the item was bought. The amount of reimbursement will be determined by the City Administrator.

Employees covered by a Collective Bargaining Agreement should refer to their contract for information regarding uniforms and clothing reimbursement.

Items purchased with this allocation must be purchased at vendors designated by the City and for use in positions that require the designated articles of clothing. Any amounts over the maximum rate will be the responsibility of the employee at the time of purchase unless otherwise approved.

Computers, Internet, Email, and Other Resources

The City maintains computer systems, network utilities, electronic mail, digital assistance, telephone system, cell phones, wireless devices, and fax to assist in conducting business. The electronic messaging system and Internet access, like paper files and notebooks, are assets

provided to City employees to assist them in performing their work efficiently. These tools, and the work they contain, are the property of the City and should be used for business purposes. Employees found to have violated this policy, or to have engaged in illegal or unethical practices, will be subject to disciplinary action, which could include termination of employment and criminal prosecution.

Privacy

Because all electronic communications and content are the property of the City, employees should not expect that communications or content are private. The City reserves the right to audit, intercept, access, retrieve, monitor, block, review, copy, delete, or disclose any communications or other content in the electronic communications systems, for any purpose, without notice to the employee and without seeking permission of the employee. The confidentiality of any message should not be assumed.

The City provides computer hardware and software systems for use by City employees in the performance of their City duties. Use of computer resources is limited to legitimate City business consistent with the work assignment. All information and communications transmitted or received by, received from, or stored in these systems are the property of the City.

Business Use. All City electronic communication systems are to be used primarily for business purposes. Any personal use of electronic communication systems is not private, is subject to this policy, and must be incidental, occasional, and kept to a minimum. Chain letters, joke chains, gambling, games, and similar activities are not allowed.

Business Form. Email and voicemail messages reflect the City image. They should be courteous, professional, and businesslike. It is expected that employee communications on the electronic communication systems will reflect favorably on the City and on the employee.

Sensitive Communications. Email, voicemail, Internet, wireless, and facsimile transmissions may not be appropriate vehicles for certain sensitive or confidential communications. Employees shall consider if it is better to discuss certain topics face-to-face to protect the City's proprietary or confidential information or sensitive personnel matters.

Open Records Laws. Notwithstanding the City's right to access communications and other content contained on its electronic communication systems, employees are expected to respect the confidentiality of content and communications sent to or received by others, subject to Open Records Laws of the State of Iowa.

Password Protection/Disclosure. Unauthorized access of any other user's messages or files is strictly prohibited. Employees are to use password protection when appropriate and not write it down somewhere where it might be read by others. Employees are to use the password-protected screen when leaving computers unattended.

Virus Protection. Files from outside can be infected by viruses. No file from an external source (email, Internet, software, document, spreadsheet, etc.) should be stored or loaded on any computer unless it is scanned for viruses. Never download or open an attachment in any message from an unknown sender.

Unacceptable Use. All use of City-provided communications systems, including email and internet use, should conform to our guidelines/policies, including but not limited to the Equal Opportunity, Harassment Prevention, Confidential Information, and Conflicts of Interest along with any applicable federal and state laws.

Electronic Mail. Email is subject to all policies regarding computer use outlined in this policy. Users should not consider electronic communications to be either private or secure. For purposes of monitoring compliance with this policy, the Supervisor, with prior approval from the City Administrator and/or legal counsel and, if applicable, the Department Head, may inspect or monitor electronic messages, provided such inspection is not in violation of state or federal law. The City reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any mail transmitted on any network.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment as protected under the National Labor Relations Act. Employees have the right to engage in or refrain from such activities.

Social Media

The City has strong interests and expectations as to what is communicated on behalf of the City on social media websites. The City has adopted the following guidelines for social media use:

1. An employee representing the City using social media sites must conduct themselves at all times as a representative of the City and be in accordance with City policies. For example, employees posting on behalf of the City should utilize appropriate and professional language, attire, and profile pictures. Employees who fail to conduct themselves positively and professionally will be subject to discipline, up to and including termination.
2. Employees must be respectful and behave professionally to fellow employees, businesses, community members, and the City, when using social media sites.
3. Employees must refrain from posting material that may promote, foster, or encourage discrimination on the basis of race, age, religion, gender, marital status, national origin, sexual orientation, gender identity, or disability.
4. Employees shall not use the City's name in their online identity (e.g. username, "handle" or screen name) unless expressly authorized by the City.
5. Employees will use the City's intellectual property, logos, trademarks, or copyrights in an approved manner.
6. It is assumed that the predominate use of the internet and electronic mail will be for work use and that any personal use of these resources will be limited; never a priority over work matters. This includes social media sites. If an employee is found using these resources for an excessive amount of time for personal use, the employee would be subject to disciplinary action, up to and including termination.

Everything posted on social media sites is public information, and employees shall not expect privacy regarding information posted on these sites. The City reserves the right to restrict or remove any content that is deemed in violation of this policy.

Cell Phone Use

The purpose of this policy is to provide guidelines regarding the use of City-issued and personal cell phones by employees. The following are general guidelines for cell phone usage:

- An employee issued a cell phone for City business or any employee using a personal cell phone while operating a City-owned vehicle is expected to use hands-free technology or cease motor vehicle operations during the course of the conversation. The City deems it unsafe to hold a cell phone while driving and; therefore, requires the use of hands-free technology. Texting while driving in Iowa is illegal per state law.
- City employees who are issued a cell phone or who receive a cell phone allowance are expected to have it with them for response on a regular basis. The City acknowledges the cell phone may be used occasionally for personal phone calls as well as City-related phone calls. The employee is expected to reimburse the City for any unapproved expenses related to the use of the City's cell phone.
- The employee shall surrender all City property including a City-issued cell phone and related cellular phone equipment upon termination or on the direction of the Department Head or City Administrator.

Corrective Action

The City expects employees to comply with the City's standards of behavior and performance and to correct any noncompliance with these standards. When an employee violates rules, regulations, standards of conduct and behavior, or acts contrary to the best interests of the City and the community, the employee may be subject to corrective action up to and including termination. Nothing herein is intended to impact the conditions of employment or the "at-will" nature of the employment relationship which allows the relationship to be ended by either party at any time for any reason.

Corrective actions may entail verbal or written warnings, performance improvement plans, suspension, or termination. The City reserves the right to exercise discretion in discipline as no two situations are identical and individual circumstances will determine the appropriate level of corrective action implemented.

The City reserves the right to take any corrective action it considered appropriate, including termination, at any time.

Conflict Resolution Procedure

The purpose of this conflict resolution procedure is to assure fair and equitable treatment for all employees not covered by a union contract, including supervisors and managers; to promote harmonious employer-employee relations; to establish a review procedure on matters for which an appeal and hearing are not specifically provided by law; to provide employees a systematic means for receiving full consideration of problems when efforts to resolve them through discussion have failed; to encourage the settlement of disagreements as near as possible to the point of origin; when necessary to provide an orderly procedure to handle the review and resolution of disagreements by successively higher supervisory levels; and to provide for the resolution of disagreements as quickly and efficiently as possible.

- Formal conflict resolution may be initiated only by the affected employee.
- The parties to the conflict may extend the time limits specified in the conflict resolution procedure by mutual agreement. Upon failure of the City to comply with the time limits set forth in the procedure, the employee may proceed to the next level of review. Failure of the employee to comply with the time limits set forth in the procedure shall constitute an abandonment of the conflict.
- The employee is assured freedom from reprisal from the City or its representatives by using the conflict resolution procedure.
- Records of conflict resolution proceedings and supporting documentation will be maintained in a confidential file.

Options for Redress of Conflicts

Informal Conflict Resolution Procedure. An employee who has a problem or complaint should first try to get it settled through discussion with their immediate supervisor. If, after this discussion, the employee does not believe the problem has been satisfactorily resolved, the employee shall have the right to proceed with the formal procedure.

Formal Conflict Resolution Procedure. If the employee is not in agreement with the decision reached by the informal procedure, a formal appeal shall be filed in writing within 10 working days after the event giving rise to the conflict, or within five working days of the discussion between the employee and their supervisor, whichever is later. In cases where the employee learns of the event after its occurrence, the 10 days shall begin with the time the employee learned, or had a reasonable opportunity to learn, of the occurrence. The following are the steps that should be followed for a formal conflict resolution.

Step 1. The appeal shall be presented in writing to the employee's immediate supervisor, who shall render a decision and comments in writing to the employee within five working days of receiving the appeal.

Step 2. If the employee does not agree with their supervisor's decision, or if no answer has been received within five working days, the employee may present the appeal in writing to the Department Head. The Department Head or a designated representative shall discuss the conflict with the employee and with other appropriate people. The Department Head shall render a decision and provide comments, if any, in writing to the employee within 10 working days of receiving the appeal.

Step 3. If the employee does not agree with the decision reached, or if no answer has been received within 10 working days, the employee may present the appeal in writing to the City Administrator. The City Administrator or designee shall discuss the conflict with the employee and with other appropriate persons. The City Administrator may designate a fact-finding committee, an officer not in the normal line of supervision, or another third-party, to advise the City Administrator concerning the appeal. The City Administrator shall render a decision in writing to the employee within 20 working days of receiving the appeal. The City Administrator's decision shall be final.

