

City of Ramsey
Agenda
City Council Work Session
Tuesday, March 22, 2022

5:30 pm
Lake Itasca Room, 7550 Sunwood Drive NW

Remote Attendance available at www.cityoframsey.com/meetings. To maximize social distancing due to the COVID-19 Pandemic, those that can join remotely are encouraged to do so. Those joining remotely and requesting to speak are asked to use a webcam when speaking.

- 1. Call to Order**
- 2. Topics for Discussion**
 1. Consider Purchase of a portion of Outlot B, Elmcrest Sanctuary, Anoka County, Minnesota (this portion of the meeting may be closed to the public per MS 13D.o5 Subd. 3 (3))
 2. Discuss Future Meetings For MUSA Boundary and COR Design Framework
 3. Review Model Contract for the City Administrator and Update Regarding the City Administrator Recruitment
 4. Discuss Reassigning the City Administrator's Appointments on Various Committees
 5. Discuss Updating the Policy for the Recruitment, Application, and Interview Process of Appointing City Board and Commission Members
 6. Discuss Developing a Charter Commission Recruitment Policy
- 3. Topics for Future Discussion**
 1. Review Future Topics/Calendar
- 4. Mayor/Council/Staff Input**
- 5. Adjournment***

***Note: the City Council may motion to recess this Work Session meeting and reconvene after the regular City Council meeting if items on the agenda are not completed.**

Meeting Date: 03/22/2022

Information

Title:

Consider Purchase of a portion of Outlot B, Elmcrest Sanctuary, Anoka County, Minnesota (this portion of the meeting may be closed to the public per MS 13D.05 Subd. 3 (3))

Purpose/Background:

At a closed session of the Council work session of January 11, 2022, the City Council considered an offer to sell real property from Blackjack Farms, LLC consisting of a portion of Outlot A of the Elmcrest Sanctuary, Anoka County, Minnesota. The Council considered results of an appraisal and consideration of a counteroffer. The Council directed the City Attorney and City Administrator to negotiate with the property owner. The negotiating team (City Attorney Knaak, Council Member Heineman, Deputy City Administrator/CDD Brian Hagen, and City Administrator Kurt Ulrich) met with the property owner (and his attorney) several times over the last couple of months and would like to discuss a purchase proposal with the City Council. This discussion is recommended to be closed to the public per MS 13D.05 Subd. 3 (3) in order to develop or consider offers or counteroffers for the purchase or sale of real or personal property.

If the meeting does go into closed session the following parcels must be identified for the record by Legal Description and Property Tax ID Number:

Outlot B, Elmcrest Sanctuary - Property Tax ID # 11-32-25-34-0012

Outlot A, Elmcrest Sanctuary - Property Tax ID # 11-32-25-34-0011

The attached Offer to Sell Property with Acceptance by Blackjack Farms, LLC has an asking price of \$129,373.20 (\$1.80/SF) for 1.65 acres (71,874 SF) of a portion of Outlot A, Elmcrest Sanctuary. Staff research has found that the legal description should be described as a portion of Outlot **B**, Elmcrest Sanctuary as noted in this case. Based on the original offer, the City Engineering department prepared a Proposed Property Boundary Owner Offer Exhibit that generally depicts the land being offered for sale by Blackjack Farms, LLC (See attached).

Timeframe:

TBD

Funding Source:

TBD

Responsible Party(ies):

TBD

Outcome:

Based upon discussion.

Attachments

Statute 13D.05

Elmcrest Park North Access

Offer to Sell Property with Acceptance

Site Map of Portion of OL B, Elmcrest Sanctuary

Form Review

Inbox

Kurt Ulrich (Originator)
Form Started By: Kurt Ulrich
Final Approval Date: 03/16/2022

Reviewed By

Kurt Ulrich

Date

03/16/2022 02:04 PM
Started On: 03/16/2022 01:31 PM

13D.05 MEETINGS HAVING DATA CLASSIFIED AS NOT PUBLIC.

Subdivision 1. **General principles.** (a) Except as provided in this chapter, meetings may not be closed to discuss data that are not public data.

(b) Data that are not public data may be discussed at a meeting subject to this chapter without liability or penalty, if the disclosure relates to a matter within the scope of the public body's authority and is reasonably necessary to conduct the business or agenda item before the public body.

(c) Data discussed at an open meeting retain the data's original classification; however, a record of the meeting, regardless of form, shall be public.

(d) All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the expense of the public body. Unless otherwise provided by law, the recordings must be preserved for at least three years after the date of the meeting.

Subd. 2. **When meeting must be closed.** (a) Any portion of a meeting must be closed if expressly required by other law or if the following types of data are discussed:

(1) data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;

(2) active investigative data as defined in section 13.82, subdivision 7, or internal affairs data relating to allegations of law enforcement personnel misconduct collected or created by a state agency, statewide system, or political subdivision;

(3) educational data, health data, medical data, welfare data, or mental health data that are not public data under section 13.32, 13.3805, subdivision 1, 13.384, or 13.46, subdivision 2 or 7; or

(4) an individual's medical records governed by sections 144.291 to 144.298.

(b) A public body shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting.

Subd. 3. **What meetings may be closed.** (a) A public body may close a meeting to evaluate the performance of an individual who is subject to its authority. The public body shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the public body shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting.

(b) Meetings may be closed if the closure is expressly authorized by statute or permitted by the attorney-client privilege.

(c) A public body may close a meeting:

(1) to determine the asking price for real or personal property to be sold by the government entity;

(2) to review confidential or protected nonpublic appraisal data under section 13.44, subdivision 3; and

(3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property.

Before holding a closed meeting under this paragraph, the public body must identify on the record the particular real or personal property that is the subject of the closed meeting. The proceedings of a meeting closed under this paragraph must be tape recorded at the expense of the public body. The recording must be preserved for eight years after the date of the meeting and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the governing body has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of members and all other persons present at the closed meeting must be made available to the public after the closed meeting. If an action is brought claiming that public business other than discussions allowed under this paragraph was transacted at a closed meeting held under this paragraph during the time when the tape is not available to the public, section 13D.03, subdivision 3, applies.

An agreement reached that is based on an offer considered at a closed meeting is contingent on approval of the public body at an open meeting. The actual purchase or sale must be approved at an open meeting after the notice period required by statute or the governing body's internal procedures, and the purchase price or sale price is public data.

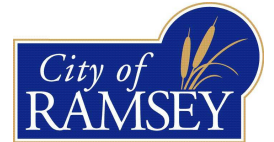
(d) Meetings may be closed to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures and to discuss security deficiencies in or recommendations regarding public services, infrastructure and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting. Before closing a meeting under this paragraph, the public body, in describing the subject to be discussed, must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting. A closed meeting must be tape recorded at the expense of the governing body, and the recording must be preserved for at least four years.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2; 1999 c 227 s 22; 2002 c 379 art 1 s 5; 2004 c 276 s 1; 2004 c 290 s 18; 2007 c 110 s 2; 2007 c 147 art 10 s 15; 2008 c 335 s 1; 2010 c 365 art 1 s 8

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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NCCO, (c) OpenStreetMap contributors, and the GIS UserCommunity, LOGIS

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OFFER TO SELL PROPERTY WITH ACCEPTANCE

A G R E E M E N T made this 10th day of November 2021, between Blackjack Farms, LLC., Seller(s) and City of Ramsey, Purchaser(s).

Seller agrees to sell, and Purchaser agrees to purchase the following described real property, located in Anoka County, State of Minnesota, the legal description being:

1.65 Acres or 71,874 square foot of Outlot A of the Elmcrest Sanctuary, Anoka County, Minnesota

Abstract Property

The new boundary shall be the west side of the current access road with set-back of no more than 2 feet to allow Seller to erect a fence for his adjoining property. Seller shall be granted a 20-foot easement on the east side of the fence, for access to his property.

- 1) The purchase price is \$1.80 per Squar Foot or \$129,373.20 to be paid as follows:
 - A) A non-refundable deposit if Purchaser defaults, to be paid to Michael James Sykes at the time of acceptance of this contract in the amount of \$10,000.
 - B) The balance as follows: \$119,373.20 on the day of closing.
 - C) Buyer to pay all closing costs.
- 2) Property taxes shall be pro-rated to the day of closing.
- 3) Seller is selling property AS IS and makes no representation as to the condition of the property or warrants any defects in the property.
- 4) Seller agrees to convey the new title provided, after subdivision of property as described above, by Purchaser, free of encumbrances. This deed shall be delivered, and the closing will be held on or before December 31, 2021.
- 5) Subdivision of property is the sole responsibility of the Purchaser.
- 6) It is expressly agreed that upon any default or failure on the part of the Purchaser to comply with the terms and conditions of this contract, that Seller agrees to accept the deposit as full liquidated damages. Upon default by the Seller to perform under this agreement, all deposits shall be returned to Purchaser on demand.
- 7) The terms and conditions of this contract are to apply to and bind the heirs, administrators, successors, executors and assigns of the respective parties.
- 8) Additional terms and conditions: Purchaser agree to allow Seller to construct a fence no

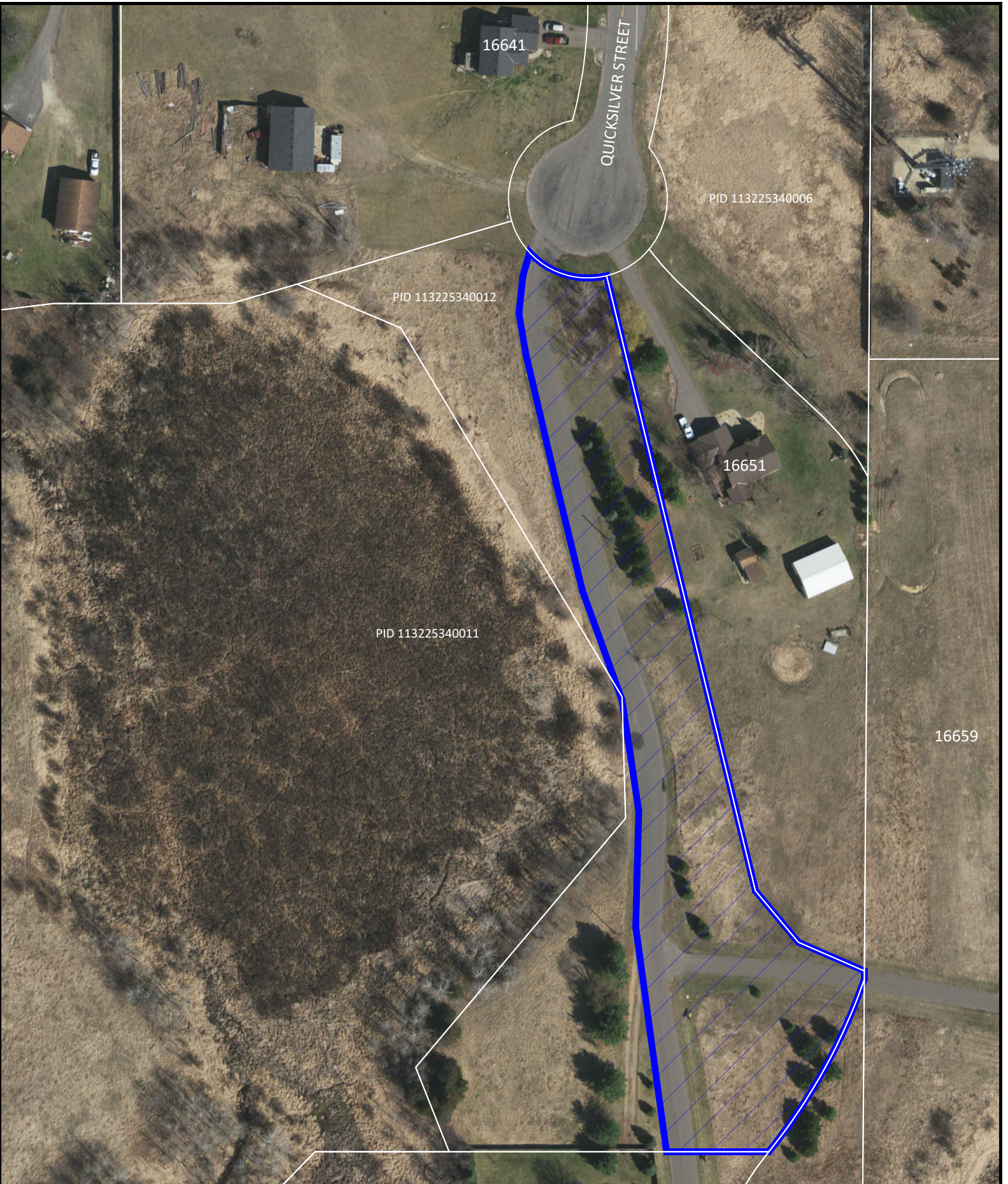
more than 2 feet off existing road and shall grant Seller a 20-foot easement on said road for access to his property.

9) This document represents an offer to sell by Seller and an agreement to buy from Purchaser. Once accepted, purchaser agrees to provide a seller a complete purchase order memorializing all terms and conditions of this agreement reflecting the subdivision of Outlot A to meet the Seller's requirements of the new boundaries and easement granted to Seller.

The undersigned Seller(s) have read, fully understand and verify the above information as being correct and hereby offer to sell said property to the Purchaser on the terms and conditions as stated.

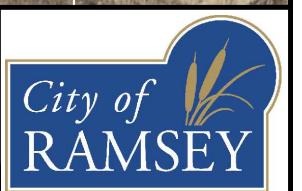
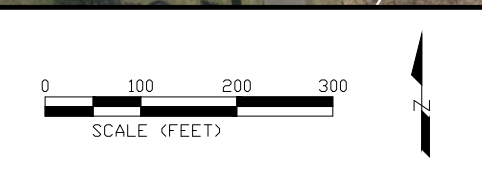
SELLER(S)

PURCHASERS



PROPOSED PROPERTY BOUNDARY
OWNER OFFER (2-FEET WEST OF EXISTING ROAD)
1.600 ACRE +/- 0.035 ACRE
(69,696 SF +/- 1,506 SF)

11/22/2021



Meeting Date: 03/22/2022

Information

Title:

Discuss Future Meetings For MUSA Boundary and COR Design Framework

Purpose/Background:

The City Council (CC), Planning Commission (PC) and Economic Development Authority (EDA) met on September 23, 2021 for a joint meeting. The purpose of the meeting was to discuss COR and Highway 10 Planning/Vision. Direction was provided to staff from that meeting, with some items seeing progress. I.e. Billboard Lease, development progress of the Southeast portion of the COR.

Continued discussion has been supported by the PC to review the future of COR. This would benefit from a joint meeting of the CC, PC and EDA.

There is other support to discuss the balance of future development between MUSA and Non-MUSA development. This would benefit from a joint meeting of CC and PC.

Timeframe:

Funding Source:

Responsible Party(ies):

Outcome:

Establish framework to hold discussions on these topics. Should these be separate meetings, and what should staff prepare and provide to benefit the discussions?

Attachments

No file(s) attached.

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	03/16/2022 11:09 AM
Form Started By: Brian Hagen		Started On: 03/15/2022 12:19 PM
Final Approval Date: 03/16/2022		

Meeting Date: 03/22/2022

Information

Title:

Review Model Contract for the City Administrator and Update Regarding the City Administrator Recruitment

Purpose/Background:

The purpose of this discussion is to provide the City Council with an update on the status of the City Administrator recruitment, receive feedback and to answer questions, plus to review a draft contract and consider contract guidelines for presenting an initial offer. In addition, consider interest of Council to be part of negotiations once a candidate is selected.

The application period will close at 11:59 pm on Sunday, March 27. At this time, human resources has received 8 applications.

The planned recruitment timeline is as follows:

1. External Posting: 03/03/2022 to 03/27/2022 @ 11:59 pm
2. City Council to confirm selection of first interview candidates: by Noon 03/31/2022
3. First Interviews: 04/06/2022 and 04/07/2022; normal business hours
4. Background/Reference Check: 04/08/2022 to 04/15/2022
5. Second Interviews: 04/19/2022 – to end by 4:40 pm due to evening meetings
6. Leadership assessment results on file by 05/03/22
7. Contingent Job Offer: 05/04/2022 or 05/11/2022
8. Pre-employment medical testing by: 05/16/2022
9. Council authorization to hire: 05/24/2022
10. New City Administrator starts working on or near 05/25/2022 to 06/27/2022

Attached is a model contract and information on hiring a City Manager/Administrator compiled by the League of Minnesota Cities.

Timeframe:

Approximately 5 minutes

Funding Source:

Not Applicable

Responsible Party(ies):

Colleen Lasher, Administrative Services Director

Outcome:

To provide the City Council with an update, receive feedback and to answer questions. To receive guidance on City Administrator contract and negotiations.

Attachments

LMC Model Contract

LMC Hiring Guide

Personnel Policy

Ulrich Employment Agreement and Resolution 06-2009

Personnel Policy-Section 3 Recr Selection Employment and Term.