If the employee files any claim or complaint, in any form other than under this procedure, then the management shall not be required to process the same claim or set of facts through the formal procedure. All conflicts shall be submitted, if at all, only as provided above. The employee shall

not submit their conflict to any elected official; however, the employee may submit their conflict to the City Attorney if the conflict involves the City Administrator or any elected official.

Environmental Responsibility

Employees shall take into consideration the impact of the environment in their official duties as City of Windsor Heights employees and reasonably seek to minimize actions unnecessarily harmful to the environment.

Purchases

All purchases on behalf of the City shall follow the Windsor Heights Purchase Policy which considers fiscally responsible purchases that reduce resource consumption and waste and promote human health and well-being.

City Vehicle Idling

In accordance with the City's Clean Energy Resolution of 2022, employees shall refer to their respective departmental policies regarding excessive vehicle idling.

Time Off and Leaves of Absence

Holidays

All regular full-time employees, excluding those covered by a Collective Bargaining Agreement (CBA), shall receive eight hours paid holiday leave on the following days:

- New Year's Eve
- New Year's Day
- Martin Luther King Jr. Day
- Memorial Day
- Juneteeth
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Workday directly before or after Christmas (as annually designated by the City Administrator)

If one of these holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, it will be observed the preceding Friday.

Floating holidays. Additionally, qualifying employees receive 24 hours in "floating" holidays. Floating holidays may be used pursuant to the same policies as outlined for the use of paid time off (PTO).

Religious observances. Employees who need time off to observe religious practices or holidays not already scheduled by the City should speak with their Supervisor. Depending upon business needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. With a supervisor's pre-approval, employees may also be able to switch a scheduled day with another employee, or take vacation or paid time off, or take off unpaid time if no paid time is available. The City will seek to reasonably accommodate individuals' religious observances.

Executive Leave

Employees classified as salaried exempt are eligible for executive leave. Executive leave is defined as an absence from regular duty which has been administratively authorized, and which does not result in a charge against leave of any kind or a loss in salary. Salaried employees will receive 32 hours of executive leave on the first day of each fiscal year.

Additionally, the City Administrator may approve Executive leave to any employee based on extenuating circumstances. The following are examples, which may warrant executive leave:

- Physical examination for employment with the City or for induction or enlistment in the active armed services;
- Employees volunteering as blood donors without compensation; and
- Employees who are pallbearers or are involved in the color guard or honor guard of any funeral will be granted necessary time off, up to one day, at the discretion of the City Administrator.
- Employees providing duties on behalf of a job related professional organization.

Salaried employees may request additional executive leave for extenuating circumstances. Additional executive leave may be granted by the City Administrator.

Executive leave time may not be carried over from one year to the next unless approved by the City Administrator.

Paid Time Off (PTO)

The City recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The City provides paid time off (PTO) to eligible regular full-time and part-time employees for this purpose and eligible employees will accrue paid time off according to the following schedules. Refer to the Collective Bargaining Agreement (CBA) for details on paid time off for union employees.

Regular Full-Time Employees Accrual Rates

Regular full-time employees will accrue PTO as follows:

Years of Service	Accrual Per Pay Period
1 - 5	6.78 hours
6 - 10	8.27 hours
11 - 20	9.84 hours
21+	11.38 hours

Regular Part-Time Employees Accrual Rates

Regular part-time employees, not including part-time firefighter, will accrue PTO as follows:

Years of Service	Accrual Rate
All	12 PTO hours for every 520 hours worked

Requesting Paid Time Off

PTO can be used in a minimum of 30-minute increments by non-exempt roles and in four (4) hour, or half-day, increments by exempt roles; the City will comply with applicable federal or state law regarding allowance for smaller increments. PTO and other applicable paid leave time must be used prior to recording time as leave without pay.

PTO requests must be made in advance with the employee's Supervisor as follows:

- PTO requests of one week duration or more should normally be made not less than thirty (30) days in advance.
- PTO requests of four (4) days or less can be made at any time but should normally be made 48 hours in advance.

The Supervisor will review the request and will approve or deny the request based on organizational and departmental needs with consideration given to timing of any requests, seniority and prior requests.

Paid Time Off Accrual Maximums

Employees can accrue up to a maximum of 400 hours of paid time off and compensatory hours combined. Once the maximum number of hours is reached, employees will no longer accrue additional paid time off until the bank of hours are reduced. The City Administrator may temporarily extend PTO maximums for employees impacted by staffing shortages or weather related job requirements.

Cash Out Paid Time Off (PTO)

An employee may elect to cash out 40 hours of PTO four times per fiscal year but must have a minimum balance of 80 hours after the cash out.

Donated PTO

Employees are eligible to donate or receive donated leave for an absence from work that meets the definition of Medical/Sick Leave. Leave must be donated in increments of no less than one hour and shall not exceed eight hours. An employee interested in donating or receiving leave should contact the Finance Director.

PTO at Termination

Upon resignation with two weeks' notice provided, an employee shall be paid for all unused PTO at the time of separation from employment. An employee terminated for cause or who resigns without providing two weeks' notice, shall not receive payout of PTO unless otherwise determined by City Administration.

Unpaid Leave of Absence

The City understands that there are times an employee may need additional time off for personal reasons. If an employee has exhausted all applicable PTO, compensatory time and FMLA leave, if eligible, an employee may request an unpaid leave of absence. Approval of unpaid leave is at the discretion of the Department Head and City Administrator.

During an unpaid leave granted under this section, employees do not receive compensation, do not accrue length of service, PTO, and are not eligible for paid holidays. The City does not make contributions to retirement programs for the duration of the leave. Employees may continue in the group health program during an unpaid leave under this section by paying the full cost of the premium by the first of the month for the following month's coverage. Failure to pay the premium on time will result in termination of coverage.

If an employee plans to return to work following unpaid leave taken under this section, the employee must notify their Department Head before the end of the leave. The City will attempt to restore the employee to the position the employee held at the start of the leave, or in a comparable position, if possible. If no such position is available, the employee's employment will be terminated.

Pregnancy and Birth Or Adoption Of Child Leave

If an employee meets the eligibility requirements under FMLA provisions, an employee will be offered FMLA for pregnancy leave. If an employee is not eligible for FMLA, the City will comply with the Iowa Civil Rights Act which requires employers to grant unpaid leave to employees who are temporarily disabled because of pregnancy or related medical conditions, even if similar leaves are not granted for other temporary disabilities, and even if the leave is not available to the employee under any health, temporary disability, or sick leave plan.

If an employee or their spouse gives birth or adopts a child, they shall be eligible for 28 days of Paid Time Off to be used within 365 days. This PTO is not eligible for pay out. If both spouses are employed by the City of Windsor Heights a maximum of 28 days per family unit shall be allocated.

Lactation

The City will provide reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has the need to express the milk. The City will provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

The City will provide a reasonable amount of break time to express milk as frequently as needed by the nursing mother. The frequency of breaks needed to express milk as well as the duration of each break will likely vary, and the employee must communicate with her Supervisor regarding the timing of the breaks.

Employees who use break time to express milk will be compensated in the same way that other employees are compensated for break time. In addition, the FLSA's general requirement that the employee must be completely relieved from duty or else the time must be compensated as work time applies.

Family and Medical Leave

The City complies with the federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The City also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws. Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Contact your immediate Supervisor or Human Resources to discuss options for leave.

Eligibility

The FMLA defines eligible employees as employees who have worked for the City for at least 12 months, have worked for the City for at least 1,250 hours in the previous 12 months, and work for a covered employer which includes all public agencies, including state, local, and federal employers.

Employees who are applying for and are granted a leave under FMLA must meet notification and documentation requirements as outlined in this policy. Failure to meet these requirements may result in the denial or revocation of the FMLA leave.

Duration and Basis for Leave

Eligible employees are entitled up to 12 work weeks of unpaid, job-protected leave during any 12-month period for one or more of the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or childbirth;
- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent who has a serious health condition;
- A serious health condition that prevents the employee from performing one or more of the essential functions of their position.

Defining a Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school, work, or other daily activities.

The continuing treatment over an extended period of time requirement may be met by:

- Incapacitation for more than three consecutive calendar days (incapacity is broadly defined to mean inability to work, attend school, or perform other regular daily activities) combined with
- Visiting a health care provider two or more times, or
- One visit to a health care provider followed by a regimen of continuing treatment;
- Or incapacity due to pregnancy, or incapacity due to a chronic condition.

The term "serious health condition" as it applies to employees is not intended to cover short-term illnesses for which treatment and recovery are brief (e.g., minor illnesses that last a few days, outpatient surgical procedures that require brief recovery periods).

Military Family Leave Entitlements

Eligible employees with a spouse, child, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from:

- Short notice of deployment (limited to up to seven days of leave);
- Attending certain military events and related activities;
- Arranging childcare and school activities;
- Addressing certain financial and legal arrangements;
- Attending certain counseling sessions;
- Spending time with a covered military family member on short-term temporary rest and recuperation leave (limited to up to five days of leave);
- Attending post-deployment reintegration briefings;
- Arranging care for or providing care to a parent who is incapable of self-care; and
- Any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform their duties and for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Rolling Period Measurement

The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered service member with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period, measured forward from the date an employee first takes that type of leave.

Intermittent or Reduced Work-Schedule Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent or reduced work schedule basis.

An employee who is on intermittent leave or a reduced-schedule leave may be required to transfer temporarily to an available alternative position if they are qualified. This situation may occur if the City believes that the temporary job can more easily accommodate the recurring periods of leave than the employee's regular position.

Substitution of Paid Leave for Unpaid Leave

The City requires employees to use any accrued paid time during an unpaid FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the City's normal paid leave procedures found in those policies.

Combined Leave for Spouses

If an employee and their spouse are employed by the City, their combined FMLA leave eligibility may not exceed 12 work weeks during any 12-month period for the birth, adoption, or foster care of a child or the care of a parent with a serious health condition.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the City's normal call-in procedures.

Employees must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the City if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave. The City also may require a second, and if necessary, a third opinion (at the City's expense) and, when the leave is a result of the employee's own serious health condition, a fitness for duty report to return to work. The City also may delay or deny approval of leave for lack of proper medical certification.

City Responsibilities

The City will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If employees are not eligible, the City will provide a reason for the ineligibility.

The City will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's FMLA leave entitlement. If the City determines that the leave is not FMLA-protected, the City will notify the employee.

Other Provisions

Under an exception to the Fair Labor Standards Act (FLSA) in the FMLA regulations, hourly amounts may be deducted for unpaid leave from the salary of executive, administrative, and professional employees; outside sales representatives; certain highly-skilled computer professionals; and certain highly compensated employees who are exempt from the minimum wage and overtime requirements of the FLSA, without affecting the employee's exempt status. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of FMLA leave.

Employees may not perform work for self-employment or for any other employer during an approved leave of absence, except when the leave is for military or public service or when the City has approved the employment under its Outside Employment policy and the employee's reason for FMLA leave does not preclude the outside employment.

Restoration to Position

When an employee returns to work following an authorized FMLA leave, they will be:

- Restored to the position held when the leave began if they return within the 12-workweek period (different rules may apply for certain highly compensated employees in accordance with applicable law) or;
- Provided with an equivalent position with the same benefits, pay, and other terms and conditions of employment.

However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Continuation of Benefits

During FMLA leave, the City will maintain payment of the employer's portion of the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Vacation, sick and PTO leave benefits do not accrue during any period of unpaid leave.

Military Leave

The City supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. The City will comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Iowa Code Section 29A.28. Employees who are members of a reserve force of the United States or of the state of Iowa shall be granted a leave of absence when ordered to attend a training program or perform other duties under the supervision of the United States or the state of Iowa.

Any employee who needs time off for uniformed service should immediately notify their supervisor and City Administrator, who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the Supervisor as soon as possible.

A period of military leave shall be counted as full service with the City for the purpose of assessing PTO accrual rights. The City will pay the employee the difference between the "duty" pay received and the normal pay that would have been received if working their full schedule.

Upon return from military leave, employees will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

All employees who enter military service may accumulate a total absence of 5 years and still retain employment rights.

Veterans Day

Veteran employees may request to receive a day off from work on Veterans Day (November 11), if the employee is otherwise scheduled to work. The employee must submit a time off request thirty (30) days in advance requesting to take time off for Veterans Day. An employee is required to use earned paid time off, if eligible, before unpaid time may be used, unless state law otherwise dictates. The City will comply with any applicable federal, state or local laws pertaining to Veterans Day.

Bereavement Leave

The City recognizes that the loss of a family member requires time to grieve and handle matters. Regular full-time and regular part-time employees are eligible for paid bereavement leave in the following circumstances:

Immediate Family. In case of death in the immediate family, which includes spouse, domestic partner, parents, siblings, grandparents, grandchildren, and in-laws of the employee, a regular full-time or regular part-time employee may be granted up to five working days.

Extended Family. In case of death in the extended family, which includes children of siblings, aunts and uncles, a regular full-time or regular part-time employee may be granted up to two working days.

Payment for bereavement leave shall equate to the standard scheduled hours per day during which the employee takes bereavement. Time off granted in accordance with this policy shall not be credited as time worked for the purpose of computing overtime.

Jury Duty/Court Appearance

The City supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their Supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

If an employee is called to serve on a jury, they will incur no loss of pay. Employees are, however, required to return to the City any payment received from the Court for jury service other than travel or expense allowances.

On any day when jury service ends before the end of the employee's usual workday, the employee must check in with their Supervisor to find out whether the employee needs to return to work for that day.

Time for appearance in court for personal reasons/business will be the individual employee's responsibility. Normally, accrued paid time off will be used for this purpose.

Time Off for Voting

The City recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason you think this won't be the case, contact your Supervisor to discuss scheduling accommodation.

Return-To-Work Policy

Temporary Modified Assignment

It is the policy of the City of Windsor Heights (City) to provide temporary modified work, if available at the earliest possible date following an injury or illness, for employees who are unable to return to their regular job classifications. This policy is to complement the procedures

applicable to employees eligible for reasonable accommodation or covered under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA).

Inquiries about the ADA or FMLA should be directed to Human Resources.

Eligibility

Whenever an employee becomes unable to temporarily perform his/her regular job classification the City may offer temporary modified work. Whether the City offers temporary modified work is always dependent upon the individual circumstances.

Modified Duty

Temporary work assignments within the worker's physical abilities, knowledge, and skill (also known as light duty and transitional duty). Modified Duty assignments must be accompanied by a Work Status Report or medical provider's certification.

Objectives

- Provide procedures for administering temporary modified return-to-work assignments;
- When possible, temporary modified assignments will be made available to injured workers to minimize or eliminate lost time from work. The City cannot guarantee temporary modified assignments and is under no obligation to offer, create or burden any specific position for the purpose of offering placement to such a position.
- Promote speedy recovery and rehabilitate employee back to work as effectively and as quickly as possible while keeping the employee's work patterns and income consistent.
- Complete the essential tasks of the employee's job function.
- Maintain communication among all parties to ensure quality medical care and to manage claim costs.

Procedures

Employees Direct Supervisor/Human Resources:

- Provides the employee with a job description that reflects the essential functions and physical demands of the position and a Work Status Report for the designated medical provider to complete.
- Reviews the completed Work Status Report or medical certification in conjunction with the job description to determine if temporary modified work is available in any department within the City. Consults with the Designated Medical Provider if necessary.
- Fills out the Return To Work Agreement and meets with the employee to review.
- Monitors on-going medical and work adjustment, meets with employee as needed to review status.
- Determines from Medical Provider whether restrictions apply both at home and at work or other non-work location.

Employee

- Takes required paperwork to designated medical provider appointments (job description, Work Status Report).
- Reviews and signs Return To Work Agreement
- Follows work restrictions as prescribed by designated medical provider.
- Adheres to the temporary restrictions and accommodations, does not perform any activities that exceed work restrictions Adheres to restrictions both at work and elsewhere as determined by Medical Provider.
- Reports immediately to supervisor any work duties or activities that exceed work restrictions.
- Reports immediately to supervisor if any work restriction(s)/accommodation(s) cause discomfort or make medical condition worse.
- Informs supervisor in advance of medical appointments, schedule any medical appointments during non-work time, if possible.
- Updates supervisor with current Work Status Report or updated certification from designated medical provider after every appointment.

In the event an employee refuses a temporary modified assignment, which is within the restrictions identified by the designated medical provider, workers compensation benefits could be affected. In such cases, the City will notify the insurance carrier of the employee's refusal of the temporary modified assignment. For an employee covered by the FMLA, an employee may refuse a light duty or modified work assignment, but it may have an adverse effect on the employee's workers' compensation benefits.

If, at the end of the temporary modified duty assignment, the employee is able to perform his/her regular job duties with or without reasonable accommodations, then the employee may return to his/her regular position. If, at the end of the temporary modified duty assignment, the employee is not able to perform his/her regular job duties with or without reasonable accommodations, the City will review the employee's medical condition and determine whether the individual is a qualified individual with a disability and whether the employee's work restriction can be reasonably accommodated to allow the employee to return to work in some capacity. If no reasonable accommodation is available to return the employee to the previous or different position, the City will then consider placing the employee on a time limited unpaid leave of absence or ending the employment.

Employee Wellbeing Benefits

The City recognizes the value of benefits to employees and their families. The City supports employees by offering a comprehensive and competitive wellbeing benefits program. For more information regarding benefit programs, please refer to the Benefits Booklet, which can be obtained from Human Resources. To the extent of the information provided here conflicts with the full plan document, the full plan document will control.

Wellbeing Benefits Eligibility

Regular, full-time employees working 30 or more hours per week are eligible for benefits on the first day of the month following the date of hire. To maintain coverage, employees must work a minimum of 30 hours per week on average.