Form Review

Inbox

Kurt Ulrich

Form Started By: Colleen Lasher

Final Approval Date: 03/17/2022

Reviewed By

Kurt Ulrich

Date

03/17/2022 04:35 PM

Started On: 03/15/2022 10:44 AM

City Manager or Administrator Employment Agreement, LMC Model Contract

League models are thoughtfully developed by our staff for a city's consideration. Models should be customized as appropriate for an individual city's circumstances in consultation with the city's attorney. Helpful background information on this model may be found in "[Hiring a City Manager or Administrator Toolkit](#)"



This icon marks places where the city must customize the model. They offer additional provisions, optional language, or comments for your consideration. The icon, and language you do not wish to include, should be deleted from this model before use. Make other changes, as needed, to customize the model for your city.

City of _____, Minnesota Employment Agreement

AGREEMENT made this _____ day of _____, 20_____, by and between the CITY OF _____, a Minnesota municipal corporation ("Employer"), and _____ ("Employee").

The parties agree as follows:

1. **POSITION.** Employer agrees to employ Employee as its City Manager. Employee agrees to serve as City Manager in accordance with state statutes, City ordinances and the Code of Ethics of the International and Minnesota City/County Management Associations, and to perform such other legally permissible and proper duties and functions as the City Council shall from time to time assign.



You may substitute "City Administrator" for "City Manager", if applicable to your city, throughout this employment agreement.

2. **MOVING AND RELOCATION ALLOWANCE.** Employer shall reimburse Employee an amount not to exceed \$_____ for moving his/her household goods and an amount not to exceed \$_____ for house hunting expenses such as travel expenses, temporary lodging, and meals. Payment shall be made upon receipt by the City of documentation that the expenses have been incurred and deemed reasonable.

3. **PENSION PLAN.** Employer shall contribute to PERA as required by State law for Employee or an alternate pension plan, if selected by Employee, authorized by State law.

4. **SALARY.** Employer shall pay Employee a salary of \$_____ per year starting _____. Employer and Employee agree that an initial performance review will be conducted on Employee after six (6) months and annually thereafter. The Employer agrees to consider an

increase in compensation to the Employee dependent upon the results of the performance evaluation.

5. **SENIORITY.** For purposes of employment benefits such as sick leave, vacation leave, and the like, Employee will be credited with having completed _____ years of employment with the City upon his/her first day of employment.

6. **SICK LEAVE.** Effective upon Employee's first day of employment, Employee shall be credited with _____ days of accrued sick leave. In addition, Employee shall accrue sick leave in accordance with the City's personnel policies.

7. **VACATIONS.** Effective upon Employee's first day of employment, Employee shall be credited with _____ days of accrued vacation leave. In addition, Employee shall accrue vacation leave in accordance with the City's personnel policies.

8. **HOLIDAYS.** Employer shall provide Employee the same holidays as enjoyed by other non-union employees.

9. **GENERAL INSURANCE.** Employer shall provide Employee the same group hospital, medical, dental, life and disability insurance benefits as provided to all other non-union employees.

10. **DUES AND SUBSCRIPTIONS.** Employer shall budget and pay the professional dues and subscriptions for Employee which are deemed reasonable and necessary for Employee's continued participation in national, regional, state and local associations necessary and desirable for Employee's continued professional participation, growth and advancement.

11. **PROFESSIONAL DEVELOPMENT.** Employer shall budget and pay necessary and reasonable registration, travel and subsistence expenses of Employee for professional and official travel, meetings and occasions adequate to continue the professional development of Employee and to adequately pursue necessary official and other committees thereof which Employee serves as a member. Employee shall use good judgment in his/her outside activities so he/she will not neglect his primary duties to the Employer.



For Sections 10 and 11, employer and employee may wish to agree to list specific organizations whose dues and professional development opportunities will be covered – i.e. International City/County Management Association, Minnesota City/County Management Association, League of Minnesota Cities. The list would not be exclusive;

other organizations or training opportunities that might arise would be covered under the general "reasonable" language.)

12. **CIVIC CLUB MEMBERSHIP.** Employer recognizes the desirability of representation in and before local civic and other organizations. Employee is authorized to become a member of such civic clubs or organizations as deemed appropriate by Employee and Employer; and at Employer's expense.

13. **AUTOMOBILE.** Employee shall be paid a monthly allowance of \$_____ for use of his/her personal automobile for Employer business.

14. **GENERAL EXPENSES.** Employer shall reimburse Employee reasonable miscellaneous job-related expenses which it is anticipated Employee will incur from time to time when provided appropriate documentation.

15. **HOURS OF WORK.** It is understood the position of City Manager requires attendance at evening meetings and occasionally at weekend meetings. It is understood by Employee that additional compensation and compensatory time shall not be allowed for such additional expenditures of time. It is further understood that Employee may absent himself/herself from the office to a reasonable extent in consideration of extraordinary time expenditures for evening and weekend meetings at other than normal working hours.

16. **TERMINATION BENEFITS.** In the event Employee is terminated by the Employer during such time that Employee is willing and able to perform the duties of City Manager, then in that event, Employer agrees to pay Employee at the time of receipt of his/her last paycheck a lump sum cash payment equal to _____ months aggregate salary and to continue to provide and pay for the benefits set forth in paragraph 9 for a period of _____ following termination. However, in the event Employee is terminated because of his/her malfeasance in office, gross misconduct, conviction for a felony, or conviction for an illegal act involving personal gain to Employee, then Employer shall have no obligation to pay the termination benefits.

If Employer at any time during the employment term reduces the salary or other financial benefits of Employee in a greater percentage than across-the-board reduction for all non-union employees, or if Employer refuses, following written notice, to comply with any other provisions of this Agreement benefiting Employee or Employee resigns following a formal suggestion by Employer that he/she resign, then Employee may, at his option, be deemed to be "terminated" on the effective date of Employee's resignation and the Employee shall also be entitled to receive the termination benefits set forth above.

If Employee voluntarily resigns his/her position with Employer, Employee agrees to give the Employer thirty (30) days advance notice. If Employee voluntarily resigns his/her position with Employer, there shall be no termination pay due to Employee.

17. **GENERAL CONDITIONS OF EMPLOYMENT.** Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employer to terminate the services of Employee at any time, for any reason, subject only to the provisions of this Agreement and statutory requirements. Furthermore, nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time from his/her position with Employer, subject only to the provisions of this Agreement.

IN WITNESS WHEREOF, Employer has caused this Agreement to be signed and executed on its behalf by its Mayor and _____, and Employee has signed this Agreement, in duplicate, the day and year first written above.

EMPLOYER:
CITY OF _____

EMPLOYEE:

BY: _____
Its Mayor

AND

Its

INFORMATION MEMO

Hiring a City Manager or Administrator Toolkit

Learn the steps to take in hiring a city manager or administrator, including how to manage interim time, whether or not to use a search consultant, setting position qualifications and attracting, interviewing and offering positions to candidates.



This toolbox icon marks the link to a downloadable tool.

RELEVANT LINKS:

800.925.1122
651.281.1200
HRbenefits@lmc.org

Take action with Information Memo toolkits. They contain the forms, samples, or models a city can use to take action on a process or project. Look for the toolkit icon so you can download that tool to use or modify it for your city.

I. Pre-hiring action steps

Your city is suddenly faced with the prospect of hiring a city administrator or city manager. What should you do? What should you be thinking about? Maybe even more importantly what should you NOT do? This overview is designed to address some of the questions you may have about how to go about hiring the top appointed position in your city.

A. Interim administrator or city manager duties

When there is a vacancy in the office of the city administrator or manager one option is to designate some other trusted staff member (finance director, clerk) to serve as interim administrator until a replacement can be hired. Another option is to divide responsibilities between several staff during the interim. This can work, but the council must be very clear about who has specific responsibilities for what functions, and to whom they all report. Cities with the council-manager form of government should probably not use this option, since State law or the city charter vest the city manager with very specific authorities.

Another option is to work with or contract with a neighboring city to have its city clerk or administrator help out. Or some cities hire a retired administrator to serve as an interim administrator or look for an administrator who is in-between jobs to serve in this role. LMC can provide a list of individuals who may be available for such interim service. While each recruitment is unique, a city can generally expect a recruitment process to take 90 to 120 day plus an additional 30-45 days for a candidate to start after a contract is approved.

This material is provided as general information and is not a substitute for legal advice. Consult your attorney for advice concerning specific situations.

B. Using a consultant or doing it on your own

The first decision the mayor and council will need to make is whether to hire a consulting firm to assist with the recruitment. There are both national and Minnesota-based firms specializing in the recruitment of city administrators/managers. The fees vary, but about \$19,000 to \$26,000 plus direct expenses, can be anticipated. While the consulting fee may appear substantial up front, many cities have found it to be a very worthwhile investment in keeping the overall recruitment process objective and in hiring a manager/administrator who is the best fit for their city. Search firms may also offer some type of “guarantee” if the employee doesn’t work out or doesn’t end up staying in the position for a specified amount of time. One option for examining search firms is to seek formal proposals from vendors. Please contact the League for sample Request for Proposals for Executive Search Consulting Services some cities have used in the past. There is no requirement for a formal RFP process for this type of service. Another option that can be accomplished more rapidly, is to reach out to specific firms and request they submit a service quote. The Council should evaluate the proposals or quotes using the same process used for other service proposals or quotes.

If the council decides not to retain a consultant, but to handle the recruitment on its own, it is usually necessary to designate a trusted member of the existing city staff to manage the details of the process – the individual responsible for human resources matters would be the best choice, with the city clerk or finance director being other viable options. If the city is too small to have a staff member available for this purpose, the council will probably need to designate the mayor or a council member to handle it. The city attorney will also be a necessary and helpful resource in keeping the process legal and in finalizing the details of any employment agreement. If city decides not to retain a consultant, involvement of the city attorney is strongly encouraged.

The council should agree up front on how it is going to organize itself for the task ahead – i.e., development of the posting, who will speak on behalf of the council in contacting candidates and the media, how the application process will occur, how the final terms of employment are established between the city and the successful candidate, etc. It should be very clear and agreed upon as to what roles individual councilmembers will and will not play in the process.

II. Hiring tasks

The remaining steps outlined in this memo would be similar regardless of whether a consultant is used.

RELEVANT LINKS:

The difference is that in one case, the consultant would coordinate most of the tasks, while in the other, it would be the designated staff member in consultation with the mayor or the entire council.

A. Establishing qualifications for the position

The mayor and council will want to start by thinking carefully and broadly about the qualifications they would like in a new manager/administrator.

For a moderately sized or larger community (e.g., population 4,000 to 5,000), it would be very reasonable to expect previous experience as an assistant city manager/administrator in a similar-sized or even larger city. Ideal candidates would hold a bachelor's degree and some candidates will have a master's degree in a relevant field (e.g., public administration, public affairs, business administration, leadership, urban affairs).

Smaller communities (e.g., under 2,500) have often reported better results attracting less experienced city administrator candidates, including candidates with limited previous work experience (e.g., someone who has served as an assistant in a larger city, a candidate with experience that is not directly related but still generally relevant, or someone who has just graduated from a master's level program but has little or no experience).

Beyond that, the council will want to think about specific demonstrated skills they may desire – i.e., staff leadership, policy work with the council, media relations, financial management, community and economic development, intergovernmental relations. No candidate is going to be strong in all areas! What skills are most important to the city at this time? It will be helpful to assess the strengths of existing staff, and then think about what skills the administrator/manager should bring in order to create a well-rounded staff team. Also remember managers and administrators are usually trained as generalists; if a particular skill is important, but not highly critical, most can learn quickly and apply those generalist skills in addressing particular issues and problems.

On the more intangible side, the city administrator/manager is a critical position for setting a “tone” for the city. What personal traits will work best for the city at this time? What “style” is needed to earn the confidence of the council and effectively lead the staff? What values does the community expect to see in its city administrator/manager?

Two basic core values any administrator/manager should bring to the job are a keen understanding of the public purposes and obligations of the city (which would be different than those for a private corporation) and a strong commitment to highly ethical behavior. The International City/County Management Association (ICMA) and its state counterpart, the Minnesota City/County Management Association (MCMA), are the professional associations for city and county managers and administrators.

[ICMA.](#)
[MCMA.](#)

RELEVANT LINKS:

[Minnesota City/County Management Association, Code of Ethics.](#)



[City Manager position description, City of Moorhead sample.](#)
[City Administrator position description, City of Fosston sample.](#)

ICMA and MCMA have adopted a very specific code of ethics to guide the behavior of members

While the mayor and council have the ultimate responsibility for hiring and supervising the city manager/administrator, it can be a very good idea to gather input from others in this beginning stage. Asking the opinions of key city staff is an especially good idea.

The council may want to consult with the Chamber of Commerce, key local industries, school district and county officials, community leaders, or labor leaders (including city labor unions if appropriate). The key is to carefully balance the input of the many diverse groups, and to avoid weighing the input of any one group or any one suggestion too heavily. When asking for input, it is important to make it clear the council will have to balance the many suggestions received with its own assessment of the needs of the city; every suggestion will not be able to be accommodated. Another option is to ask for input from these groups later in the process when candidates are being interviewed.

The council will want to complete this phase of the process by drawing up its list of the main qualifications being sought in the new city administrator/manager.

B. Job descriptions and position profiles

As with any recruitment, having a good job description is critical. The council should work with the consultant or staff member to review the existing job description, incorporating and emphasizing key qualifications and attributes established in the first step above.

Many local governments go further, creating a “recruitment profile.” Search firms routinely develop these for their clients. Such a profile usually goes into some detail about the community and city, describing its strengths, challenges and issues. The profile then describes the type of city manager/administrator the city would like to recruit to help address those challenges. Disclosing the salary range and benefits the council is willing to consider, along with information about the community, such as schools, recreational opportunities, etc. helps candidates decide whether to apply for a position. A profile is an opportunity for the city to “sell” itself to prospective candidates. Good administrators and managers can be hard to find, so it is important for the city to put its best foot forward throughout the process.

RELEVANT LINKS:

[Minn. Stat. § 412.651.](#)



[City Administrator Job Advertisement, LMC Model Form.](#)

[League of Minnesota Cities city jobs posting.](#)
[Association of Minnesota Counties, employment listings.](#)
[International City/County Management Association Job Center, Employer Overview.](#)
[National Forum for Black Public Administrators.](#)
[Local Government Hispanic Network.](#)

Finally, in cities with the position of city administrator (as opposed to city manager which is more clearly defined in state statute – Minnesota Statutes §412.651) the job description or profile should be clear about the specific duties, responsibilities, and authorities of the position – i.e., does this position present a recommended budget to the council, what role does he/she have in hiring, disciplining or firing employees?

III. Recruitment of candidates

Next, the mayor and council must decide how broadly to “cast the net” for potential applicants.

Given the specialized nature of a city administrator/manager position, it is a good idea to advertise at least statewide. Both the League of Minnesota Cities (LMC) and the Association of Minnesota Counties (the skills between city and county managers are often transferable) will place advertisements on their websites. Members of the Minnesota City/County Management Association (MCMA) are able to distribute information about positions of professional interest to its members via its online MemberLink community with over 300 members around the state. Many cities choose to advertise their position nationwide through the International City/County Management Association (ICMA). For some cities, it might make sense to at least advertise the position in the nearby states. LMC can assist you in placing notices with the municipal leagues in those states. The city may also want to consider sending the advertisement to universities and colleges with graduate degree programs in relevant fields such as public administration or public policy. Many can bring the position to the attention of alumni, as well as current students. Many cities also advertise with a focus on diversity equity and inclusion efforts by posting on job boards of state and national chapters of affiliate organizations. A few groups are linked to the left.

Another decision is whether to place the advertisement in local or statewide on-line newspapers of general circulation. The disadvantage is you will likely be deluged with applications from individuals who are not really qualified, and most professional local managers will see your notice in association publications from LMC, MCMA, and others. On the positive side, there is always the possibility of finding a great candidate you might not otherwise have reached!

If you use a consultant, he or she will actively recruit applicants they believe might be a good fit with your position. If you do not use a consultant, the council may want to direct staff as to specific individuals to whom they would like to send the position announcement. There is also nothing wrong with individual council members and even staff bringing the position to the attention of potential candidates.

RELEVANT LINKS:

See [Employment Application](#), LMC Model Form.

LMC information memo, [Veterans Preference in Hiring](#), Section I-B-3, exception for department head positions.



[City Manager or Administrator Training and Experience](#), LMC Model Rating Sheet Form.

That said, it is critical everyone **respects the established process**.

Individual contacts should be solely an encouragement to consider applying, with no implication whatsoever the person is being promised a job, an interview or any other special consideration.

Interested candidates should be directed to the consultant, city staff member, mayor, or whoever has been designated to coordinate the process.

Interested applicants are usually asked to send a professional resume, along with cover letter of interest, to the designated recruitment coordinator. Some cities require applicants to complete the city's employment application form or another standardized form called a "supplemental application" requesting specific job-related information and allows for the applicant to elect veteran's preference points, if appropriate.

A. Evaluation of applications

Cities may need to comply with veterans' preference laws when hiring a manager or administrator. The law does not require cities to give preference to department head positions, but cities should use caution in applying this exemption and consult an attorney before assuming an employee will be considered a department head.