Below is a list of wellbeing benefits that may be offered through the City's benefit plan. This is not intended to be a comprehensive list and coverage can change at the discretion of the City. Refer to the City's Benefits Booklet and plan documents for full details regarding benefit plans:

Medical Benefits	Long-Term Disability (LTD)
Dental Benefits	Short-Term Disability (STD)
Vision Benefits	Life Insurance and Accidental Death and Dismemberment (AD&D)
Flexible Spending Account (FSA)	Voluntary Products

Employees may be required to share in the cost of the benefits through payroll deduction.

City-Funded Deductible Reimbursement Program. The City reimburses eligible employees for expenses incurred in a calendar year (January 1-December 31) for meeting their annual health insurance plan deductibles. Reimbursements will be handled by the third-party provider in conjunction with the health insurance provider.

Inactive employees or former employees covered under COBRA are not eligible for the City-Funded Deductible Reimbursement Program.

Deferred Compensation Account. The City pays \$150.00 per month towards a deferred compensation account for all eligible employees who have employee-only health insurance coverage or opt for no health insurance coverage through the City. Employees who opt out must provide proof of participation in a qualifying plan. To access this benefit, employees must contact the Finance Director.

Hepatitis B Vaccination. Eligible employees can elect to receive the Hepatitis B Vaccination series by meeting the following criteria:

- If an eligible employee elects to receive the series, they may do so from a provider of their choice or a public health organization.
- Upon documentation of the series initiation, the employee or the provider will be compensated for the series cost.
- If a private provider is chosen, reimbursement will not exceed the amount of the cost to the City of providing the injection. Any additional cost in such a case must be borne by the employee.
- Failure to proceed with the series of injections within 30 days of serum order waives the City's offer to pay for the series. In this case, the employee must reimburse the City any Hepatitis B vaccine-related fees paid to the employee or any provider on their behalf, or such fees shall be withheld from the employee's subsequent paycheck.

The City is not responsible for any claim, warranty, or guarantee of the Hepatitis B Vaccine serum, effectiveness thereof or for potential side effects, nor does it acknowledge the need for the series as prevention from infection-related employment with the City.

Eligible employees who do not elect to participate in the Hepatitis B Vaccination program will be asked to sign a waiver declining participation.

Continuation of Wellbeing Benefits

- **Separation of Employment** - If employment is terminated, benefits will end on the last day of the month the employee actually worked.
- **Covered Leave** - Throughout a medical leave of absence, the employee may participate in the City's employee benefit plans as if actively employed. The employee continues to pay the employee cost of all benefits for the first three months. After three months, the employee pays the entire cost of all benefit premiums.
- **Concurrent Coverage** - Disability benefits will run concurrently with FMLA leave and/or any other leave, where permitted by state and federal law.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

When an eligible employee or employee's eligible family member experiences a qualifying event that causes a loss of eligibility for the City's health coverage, they have the option to continue health coverage at their expense under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Refer to the Benefits Booklet for additional information.

- COBRA coverage applies to the type(s) of health coverage (i.e., medical, dental, and/or health care flexible spending account) that the employee had at the time of the qualifying event.
- Coverage is continued only for a specified time period.
- The City may charge up to 2% for administrative fees as allowed by law.

Retirement Savings Plans

IPERS. The retirement program for all regular full-time, part-time, and certain seasonal/temporary employees is the Iowa Public Employees' Retirement System (IPERS).

Deferred Compensation 457(b). Regular full-time employees may defer, or set aside, a portion of their paycheck on a bi-weekly basis and delay paying federal and state taxes on that amount deferred. Changes to contribution amounts by the City are effective on the employee's anniversary date that corresponds with the start of each new year of service. It is the employee's responsibility to monitor their own retirement account.

The City shall match the following percentage of salary to a deferred compensation plan in which the City participates for employees pursuant to the following schedule.

City's Contributions to Deferred Compensation Plan	
Years of Service	% of Employees Salary
3 - 5	1.0%
6 - 10	1.5%
11 - 20	2.0%
21+	2.5%

Refer to the Collective Bargaining Agreement (CBA) for details on the deferred compensation plan for union employees.

Eligibility, vesting, and all other matters relating to these plans are explained in the Benefits Booklet that can be obtained from Human Resources.

Workers' Compensation

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment. The City pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

The City abides by all applicable state workers' compensation laws and regulations.

If an employee sustains a job-related injury or illness, it is important to notify the Supervisor and City Administrator within 24 hours or soon as practicable. The Supervisor will complete an injury report with input from the employee and return the form to Human Resources. The claim will be filed with the insurance company. In cases of true medical emergencies, call 911 or report to the nearest emergency room.

Workers' compensation benefits will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not receive accrued paid leave for approved absences covered by the City's workers' compensation program, except to supplement the workers' compensation benefits such as when the plan only covers a portion of the employee's salary as allowed by state law.

Education/Tuition Assistance

Regular full-time employees are eligible for tuition reimbursement up to \$5,250 per fiscal year upon successful completion of a work-related course. All courses must be pre-approved by the Department Head. Once the course is completed, the employee will submit a certified transcript of grades with receipts for expenses. The reimbursement amount is based on a grading scale as

outlined in the table below. Tuition reimbursement has a lifetime maximum payout of \$8,250 for one degree in each of the categories: Associate's, Bachelor's, or Master's.

Maximum Credit Hour Reimbursement	Minimum Required GPA
\$250 per credit hour	3.0
\$150 per credit hour	2.5
\$50 per credit hour	2.0
\$0 per credit hour	Below a 2.0
Pass/Fail Course	100% of maximum for pass / 0% for fail

Course Guidelines

- Obtain Department Head and City Administrator approval prior to enrolling in a course.
- You must have at least one year of full-time service with the City.
- Employees must be enrolled in an accredited college or university.
- Coursework/degree program must be related to the employee's current position or further their career growth within the organization.
- Employees can receive reimbursement for tuition, books, and lab fees.
- Within 60 days of completion of the coursework, employees must turn in the tuition reimbursement form into their Department Head with copies of receipts and official grade reports from the accredited college or university.
- The employee may be required to execute a separate tuition reimbursement agreement.
- Union employees should refer to their Collective Bargaining Agreement.

Separation of Employment

Should the employee's employment terminate voluntarily or involuntarily (with the exception of layoff or reduction in force), within twelve (12) months of receiving any reimbursement under this policy, the employee must repay 100% of the reimbursement amount.

Employee Assistance Program

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for all employees in dealing with issues that affect their lives and the quality of their job performance. The City wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges.

The City encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the City, nor is the City given any information on who chooses to use the services. See the Benefits Booklet for additional information and contact details.

Wellness Program

The well-being of our employees is extremely important to the City. The City provides employees opportunities designed for the cultivation of employee well-being and enrichment of workplace culture. These opportunities target the social, financial, physical, emotional, career and community well-being of our employees. Current wellness programs offered to City employees, elected officials, and immediate family members, in some cases, include:

- **Workout Facility** - Employees (and their immediate family members) and elected officials are welcome to use the facility after completing a waiver of liability.
- **Smoking Cessation Programs** - The City reimburses eligible employees up to \$25/per month (up to 6 months) for expenses incurred from smoking cessation programs. Reimbursable expenses are considered costs incurred from prescriptions and other approved over-the-counter products.
- **Live Healthy Iowa** - Eligible employees who wish to participate in the Live Healthy Iowa Challenge representing the City of Windsor Heights team will receive free registration.
- **Physical Fitness Incentive** - Once per year, eligible employees can elect to participate in the ILEA approved Cooper Test standard (age and gender appropriate). Employees who successfully pass the fitness test shall receive a \$100 fitness incentive in the next available pay period. Employees who maintain a passing score for five or more consecutive years shall receive an annual fitness incentive of \$250 per year.
- **Special Programming** - The City, at City Council or City Administrator's discretion, may offer additional wellness programs throughout the year.

City of Windsor Heights Employee Handbook Receipt and Acknowledgment

I, the undersigned, hereby acknowledge receipt of a copy of the City of Windsor Heights Employee Handbook, which is the property of the City of Windsor Heights. I understand it is my obligation to read and follow the provisions of the Employee Handbook which apply to me during my employment with the City. I understand that if I am a member of a Collective Bargaining Unit (CBU), that the provisions of the CBU may affect certain policies in this handbook and it is my responsibility to read and follow the provisions of the CBU as well.

I understand that this Employee Handbook is provided to me for informational purposes only and is not intended to change the at-will nature of my employment relationship with the City. I recognize that either the City of Windsor Heights or I may terminate the employment relationship at any time, for any reason. Upon termination, the copy of the Employee Handbook shall be returned to your Supervisor. I understand the Employee Handbook is intended solely as a means of clarifying the current operations of the City of Windsor Heights and its policies, practices, and procedures. I further understand that the City of Windsor Heights is committed to reviewing these policies on an ongoing basis and reserves the right to change or eliminate any of the policies at any time.