You may receive resumes and applications from more candidates than you wish to interview. The agreed upon process should include deciding who is going to narrow the list to a reasonable number for further consideration. If you have hired a professional recruitment firm, they will do this for you. If not, it may be done by the designated staff member, or perhaps the mayor or a small council committee working with the staff member. You will likely end up with at least three candidate groupings –those clearly not qualified; those that seem to fit the bill; and a third middle pile of strong potential candidates but lacking in some area. If you and the city attorney determine the position is subject to the veterans' preference law, you will need to rate all candidates and veterans on a 100-point scale.

Otherwise, at this point it is usual to come up with a list of about 8 – 12 semi-finalists for further consideration. Copies of the resumes/applications of these top candidates are sent to each councilmember for their review and evaluation. It is very helpful to have some type of rating sheet to help the councilmembers score each candidate on key criteria. The scoring sheet can be based on a numerical rating system, but also allow opportunities for more subjective reactions. It is important everyone keeps in mind the identity of applicants is still private information at this point in time, and, thus, complete confidentiality must be maintained.

RELEVANT LINKS:

LMC information memo, [Data Practices: Analyze, Classify Respond](#), Section VIII-A-1-c, Applicants for employment.

LMC information memo, [Meetings of City Councils](#), Section II-G-2, Interviews.

[Minn. Stat. § 13.43 subd. 3.](#)

The council will then meet to discuss their ratings of the semi-finalists and attempts to reach agreement on typically three to six finalists to be interviewed. As a prelude to this discussion, the consultant or designated staff member may compile the councilmembers individual ratings into some type of integrated report that helps council more quickly see where there is agreement as to the top candidates.

At this point in the process, the city must begin to balance the somewhat conflicting demands of the Minnesota Data Practices and Open Meeting Law statutes. The council discussion to select finalists for interviews must be done in a public meeting, but the identity of applicants is private data. While the council can discuss private data at an open meeting when there is a business necessity, consider avoiding it altogether by having the council refer to specific candidates with something like “Candidate Number 4” or “Candidate D,” rather than by name. private! Avoid using job titles or specific work experience that would identify the candidate as well. While the law does allow the council to discuss private data at an open meeting, the city will want to consider the potential for losing candidates who do not want to be identified until they officially reach the finalist phase of the process.

Once candidates are chosen for an interview, they are considered “finalists” and the names of finalists are public data. Therefore, a highly recommended last step is to have the consultant, or designated staff member contact the finalists to advise them that they are going to be invited to interview and their identity is now public. This gives the applicant an opportunity to notify his or her current employer of their application before it comes out in the newspaper.

B. Interview process

In order to realistically compare candidates, it is best to complete all interviews in a relatively compressed timeframe, often over a one- or two-day period. Some cities choose to keep the candidates separated from one another, while others opt for a group event, including tours, receptions, and a group dinner with the council. As noted above, the identity of all finalists is public information at this point, and most candidates will understand that they are only one of several individuals being evaluated and considered. It is a nice idea to give all of the candidates a tour of the community, and perhaps even an opportunity to meet department heads, either one-on-one, or as a group. The candidates are evaluating you and your community at the same time you’re evaluating them, so it is important to be open and provide a setting for them to ask questions and get honest answers. No one benefits by unpleasant surprises later.

RELEVANT LINKS:

Call HR for sample interview questions for a city administrator.

See LMC information memo, [Meetings of City Councils](#).

LMC Model: [Instructions for interview panel](#).
LMC Model: [Do not ask questions](#).

LMC Model: [Employment interview panel rating sheet](#).

LMC HR Reference Manual, [Chapter 2](#), Section V, Interviewing.

In order to increase diverse perspectives for interview panel members, some cities will include a panel of community leaders to interview candidates within the city's hiring process. Keep in mind, private data (such as some criminal history and other background information) should be shared only with those individuals in the city who make the final hiring decision.

It is then typical and preferable for the full council to meet as a group to interview the candidates, although some councils may appoint a subcommittee to conduct initial interviews. If either the full council or an official committee of the council conducts the interviewing, the interviews are subject to the Open Meeting Law. This would include posting notice of the meeting where the interviews are taking place and the interview being open to the public.

It is critical anyone conducting interviews on behalf of the city be trained in advance on interviewing skills and general legal requirements, as well as informed of the duties and responsibilities of the position being filled. Refer to the links to the left for helpful interview panel instructions for aiding in explaining roles and procedures.

Interviewers should be prepared with a list of preset questions and some type of evaluation sheets to help them keep track of what they hear. Generally speaking, the evaluation sheets are considered private data under MN Data Practices laws, only to be shared with the candidate upon request. At the end of the day, individual responses can begin to blur into one. Be sure all of the candidates leave the interview with an understanding of approximately when a decision will be made, and how they will be contacted.

You can find out more about the interviewing process, including questions you should not ask, and whether you are asking the right kinds of questions, in the League's Human Resources Reference Manual.

After all interviews are completed, the council usually tries to agree on a top candidate for further consideration. They may also want to agree on a second candidate in case something doesn't work out with their top pick.

1. Covering expenses

Candidates may have expenses for traveling to your city, either by car, or even by plane, if necessary. There might also be overnight lodging and meal expenses. It is common for the city to reimburse such interview expenses up to a capped amount, provided detailed receipts are received from the applicant. Some cities also invite the candidates' spouses to be present at city expense with the idea that the city is selling a family, not just an individual, on the idea of moving to the community.

RELEVANT LINKS:



[Release for Employment Reference Checks, LMC Model Form.](#)

[Minn. Stat. § 364.021.](#)

[HR Reference Manual, Chapter 5.](#)

[Minn. Stat. § 364.021.](#)
[HR Reference Manual Hiring chapter.](#)

2. Reference and background checks

Never make a final job offer without this last, critical piece of due diligence, reference checks! An excellent tool for evaluating how a candidate is likely to perform in your city is his or her past track record with other employers.

Potential legal issues can arise when considering Minnesota Statutes prohibit employers from requesting or considering an applicant's criminal history until an applicant has been selected for an interview. Thus, the city's employment application should not include any criminal history type questions. For additional information, refer to the Background checks section included in the Hiring Chapter of the HR Reference Manual linked to the left.

From time to time, cities express an interest in completing the employment reference check stage early in the process on all potential finalists prior to inviting them to an interview. Again, this action is problematic for various reasons, including with the 2009 Criminal Offenders Rehabilitation Act. The Criminal Offenders Rehabilitation Act prohibits cities from inquiring into the criminal history of an applicant for employment prior to being selected for an interview, unless the background check is required by state or federal law. In 2009, the law was specifically designed to require public employers to remove the questions from their employment application forms that ask about criminal convictions, and then in 2012 the law was expanded to cover both private and public employers. While reference checks are important, they are not a substitute for a city conducting its own independent, comprehensive process -- completing these checks too early in the process can give them undue weight and unduly influence the process.

A less time-consuming practice is to complete reference checks on the council's top one or two candidates. While the city ideally should make an offer of employment contingent upon any necessary steps still to be taken (like employment and personal reference checks), these steps should be taken as quickly as possible to avoid losing good candidates.

Instead, let the candidate know that at this point, they are under serious consideration for the position, and with their permission, you will be continuing the evaluation with reference checks. Let the candidates know you will be calling the references they have listed, and likely a few others who would be in a position to comment on their past work record and make sure the city's authorization form allows for this practice (see below).

Again, an agreed upon process is important. Who will conduct the checks? Who will they talk to? If you are working with a professional recruiter, they will perform that task for you.

RELEVANT LINKS:



[Release for Employment Reference Checks](#), LMC Model Form.

LMC HR Reference Manual, [Chapter 2](#), Section VII, Background checks and bonding.

LMC information memo: [Background Checks: The ABC's of BCA Data](#).

If not, the city should have a trained person who is not a decision maker conducting the reference checks and any additional searches, so in the event protected class information is found, it will not be passed along to the decision makers. It is important to make sure the reference check process is objective, professional, and completed the same way for all candidates being given final consideration.

Work with your human resources staff and city attorney regarding what are and what are not allowable topics to be discussed during those reference checks. It is also a good idea to make sure candidates have signed an authorization and release form allowing you to verify the information they provided – i.e., their backgrounds and employment references.

It is best to check with multiple references, including some who the candidate has not listed, to make sure you are getting a true, complete, and accurate picture of past performance. Then carefully evaluate and balance what you are being told. Remember, any one reference you talk with may have really liked, or really not liked, the candidate; you need a broader picture. Also, be on the lookout for inconsistencies in what the references shared and the candidate shared in his/her application and interview responses. Inconsistencies are something to check on but don't necessarily mean you shouldn't hire a candidate. Often there is a good reason for an inconsistency. It is good to check with both elected officials, and trusted staff in the candidate's current city or county. And it is fine to talk with others, such as the Chamber Executive Director, or even professional peers from nearby cities.

As with any position, it is also a good idea to complete a criminal history and financial background review. Many cities have also started to undertake a simple public Google search on all finalists for city employment. Again, ideally, the city will have a trained person conducting this search who is not a decision maker, so in the event protected class information is found under this public search, it will not be passed along to the decision makers.

C. Making an offer

Once everything looks good for your preferred candidate, a contact should be made to tentatively offer him or her the position.

If you are using a professional recruiter, they will handle this for you. If not, it should probably be done by the mayor. The administrator will be working for the mayor and council, so you owe it to him or her and yourself to establish that relationship right from the beginning. You may or may not choose to include a specific salary and benefit package in that initial discussion; however, both parties should be aware of the range you are considering.

RELEVANT LINKS:

It can be helpful to include the salary offer because for some candidates the process will not move forward without that on the table from the beginning

1. Establishing the compensation package

Once the council and candidate have agreed they are mutually interested in pursuing an employment relationship, there are a number of benefits and terms and conditions of employment your candidate will likely want to discuss. Beyond salary, candidates with a number of years of experience will probably expect to receive some credit for that experience when it comes to the vacation, PTO and/or sick leave schedule – i.e., they will not want to start at the bottom of the schedule in many cases.

The administrator/manager may also expect to be reimbursed for participation in one or two civic organizations, and for the considerable expense of moving to your community. An automobile allowance or mileage reimbursement arrangement as well as relocation assistance and options to work remotely at various times may also be requested by the candidate. And professionals will also be looking for financial support for their on-going professional memberships, involvement, and continuing education programs in organizations like the International City/County Management Association, the Minnesota City/County Management Association, and, of course, the League of Minnesota Cities.

Savvy cities will not want to rely solely on an applicant’s previous salary when determining wages offered in a compensation package. Several states, excluding Minnesota, have passed laws prohibiting employers from asking about a candidate’s salary history. The goal of these statutes is to minimize and eliminate the gender pay gap. A more equitable process is to consider the city’s pay plan, Pay Equity compliance efforts as well research how the city is compensating for the position compared to other similarly sized and location communities.

See LMC [Salary and Benefits Survey](#).

The Survey Navigator for Minnesota Salary & Benefits Survey can help you evaluate what similarly sized cities around Minnesota are currently paying.

Frequently, the council will want to agree on an initial salary offer but will give some latitude to the mayor or other designee to negotiate with the candidate. The council should also discuss in advance what is acceptable as far as other types of compensation, such as moving allowances, but again, needs to leave some flexibility to the designee for negotiating the offer.

See LMC information memo, [Governors Salary Cap](#).

See LMC information memo, [Local Government Pay Equity Act](#).

A best practices tip is to ensure the salary not only falls below the Governor’s salary cap (link provided to the left) but also maintains compliance with the City’s pay equity reporting since Minnesota Rules require a jurisdiction to “maintain equitable compensation relationships.”

RELEVANT LINKS:

After the city makes its initial offer, the candidate will likely ask for some time to think it over and will more often than not come back with a request that is somewhat higher, at least in some areas, than the city's initial offer.

Be flexible and realistic in considering the candidate's counterproposal and consider various factors, including any unique issues/challenges in the city, the labor market, etc. It is unlikely the council will want to approve a compensation package wildly out of line with community values or what similar cities are paying. On the other hand, the manager/administrator position is extremely important to the overall success of your city government, so the council should weigh the cost/benefit of losing a preferred candidate over small differences, after spending so much time, effort and money recruiting the candidate. "Haggling" over small differences can start an important relationship off on the wrong foot. If both the council and the candidate maintain professionalism and mutual respect, differences can usually be worked out and an agreement reached that everyone can feel good about and defend.

2. Employment agreement

You will need to decide how the salary, benefits, and other terms and conditions of employment will be documented. Your city may choose to rely on standard city personnel policies in all or many of these areas. In this case, you will at least want to provide a letter of appointment to the candidate.

You should be prepared, however, that your candidate is likely to ask for an employment agreement. Hiring a city manager/administrator is different than hiring any other city employee. While other city employees may be covered by a collective bargaining (union) agreement or civil service rules, the manager/administrator generally serves "at the pleasure" of the council and should be considered an "at will" employee (i.e., the council can discharge him/her for any or no reason except as prohibited under federal or state law, i.e., protected class status such as ethnicity or gender). Granting the council such discretion preserves the democratic underpinnings of the council-manager plan and others form of local government where a chief administrative officer, appointed by the elected officials, exercises a significant amount of influence and discretion on city policy and administration.

While as a general principle LMC does not recommend cities enter separate employment agreements with individual employees, the top-level administrative position in the city is very well an exception your council may wish to consider. In exchange for agreeing to be an "at will" employee, many, perhaps most, professional administrators and managers will expect the employment agreement includes a severance clause establishing what compensation will be provided should the council choose to terminate the administrator/manager's services.

RELEVANT LINKS:

[Minn. Stat. § 465.722.](#)
See HR Reference Manual,
[Chapter 3](#) Section III K 4
Severance pay.



See [City Manager or Administrator Employment Agreement](#), LMC Model Contract.

HR Reference Manual [Hiring chapter](#).
MN Dep't of Labor and Industry: [Wage Theft Legislation 2019 and Summaries](#).

State law generally limits such severance compensation to no more than the equivalent of six months wages. Entering a well-crafted agreement can help avoid a lot of conflicts in the future, including the chances of a messy and very public dispute or even litigation should the council terminate the administrator or manager.

Refusing to grant an employment agreement may also mean your city is not able to attract the desired candidate.

The Minnesota City/County Management Association, in cooperation with the League of Minnesota Cities, developed and reviewed sample employment agreement for possible use. If you choose to enter this, or any other agreement, please be sure to consult extensively with your city attorney to understand the obligations being created on both parties. Once the terms of your employment agreement have come together, it is best to have the city attorney draw up the final document for signature by both parties. The candidate is likely to have his or her own attorney review it as well so don't be surprised or offended if there are still a few details to iron out.

3. Required employee notice

Effective July 1, 2019, at the start of employment, all employers are required to provide a written notice containing specific information. According to the Department of Labor, this start-of-employment notice must be given to all employees, including temporary employees. The employer must keep a copy of the notice provided to the new hire and signed by each employee acknowledging receipt of the notice. For additional information see "Offer letter" in the Hiring Chapter of the HR Reference Manual.

IV. Declined offers

It is possible you won't get your first choice of candidate. That's why the city council will want to agree on a second candidate up front. Sometimes, things just don't work out, and you'll need a second choice.

If number two doesn't work out, the city can go on to number three, and so forth, as long as the Council feels good about the candidate and believes he/she will meet the city's needs well. If the city council is not satisfied with anyone else interviewed, the council can always go back to that "middle" pile for another look and conduct more interviews.

Keep in mind selection of these additional candidates will need to be in accordance with veteran's preference, if applicable, just like that which was undertaken for the first set of interview candidates. Or if that doesn't work, many cities and counties have had positive experiences completely opening up the process again.

RELEVANT LINKS:

See LMC information memo,
[Veterans Preference in Hiring.](#)

800.925.1122
651.281.1200
HRbenefits@lmc.org

Someone really great who didn't apply the first time just might be available now or be willing to give your city another look. Probably the worst thing a city can do is to settle for a candidate the council really is not enthusiastic about. Whoever is serving as your interim city administrator/manager can probably handle the job for a few more months while the city takes the time to get the right person.

Hiring a new city administrator/manager is one of the most important decisions your council will ever make for the city. It will cause the council to come together in focusing on what's really important to your community and to your city government right now. In finding the right person for this key position, you'll be well on your way to forging a council-administrator-staff partnership that will undoubtedly lead to great results for your city. Take whatever time is necessary to do the job right, keep your perspective and sense of humor, and be professional. If the city chooses to hire a search firm to assist you may also discover that expenditure of resources is a worthwhile investment in the future of the City. You and your constituents deserve the very best administrator/manager you can find.

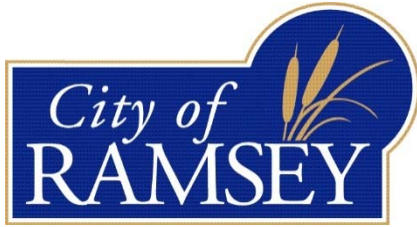
V. Further assistance

Please feel free to call on us at the League if we can be of further help.



PERSONNEL POLICY

Adopted March 13, 2018



Dear City of Ramsey Employee:

The city of Ramsey is a vibrant, growing community that promotes excellence in everything we do and we are pleased to have you on our team.

As part of our team, you are expected to behave in a consistent manner with the City's mission and vision, core values, guiding principles, and this personnel policy.

This personnel policy was prepared to generally describe the terms, conditions, benefits, rights, and responsibilities of employment. The application of specific sections of this policy to any particular situation may depend on the specific facts or conduct at issue. Please become familiar with this personnel policy within ten (10) business days of your receipt of this policy. I hope you will find the policy informative and useful in making the most of the many opportunities available to you as a City employee.

After you have had an opportunity to familiarize yourself with the personnel policy, you must sign the last page of the policy, entitled "Acknowledgement of Receipt of the city of Ramsey Personnel Policy," and submit it to the Human Resources Office. Should you have questions regarding the personnel policy or any aspect of your employment relationship with the City, please feel free to contact me or your supervisor.

Sincerely,

A handwritten signature in cursive script that reads "Colleen Lasher".

Colleen Lasher
Human Resources Manager

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SECTION 1 INTRODUCTION

1.1 How to use this Personnel Policy

This personnel policy is provided as a reference and as a summary of the city of Ramsey's personnel policies, work rules, and benefits. It replaces, revokes, and supersedes any previous personnel policies, interpretations, or practices, and is only valid until amended or replaced by the City Council. Accordingly, you will find it to your advantage to read the entire personnel policy promptly so that you will have a complete understanding of the material covered.

The purpose of this personnel policy is to provide for a safe, orderly, and disciplined employment environment. This policy will promote knowledge of what is expected of personnel generally, which should result in a greater degree of self-assurance in all positions. In relationships between positions it should be each City employee's individual aim to build mutual respect and confidence which is essential to local government service.

Any local, state, or federal laws that impose stricter requirements or regulations shall be used in lieu of policies or procedures outlined in this personnel policy, whenever they apply.

Additional information or clarification as to each section of this personnel policy may be obtained from your supervisor, Department Head or the Human Resources Manager. The text of this policy, however takes precedence over and controls any inconsistent communication from any City employee or elected official.

This personnel policy summarizes the various policies and benefits currently provided by the city of Ramsey. Nothing contained in this personnel policy or in any other City document, and nothing said or done by a City employee, may be construed as an employment contract between the City and an employee, a guarantee of continued employment, or terms and conditions of employment. The City and the employee both have the right to terminate the employment relationship at any time. Except as modified by an individual contract or a collective bargaining agreement, all employment with the City is "at-will" employment.

The City reserves the right to modify, revoke, suspend, or change this personnel policy, in whole or in part, at any time, with or without notice, at the City Council's sole discretion.

1.2 Scope of Policy

This personnel policy generally applies to all City employees, including probationary employees, and elected officials. Certain provisions of this policy may be inapplicable to the following individuals:

- 1) Elected officials;
- 2) Appointed personnel; i.e. City Attorney;
- 3) Members of City boards, commissions, and committees;
- 4) Paid-on-call Firefighters and volunteer personnel;
- 5) Emergency employees who are employed for emergency work caused by natural disaster;

- 6) Temporary full-time and temporary part-time employees and those working less than 14 hours per week.

Any employee included in a collective bargaining agreement entered into in accordance with the Public Employment Labor Relations Act shall be exempt from any provision of this policy that is inconsistent with such agreement. Any employee within the jurisdiction of a personnel board or civil service commission established under Minnesota state law is exempt from any provision of this policy that is inconsistent with such statute or rules and regulations adopted hereunder. Nothing in this Section is intended to modify or supersede any provision of the Minnesota Veterans' Preference Act.

1.3 Employee Responsibility

It is the individual employee's responsibility to know and understand thoroughly the policies and subjects covered in this personnel policy. Updated material may be added periodically. Each employee is responsible for going over any new material added. Any questions about the material covered in this policy can be answered by the employee's supervisor, Department Head or Human Resources.

1.4 Data Practices Advisory:

In accordance with the Minnesota Government Data Practices Act, the City is required to inform employees of their rights as they pertain to any private information that the City collects from them. During the course of City employment, an employee will likely be asked to provide information which is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data. Much of the data the City has about individual employees, however, is classified as public according to Minnesota Statutes, section 13.43, subdivisions 2 and 3. All public data is available for inspection and copying by members of the public, with or without the employee's consent.

Information about employees requested by the City may be used for the following purposes: (1) process payroll, including accounting for wages and fringe benefits and to justify any reimbursed expenses; (2) enroll in benefit programs and pension plans (3) evaluate the employee's job performance, eligibility and abilities; (4) distinguish the employee from other applicants and employees and identify the employee in the correct personnel file; (5) determine the employee's eligibility for employment or promotion, and make employment decisions about the employee's performance; (6) contact the employee or other significant persons in case of an emergency; (7) compile equal opportunity and affirmative action reports; (8) make decisions regarding the employee's eligibility for sick leave, family and medical leave, parenting leave, and other available leave; (9) make decisions regarding the employee's eligibility for workplace accommodations, including accommodations for disabilities; (10) comply with workers compensation requirements in the event of an injury; and (11) provide information during workplace investigations. Such information may also be used and disclosed for other purposes consistent with applicable law. The information provided by the employee may be used in performance evaluations, determinations

regarding merit pay, applications for different employment positions, and other matters which involve a review of the employee's personnel file and past performance.

Unless the employee is told otherwise, the employee is required to provide this information. If the employee refuses to supply the information, the employee may face disciplinary action. Any information which the employee is required to provide cannot be used against the employee in a criminal proceeding. Even if the employee is not required to provide information, it is generally to the employee's best interest to provide it. Without the requested information, the City may not be able to determine the employee's eligibility for employment opportunities, compute wages, or grant the employee other benefits. The employee's refusal to provide information during an employment investigation may also necessitate that the investigation be completed without his or her input.

Federal law permits government agencies to require individuals to provide their social security number for the administration of any tax. Please be aware that when an employee is asked to give his or her social security number on revenue forms, this collection is mandated by law. This information will be shared with the Minnesota Department of Revenue, the Internal Revenue Services, and security tax programs. In most other cases, the disclosure of an employee's social security number is voluntary.

Any information an employee is asked to provide may be shared with individuals within the City whose job duties reasonably require access, as well as individuals outside of the city whose duties require access, such as insurance vendors, consultants, attorneys, and retirement plan employees. Information may also be shared with other agencies authorized by law to receive specific data.

If litigation arises, the information may be provided in documents filed with the court which are available to any member of the public. If it is reasonably necessary to discuss the information at a City Council meeting, it will be available to members of the public. To the extent that some or all of the information is part of the basis for a final decision on disciplinary action, that information is available to any member of the public.

1.5 Equal Employment Opportunity Statement

This is to affirm the city of Ramsey's policy of providing Equal Opportunity to all employees and applicants for employment and complying with all applicable Equal Employment Opportunity/Affirmative Action laws, directives and regulations of Federal, State and Local governing bodies or agencies thereof. This policy extends to all applicants and employees and to all aspects of the employment relationship, including, but not limited to, recruiting, hiring, promotion, transfer, discipline, and compensation.

The city of Ramsey is an Equal Opportunity Employer. The City provides equal employment and advancement opportunity on the basis of merit within the context of its unique business environment and without regard to race, color, creed, religion, national origin, sex, sexual orientation, disability, age, marital status, familial status, status with regard to public assistance, or any other characteristic protected by state or federal law.

The city of Ramsey will take affirmative action to ensure that all employment practices are free of discrimination. Such employment practices include, but are not limited to the following; hiring,

upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

1.6 Unlawful Acts

No person shall knowingly make any false statement, certificate, mark, rating, or report in regard to any test, certificate, or appointment held or made under the City personnel system or in any manner commit or attempt to commit any fraud preventing the impartial execution of the provisions of this policy.

No person seeking employment to or promotion in the City service shall either directly or indirectly give, render, or pay any money, service, or other valuable consideration to any person, or on account of or in connection with the employee's test, appointment, or promotion, or proposed appointment or promotion.

No person shall be employed, promoted, demoted, or terminated by the City or in any way favored or discriminated against because of, race, creed, color, national origin, religion, sex, sexual orientation, marital status, familial status, age, status with regard to public assistance or disability, other characteristics protected by state or federal law, or because of actions taken with regards to the rights under provisions of the Public Employment Labor Relations Act. No person who is over 18 years of age shall be discriminated against with reference to City employment in any way forbidden by federal and state law.

1.7 Exceptions

No exception to any provision of this personnel policy may be made except by the City Administrator, the City Administrator's designee as noted in specific sections of this policy, or the City Council as required under the City's Charter. Such exceptions shall be made only on a case by case basis and only after the City Administrator or the City Council has adopted sufficient findings of fact showing the justification for the exception.

SECTION 2 DEFINITIONS

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

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

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

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

Casual Employee – Temporary employees who periodically work “special projects” for the City such as the Pet Clinic, Elections and Happy Days. This classification includes, but may not be limited to, Rink Attendants, Snow Plow Drivers, and other employees working less than 14 hours per week.

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

Department Head - Employees that are responsible for the efficient administration of their respective departments including substantial supervisory control of a permanent nature over other municipal employees. Department Heads shall initiate, with the approval of the City Administrator, whatever practices, functions, programs and procedures that are necessary to fulfill that responsibility. All Department Heads will report directly to the City Administrator. The City Administrator shall serve as the Department Head for the Administrative Services Department.

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

Division Heads – Employees that are responsible for the efficient administration of their respective divisions, including substantial supervisory control of a permanent nature over other municipal employees. Division Heads shall initiate, with the approval of their Department Head, whatever practices, functions, programs and procedures that are necessary to fulfill that responsibility.

Eligible Sick Leave Severance Pay - Eligible sick leave severance shall be defined as a lump sum payment upon termination of employment based on thirty-three (33) percent of employee's unused, accumulated sick leave after five (5) years of continuous employment. After fifteen (15) years of continuous employment, the employee will instead receive thirty-five (35) percent of said employee's unused, accumulated sick leave. After twenty (20) years of continuous employment, the employee will instead receive thirty-seven (37) percent of unused accumulated sick leave. After twenty-five (25) years of continuous employment, the employee will instead receive forty (40) percent of said employee's unused, accumulated sick leave. If applicable, sick leave severance pay is subject to the rules of the non-union post-employment healthcare savings plan. In order to obtain eligible

sick leave severance pay, an employee must leave City employment in “good standing,” as provided in Policy 3.13.

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

Exempt Employee – Any employee excluded from overtime and compensatory time off provisions of the Minnesota and federal Fair Labor Standards Act (“FLSA”).

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

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

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

Full-time Employee - Employees who are required to work forty (40) or more hours per week year-round in an ongoing position. In accordance with federal health care reform laws and regulations, the City shall offer health insurance benefits to eligible employees and their dependents that work on average or are expected to work 30 or more hours per week or the equivalent of 130 hours or more per month. In order to comply with Health Care Reform law while avoiding penalties, part-time employees will be scheduled with business needs and in manner which ensures positions retain part-time status under which intended.

Hours of Operation - City Hall’s hours of operation are Monday through Friday, from 8:00 a.m. to 4:30 p.m.

Part-time Employee - Employees who are required to work less than forty (40) hours per week year-round in an ongoing position. In accordance with federal health care reform laws and regulations, the City shall offer health insurance benefits to eligible employees and their dependents that work on average or are expected to work 30 or more hours per week or the equivalent of 130 hours or more per month. In order to comply with Health Care Reform law while avoiding penalties, part-time employees will be scheduled with business needs and in manner which ensures positions retain part-time status under which intended.

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

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

Reclassify - Movement of a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

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

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

Supervisor – Any person having authority in the interests of the employer to perform or effectively recommend a majority of the following actions: hires, transfer, suspensions, promotions, discharges, discipline, reward, assignments and work direction, adjustment of grievances and performance evaluations.

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

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

Work Week - The regular work week for City employees is forty hours, in addition to a lunch period, Monday through Friday, except as otherwise established by the City Administrator or designee in accordance with needs of the department.

SECTION 3 EMPLOYEE RECRUITMENT, SELECTION, EMPLOYMENT & TERMINATION

3.1 Scope

The City Administrator or a designee will manage the hiring process for positions within the City. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision and must approve all hires to City employment. All hires will be made according to merit and fitness related to the position being filled.

3.2 Features of the Recruitment System

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

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

3.3 Testing and Examinations

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

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

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

3.4 Pre-Employment Medical Exams

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

When a pre-employment medical exam is required, it will be required of all candidates who are finalists and/or who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by a licensed physician designated by the City with the cost of the exam paid by the City. (Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist.) The physician will notify the City Administrator or designee that a candidate either is or isn't medically able to perform the essential functions of the job, with or without accommodations and whether the candidate passed a drug test, if applicable.

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

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

3.5 Selection Process

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

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

3.6 Background Checks

All finalists for employment with the City will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the City Administrator will determine the level of background check to be conducted based on the position being filled.

3.7 Criminal Background Investigations

Authority

State law authorizes city police departments to conduct criminal history background investigations on applicants for City positions using Minnesota Computerized Criminal History data.

Applications

This section applies only to applicants who are finalists for regular, temporary, seasonal, casual, and volunteer status positions. Before a finalist is eligible to receive a conditional job offer or begin employment with the City, and to the extent permitted by law, the applicant must authorize the Police Department, in writing, to undertake a criminal history background investigation and to release the information to the City Council, City administrator and/or other City staff as appropriate.

Rejection of Applications

Except in the case of exceptions set forth in Minnesota state law, as may be amended from time to time, if the City rejects an application for employment due partly or solely to the applicant's prior conviction of a crime which relates directly to the position sought, the City's Human Resources Manager will notify the applicant in writing of the following:

- 1) The Grounds and reasons for denial;
- 2) The applicant complaint and grievance procedure set forth in Minnesota State law, as may be amended from time to time;
- 3) The earliest date the applicant may reapply for employment or a volunteer position; and
- 4) That all competent evidence of rehabilitation will be considered upon re-application.

Only public conviction information related directly to the position sought will be considered in denying employment. In situations where identity is questioned, fingerprint verifications will be allowed, to the extent permitted by law. The City reserves the right to consider the applicant's criminal history, including any and all evidence of rehabilitation, when evaluating him or her for employment with the City, to the maximum extent permitted by law.

3.8 *Reclassification and New Position / Vacant Position*

Reclassification

When a position's duties and responsibilities change (increase or decrease), the position is considered a reclassification and may be automatically filled by the incumbent of the original position; contingent upon the incumbent's ability to meet the position's minimum requirements and necessary knowledge, skills, and abilities, at the City's discretion.

New Position

If the City creates a new position to meet its public service needs the position will be filled according to the City Administrator's direction.

3.9 *Nepotism*

The potential for conflicts of interest are increased when personnel who are related are employed by the same employer; and real or implied conflicts of interest can result in distrust and a general lack of harmony among other employees.

Whenever possible, and with due regard for job-relevant qualifications, merit, and fitness, the employer shall avoid the appointment of any person related to an appointed officer or regular full-time or regular part-time employee of the City. Appointments or assignments of persons related to an employee in the same department in which the employee works is prohibited.

This provision does not apply to marital status or familial status, as protected under the Minnesota Human Rights Act. Employment of the spouse of an elected or appointed officer or employee is not prohibited; however, appointment or assignment of an employee's spouse in the same department in which the employee works is prohibited, if the appointment or assignment would

result in an employee directly supervising or influencing the recruitment, employment, salary, fees, or performance review of the employee's spouse.

Appointment to a position with the City shall not be construed as an employment contract between the city of Ramsey and an employee. All employees whose positions are covered by this policy are appointed by - and serve - at the sole discretion of the employer.

3.10 Probation

Subject to the provisions of an applicable collective bargaining agreement, every original appointment and every promotional appointment, is subject to a probationary period of six (6) months, except for patrol officers, paid-on-call firefighters, and Department Heads who have a one-year probationary period. During the probationary period a probationary employee may be terminated at the sole discretion of the City. If terminated during the probationary period, the employee shall be notified in writing of the termination and shall have no right to appeal the termination.

Employees may use sick and vacation leave during their probationary period at the discretion of the Department Head.

At the sole discretion of the City Administrator, an employee's probationary period may be extended for 90 calendar days. Completion of the probationary period or any extended probationary period is not, and cannot be construed as, a promise of continued employment or otherwise altering the at-will nature of employment.

3.11 Supplemental Employment

No city of Ramsey patrol officer shall work as a police officer or keeper of the peace directly for any establishment in the City or at any special private functions within the City. Officers needed at special functions shall work as city of Ramsey employees and shall be paid directly by the City. The City, in return, will bill the person or entity requesting the officers' presence at the function from which payment the City will reimburse itself for the officers' services.

3.12 Performance Evaluations

Performance evaluations are used to assess employee performance in terms of specific job requirements and provide measures for setting up training and development programs for improvement and opening communication channels. On the anniversary date of an employee's current position, or in January if so determined by the Human Resources Manager, as well as when an employee is completing their probationary period, a formal performance evaluation may be completed. If a formal performance evaluation is completed, it will be reviewed with the employee.

For Department Heads, the City Administrator will make note of any City Council feedback regarding Department Head performance and summarize the Council's comments when writing the Department Head's performance evaluation. The City Administrator will review the performance evaluation with the Department Head. The Department Head will have the opportunity to discuss the performance evaluation with the City Council at a closed City Council meeting if he/she so chooses.