Employee Signature

Date

Employee Name (printed)

Witness Signature

Date

Witness Name (printed)



**STAFF REPORT
CITY COUNCIL**

July 1, 2024

TO: CITY COUNCIL
FROM: Adam Strait, City Clerk

SUBJECT: Consideration of Neighborhood Finance Corporation Funding

GENERAL INFORMATION

Neighborhood Finance Corporation has provided the attached letter to the City of Windsor Heights requesting direction on how to manage outstanding Windsor Heights residents' applications to NFC's home improvement programs that are expected to exceed available funding in the amount of \$45,000. These funds are remnants from the 2018 Save Our Sewers program. City Council also allocated the balance of AARPA funds in the amount of \$13,323 to separate Neighborhood Finance Corporation Program called Energy Advantage Deferred Loan Program earlier this year.

Last budget cycle City Council asked staff to evaluate home improvement assistance programs across the Metro for funding consideration next fiscal year. Adam S. has been meeting with and reviewing various programs in the interim. Additionally, the City received the below email from the City of West Des Moines earlier this week advising they wish to stop administration of the Metro Home Loan Program,

"The City of West Des Moines created the Metro Home Improvement Program (MHIP) in 2006 with ten metro area communities included. What originally started in 2002 as an organization called HELP in West Des Moines, grew into WestHELP, available in five western suburban communities and then the MHIP four years later. Today there are eight participating cities – Altoona, Ankeny, Bondurant, Grimes, Polk City, Urbandale, West Des Moines, and Windsor Heights. Since forming, the participating communities have varied from year to year.

After much consideration, the City of West Des Moines wishes to cease administering the MHIP. The City of West Des Moines has decided to focus its staff time and resources to address housing challenges and opportunities within our own city boundaries. However, the City would like to continue to be a participant in the Program.

City leadership and staff recently had conversations with Mid-Iowa Planning Alliance (MIPA)

about taking over the program and they determined that they are interested in administering. MIPA has recently brought on additional staff with expertise in administering housing funds and is currently doing similar work for the Story County Housing Trust Fund and Central Iowa Housing Trust Fund.

We understand that this transition will take some time and have many detailed steps to work out. I would like to start by having an in-person meeting to talk about future steps and have an opportunity to answer questions. Initially, I envision this meeting to be among the Management Committee of MHIP and then later MIPA can be included to answer questions. Additionally, we anticipate that the Polk County Housing Trust Fund and HOME, Inc. will be involved heavily in this transition.

It has been an immense joy and pleasure to create and work with this program in your communities for 20 years! We appreciate the opportunity to administer the program for so long and look forward to remaining active participants in MHIP. “

Provided this information, staff recommends the City continue to review participation in both the NFC and MHIP programs during the upcoming budgeting cycle when additional information becomes available about the Metro Home Improvement Program administration transition. Any residents interested in utilizing the NFC program in the interim can be maintained on a wait list for potential future funding pending budgetary decisions.

ATTACHMENTS

1. Letter on 28E Funds to City of Windsor Heights



June 14, 2024

To: Mayor Mike Jones
City of Windsor Heights City Council Members
Adam Plagge, City Administrator
Cc: Adam Strain, City Clerk

Re: 28E Agreement with Neighborhood Finance Corporation

Neighborhood Finance Corporation (NFC) is a nonprofit mortgage lender with a mission of neighborhood revitalization. NFC's core program is to provide affordable purchase, refinance and home improvement loans paired with a forgivable loan up to \$10,000. The forgivable loan is funded through 28E Agreements with local governments.

In July 2018, The City of Windsor Heights and Polk County each reallocated \$75,000 of government source funds (for a total of \$150,000) to support the NFC's loan programs in a lending area within the City of Windsor Heights. The funds had previously been provided to NFC for the City of Windsor Heights Save Our Sewers program.

NFC has been working with the Windsor Park Townhome owners to make critical repairs to primarily the exterior of their homes. Of the original \$150,000, as of June 13, 2024, NFC has \$10,000 remaining that has not been used to fund a project or is committed to a loan in process. NFC has been in discussions with the City of Windsor Heights for many months as we expected this situation to occur if additional funds were not committed through a 28E Agreement.

NFC has two options (1) to keep a waiting list if we understand that there will be a new 28E Agreement and award of funds for NFC lending; or (2) end our lending in Windsor Heights once the remaining \$10,000 is committed. We estimate the remaining \$10,000 will serve two households. We are looking for your guidance on how NFC should proceed.

In order to preserve the 28E funds, NFC is planning to fund the projects for households earning below 80% of the area median income utilizing the Polk County Large Renovation funding. We may determine that a household is not eligible for this funding and then we will need to provide them with a repayable loan paired with a forgivable loan using any remaining 28E funds. These homeowners have first priority for the remaining \$10,000 of 28E funds.

Please notify me at your earliest convenience of how you would like to proceed so that we can fairly and honestly convey this information to homeowners and homebuyers that contact NFC regarding projects in Windsor Heights. NFC appreciates your partnership.

Sincerely,

Stephanie Murphy, NFC Executive Director
smurphy@neighborhoodfinance.org
direct 515-273-1372

4908 Franklin Ave
Des Moines, IA 50310
Telephone: 515-246-0010
Fax: 515-246-0112
www.neighborhoodfinance.org



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STAFF REPORT CITY COUNCIL

July 1, 2024

TO: CITY COUNCIL

FROM: Adam Plagge, City Administrator

SUBJECT: Consideration of the 2nd Reading of Ordinance No. 2024-05 - An Ordinance Amending the Code of Ordinances for the City of Windsor Heights, Iowa, By Adding Chapter 182, Vacant Property Registration

GENERAL INFORMATION

Background

There are several blighted long vacant properties within the City of Windsor Heights that have a history of reoccurring nuisance violations that require substantial staff time and effort to remediate. The intention of this proposed Vacant Property Registration Ordinance is to establish a clear contact point and expectations for vacant properties as well as to provide additional tools to the City to ensure vacant properties are free of exterior code violations and otherwise free of hazards.

Key Program Elements

Vacant properties shall be registered with the city within ten days of becoming vacant with the following exceptions

1. The property is actively listed for sale or for rent and been vacant for less than 180 days.
2. The property is under construction with valid permits.

Registered properties shall include the following information

1. Property owner, address, email address, tax ID and phone number.
2. If owner resides outside of Polk County, an authorized management agent responsible for maintenance.
3. Insurance information.

Inspections

1. The property owner or management agent shall inspect the property monthly and ensure compliance with this chapter.

Vacant Property Maintenance Requirements

1. Structure must include an exterior roof in good repair, including any shingles, sheathing, rafters, soffits, and fascia.
2. Structure must have a fascia, soffit (in the area around the roof eaves) and soffit screens.
3. Gable vents/vent opening must be properly screened to prevent access by animals and other pests.
4. Exterior walls must be capable of supporting a normal load.
5. Exterior walls and other surfaces of any structure must be maintained to resist water and deterioration from weather by application of paint or other protective materials.
6. Outermost layer of paint shall not peel or deteriorate to expose under lying layers of paint to the weather.
7. Window glass must be maintained in a weathertight and watertight condition.
8. Window screens must be in good repair capable of providing ventilation.
9. Exterior doors must be weathertight, watertight, in addition to being secure in a position by a locking device in proper working order.
10. Porch of any structure must be safe to use, capable of supporting a normal load, be weathertight, watertight, rodent-proof, insect-proof.
11. Crawl space opening(s) of a foundation wall must be secured against animals and rodents with screen repairs completed in a workmanlike manner according to standards acceptable in the construction industry.
12. Exterior stairs must be capable of supporting the normal load.
13. Handrails must be constructed and maintained to conform to the city building code.
14. Railings are required for any unenclosed portion of a structure more than three feet above ground level or for any steps containing four or more risers.
15. All railings must be capable of supporting normal load.
16. Accessory structure including garages, storage buildings buffer walls, fences, etc. must be maintained in good repair and sound structural condition.
17. Windows, doors, and other openings must be in good condition and locked.
18. Required landscaping must be maintained to be in compliance with any approved site plan.
19. The property shall be mowed, kept clear of weeds, volunteer trees and kept clear of snow as required by this code.
20. Parking areas, driveways and sidewalks shall be kept in good condition as required in this code.
21. The premise shall be kept clear of junk, debris, garbage, graffiti, inoperable and unlicensed vehicles.
22. The premise shall be kept free of all infestations.
23. Pools and spas shall be maintained so the water remains free and clear of pollutants and debris. Pools and spas shall comply with the enclosure requirements of the city code.
24. All fire suppression systems must be functioning as intended.
25. Other features of the site not specifically listed in this section that when in poor state of repair constitute a threat to the public safety or preclude the reasonable enjoyment of adjacent properties.
26. Fallen branches must be removed from the property within 72 hours and dead or diseased trees removed within two weeks of any City notice being provided.