The City will consider each employee's performance evaluation when considering salary increases or potential promotional opportunities. As a general rule, an employee who receives an overall rating of "Needs Improvement" or "Poor" will not be eligible for promotional opportunities, salary increases, except for any "cost of living" adjustment made by the City. Further, an employee who receives an overall rating of "Needs Improvement" or "Poor" must follow a performance improvement plan to bring performance to an acceptable level. If performance is not brought to an acceptable level as described in the performance improvement plan, discipline may be imposed, up to and including termination. Conducting, or the results of, performance evaluations does not alter the at-will nature of employment.

3.13 Resignations

As at-will employees, all City employees may resign at any time, for any reason. In order to be considered "in good standing" at the time of resignation, an employee must file with employee's Department Head, at least 14 days before leaving, a written resignation stating the effective date of the resignation. Department Heads wishing to resign "in good standing" should give the City as much advance notice as possible, but must provide at least 30 days' notice. Failure to comply with this 14 day or 30 day notice procedure may be considered cause for denying the employee future employment by the City and denying termination benefits. Unauthorized absence from work for a period of three working days may be considered by the Department Head as a resignation "not in good standing" and without benefits.

3.14 Lay-offs

After at least two weeks' notice to the employee, the City Administrator may lay off any employee when such action is necessary because of shortage of work or funds, the abolition of a position, or changes in organization.

SECTION 4 BENEFITS

4.1 Group Insurance

To be eligible for group health, dental, or life insurance benefits with the city of Ramsey employees must be a regular employee scheduled to work at least 30 hours per week. The City provides a contribution to health insurance, single dental insurance and basic life insurance for full-time employees as approved by the City Council annually. Members of the City Council are eligible for group health insurance in the City's group health insurance plan without affecting Councilmembers' total compensation from the City. The City will continue to provide basic life insurance for employees participating in PERA's Phased Retirement program as permitted by the carrier.

In accordance with federal health care reform laws and regulations, the City shall offer health insurance benefits to eligible employees and their dependents that work on average or are expected to work 30 or more hours per week or the equivalent of 130 hours or more per month. In order to comply with Health Care Reform law while avoiding penalties, part-time employees will be scheduled with business needs and in manner which ensures positions retain part-time status under which intended

4.2 Long Term Disability ("LTD")

Mandatory LTD - Long term disability is a mandatory, employee-paid benefit provided to sworn police personnel and other full-time, non-union employees.

Voluntary LTD - Long term disability is available to other employee groups as a voluntary employee-paid benefit.

The terms of the long term disability coverage, including the formula used to calculate the benefit and the waiting period before an employee may receive long term disability benefits will be established by the City.

4.3 Public Employment Retirement Association ("PERA")

Almost all city employees in the State of Minnesota are covered by a public pension system known as the PERA. Both the City and employees contribute to PERA. For specific information regarding annual contribution rates, contact Human Resources. Vesting time varies depending on membership eligibility date and the pension is portable among public employers throughout the state. Being vested means qualifying for benefits at the minimum allowable age.

In normal situations, employees and employers both contribute a percentage of the employee's eligible gross salary to PERA. However, Minnesota law provides that some income received by an employee are not eligible for PERA contributions. Employees should contact Human Resources with specific questions regarding PERA contributions.

The City offers PERA's Phased Retirement Option on a case-by-case basis after approval by the HR Manager, Department Head and the City Administrator, as deemed beneficial to the City in

meeting the goals of the strategic plan. The agreement can be terminated at any time. Employees interested in this option should see Human Resources for more information.

4.4 Employee Savings Plans

All employees eligible to enroll in PERA are also eligible to place a portion of their earnings in 457 savings plans; pre-tax and/or post tax programs.

Please contact Human Resources regarding maximum annual contribution amounts and for any other specific information regarding these plans.

4.5 Flexible Spending Account

Employees can establish flexible spending accounts and have pre-tax deductions made from their payroll checks to pay for eligible childcare and eligible medical expenses. The law limits the maximum contributions that employees can make to their flexible spending account and the specific expenses that can be paid out of such accounts. Employees should contact Human Resources for additional details.

4.6 Retiree Benefits

Minnesota law provides for continuation of health and dental coverage to certain former employees who are receiving a disability benefit or an annuity from PERA, or who have met PERA age and service requirements. Former employees are responsible for paying the entire premium. Failure to do so will result in termination of coverage. Employees should contact Human Resources for additional details.

4.7 COBRA

Employees participating in the City's group health insurance plan who terminate employment with the City or experience another event which triggers their legal entitlement to insurance continuation will receive a notice of their right to elect continued insurance coverage consistent with state and federal law, including, but not limited to, the Consolidated Budget Omnibus Reconciliation Act of 1985 ("COBRA") (as amended). The notice will be provided in accordance with such laws and employees must comply with those laws if they wish to continue coverage after separating from the City's employment, including, but not limited to, paying the entire premium for the duration of the continuation coverage. Employees should contact Human Resources for additional details.

4.8 Non-union Post-employment Healthcare Savings Plan (PEHCSP)

The PEHCSP is an employer-sponsored program that allows employees to invest in a tax-preferred medical savings account while employed by a Minnesota public employer.

All non-union employees hired after January 1, 1984 will participate in the post-employment healthcare savings plan, as follows:

PERA COORDINATED MEMBERS

- **WAGES:** Contribute 2% after 5 years of service (starting with the 6th year of service) and greater to the PEHCSP
- **MAXED OUT SICK LEAVE:** Contribute unused sick leave hours that would normally convert to vacation time (all hours greater than 960 at a conversion rate of 2 to 1) to the PEHCSP.
- **VACATION:** Upon separation of employment/contribute unused accrued vacation time, as follows:
 - 50% after 5 years of service through 10 years of service and then
 - 75% with 11 years of service through 15 years of service and then
 - 100% after 16 years of service and greater shall be contributed to the PEHCSP
- **SICK LEAVE:** Upon separation of employment/contribute unused eligible accrued sick time, as follows: 100% of eligible unused accrued sick leave after 5 years of service and greater

PERA POLICE & FIRE MEMBERS

- **WAGES:** Contribute 1% for all employees until 5 years prior to normal retirement age (55), at which time ongoing contributions will be 4% of salary.
- **MAXED OUT SICK LEAVE:** Contribute all unused sick leave hours that would normally convert to vacation time (all hours greater than 960 at a conversion rate of 2 to 1) to the PEHCSP.
- **VACATION** Upon separation of employment/contribute unused accrued vacation time, as follows: 100% -- Regardless of years of service
- **SICK LEAVE:** Upon separation of employment/contribute unused eligible sick leave, as follows: 100% of eligible unused accrued sick leave -- regardless of years of service.

Eligible sick leave severance shall be defined as a lump sum payment upon termination of employment, contributed to the PEHCSP, based on thirty-three (33) percent of employee's unused, accumulated sick leave after five (5) years of continuous employment. After fifteen (15) years of continuous employment, the employee will instead receive thirty-five (35) percent of said employee's unused, accumulated sick leave. After twenty (20) years of continuous employment, the employee will instead receive thirty-seven (37) percent of unused accumulated sick leave. After twenty-five (25) years of continuous employment, the employee will instead receive forty (40) percent of said employee's unused, accumulated sick leave. In order to obtain eligible sick leave severance pay, an employee must leave City employment in "good standing," as provided in Policy 3.13.

4.9 Employee Assistance Program

The City offers an employee assistance program (EAP) at no cost to assist employees and their families with a variety of services from mental health and substance abuse counseling to child care resources. The EAP will provide confidential counseling services by highly trained clinicians or suggest other professional resources that may be useful to employees and their families.

SECTION 5 CLASSIFICATION AND COMPENSATION

5.1 General

Employees of the City shall be compensated according to the schedule established by the City Council. Any wage, salary, or other monetary benefit so established is the total remuneration for employment which may be allowed for the conduct of official business. Unless approved by the City Administrator, no employee shall receive pay from the city in addition to the salary authorized for the position or positions to which the employee has been appointed, or for hours beyond the normal work week without prior approval by the City Administrator or designee.

Non-exempt employees who work for a period less than the regularly scheduled work-week will earn wages based on the actual number of hours worked. Regular part-time employees are eligible to earn vacation and sick leave in proportion to that earned by regular full-time employees based on the number of hours worked. Holidays are earned in proportion to those earned by regular full-time employees and are based on work hours budgeted on January 1. Vacation and sick leave, and holidays count toward total budgeted work hours for the year. Temporary employees are not eligible for vacation or sick leave, holiday pay, or health or life insurance.

Employees shall be paid biweekly via mandatory direct deposit. When a pay day falls on a holiday, employees shall receive their pay on the preceding work day.

No employee shall be permitted to receive from any third party payment for services and labor performed while such employee is working regular hours or while working additional overtime hours for the City, unless approved in advance by the City Administrator and subject to a written agreement with the third party--such as with Anoka County.

5.2 Classification Plan / Position Descriptions

The City will establish and maintain a position classification plan for all positions in accordance with federal and state laws. The Human Resources Manager, under the direction of the City Administrator, and in conjunction with Department Heads, shall be responsible for establishing, periodically revising, and maintaining current position descriptions. The position description shall state the essential duties, responsibilities and qualification requirements which distinguish a given position from other positions. The position description shall describe the typical types of work which may be assigned to a particular position but shall not be construed to restrict the assignment of other duties related to the position. Supervisors may direct their subordinates to perform tasks not expressly identified in the position description, as they see fit.

Purpose

The purpose of the classification plan / position description is to:

- a. Establish reasonable compensation relationships between job classifications.
- b. Establish qualification standards for recruitment and testing purposes.
- c. Provide the appointing authority with means for analyzing work distribution, areas of responsibility, lines of authority, and other relationships between positions.
- d. Assist the appointing authority in determining budget requirements.
- e. Provide the basis for developing standards of work performance.

- f. Indicate training needs.
- g. Provide uniform titles to positions.

Class

A class shall be comprised of one or more positions that are substantially similar with respect to the type, difficulty, and responsibility of work performed.

Administration of the Classification Plan / Position Descriptions

The classification plan shall be established and maintained through recommendation of the Department Head and the Human Resources Manager to the City Administrator. The City Administrator may establish a new class, create a new position within a class or reclassify a position upon approval by the City Council.

When a new position is proposed by a Department Head or the Human Resources Manager, a request for the position along with a description of the duties and responsibilities of the position shall be submitted to the City Administrator. The position shall be analyzed and evaluated based on the duties and responsibilities without regard to the personal characteristics, abilities or qualifications of the incumbent. The final approval of the classification shall be by the City Council.

5.3 Reclassification

When the duties and responsibilities of a position change, the Department Head may initiate a request for a change in classification. This request must be submitted in writing to the Human Resources Manager accompanied by a proposed updated position description prepared by the Department Head. The Human Resources Manager shall submit the request to the City Administrator for review and approval or denial, at his or her discretion. If the City Administrator denies a request for reclassification, no similar request may be submitted for one year. The Human Resources Manager, acting under the direction of the City Administrator, may also review the classification of existing positions from time-to-time, regardless of whether a Department Head proposed reclassification within the preceding year.

Factors that could lead to conducting an analysis of existing positions include, but are not limited to, the following:

- a. Change in the existing organizational or reporting relationship.
- b. Significant additions, reductions or changes in the essential functions for which the position is accountable which affect the level of skill, knowledge, responsibility or working conditions of the position.
- c. Change in the supervisory functions assigned to the position.
- d. Change in the qualifications required of the position.

5.4 Compensation Plan

The compensating plan shall be reviewed annually by the City Administrator and presented to the City Council as part of the annual budget process. The City Administrator may modify any or all of the pay ranges or grades as set forth in the plan at any time, at his or her discretion, subject to approval by the City Council. The City Administrator may also set effective dates for the pay plan. All pay ranges shall be construed as policy declarations and not binding, permanent contractual obligations between the City and its employees. Any amendment to the pay plan shall be based on changes in the responsibility or the duties of the position, recruiting experience, rates of pay and benefits in the public and private sector, the City's financial status, general economic conditions, federal or state law, including the Minnesota Pay Equity law, or other pertinent factors warranting such action.

In addition, from time to time the position and pay classification plan may be amended by City Council resolution upon receipt of a recommendation from the City Administrator. In making such recommendations, the City Administrator shall consider the following factors:

- a. Maintenance of equitable relationship between classes, based on their relative duties and responsibilities.
- b. Indicators, from the appropriate labor market, for comparable work under similar conditions.
- c. Current recruitment and retention experience.
- d. Comparable worth for all positions within the organization.
- e. Ability of the city of Ramsey to fund the position.

Content of Pay Plan

The pay plan presented to the City Council for its consideration shall consist of the minimum and maximum rate of pay for each position in the organization. Each position shall be assigned to a pay class and all positions in the pay class shall be compensated according to the established pay range. A pay range will be assigned to each class according to the responsibilities of the position, the duties and pay for other positions, prevailing rates of pay for comparable positions in public and private employment in the area, fringe benefits received by employees, the financial policy of the City, federal and state statutes and other pertinent economic factors.

Pay Plan Administration

The City Administrator shall be responsible for administering the Pay Plan according to this section.

Beginning Salary Rate – The beginning rate for a new employee will be the minimum rate in the established class for his or her position classification. The Employer, at its sole discretion, may approve a pay rate above the minimum rate to:

- a. Mitigate recruiting obstacles.
- b. Hire a person with superior qualifications.
- c. Correct salary inequities.
- d. Give credit for prior service.

Method of Progression

After appointment or promotion and pending satisfactory performance, an employee shall be eligible for advancement through his/her respective salary range as specified in the collective bargaining agreement or as authorized by the City Council.

Market Adjustment Pay–

Occasionally positions within the City may fall behind in pay with regard to the market value. When this becomes apparent, the Human Resources Manager may, in his or her sole discretion, make a recommendation for the appropriate salary adjustment to the City Administrator. Upon approval by the City Administrator, the employee in said position will receive a salary range adjustment. The employee will retain her or his original anniversary date for the purposes of step increases and performance evaluations. Any increases that result in more than a five percent increase shall be submitted to the City Council for approval or denial.

Extra Duty Pay / Interim Pay

The City Administrator shall have the authority to grant short-term extra duty pay. Any extra duties that qualify for extra duty pay would be responsibilities that fall well outside of the respective employee's job description and would have a defined end date, but would not exceed six months. Typically, extra duty pay would be tied to a special project or event. At the City's discretion, extra duty pay may be paid via a payroll stipend. Interim pay would include, for example, filling in for a vacancy, FMLA or leave absence. Interim pay shall not exceed 10% over the current base salary. The City Administrator's approval of extra duty pay or interim pay is subject to available funding within the budget.

Overtime Compensation for Exempt Employees who also Work in a Non-Exempt Position Within the City

Federal law allows exempt City employees working two or more positions with the City to agree, in advance, to receive overtime compensation for the secondary position if it is non-exempt, subject to certain restrictions and limitations. Exempt employees holding two or more positions within the City at least one of which is non-exempt, should consult with Human Resources regarding the possibility of overtime. No overtime will be paid pursuant to this provision without prior written approval from Human Resources.

Overtime pursuant to this section will be paid for hours worked in a secondary position only if the employee worked at least 40 hours at the primary position during the normal workweek. Sick and vacation leave, holidays and compensatory time off count as time worked as per the Personnel Policy.

5.5 Payroll Deductions

Certain deductions from earnings, such as federal and state income taxes and social security taxes, are required by law. These deductions will be identified on the direct deposit vouchers. The amount of these required deductions may change since they are affected by changes in the amount earned, and in the case of income tax, they are affected by changes in the number of dependents claimed. Monies earned during a two (2) week pay period, cannot be divided into two payroll checks. Employees should contact Human Resources with any specific questions.

5.6 Meal Periods and Breaks

When working under conditions where a break period is practicable, all hourly employees are entitled to two (2) 15 minute breaks with pay per eight (8) hour shift at times designated by the

supervisor. Most employees also receive a thirty (30) minute unpaid meal period during each eight hour work day.

5.7 Overtime Compensation/Compensatory Time Off

Non-exempt, non-union employees will be paid overtime compensation for all hours worked in excess of forty (40) hours per work week at a rate of one and one-half times the regular rate of pay. Paid holidays, vacation leave, compensatory time off, and sick leave are considered time worked for the purposes of calculating overtime hours. No employee will be permitted to work overtime without the prior approval of the applicable Department Head.

Overtime pay will not be paid for time not worked. Exempt employees, as defined by the Fair Labor Standards Act, are not entitled to overtime pay.

Non-exempt, non-union employees will be allowed to take compensatory time off in lieu of receiving over time compensation. Compensatory time off is computed at a rate of one and one-half times the hours worked in excess of the forty (40) hour work week. Accrued compensatory time off shall not exceed 120 hours at any time. Once an employee has accrued 120 hours of compensatory time off, compensation for additional hours worked must be paid in cash, rather than accrued as compensatory time off.

The City reserves the right to payout any compensatory time off hours in excess of 80 hours, as it deems necessary.

The City allows employees to cash out up to a maximum 40 hours of compensatory time off annually; to be paid out up to twice annually, January 1 through January 15, and November 1 through November 15 of each year, to total a maximum payout of 40 hours of compensatory time off. Note: upon terminating employment with the City, all compensatory time off will be paid out at 100% of the accrued balance.

For the purposes of calculating overtime, an employee using paid holidays, vacation leave, sick leave, or compensatory time off is considered to be working.

Accrued compensatory time off may be used with prior approval from the employee's Department Head. Upon an employee's separation from the City, there will be a pay-out of accrued and unused compensatory time off at the then current hourly rate of pay.

For the purposes of computing overtime compensation and compensatory time, overtime hours worked shall not be pyramided, compounded, or paid twice for the same hours worked.

5.8 Severance Pay

Severance pay is available to employees who have at least five (5) years of continuous service with the City and resign "in good standing". Employees who are discharged are not "in good standing" and may not receive severance pay pursuant to this policy.

Qualifying employees who resign "in good standing" shall receive a lump sum payment upon termination of employment with the city of Ramsey based on thirty-three (33) percent of

employee's unused, accumulated sick leave after five (5) years of continuous employment. After fifteen (15) years of continuous employment, the employee will instead receive thirty-five (35) percent of said employee's unused, accumulated sick leave. After twenty (20) years of continuous employment, the employee will instead receive thirty-seven (37) percent of unused accumulated sick leave. After twenty-five (25) years of continuous employment, the employee will instead receive forty (40) percent of said employee's unused, accumulated sick leave. Eligible severance pay will be applied per the applicable PEHCSP agreement as provided in Policy 4.8.

Receipt of severance pay terminates all seniority rights and ends all city of Ramsey liability with regard to other benefits, except as otherwise provided by law and any applicable collective bargaining agreement.

SECTION 6 LEAVE

6.1 Vacation Leave

The city of Ramsey provides eligible employees vacation benefits to promote rest and relaxation away from work. Requests for scheduled vacation should be made to the Supervisor/Department Head by January 31 of each year. When considering whether to grant conflicting vacation requests submitted during January of each year, seniority by department will prevail; thereafter, vacation leave shall be initiated on forms submitted to the Department Head at least two weeks prior to requested vacation time off. Exceptions to this policy are granted on a very limited basis. To assure efficient functioning of the City, it is necessary to limit the number of employees on vacation at the same time.

An employee's banked vacation leave must be within two times the yearly accrual by December 31st, unless approved by the City Administrator. Once an employee has banked the maximum amount of vacation hours allowed, all additional hours accrued are forfeited. Employees are responsible for monitoring their own balances. Additional pay in lieu of vacation is not permitted.

For the purposes of accumulating additional vacation leave, an employee using earned vacation leave, sick leave, compensatory time off, or paid holidays is considered to be working.

At the discretion of the Department Head, an employee may use accrued vacation leave during the probationary period. An employee who separates from the City "in good standing," as that term is defined in Section 4.11 of this policy, shall be compensated for vacation accrued and unused through the last date of employment, per section 4.8 non-union post-employment healthcare savings plan.

New employees will begin employment with a vacation balance of zero, followed by vacation accruals based on one of the following vacation accrual schedules. However, at the discretion of City Administrator, a one-time vacation credit may be negotiated and in order to:

- a. Mitigate recruiting obstacles.
- b. Hire a person with superior qualifications.
- c. Give credit for prior service.

The bi-weekly accrual rate will not be accelerated due to any upfront vacation credits.

Vacation Accrual Schedules

Department Head Vacation Accrual Schedule		
Effective Date	Bi-weekly Accrual Rate	Vacation Days/Year
Start date	4.62 hours/pay period	15 days
6 th Anniversary	5.54 hours/pay period	18 days
7 th Anniversary	6.15 hours/pay period	20 days
12 th Anniversary	6.46 hours/pay period	21 days
16 th Anniversary	6.77 hours/pay period	22 days
17 th Anniversary	7.08 hours/pay period	23 days
18 th Anniversary	7.38 hours/pay period	24 days
19 th Anniversary	7.69 hours/pay period	25 days

Full-Time, Management Vacation Accrual Schedule		
Effective Date	Bi-weekly Accrual Rate	Vacation Days/Year
Start date	4.62 hours/pay period	15 days
6 th Anniversary	5.54 hours/pay period	18 days
8 th Anniversary	5.85 hours/pay period	19 days
10 th Anniversary	6.15 hours/pay period	20 days
12 th Anniversary	6.46 hours/pay period	21 days
16 th Anniversary	6.77 hours/pay period	22 days
17 th Anniversary	7.08 hours/pay period	23 days
18 th Anniversary	7.38 hours/pay period	24 days
19 th Anniversary	7.69 hours/pay period	25 days

Full-Time, Non-Union Vacation Accrual Schedule		
Effective Date	Bi-weekly Accrual Rate	Vacation Days/Year
Start date	3.08 hours/pay period	10 days
6 th Anniversary	4.62 hours/pay period	15 days
12 th Anniversary	6.15 hours/pay period	20 days
16 th Anniversary	6.46 hours/pay period	21 days
17 th Anniversary	6.77 hours/pay period	22 days
18 th Anniversary	7.08 hours/pay period	23 days
19 th Anniversary	7.38 hours/pay period	24 days
20 th Anniversary	7.69 hours/pay period	25 days

Regular part-time employees are eligible to earn vacation leave in proportion to that earned by regular full-time employees based on the number of hours worked. Vacation leave will count toward total budgeted work hours for the year.

6.2 Sick Leave

Sick leave may be authorized when an employee is unable to perform work duties due to illness, disability, the necessity for medical, dental, or chiropractic care, childbirth, or exposure to contagious disease where such exposure may endanger the health of others with whom the employee would come in contact in the course of performing work duties. Sick leave may also be authorized to care for the employee's absences due to an illness of or injury to the employee's child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent or for any purpose authorized by law, including, but not limited to, Minnesota Statutes, section 181.9413 (as amended). For additional information as to when sick leave may be utilized, employees should contact Human Resources

To be eligible for sick leave with pay, an employee shall:

- a. Report as soon as possible to the employee's immediate supervisor the need to be absent and identify if the absence is due to the employee's illness or the employee's immediate family, as listed above;
- b. Keep the employee's immediate supervisor informed of such employee's need for continued absence;
- c. For any absence that exceeds three days, upon request by the City Administrator, submit a medical certificate before the employee will be allowed to return to work.

Using or claiming sick leave for a purpose not authorized may be cause for disciplinary action. For the purpose of accumulating additional sick leave, an employee using earned vacation leave, sick leave, compensatory time off, or paid holidays is considered to be working. At the discretion of the Department Head, an employee may use accrued sick leave during the probationary period. After the end of the probationary period, an employee is entitled to use sick leave accrued from the start of the probationary period.

Sick Leave Accrual

Every probationary and regular employee is entitled to earn sick leave with pay at the rate of 1 day (based on an 8-hour day) for each calendar month of full-time service or major fraction thereof. Sick leave may be accrued to 120 days (960 hours); unused sick leave in excess of 120 days (960 hours) at the end of a calendar year (December 31st) shall be converted to vacation at a rate of one hour of vacation for each two hours of sick leave, subject to the maximum amount of accrued vacation leave provided in this policy. All hours in excess of 960, as defined in section 4.8 non-union post-employment healthcare savings plan, will be applied per the applicable agreement.

Regular part-time employees are eligible to earn sick leave in proportion to that earned by regular full-time employees based on the number of hours worked. Sick leave will count toward total budgeted work hours for the year.

Sick Leave for Wellness (Non-union and AFSCME Employees Only)

Use of Sick Leave for Wellness Activities: Employees who have been employed with the

city of Ramsey for at least five (5) years and who have accrued a minimum sick leave balance of 300 hours will be allowed to use up to 24 hours of sick leave annually for cash payment for approved wellness activities, described below.

Sick leave used for wellness activities will be paid according to the City's sick leave severance schedule based on the employee's years of service and wage at the time the request for payment is made. The City's severance schedule at the time of this writing is as follows: 33% after five years of service; 35% after 15 years of service; 37% after 20 years of service; and 40% after 25 years of service. Once the benefit is received it is non-reversible and the employee's sick leave accrual will be reduced by the number of hours claimed and/or approved.

Income Taxes and Effect to Sick Leave Accruals

Payments other than to deferred compensation will be taxable income to the employee and subject to all applicable taxation requirements.

Required Documentation

Requests for using sick leave for wellness activities will be accepted twice annually, from June 1-15 and December 1-15. Such requests will be processed in July and December, respectively, unless otherwise indicated. An activity for which payment is requested must have occurred in the same calendar year in which the request for payment is made. All claims shall be submitted to Human Resources via a Sick Leave for Wellness Request Form accompanied by proper documentation for each activity.

Approved Medical and Dental Expenses

Sick leave may be used to pay employees for the employee's medical and dental expenses not covered by the City's insurance plans. Accumulated sick leave used for this purpose will be paid according to the City's sick leave severance schedule based on the employee's years of service and wage at the time the request for payment is made. To receive the payment, the employee will fill out a Sick Leave for Wellness Request Form and submit proof of the expense to Human Resources.

Approved Wellness-Related Activities

- a. Individual employee memberships in approved health clubs and/or a sum equal to an individual membership for those employees holding family memberships which include the employee. An approved health club would be one that provides facilities for aerobic and strength training activities.
- b. Programs designed to improve health such as classes on weight loss, smoking cessation or stress management are also allowed. This includes jazzercise, exercise classes, learning to eat, and weight watchers.
- c. Regular (meaning at least once a week) fitness activities resulting in a moderate to high aerobic benefit and their fees and memberships will also be eligible for payment. This includes activities such as singles tennis, racquetball, handball, court fees associated with these sports, basketball, exercise classes, hockey, soccer, martial arts training, skating, cross country skiing and gymnastics.
- d. Fitness/exercise equipment (e.g., stationary bikes, treadmill, stair stepper, rowing machine, ice/inline skates, skis)

The following activities are not eligible for payment:

- a. Activities and equipment with a relatively low aerobic benefit, such as bowling, golf, dancing, horseback riding, archery, and baseball/softball. Also excluded are whirlpools, saunas, and massage therapy.
- b. Any clothing costs, competitive registration fees or costs for food will not qualify for payment.
- c. Membership fees for clubs that are primarily social in nature (i.e., country clubs, golf/tennis clubs).
- d. Accessory items (e.g., book holders, water bottles/holders, bike racks), assembly charges, shipping fees and maintenance contracts.

Employees are advised to have a physical examination by their physician if they are beginning a new program of physical activity. Employee may not participate in any Sick Leave for Wellness eligible program on City time. Sports, activities and equipment not listed will be evaluated on a case by case basis by Human Resources.

Approved Deferred Compensation Contributions

Eligible employees will be allowed to convert accumulated sick leave to deferred compensation deposits. Deposits in combination with all other payments to the deferred compensation accounts are subject to maximum deferral regulations. Accumulated sick leave used for deferred compensation contributions will be paid according to the City's sick leave severance schedule based on the employee's years of service and wage at the time that the contribution to deferred compensation is requested. Requests for contributions under this section must be submitted to Human Resources by December 15. Contributions will be made to deferred compensation plans via payroll deduction in December pre-tax. Requests for contributions under this section must be submitted to Human Resources by December 31. Contributions will be made to deferred compensation plans via payroll deduction in January of the following year and will not be taxable.

Employees who are in the process of terminating employment are not eligible for payments under this program. All requests for payment under this program must be approved by Human Resources.

6.3 Holidays

The city of Ramsey recognizes twelve (12) holidays for non-union employees. Regular employees are eligible for holiday pay provided they work the day preceding, and the day following, the holiday, (unless the day(s) off were previously approved by the supervisor). Regular employees who are scheduled to work the holiday will be given another day off with pay. Paid holidays include:

- | | | |
|----|-------------------|------------------------------------|
| 1. | New Year's Day | January 1 st |
| 2. | Martin L King Day | 3 rd Monday in January |
| 3. | President's Day | 3 rd Monday in February |

4.	Memorial Day	Last Monday in May
5.	Independence Day	July 4 th
6.	Labor Day	1 st Monday in September
7.	Veteran's Day	November 11 th
8.	Thanksgiving Day	4 th Thursday in November
9.	Friday after Thanksgiving Day	(Non-union, AFSCME and LELS Captains only)
10.	Christmas Eve	December 24 th
11.	Christmas Day	December 25 th
12.	Eight Hour Floating Holiday	To be used Jan. 1 to Dec. 31

All employees in full-time regular positions are entitled to time off with full pay on holidays. The City shall be closed for business on each such holiday, but employees may be required to work on paid holidays when the nature of their duties or other conditions requires them to do so.

Regular part-time employees are eligible to earn paid holidays in proportion to that earned by regular full-time employees based on work hours budgeted on January 1. Paid holidays will count toward total budgeted work hours for the year.

If an approved holiday falls on a day a part-time employee is not scheduled to work, the employee must take the paid holiday leave during the same pay period in which the holiday occurred.

Employees may be required to work on paid holidays when the nature of their duties or other conditions require them to do so. A non-exempt, non-union employee required to work on a holiday shall receive their full pay for the holiday, as well as a minimum of 2-hours pay at a rate of 1-1/2 times the employee's base hourly pay rate for the time worked on such holiday. All holidays specified will be paid in dollars or as earned compensatory time off.

When New Year's Day, Independence Day, Veteran's Day, Christmas Eve or Christmas Day falls on Sunday, the following Monday is considered the paid holiday and if any such day falls on Saturday, the preceding Friday is considered the paid holiday. Each holiday commences at the beginning of the first shift on the day on which the holiday occurs and continues for 24 hours thereafter. Eligible employees shall receive pay for official holidays at their normal rate of pay if they are at work or on a leave of absence with pay the last regular shift to which they would have been assigned prior to the holiday and the first regular shift to which they would have been assigned following the holiday.

New employees hired after December 1st are not eligible for the floating holiday during the calendar year in which they were hired. Floating holidays may not be carried over.

6.4 Family and Medical Leave

Eligible employees may be entitled to take unpaid leave pursuant to the Family and Medical Leave Act ("FMLA") for the purposes described in 29 U.S.C. § 2612 (as amended). All such leave, including the responsibilities of the City and its employees related to such leave, is subject to the conditions prescribed in the FMLA and the Department of Labor's regulations implementing the FMLA.

For additional information regarding FMLA leave, including the circumstances in which such leave may be taken, employees should consult the posted notices. In addition, as

permitted by the FMLA, the City places the following restrictions on eligible employees' use of FMLA leave:

The City has designated a "rolling" 12 month period for purposes of determining employees' entitlement to FMLA leave. The "rolling" 12 month period begins on the date the employee uses "any" FMLA leave.

An eligible husband and wife couple employed by the City are permitted to take a combined total of 12 work weeks of FMLA leave in a single 12-month period if the FMLA leave is: (1) due to the birth of a son or daughter of the employees, (2) due the placement of a son or daughter with the employees for adoption or foster care, or (3) in order to care for a parent of the eligible employee.

Employees may request leave under this policy based on: (1) the birth of a son or daughter of the employee; (2) the placement of a son or daughter with the employee for adoption or foster care; (3) their own serious health condition; (4) to care for a parent, spouse, or child's serious health condition; (5) military caregiver leave; (6) a qualifying military exigency as defined in the FMLA or, (7) or any another eligible circumstances contingent upon the FMLA. Employees are required to submit a completed medical certification that complies with the requirements of the FMLA. Medical certification forms are available from Human Resources. Employees who request leave under this policy are required to submit medical certificate outlining the dates on which treatment is expected and the expected duration. The City reserves the right to request a second opinion, at the expense of the City, to the extent permitted by the FMLA. If the results of the employee's certification differs from the results of the City's certification, the City may obtain a third opinion at the City's expense. The City also reserves the right to require periodic recertification, to the extent allowed by the FMLA and to contact the certifying medical provider to authenticate or clarify the medical certification in lieu of seeking a second opinion.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency, if leave is requested for that purpose.

Except in emergency situations, the employee is required to provide written notice of the need to take leave to the employee's supervisor not less than 30 days before the date the leave is to begin. If the leave is to begin in less than 30 days, the employee shall provide such written notice as soon as practicable.

Employees are required to use all accrued sick leave, vacation leave, and any other accrued paid leave, except a combined total of forty hours of accrued paid leave and/or compensatory time off, concurrently with leave provided under the FMLA. The combined paid and unpaid leave cannot exceed the applicable 12 week or 26 week maximum FMLA leave time. FMLA leave may run concurrently with a worker's compensation absence if the on-the-job injury or illness also qualifies as a serious health condition under the FMLA.

Subject to the terms, conditions, and limitations of applicable plans, eligible employees are entitled under the FMLA to the same health insurance benefits provided by the City while on FMLA leave to the same extent as if the employee were not on FMLA leave. Employees who contribute toward their health care coverage must continue to make that contribution while on leave, either through payroll deduction (if using paid leave) or by personal check (if using unpaid leave). If the employee fails to return to work after taking family or medical leave, the City may recover the premiums paid by the City for group health and life insurance unless the serious health condition of

the spouse, child, parent or employee continues or for other circumstances beyond the control of the employee.

Vacation, sick, and holiday leave will not be earned during a period of unpaid FMLA leave. FMLA leave - whether paid or unpaid – will not constitute a break in service for purposes of computing years of service.