Abatement

Notice to abate a violation shall be given prior to city action to abate a violation, except that in the event of an emergency, such notice as is practical under the circumstances, if any is practical, shall be given; provided, however, that nothing herein shall require notice in an emergency if impractical. If notice to abate a nuisance is given pursuant to this chapter, said notice shall contain the following information:

1. A description, to the extent possible, of the conditions that constitute the violation;
2. A description of the location of the violation;
3. A statement that the person liable for the presence of the violation must correct the violation within the reasonable time set forth in the notice and in accordance with this chapter; and
4. A statement that upon failure to comply with this chapter within the time set forth in the notice, the person so notified of the violation shall be deemed liable for the nuisance, and that the city may enter onto the real property and cause the conditions which constitute the nuisance to be abated and assess the costs of abatement against the real property for collection in the same manner as a property tax, following administrative hearing process if a hearing is requested or court action as applicable.
5. If the department elects to follow the administrative hearing procedure set forth in this code, the notice shall also contain a statement that the person notified, or the person's duly authorized agent as identified in a notarized statement provided by the person notified, may file a written request for an administrative hearing as set forth in section 182.20 of this chapter.
6. Notice of costs of abatement shall be given prior to city assessment of such costs. If notice of costs of abatement is given following administrative hearing procedure or emergency action pursuant to this chapter, said notice shall contain the following information:
7. A statement that upon failure to make full payment as directed in the notice within the time set forth in the notice, the city may assess the costs of abatement against the real property for collection in the same manner as a property tax, following administrative hearing if requested.
8. A statement that the person notified, or the person's duly authorized agent as identified in a notarized statement provided by the person notified, may file a written request for an administrative hearing on costs of abatement only, as set forth in section 182.20 of this chapter.

ATTACHMENTS

1. 24.05 Vacant Property Registration Chpt 182

ORDINANCE NO. 2024-05

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA, BY ADDING CHAPTER 182, VACANT PROPERTY REGISTRATION

WHEREAS, the City of Windsor Heights seeks to protect and preserve the rights, privileges and property of the City of Windsor Heights and its residents and to preserve and improve the peace, safety, health, welfare, and comfort; and

WHEREAS, the City Council deems it necessary to adopt this ordinance to protect property values, the local economy and the quality of life for its residents; and

WHEREAS, the City Council of the City of Windsor Heights do hereby find and declare that the vacant property ordinance is necessary and will promote the health, safety, general welfare and aesthetics of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to add Chapter 182 of the Windsor Heights Code of Ordinances to preserve and improve the peace, safety, health, welfare, and comfort of the community.

SECTION 2. Amended. Chapter 182 of the Windsor Heights Code of Ordinances, Vacant Property Registration, is created and amended with the attached Exhibit A.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this ____ day of ____ 2024.

1st Reading: June 17, 2024

2nd Reading: July 1, 2024

3rd Reading:

Publish Date:

ATTEST:

(SEAL)

Mike Jones, Mayor

Adam Strait, City Clerk

EXHIBIT A

Chapter 182 VACANT PROPERTY REGISTRATION ORDINANCE

Sec. 182.1 Purpose.

It is the intent of the City of Windsor Heights, through the adoption of this chapter, to establish a mechanism to protect residential and commercial neighborhoods from becoming blighted through the lack of maintenance and security due to vacant properties; to establish a vacant property registration program; to ensure properties are free of exterior code violations; to prevent potential fire hazards prior to occupation and to set forth guidelines for the maintenance of vacant properties.

Sec. 182.3. General.

The Administrator shall maintain a data base of all vacant properties in the city, cause inspections to be made to determine the condition of dwellings, commercial structures, mobile homes, similar dwellings, accessory structures, and premises located within the corporate limits, and may issue notices as provided in this chapter.

Sec. 182.4. Interference prohibited.

Interference with, or obstruction of, the city's lawful removal of a violation by the city is prohibited.

Sec. 182.5 Definitions.

Unless otherwise expressly stated, or the context clearly indicates a different intention, the following terms have the following meanings and shall be so construed wherever they appear in this chapter:

Administrator means the City Administrator's designated program administrator. The City Administrator's designee shall be the authorized representative for the enforcement of this chapter and for the administration of the division.

Accessible premise means a property that is physically accessible through a compromised or breached gate, fence, wall, or other barriers, intended to provide physical security to the property, or by the absence of such barrier.

Accessible structure means a structure or building that is unsecured, compromised or breached in such a way as to allow access to the interior space by unauthorized persons.

Accessory building means a structure on the same lot, separate from, and of a nature customarily incidental and subordinate to the principal residential structure that may be used for, but is not limited to, the storage of equipment, materials, vehicles, and other miscellaneous items of the occupants of the primary dwelling unit(s). Trailers, semi-trailers, tents, motor vehicles, and component parts thereof shall not be considered accessory buildings. A structure which might otherwise be considered an accessory building, but which is connected to the principal residential structure by a breezeway or other extension of the principal residential structure containing a functional roof and floor shall, for the purposes of this chapter lose its status as an accessory building, become part of the principal residential structure, and shall be subject to all restrictions applicable to a principal residential structure.

Authorized management agent means a property manager, property management or maintenance company, or similar person or entity responsible for the maintenance of real property as agent of an owner, mortgagee, or other responsible party, or any person appointed by the owner(s) or mortgage holder who has charge, care, or control of a structure or premises. Such person shall be authorized to accept service of communications from the City of Windsor Heights.

Easement means that portion of land or property reserved for present or future use by a person or agency other than the owner(s) of the real estate. The easement shall be permitted to be for use under, on, or above said land or property.

Evidence of vacancy means any condition or circumstance that on its own, or combined with other conditions or circumstances present, would lead a reasonable person to believe that a property is vacant. Such conditions may include, but not are limited to, disconnection of utility services, broken windows and or doors, overgrown or dead vegetation, including lawns, shrubbery and other plantings; accumulation of abandoned personal property, trash or waste; visible lack of maintenance of any building or structure on the property; graffiti on or other defacement of buildings or structures on the property; and any other condition or circumstance reasonably indicating that the premise is not occupied.

Exterior property means the open space on the premises and on adjoining property under the control of the owner(s) or authorized management agent of such premises.

Extermination means the control and elimination of insects, rats, or other pests by elimination of harborage places; by removing or making inaccessible materials that serve as food; by poison spraying, fumigation, trapping or by any other approved pest elimination method.

Foreclosure means the process, either judicial or extra-judicial, invoked by the owner or holder of a mortgage, by which a property placed as security for a real estate loan in which the mortgage holder is notified of a default, the filing of a foreclosure, sold at public or private sale to satisfy the debt of the borrower in the event of a default by the borrower under the terms of the promissory note or mortgage.

Garbage means animal or vegetable waste resulting from the handling, preparation, cooking, and/or consumption of food.

Good condition means no obvious maintenance required with all major components and materials still functional and contributing toward the extended life expectancy of the structure(s) and premise(s).

Good repair means fit for human habitation in accordance with all health codes, everything operates as it should, the property is clean and well maintained inside and out, and there is no wasting or neglect of the property, and it is maintained in good condition.

Imminent danger means a condition which could cause serious or life-threatening injury or death at any time.

Infestation means the presence of insects, rats, vermin, or other pests within or contiguous to a structure or premises of insects, rodent's vermin or other pests.

Improvements shall include, but not be limited to, parking lots, grass, ground covers bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf whether shown on an approved site plan or not.

Inoperable and/or unsafe vehicle or boat is any motor vehicle, recreational vehicle, trailer, semitrailer, or boat that meets one or more of the following criteria:

- (1) Lacks a current registration or any component part, engine or parts that render it incapable of use and/or unsafe for its intended use;
- (2) With a missing, broken, or shattered windshield or any exposed broken glass edges;
- (3) With a missing fender, door, hood, steering wheel, trunk top, or trunk handle;
- (4) That has become a habitat of rats, mice, snakes, or other vermin or insects;
- (5) That is left unattended on jacks, blocks, or elevated in any other way which constitutes a threat to the public health, safety or welfare;
- (6) That because of its condition or method of storage constitutes a threat to public health and safety.

Junk means all old or scrap copper, brass, lead, or any other non-ferrous metal; old rope, rags, batteries, paper, trash, rubber debris, waste, used lumber or salvaged wood; dismantled or inoperable vehicles, unsafe vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel, or other old or scrap ferrous material; old discarded glass, tin ware, plastic, or old discarded household goods or hardware; cut brush, including dead or decaying plant material, except a contained compost pile or orderly stacked firewood if cut in lengths less than or equal to four feet and stored at least 18 inches above the ground surface.

Mortgagee means the person or entity that is the owner or holder of a mortgage, deed of trust or similar instrument encumbering real property as security for a promissory note or other debt.

Mobile home means any vehicle without motive power and so designed, constructed, or reconstructed as a dwelling unit to permit the vehicle to be used as a place for human habitation by one or more persons. It may also include any such vehicle with motive power not

registered as a motor vehicle in this state. A mobile home is factory-built housing built on a chassis. A mobile home may not be construed to be a travel trailer or other form of recreational vehicle. A mobile home shall be construed to remain a mobile home, subject to all regulations pertaining thereto, whether or not wheels, axles, hitches, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided.

Neglect means the lack of proper maintenance for a building, structure, or premise.

Owner, for the purposes of [this] chapter means any person, agent, firm or corporation having legal or equitable interest in the dwelling unit(s); or a recorded interest in the official records of the state or county as holding title to the real estate; or otherwise having control of the real estate or dwelling unit(s), including but not limited to the guardian of the estate of any such person, the executor or administrator of the estate of such person who is ordered to take possession or control of the real estate by the court.