To the extent provided in the FMLA, employees generally have the right to return to an equivalent position with equivalent benefits, pay and other terms and conditions of employment upon returning to work after a period of FMLA leave. However, employees who fail return to work following, or require additional time away from work after exhausting, their FMLA leave in the designated "12 month period" no longer have FMLA protections of leave or job restoration. In addition, an employee who fails to return to work at the end of FMLA leave, in most cases, will be considered to have voluntarily resigned his/her position with the City. Employees who do not return to work at the end of their FMLA leave may be terminated.

The City requires a medical certificate attesting to the employee's fitness for duty prior to the employee being allowed to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of the job. The Human Resources Manager may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

Records on family and medical leave will be kept along with normal personnel records except that any medical record will be maintained separately in accordance with applicable laws.

The FMLA is a complex area of law with detailed federal regulation that is impacted by other related issues. Questions should be directed to Human Resources.

6.5 Extended Medical Leave

When medically necessary, and upon receipt of a medical certificate from an employee's treating physician, the City Administrator may, at his or her sole discretion, approve a request for an unpaid medical leave extension of up to three months due to the employee's serious medical condition or to care for a spouse, parent or child who has suffered a serious medical condition.

Before using unpaid leave under this section, the employee must use all paid leave except a combined total of forty hours of accrued vacation leave, sick leave, holiday pay, and/or compensatory time off.

Health and life insurance benefits will continue to be paid by the City for an employee who is on extended medical leave at the same level as if the employee were working. Employees who contribute toward their health care coverage must continue to make that contribution while on leave, either through payroll deduction (if using paid leave) or by personal check (if using unpaid leave). If the employee fails to return to work after taking extended medical leave, the City may recover the premiums paid by the City for group health and life insurance unless the serious health

condition of the spouse, child, parent or employee continues or for other circumstances beyond the control of the employee.

Vacation, sick, and paid holiday leave will not be earned during a period of unpaid extended medical leave. Use of approved extended medical leave will not constitute a break in service for purposes of computing years of service. The city of Ramsey does not guarantee job restoration after a period of extended medical leave.

The City requires a medical certificate attesting to the employee's fitness for duty prior to the employee being allowed to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of the job. The Human Resources Manager may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the Americans with Disabilities Act. If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

6.6 *Bone Marrow Donation Leave*

State law provides for paid leaves of absence to an employee who works an average of at least 20 hours per week and seeks to undergo a medical procedure to donate bone marrow. The length of the leave shall not exceed 40 work hours, unless agreed to by the City. Bone Marrow Leave is not chargeable against accrued vacation or sick leave or compensatory time off. The City may require certification from the treating physician regarding the purpose and length of the leave requested by the employee.

6.7 *Temporary Light Duty*

Consistent with public service needs, the City may assign light duty to employees who are temporarily unable to fully perform all work duties. The City reserves the sole right to determine, on a case-by-case basis, whether light duty will be assigned and, if assigned, what duties the employee will be expected to perform and the duration of the assignment, which cannot exceed four weeks. The City does not guarantee that any light duty will be available, and is under no obligation to create a new position to accommodate any employee's inability to perform the essential functions of their job. Police Department and Fire Department employees are not eligible for light duty assignments, unless approved by the Department Head and the Human Resources Manager.

The procedure for applying for a light duty assignment will be as follows:

- A. When an employee is unable to provide full performance of all assigned work duties, the employee may request light duty by submitting a written request to the Human Resources Manager. The request shall be accompanied by the treating physician's medical certification indicating diagnosis, current treatment, and the extent and duration of any work restrictions.
- B. The City may require an independent evaluation conducted by a physician selected by the City to verify the diagnosis, current treatment, work restrictions and expected length of disability.

- C. Determinations regarding light duty will be made on a department-by-department, case-by-case basis. The Human Resources Manager, in consultation with the Department Head, will consider such factors as public service needs and budgetary consideration, the need for work which may be assigned as light duty, the employee's capability of performing the work, the number of employees not available for work due to injury or illness, and other relevant factors, as determined by the Human Resources Manager's sole discretion. The City does not guarantee that any light duty will be available, and is under no obligation to create a new position to accommodate any employee's inability to perform the essential functions of their job.
- D. The City will determine what job duties the employee will perform. These duties may include those currently assigned to the employee's job classification or any other duties the City considers to be appropriate. Duration of light duty will be determined at the sole discretion of the City.
- E. If the treating physician requires a continuation of light duty beyond the initial two weeks, the employee must submit the treating physician's documentation for the Human Resources Manager's review in order to determine if the City can grant additional light duty. The City, at its sole discretion, reserves the right to terminate a light duty assignment at any time based upon, but not limited to, the factors set forth in sub-item C above.

6.8 Military Leave

State and federal laws provide for and regulate military leave for employees who are called to military service, whether in the Reserves or full-time service. Leave from employment to participate in military duty is addressed in federal law in the Uniformed Services Employment & Re-employment Rights Act (USERRA). Public employees in Minnesota engaged in military service have additional benefits under Minnesota Statutes. Every city of Ramsey employee, whether in the Reserves or full-time service, will be afforded the benefits entitled to them under federal and state law. Employees should contact Human Resources for additional details.

6.9 Parenting Leave

Parenting Leave, as provided for in Minnesota Statutes, grants qualifying employees unpaid leave of up to twelve (12) weeks for: (1) a biological or adoptive parent in conjunction with the birth or adoption of a child; or (2) a female employee for prenatal care, or incapacity due to pregnancy, childbirth, or a related health condition. Parental Leave is considered to be taken simultaneously with FMLA leave. If leave is taken due to the birth or adoption of a child, the leave must begin within twelve (12) months of the birth or adoption, unless the child remains in the hospital after the mother has been discharged, in which case the leave must begin within twelve (12) months after the child leaves the hospital.

6.10 School Conference and Activities Leave

Any qualifying employee may take leave of up to 16 hours during any 12-month period to attend school-related activities related to the employee's child attending school, provided the school-related activities cannot be scheduled during non-work hours.

When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the employer. Employees may use accrued vacation leave or compensatory time off concurrently with leave granted pursuant to this section.

6.11 Jury or Witness Duty

Any employee who is required to serve as a juror or who is under subpoena as a witness in court for job related purposes, shall be granted a leave of absence with pay while serving in such capacity. An employee cannot receive more than the employee's normal take-home pay as a result of any employer pay supplemented to Jury Duty pay. Jury duty pay excluding transportation reimbursement, must be remitted to the City within 30 days after receipt of payment from judicial agency. When employees are excused from jury duty or serving as a witness during their regular working hours, they are expected to return to work if practicable.

6.12 Funeral Leave

Employees are allowed funeral leave up to 24 hours twice annually per occurrence (a maximum of 48 hours during any calendar year) for a death in the immediate family. Funeral leave is not chargeable against any accrued vacation leave, sick leave, or compensatory time off. All funeral leave for a particular occurrence must be taken within five (5) calendar days from start to finish. Additional funeral leave may be taken with prior approval from the employee's supervisor. Such additional leave will be deducted from the employee's sick leave (up to three (3) consecutive days), vacation leave or compensatory time off as the employee may choose and have available.

Immediate family, for the purposes of this section, shall be defined as spouse, parent, stepparent, children, step-children, brother, sister, grandparents, grandchildren or a like member of employee's spouse's family.

SECTION 7 CONDUCT

7.1 Code of Conduct

Policy Statement

It is the policy of the city of Ramsey to maintain a respectful work environment free from violence, discrimination, and offensive or degrading remarks or conduct. Preserving a respectful environment in which to work is the shared responsibility of both management and employees. Inappropriate conduct or communication can interfere with an individual's employment or use of public services, or create an intimidating, hostile or offensive work environment. Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action, which may include dismissal from employment.

Scope

This policy governs the conduct of all City personnel, including: elected officials; union, non-union, supervisory, non-supervisory, managerial, full-time, part-time and temporary employees; and members of City boards and commissions.

Definitions of Prohibited Behaviors

Violent behavior includes the use or threat of physical force or intimidation to cause pain, fear or hurt.

Discriminatory behavior includes inappropriate remarks about or conduct related to an employee's race, color, creed, religion, national origin, disability, sex, marital status, familial status, age, sexual orientation, membership or activity in a local human rights commission, status with regard to public assistance, or other characteristic protected by State or federal anti-discrimination law.

Offensive behavior may include, but is not limited to, such work-related actions as rudeness, exclusionary behavior, creating or displaying graphics depicting co-workers or customers inappropriately, angry outbursts, inappropriate joking, vulgar obscenities, name calling, disrespectful language, or the intentional filing of an unfounded complaint under this policy.

Policies

1) Expected Conduct of City Employees in General

Employees of the City shall conduct themselves at all times while on duty or on the employer's premises, in such a manner as to reflect most favorably on the City. Conduct unbecoming a City employee shall include violent behavior, discriminatory behavior, offensive behavior, harassment, and any conduct that tends to bring the City into disrepute or reflects negatively on the City, or that which has an adverse impact on the functioning of one or more City employees or departments, or the City as a whole.

2) Conduct in Dealing with the Public

While representing the City, employees shall be courteous to all members of the public. They shall be tactful in the performance of their duties, control their tempers and exercise patience and professional judgment. They shall not engage in argumentative discussions or behavior prohibited by this policy, even if provoked. They shall not use coarse, violent, profane or disrespectful language or gestures, and shall not express any prejudice concerning race, color, creed, religion, national origin, disability, sex, marital status, familial status, age, sexual orientation, membership or activity in a local human rights commission, status with regard to public assistance, other characteristic protected by State or federal anti-discrimination law, lifestyle, or other personal characteristics. Employees shall not engage in violent behavior, discriminatory behavior, or offensive behavior when interacting with any member of the public.

In the event a member of the public becomes abusive, employees should refrain from escalating the situation and if possible, employ tactics to defuse the situation. While each employee is expected to use his or her best professional judgment to determine the most appropriate and effective way to interact with members of the public, some potential tactics include, lower the voice or ask the person to sit down. If the situation doesn't improve, the employee can refer the person to a supervisor or request that a police officer be called to the scene, if necessary. Employees are not required to continue conversations that include profanity or threats. In those situations, the employee should refer the individual to a supervisor or inform a caller, as courteously as possible, that the employee is hanging up and will talk with the caller after the caller has calmed down.

3) Conduct between Employees

Employees shall cooperate with and be courteous to co-workers at all levels. Employees shall control their tempers and refrain from engaging in violent behavior, discriminatory behavior, or offensive behaviors. Employees shall act professionally and courteously when interacting with their coworkers. Inappropriate behavior prohibited by this policy includes, but is not limited to: slamming doors, pounding tables, kicking furniture, unwanted and/or unwarranted physical contact of any nature, including "roughhousing" such as punching in the arm, pinching, arm twisting, etc., and other, similar unwanted conduct, making threats, berating or belittling others, speaking in raised voices, using coarse, violent or profane language or gestures, refusing to speak or respond when spoken to, and refusing to provide assistance when requested.

Employees shall treat each other with respect. They shall refrain from making remarks about or using nicknames for other employees that are disparaging or based on a personal characteristic; producing cartoons or other graphics displaying other employees in an unfavorable light; communicating threatening or disparaging remarks via any medium (voice, e-mail, notes, etc.); engaging in unwanted horseplay or practical jokes; failing to relay written, verbal or telephone messages.

4) Reporting Inappropriate Workplace Behaviors

Any employee who believes that another City employee or elected official has engaged in behavior prohibited by this policy is encouraged to address the situation as described in paragraphs (a), (b), and (c) below. However, if the alleged conduct involves violent behavior, discriminatory behavior, or harassment prohibited by City policy, the employee is

responsible for reporting the situation to the appropriate supervisor in accordance with the City's anti-harassment policy and paragraph (c) of this policy.

- a) If possible, politely but firmly tell the person who is behaving inappropriately that you are uncomfortable with or offended by the behavior and ask them to stop.
- b) Write a memorandum for personal reference that describes the inappropriate behavior, the date the inappropriate behavior occurred, how it made you feel, what you did, how the offending party responded, and the names and titles of any witnesses.
- c) Report the conduct to your supervisor or department head or the employee's supervisor or department head. If the individual allegedly engaging in behavior is an elected official, report the conduct to the City's Human Resources Manager, City Administrator, the Mayor, or a member of the City Council, as appropriate.
- d) The complaining party should be prepared to provide the following information:
 1. The complainant's name, department and position title.
 2. The name, department, and position title of the offending party, if known.
 3. The specific facts of the alleged inappropriate behavior, how long it has allegedly gone on, and any alleged employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) that was supposedly taken against the employee who is filing the complaint.
 4. Names of witnesses, if any, to the alleged harassment.
 5. Whether the complainant has previously reported the alleged misconduct and, if so, to whom.

5) Investigation of Complaints of Inappropriate Conduct

All supervisors and Department Heads receiving complaints of behavior prohibited by this policy shall report them to the Human Resources Manager. If the complaint involves alleged conduct by the Human Resources Manager, the supervisor or Department Head shall instead report the complaint to the City Administrator.

The Human Resources Manager, the City Administrator, or a designee of the City Administrator, shall investigate complaints of inappropriate workplace conduct prohibited by this policy.

6) Consequences of Engaging in Inappropriate Workplace Conduct

Employees who are found to have engaged in conduct prohibited by this policy or to have intentionally filed a false claim of such conduct may be subject to disciplinary action, up to and including immediate termination, subject to the provisions of the Personnel Policy, applicable policies of the Police and Fire Departments, applicable collective bargaining agreements or other contracts, and applicable law.

Supervisors are required to deal swiftly and appropriately with employees who treat others disrespectfully. Any supervisor who condones or allows subordinates to engage in conduct prohibited by this policy or fails or refuses to respond appropriately to complaints of

inappropriate workplace conduct prohibited by this policy, may be subject to disciplinary action as described in the preceding paragraph, whether or not the supervisor actually engaged in inappropriate workplace conduct.

7) Retaliation for Complaints of Inappropriate Workplace Conduct

All employees are prohibited from retaliating or threatening to retaliate against anyone who complains of inappropriate workplace conduct or participates in the investigation or response to such conduct. Any employee found to engage in retaliatory actions is subject to discipline, up to and including immediate termination, subject only to the provisions of this personnel policy, applicable policies of the Police and Fire Departments, applicable collective bargaining agreements or other contracts, and applicable law.

8) Relationship of Code of Conduct to Harassment Policy

This policy supplements and does not replace the City's policies prohibiting discrimination, harassment in the workplace, and workplace violence.

7.2 Harassment Policy

This policy applies to all City employees, personnel, and volunteers without exception including elected officials, temporary employees, employees working under contract for the City and members of the paid-on-call fire department.

It is the policy of the City that all employees should be able to enjoy a respectful workplace and a work atmosphere free from all forms of unlawful harassment, including implied or expressed forms of sexual harassment. Harassment infringes on an employee's right to a comfortable, respectful work environment, against City policy, and will not be tolerated. All employees are expected to treat their coworkers, subordinates, supervisors, and public contacts with respect at all times. The City does not tolerate any form of sexual harassment in the workplace, including acts of non-employees.

Any form of sexual harassment or other protected class harassment, as defined in this policy, is prohibited and may result in disciplinary action, up to and including immediate termination.

Sexual Harassment and Other Protected Class Harassment

For purposes of this policy, the term "sexual harassment" includes unwelcome physical or verbal conduct relating to an individual's sex or gender or directed at an individual because of sex or gender, unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual or gender-related nature, when:

1. Submission to such conduct is made either implicitly or explicitly as a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting the individual's employment;

3. Such conduct has the purpose or effect of substantially interfering in an individual's employment or in creating an intimidating, hostile, or offensive working environment.

Violation of this Policy by an employee may subject that employee to disciplinary action, up to and including immediate discharge.

Examples of sexually harassing conduct under this policy may include, but are not limited to, the following:

1. Use of offensive or demeaning terms, which have a sexual connotation or a negative gender connotation;
2. Objectionable physical proximity or physical contact;
3. Any unwelcome, sexually motivated touching;
4. Repeated, unwelcome suggestions regarding, or invitations to, social engagements or work-related social events;
5. Any indication, express or implied, that an employee's job security, job assignment, opportunities for advancement, or other terms or conditions of employment may depend on the granting of sexual favors to any other employee or, supervisor;
6. Any action relating to an employee's job status, which is taken as a direct result of the granting or refusal of social or sexual favors;
7. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation;
8. The deliberate or careless expression of jokes or remarks of a sexual nature to, or in the presence of, employees who may find such jokes or remarks offensive;
9. The deliberate or careless dissemination or display of materials such as cartoons, articles, pictures, other graphics of a sexual nature, etc., which have a sexual content and which are not necessary for work;
10. The use of suggestive facial expressions or gestures of a sexual nature.

Other protected class harassment is offensive conduct or communication based on an individual's race, color, creed, religion, national origin, sex, sexual orientation, disability, age, marital status, familial status, status with regard to public assistance, or any other characteristic protected by State or federal law when:

1. Submission to such conduct is made either implicitly or explicitly as a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting the individual's employment;

3. Such conduct has the purpose or effect of substantially interfering in an individual's employment or in creating an intimidating, hostile, or offensive working environment.