Person means an individual, a corporation, a partnership, or any other group acting as a unit.

Pest elimination means the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible material that serve as the food or water; or by other approved pest elimination methods.

Premises means a lot, plot, or parcel of land, easement, or public way, including any structure or mobile home thereon.

Secure means the closing and locking of windows, doors, gates, and other openings of such size that may allow access to enclosed areas of the property or to buildings and structures on the property. Walls and fences surrounding the property, or any portion of the property shall be maintained in good repair. Broken windows shall be secured by replacing or repairing and reglazing. Boarding of broken windows shall be used only as a temporary corrective measure secured in accordance with the International Property Maintenance Code.

Structure means that which is built or constructed or a portion thereof.

Vacant property means any property, including any building or structure thereon, that is not legally occupied.

Workmanlike manner means repairs, maintenance work, alterations or installations that are a request, directly or indirectly, pursuant to the enforcement of this chapter which shall be executed and installed in accordance with the manufacturer's instructions and executed in a skilled manner, generally plumb, level, square, in line, undamaged, without marring adjacent work, using compatible materials approved for the use, like in nature and look to remaining material if there is a partial replacement or repair to maintain the structure and premise in good condition.

Sec. 182.6 Applicability.

- (a) This chapter shall apply to vacant properties with residential, accessory, or commercial occupancies or improvements located thereon.
- (b) This chapter shall also apply to properties that are the subject of a foreclosure action as set out in this chapter.
- (c) This chapter shall be considered cumulative and not superseding of, or subject to, any other law or provision relating to the same subject but shall rather be an additional remedy available to the city above and beyond any other state, county or local law or regulation.

Sec. 182.7 Exemptions.

Property shall be exempt from the registration requirement of this chapter if either of the following conditions exist.

- (a) The property is not the subject of foreclosure and is listed in the applicable multiple listing service(s) or other substantial competent evidence of actively marketing and the property has remained vacant less than 180 days and the outward appearance is being maintained; or
- (b) The property is under construction and the contractor has applied for and is covered by a valid building permit(s).

At such time either of the qualifications for exemption ceases to exist, the property shall be subject to the registration requirements of this chapter.

Sec. 182.8 Properties in foreclosure.

- (a) Any mortgagee who holds a mortgage on real property located within the city shall perform an inspection of the property that is the security for the mortgage, upon default by the mortgagor, prior to the issuance of a notice of default.
 - (1) If a property is found to be vacant or shows evidence of vacancy, as defined in this chapter, any mortgagee who holds a mortgage on the real property shall comply with the registration requirements of this chapter, within ten days of the inspection.
- (b) Any mortgagee who files a foreclosure or Notice of Lis Pendens shall comply with the registration requirements of this chapter, within ten days of the filing.
- (c) Any mortgagee who holds a mortgage on real property which is in default and is the subject of an outstanding notice of default, Notice of Lis Pendens, or foreclosure action as of the date of the adoption of this code, shall perform an inspection of the property by

August 1, 2024. If the property is found to be vacant or shows evidence of vacancy, the mortgagee shall register the property in accordance with this chapter, within ten days of the inspection.

Sec. 182.9 Registration of vacant structure.

Any owner of property located within the city who has a vacant structure(s), or within ten days of vacating a structure(s), shall register the property as required by this chapter.

Sec. 182.10 Required owner and authorized management agent information.

- (a) Owner(s) of property subject to vacant property registration in the city who reside in Polk County or any county contiguous thereto shall provide the City Administrator's designee a physical address, email address, tax identification number and telephone numbers.
- (b) Owner(s) of property subject to vacant property registration located in the city who reside outside Polk County or any contiguous county shall provide the administrator with their a physical address, email address, tax identification number and telephone numbers and the name physical addresses, email address, tax identification number, and telephone number of an individual over the age of 18 who shall reside in Polk County or any county contiguous thereto and who shall be designated as the "authorized management agent" responsible for maintenance of the property and for receiving notice and service of process.
- (c) The name of insurance carrier, agent, and contact information.
- (d) The owner(s) of the property shall be required to update the registration information anytime a change in information is made, including but not limited to mailing address, physical address, email information, change in authorized management agent or sale of the property.

Sec. 182.12. Parties responsible for compliance.

- (a) The property owner and/or authorized management agent, as defined in this chapter, shall comply with all provisions of this chapter, including but not limited to, maintenance of real property for which they are responsible in accordance with the provisions of this chapter, and in accordance with all other applicable provisions of the city code.
- (b) In all instances, the responsibility of a mortgagee to comply with this chapter shall be and remain in effect from the date that the mortgagee gives the owner notice of a default under the terms of the mortgage, or files a Notice of Lis Pendens, whichever first occurs,

until such time as the subject property is sold or transferred to a new owner or the original owner is put back in possession of the property.

Sec. 182.13. Registration of vacant structure.

For so long as the property remains vacant, or subject to a Notice of Lis Pendens or a foreclosure action, a registration fee shall be due from the owner or authorized management agent, as applicable under the circumstances, each year not later than the fifteenth day of the month following the month in which the original registration was made. The annual registration fee shall be set out in the schedule of fees adopted by the city council for each year it remains registered.

Sec. 182.14. Inspection obligations of owner, mortgagee and/or authorized management agent.

- (a) A property owner or authorized management agent accepting appointment as the agent of the owner, or the mortgagee shall inspect the property not less than monthly to ensure that the property is in compliance with this chapter.
- (b) If inspection reveals noncompliance,
 - (1) The owner or authorized management agent shall immediately give written notice of the noncompliance to the party responsible for repairs, if not themselves, and
 - (2) Provide the information in writing to the Administrator , and
 - (3) The owner, authorized management agent, or mortgagee, shall have ten business days to begin the action necessary to bring the property into compliance, and not more than 30 days to complete such action.
- (c) The Administrator shall cause the property to be inspected to determine if the violation has been abated and the inspection fees shall be billed to the owner in the amount set out in the schedule of fees adopted by the city council.

Sec. 182.15 Maintenance requirements.

All exterior features must be maintained in good repair and in sound condition. Additionally, structures must be resistant to water, rodents, and deterioration from weather. Repairs must be made with materials that match the existing structure.

- (1) Structure must include an exterior roof in good repair, including any shingles, sheathing, rafters, soffits, and fascia.
- (2) Structure must have a fascia, soffit (in the area around the roof eaves) and soffit screens.

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- (3) Gable vents/vent opening must be properly screened to prevent access by animals and other pests.
 - (4) Exterior walls must be capable of supporting a normal load.
 - (5) Exterior walls and other surfaces of any structure must be maintained to resist water and deterioration from weather by application of paint or other protective materials.
 - (6) Outermost layer of paint shall not peel or deteriorate to expose under lying layers of paint to the weather.
 - (7) Window glass must be maintained in a weathertight and watertight condition.
 - (8) Window screens must be in good repair capable of providing ventilation.
 - (9) Exterior doors must be weathertight, watertight, in addition to being secure in a position by a locking device in proper working order.
 - (10) Porch of any structure must be safe to use, capable of supporting a normal load, be weathertight, watertight, rodent-proof, insect-proof.
 - (11) Crawl space opening(s) of a foundation wall must be secured against animals and rodents with screen repairs completed in a workmanlike manner according to standards acceptable in the construction industry.
 - (12) Exterior stairs must be capable of supporting the normal load.
 - (13) Handrails must be constructed and maintained to conform to the city building code.
 - (14) Railings are required for any unenclosed portion of a structure more than three feet above ground level or for any steps containing four or more risers.
 - (15) All railings must be capable of supporting normal load.
 - (16) Accessory structure including garages, storage buildings buffer walls, fences, etc. must be maintained in good repair and sound structural condition.
 - (17) Windows, doors, and other openings must be in good condition and locked.
 - (18) Required landscaping must be maintained to be in compliance with any approved site plan.
 - (19) The property shall be mowed, kept clear of weeds, volunteer trees and kept clear of snow as required by this code.
 - (20) Parking areas, driveways and sidewalks shall be kept in good condition as required in this code.
 - (21) The premise shall be kept clear of junk, debris, garbage, graffiti, inoperable and unlicensed vehicles.
 - (22) The premise shall be kept free of all infestations.

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- (23) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris. Pools and spas shall comply with the enclosure requirements of the city code.
 - (24) All fire suppression systems must be functioning as intended.
 - (25) Other features of the site not specifically listed in this section that when in poor state of repair constitute a threat to the public safety or preclude the reasonable enjoyment of adjacent properties.
 - (26) Fallen branches must be removed from the property within 72 hours and dead or diseased trees removed within two weeks of any City notice being provided.

Sec. 182.16. Security requirements.

- (a) The owner or authorized management agent shall secure properties subject to this chapter, so they are not accessible to unauthorized persons.
- (b) Should the city find the structure open and unsecured the property will be immediately boarded as an emergency with no prior notice.
- (c) Broken and/or boarded windows shall be secured with glass by replacement or repair and reglazing.
- (d) Boarded up, broken doors or other entry points shall be repaired in a workmanlike manner.

Sec. 182.17 Additional authority as to maintenance and security.

The Administrator or their designee shall have authority to require the owner, mortgagee, and property authorized management agent to implement additional maintenance and security measures as may be reasonably required to prevent further decline of the property.

Sec. 182.18 Notices.

- (a) Notice to abate a violation shall be given prior to city action to abate a violation, except that in the event of an emergency, such notice as is practical under the circumstances, if any is practical, shall be given; provided, however, that nothing herein shall require notice in an emergency if impractical. If notice to abate a nuisance is given pursuant to this chapter, said notice shall contain the following information:
 - (1) A description, to the extent possible, of the conditions that constitute the violation;
 - (2) A description of the location of the violation;
 - (3) A statement that the person liable for the presence of the violation must correct the violation within the reasonable time set forth in the notice and in accordance with this chapter; and

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- (4) A statement that upon failure to comply with this chapter within the time set forth in the notice, the person so notified of the violation shall be deemed liable for the nuisance, and that the city may enter onto the real property and cause the conditions which constitute the nuisance to be abated and assess the costs of abatement against the real property for collection in the same manner as a property tax, following administrative hearing process if a hearing is requested or court action as applicable.
 - (5) If the department elects to follow the administrative hearing procedure set forth in this code, the notice shall also contain a statement that the person notified, or the person's duly authorized agent as identified in a notarized statement provided by the person notified, may file a written request for an administrative hearing as set forth in section 182.20 of this chapter.
 - (6) Notice of costs of abatement shall be given prior to city assessment of such costs. If notice of costs of abatement is given following administrative hearing procedure or emergency action pursuant to this chapter, said notice shall contain the following information:
 - (7) A statement that upon failure to make full payment as directed in the notice within the time set forth in the notice, the city may assess the costs of abatement against the real property for collection in the same manner as a property tax, following administrative hearing if requested.
 - (8) A statement that the person notified, or the person's duly authorized agent as identified in a notarized statement provided by the person notified, may file a written request for an administrative hearing on costs of abatement only, as set forth in section 182.20 of this chapter.

Sec. 182.19. Service of notice.

Notices given pursuant to this chapter shall be served by certified mail and regular mail, postage prepaid, to all persons deemed responsible for the violation, and to all other parties required by law or by departmental policy or procedure to receive such notices, at their last known mailing addresses as shown by the records of the county auditor, and if deemed appropriate by the department director or his/her designee, at their last known mailing addresses as shown by any other available public record. In addition to and concurrently with mailing, notice may be delivered by a peace officer, process server, or any other method deemed appropriate. Failed attempts to locate the person responsible for the violation shall be documented by the department.

Sec. 182.20 Administrative hearings.

- (a) Recipients of notices pursuant to this chapter for which the department elects to follow the administrative hearing procedure, as stated in the notice, may request an administrative hearing as follows:

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- (1) Requests shall be made in writing, and either hand-delivered to the city clerk no later than seven calendar days from the date of the notice or sent to the city clerk via regular mail postmarked by official U.S. postal service cancellation and not by postage meter no later than seven calendar days from the date of the notice.
 - (2) Each request for hearing shall contain the name, address, electronic mail (e-mail) address, and daytime telephone number of any person requesting a hearing and of any attorney and/or agent duly authorized by the person who has received the notice to represent him/her at the hearing.
 - (3) Each request for hearing shall set out the requester's basis for the appeal.
 - (4) Failure to request a hearing within seven calendar days from the date of the notice shall be deemed a waiver of the right to contest the validity of the determination of nuisance and/or determination of costs stated in the notice, as applicable. The information set forth in the notice will be deemed to be valid and abatement and/or assessment of abatement costs will proceed as indicated in the notice.
- (b) All administrative hearings requested in compliance with this section shall proceed as follows:
- (1) Shall be scheduled by the City Clerk to occur as soon as practical following the date of the notice.
 - (2) Shall be held before the City Administrator and be conducted informally. The department and the person in receipt of the notice may be represented by counsel or duly authorized agent, and examine witnesses, and present evidence.
 - (3) The person requesting the hearing shall be notified in writing by regular mail or by electronic mail (e-mail), or by phone of the date and time for the hearing at least three business days in advance thereof.
 - (4) For hearings following notice to abate a nuisance, the City Administrator shall either find that a nuisance exists, or void or reverse the notice. If the hearing officer finds that a nuisance exists and evidence of plans for abatement are presented at the hearing by the recipient of the notice, the hearing officer may grant additional reasonable time for the abatement of the nuisance by the recipient of the notice prior to city abatement of the nuisance.
 - (5) For hearings following notice of costs of abatement, the City Administrator shall either uphold the amount billed, reduce the amount billed, or waive the costs, and shall not determine any other issue relating to the nuisance abatement including but not limited to any issue that may have been raised at a hearing following notice to abate a nuisance. Any costs not waived by the City Administrator may be assessed against the real property for collection in the same manner as a property tax.
 - (6) If an owner(s) or their representative fails to appear at the hearing, they shall be considered in default and the requested relief shall not be granted.

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- (c) The determination of the City Administrator shall be in writing, including findings of fact, and is the final administrative decision of the city.
 - (1) Any party aggrieved by the determination of the hearing officer pursuant to this chapter may challenge whether the officer exceeded proper jurisdiction or otherwise acted illegally by commencing a certiorari action in the district court for Polk County, Iowa. The petition to initiate a certiorari action must be filed within 30 days after the entry of the final determination unless an extension of time is allowed by the reviewing court pursuant to Division XIV of the Iowa Rules of Civil Procedure. The City Administrator is hereby authorized to initiate a certiorari on behalf of the city when the City Administrator, in consultation with the city attorney, deems it necessary and appropriate.
 - (2) The filing of an action in the district court challenging the determination of the City Administrator does not automatically stop the city from taking action pursuant to such determination. Unless the city has been served with an order from the district court directing otherwise, the city may proceed with enforcement of a determination.
 - (d) Request for an administrative hearing does not stay an action by the city for alternative relief as allowed by law.

Sec. 182.21. Nuisances enforced by civil action.

Notices pursuant to this chapter for which the department elects to proceed by civil action shall be served in the manner set forth in section 182.19 of this chapter and shall contain all information set forth in section 182.18 of this chapter as well as a statement that the city may file a civil action and seek a court order relating to the existence, abatement, and recovery of abatement costs of the nuisance.

Sec. 182.22. Emergency actions.

If the department determines that a nuisance exists which constitutes an emergency requiring immediate abatement, the city may perform any emergency action necessary to abate the nuisance without prior notice or abatement hearing.

Sec. 182.23 Renovation agreement.

- (a) Any maintenance items which cannot be completed within the noticed timeframe because of weather constraints or extraordinary circumstances not of the owner(s) or authorized management agents making they may request an extension of time.
- (b) An owner(s) or authorized management agent may make a request accompanied by the fee set forth in the schedule of fees adopted by the city council by resolution, for an extension that is specific to the structure or premise and must show that:
 - (i) Strict compliance with this chapter is impractical; and

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- (ii) The extension does not violate the intent and purpose of the Municipal Code;
and
 - (iii) At the administrator's discretion, proof of financial ability to complete the repair(s) may be requested and must be provided by the owner(s) or authorized management agent prior to approval.
- (c) Extensions of time will be entered into by the owner(s) or authorized management agent and the administrator through an executed renovation agreement.
 - (d) Upon execution of a renovation agreement, a temporary rental license will be issued which will expire upon the date set for completion of the repairs as set out in the agreement.
 - (e) An owner(s) or authorized management agent may appeal a denial of an extension pursuant to section 182.20 of this chapter.

Sec 182.24 Civil actions; alternative relief.

- (a) Any person who fails to perform an act required by this chapter or who commits an act prohibited by this chapter shall be guilty of a municipal infraction punishable by a civil penalty as provided by Chapter 4 of the Municipal Code.
- (b) Proceeding with an administrative hearing, civil action, or emergency action as authorized in this chapter does not preclude the city from seeking alternative relief from a court in the same action or as a separate action, including but not limited to an order for abatement, injunctive relief, or authorization to make repairs.
- (c) In addition to other remedies set forth in this chapter, when it is determined by the administrator that a nuisance exists and/or that a person is a habitual violator, the city may file a civil action in the district court seeking an order enjoining the person from further violation of this chapter on real property owned or controlled by such person or real property where such person acts as an agent, tenant, or lessee of any residential dwelling, commercial establishment and/or real property within the city. The city may further request that upon entry of the injunction the court allow the city to abate further violations without notice and/or seek an order of contempt.

Sec. 182.25. Right of entry.

The administrator is authorized to enter at reasonable times onto and into open unobstructed property and structures to inspect, and a property owner or occupant is required to allow such inspection. If entry onto real estate for the purposes described in this chapter is refused, the administrator may pursue a municipal infraction and/or obtain an administrative search warrant as provided by law to gain entry onto the real estate for the purpose of inspection or otherwise as provided by law.



STAFF REPORT
CITY COUNCIL
July 1, 2024

TO: CITY COUNCIL

FROM:

SUBJECT: Mayor, Council Reports and Committee Updates, and Administration Reports

GENERAL INFORMATION

ATTACHMENTS

None