All employees should keep in mind that the absence of intent to harass an individual is not a defense to a complaint of harassment. It is the impact and nature of the conduct, not the intent, which determines whether the conduct is harassing.

Any employee who believes he or she is being subjected to sexual harassment or other protected class harassment in any form, or any employee with knowledge or belief of conduct on the part of another employee or other individual which may constitute a violation of this policy, is required to report the alleged conduct immediately to a supervisor or the Human Resources Manager. If the Human Resources Manager is the person alleged to have engaged in conduct prohibited by this policy, complaints should instead be made to the City Administrator. While the City encourages written reports of the alleged conduct, verbal reports will be accepted. The individual receiving the report should be prepared to supply the following information:

1. Date, time and location of incident
2. Identification of the offender(s)
3. A detailed description of the incident
4. Any materials in the complaining employee's possession related to the incident (e.g. cartoons, articles, pictures)
5. Identification of any potential witnesses to the incident

Additionally, at the time of the incident, if you are the employee being subjected to the inappropriate behavior and feel comfortable in so doing, you may, but are not required to, courteously, but firmly, tell the individual(s) engaging in the inappropriate behavior to stop the behavior because the behavior makes you feel intimidated, offended or uncomfortable. Include a summary of this discussion in your report to the supervisor, Human Resources Manager, or City Administrator.

Supervisors are responsible for maintaining a work environment that is respectful and free from discrimination in any form. These responsibilities include proactively maintaining the compliance of all employees with this policy.

Any supervisor who receives a formal or informal, oral or written report of harassment, or have personal knowledge or reason to believe that such harassment has occurred shall inform the Human Resources Manager immediately without screening or investigating the report, unless the Human Resources Manager is involved or have a conflict of interest, in which case the report shall be made to the City Administrator pursuant to the reporting procedures. Failure of any supervisory employee to forward such a report to the appropriate party may be grounds for discipline. If appropriate, the Human Resources Manager shall inform the Department Head of the report of harassment.

Upon receipt of a report or complaint of sexual harassment or other protected class harassment, the Human Resources Manager or City Administrator shall undertake or authorize an investigation. The investigation may be conducted by City officials or by a third party designated by the City. The City may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.

The investigation methodology will be determined by the investigator depending on the specifics of each complaint. Investigations typically include, at a minimum, interviews with the reporting employee, the complaining employee (if different from the reporting employee) and alleged offender(s). The investigation methodology may additionally include additional interviews, document review, and other methods deemed pertinent by the investigator.

Every effort will be made to respect the privacy and identity of all parties to a complaint brought under this policy, subject to any applicable law, including the Minnesota Government Data Practices Act (“MGDPA”). In addition, the City has an obligation to investigate, to take necessary action to address allegations, and to comply with relevant state and federal regulations, and retains the right to disclose the identities of parties to a complaint, including witnesses, and the substance of complaints or witness statements as permitted or required by applicable law, including the MGDPA.

The investigator will forward a summary of the investigation, including the investigator’s findings and conclusions, to the Human Resources Director or City Administrator, as appropriate. The City will take all appropriate action, including, but not limited to, disciplinary action, to address any confirmed violation of this policy.

The City will not tolerate acts of retaliation against employees who have made a good faith report of suspected violations of this policy or any person who assists or participates in an investigation or assists or participates in a proceeding related to such investigation. The City will discipline or take other appropriate action against any employee, personnel, elected official, or volunteer who engages in acts of retaliation towards such individuals. For purposes of this policy, retaliation includes but is not limited to: any form of intimidation, reprisal or harassment.

7.3 Workplace Violence Policy

Purpose and Definitions

The city of Ramsey is committed to maintaining a safe environment for its employees and customers, free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. Accordingly, the City will not tolerate any acts of violence toward employees or customers of the City, or to property. Any employee who commits or threatens an act of workplace violence may be subject to investigation and discipline, up to and including immediate termination. It is the goal of the City to provide a workplace that is free of intimidation, threats, and violence. This policy will also seek to provide guidance to employees when they encounter a situation that they believe could result in violence.

For purposes of this policy, the following definitions will be used:

Workplace Violence - The term “workplace violence” encompasses a wide range of behaviors that include, but is not limited to, any act of physical, verbal, or written aggression against an employee

or customer of the City, or threats to inflict physical harm, or damages to property, family members of an employee, or any purposeful or knowing behavior which would cause a reasonable person to feel threatened by an employee or non-employee in the workplace. Workplace violence does not include reasonable force in the defense of oneself or others. Workplace violence also does not include the appropriate use of force or weapons by law enforcement officers or others acting lawfully to protect and defend life and property, effectuate an arrest or detainment, or other purposes for which law enforcement officers are authorized to use force.

Threat - an expression by word or conduct of intent to commit violence that places the listener or reader in fear of imminent bodily harm or is of such character that another individual could be placed in fear of imminent bodily harm. The overall context of statement, including non-verbal communications will be taken into account to determine if such an expression is a threat covered by this rule.

Employee Responsibilities

Employees are expected to treat co-workers, citizens, and property with respect. No employee is permitted to commit or threaten violence against another employee or customer of the City. Examples of prohibited conduct include, but are not limited to, physical abuse, verbal threats to inflict physical harm, vandalism, arson, and use of weapons.

Employees are not permitted to bring a weapon into the City workplace or onto City property unless the weapon is required to fulfill the employee's job duties, such as those of a police officer.

City employees should not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If anyone on the City premises displays such behavior, regardless of whether he/she is a City employee, such behavior should be reported immediately to the employee's supervisor. Employees are responsible for making the report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who was threatened or who was the focus of the threatening behavior.

Employees shall be alerted to and immediately report suspicious or threatening behavior and incidents of workplace violence to their supervisor and should contact 911 in the case of an immediate serious threat or crime. In the event of imminent danger to persons or property, employees shall always take action to safeguard persons or property before making a formal report. Except as noted above, reports shall be made as soon as possible after a threat or act of workplace violence – preferably within 4-6 hours, or sooner if reasonably able to do so.

Even without an actual threat, employees shall report any behavior they have witnessed which they regard as threatening or violent.

Employees who have identified City work locations as being protected for purposes of restraining or protective orders shall immediately notify their supervisor. The City understands the sensitivity of the information and will endeavor to handle the matter respectfully while also providing necessary notification and advance warning to fellow employees.

Supervisory Responsibilities

Supervisors are expected to appropriately and safely intervene when they see an employee on the receiving end of abuse, whether from another employee or a member of the public. Supervisors

and Department Heads who witness workplace violence or receive a complaint of workplace violence must notify the Human Resources Manager of the situation as soon as possible. The responding supervisor shall assess whether there is a current significant risk of violence that could result in physical harm to people and/or property and establish command and determine the appropriate level of emergency response. The supervisor or Department Head's efforts may include the following actions:

- Assuring that 911 has been called.
- Alerting other employees in the immediate area about the situation.
- Attempting to move individuals at risk to a safer location.
- Implementing the appropriate evacuation proceeding if rapid evacuation of the building seems warranted.
- Controlling staff involved so that they do not interfere with or hinder the efforts of law enforcement or other emergency personnel who may respond to the incident.
- Assuring that necessary medical attention and/or emotional support is provided to the employees affected by the incident.
- Contacting the Human Resources Manager to arrange for relief from duty of the employee(s) who committed the workplace violence, coordinate an investigation and to handle disciplinary/return to work issues.
- The Human Resources Manager may, in addressing the situation, consider the following:
 - Assessing the needs of victims and other employees impacted by the incident.
 - Any additional security measures that need to be put into place, taking into consideration:
 - the likelihood of violence
 - the costs and benefits of security measures
 - the impact of security measures on the employee(s) involved and the rest of the workforce
 - the impact of security measures on the City's ability to meet the needs of its customers
- When a supervisor or Department Head is notified of an employee having identified City work locations as being protected areas for purposes of restraining or protective orders, OR of a domestic violence situation, the Human Resources Manager is to be consulted immediately to determine what actions may be appropriate.
- The Human Resources Manager may consult with the Police Department to determine what appropriate security measures need to be taken with regard to any reported or potential workplace violence incident.

Due to the need to allow public access to City facilities and services, the City cannot guarantee that violence will not occur on its premises.

The City subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the consequences for violating this rule, and providing a hierarchy within which to report incidents of violence without fear of reprisal.

Any City employee who violates this policy may be subject to disciplinary action, up to and including immediate termination.

Any customer of the City who violates this policy may be denied access to City business locations. Anyone who engages in violence may be subject to criminal sanctions.

7.4 Domestic Violence

At the request of the employee, the City will attempt to make reasonable accommodations for a period of time to shield or protect an employee from abuse while at work through the screening of telephone calls and visitors, or other temporary measures. In accordance with Minnesota law, employees may also use sick leave for “safety” leave related to domestic violence situations.

7.5 Appearance and Dress Policy

The appearance and dress of City employees has a direct reflection on the professionalism of our services. A neat, well-groomed employee presents a positive image of the City and demonstrates the pride of City employees. Appearance and attire have an impact on the way community members perceive City staff and the confidence customers have in the City’s ability to provide quality services. The standard office attire for employees Monday through Friday will be Business Casual or Formal Business, with some exceptions on Friday’s as noted below.

Appropriate Business Casual or Business Attire

The following information should guide employees on proper dress in the work place. Although it is difficult to develop a policy that will cover all individual variations in dress and style for each work situation or circumstance. The following appearance and dress guidelines have been established based on public perception and job safety, as follows:

- Suits, Pant Suits, Sport Coats.
- Dress slacks, pants, khakis.
- Dress shirt with or without a tie.
- Dresses and skirts (no more than 3 inches above the knee).
- Blouses, shirts, or sweaters.
- Any type of business shoe.

Appropriate attire for Fridays:

- Casual sweaters or shirts (no t-shirts) (slogans or advertising may not exceed 2 inches, other than city logos).
- Casual slacks, pants, denim jeans (as long as they are in good condition with no tears or holes).
- Capris within 3 inches of the knee.
- Clean athletic shoes in good condition.

Employees who take Friday off may not substitute another day for “casual Friday.”

Inappropriate Attire

Except as specifically allowed on casual Fridays, the following items are not appropriate for the office environment.

- T-shirts, halter tops, tank tops, tube tops, muscle shirts.
- Flip flops.
- Athletic wear (sweatpants, sweat suits, workout clothes, tennis shoes).
- Denim jeans.
- Shorts, mini-skirts.
- Body-hugging clothes.
- Garments revealing the midriff or off-the-shoulder.
- Dirty, ripped, wrinkled or stained clothing.
- Transparent or tight garments.
- Clothing with advertisements or logos larger than 2” (other than City logos).
- Any clothing that is overly revealing or outlandish so as to cause distraction.
- Any clothing or visible tattoos with images or wording that are offensive or derogatory.
- Visible body piercings, other than earrings, all other visible body piercings must be removed during work hours.

Employees Who Work Outdoors

Employees who work outside must follow the dress code established by their Department Head. Clothing must always be neat, clean, and not overly worn, faded, or in disrepair. Work shirts may not be sleeveless and employees may not go shirtless while on duty. Solid color shorts and jeans are acceptable when appropriate and with prior approval from the Department Head.

Uniformed Personnel

Uniforms, which are provided to some city employees, are expected to be neat, fresh and clean when reporting for duty. Each department is responsible for seeing to it that employees follow regulations regarding uniforms, related accessories and equipment. Uniforms bearing city identification may not be worn during off-duty hours.

Under certain circumstances, as a condition of employment, employees may be required to wear clothing identifying them as a city of Ramsey employee. If applicable, a payroll stipend may be benefited and applicable taxes will be withheld according to the Internal Revenue Service.

Religious Considerations

Nothing in the policy is intended to infringe upon an individual’s desire to observe and exercise religious practices. The City will make reasonable effort to accommodate religious practices regarding dress to the extent that is able to do so without affecting employee or customer health and safety.

Enforcement

Department Heads or their designee have the responsibility and the authority to enforce this policy. If counseling is ineffective, violations of this policy may result disciplinary action, up to and

including immediate termination. Employees sent home to change clothes shall not be paid as regular duty pay; the employee may use vacation time or unpaid leave.

7.6 Off-duty Conduct

The City's effectiveness depends upon the respect and confidence of residents, business owners and employees. Inappropriate off-duty conduct detracts from community or employee respect and confidence. It is the City's policy to investigate circumstances suggesting that a City employee has engaged in inappropriate off-duty conduct that reflects unfavorably on the City. If inappropriate off-duty conduct is determined to have occurred that affects the City's business or reputation, discipline may be imposed, up to and including immediate termination.

Examples of inappropriate off-duty conduct include, but are not limited to the following:

- Certain moving violations
- Theft
- Violence
- Use of City position to manipulate or control
- Conviction of a gross misdemeanor or felony

This policy applies to all City employees (full-time, part-time, paid-on-call, temporary, casual, etc.); to acts that occur within or outside of City limits; and to acts that occur during or outside work hours.

7.7 Employee Parking

To ensure that the public has easy access to the front doors, employees parking at the City offices must park personal vehicles in the Municipal Parking Ramp; unless otherwise approved by the Department Head.

7.8 Conflict of Interest and Divided Allegiance

The City Council and the City Administrator are committed to governing the City organization in a manner that is free of personal conflicts. For the purposes of this Policy, the term "conflicts" means both "conflicts of interest" as they are defined under applicable state and federal law, and "divided allegiances," as they are defined in this Policy.

This Policy addresses how the City approaches actual or perceived conflicts. The definitions that apply cover more than the specific conflict of interest scenarios addressed by state or federal laws. A conflict of interest not identified in this policy may be a violation of those laws. City officials may have a legal conflict of interest even if their conduct does not amount to a conflict of interest under this Policy. Nothing in this Policy authorizes, or should be interpreted as authorizing, City officials to have an interest in a transaction that is prohibited by state or federal law. Employees and elected officials who have a conflict of interest recognized by state or federal law are subject to all of the consequences provided by law.

The purpose of this Policy is to inform City elected officials, appointed commission members, and staff of the City's broad definition of Conflicts and to establish procedures to follow to declare and monitor conflicts as they arise. The City Council requires each elected official, appointed commission members and staff member to be advised of this Policy, and each of said persons are to be provided a copy of this Policy, immediately upon assuming their City's duties or relationship. All individuals subject to this Policy are responsible for knowing and observing the Policy.

This Policy recognizes that a conflict of interest may exist, from a practical perspective, whenever the personal or professional interests of an elected official, appointed commissioner or staff member are potentially at odds with City's interest(s). Since the City Council is responsible for ensuring that the organization's management serves the City's best interests, over and above the interests of any insider, this Policy broadly defines potential conflicts of interest to include all instances when a person within the organization may be able to exert his or her authority, influence, or bias on any issue in which he or she may have divided allegiances.

The City Council recognizes that conflicts may exist not only when an individual has a financial interest in a transaction, but also when his or her nonfinancial interests are involved. In all cases, the City Council is committed to ensuring that whenever a dual interest between an individual's personal, business, organizational or professional affiliations and the position and interests of the City exists, disclosure of such conflict is given and the resulting decision-making is fairly and appropriately managed. Furthermore, this Policy's procedures apply not only when an actual conflict is demonstrated, but also when the interests or concerns of another party to which one has allegiance may reasonably be seen as competing with City's interests or concerns. The decision of the City Council to effect a level of higher scrutiny and procedures when an elected official, appointed commissioner, or staff member of the City appears to have a conflict acknowledges the public's increasing sensitivity to self-dealing and/or lax management by elected officials, appointed commissioners, and staff.

The three types (or "Tiers") of conflicts defined in the Policy are not mutually exclusive. An interest that qualifies as a conflict of interest under one Tier may be a conflict of interest under either of the other Tiers as well, depending on the specific facts.

Conflict of Interest and Divided Allegiances, Definitions

Tier 1 -- Direct conflict: A direct conflict exists whenever there is any proposed transaction or action of the City in which an elected official, appointed commissioner, or staff member has any direct involvement or interest. Direct conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict. These transactions are subject to the highest scrutiny.

Tier 2 -- Indirect conflict: An elected official, appointed commissioner or staff member has an indirect involvement or interest in a proposed transaction or action of the City whenever:

a) Any other party to the transaction or party affected by the action is a "family member" (i.e., a relative) of the elected official, appointed commissioner, or staff member, or, there is a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliation, or interests.

b) Any other party to the transaction or party affected by the action is an entity in which the elected official, appointed commissioner or staff member has a material financial interest,

c) The elected official, appointed commissioner or staff member is an officer, director, trustee, staff member or partner of any other party to the transaction or party affected by the action.

Conflicts involving more immediate relatives should generally be subject to a higher level of scrutiny by the City than those involving relatives who are removed, although each situation involves individual circumstances to be weighed by the City Council and City Administrator.

Tier 3 -- Potential conflict or the appearance/perception of conflict: elected official, appointed commissioner and staff members should follow the disclosure procedures of this Policy when the interests or concerns of any elected official, appointed commissioner or staff member, or of any of those individual's relatives, or any other individual group or organization to which such person has allegiance, may reasonably be seen by a third party as competing with the interests or concerns of the City; that conflicting duties or loyalties exist.

For purposes of this Policy , the term “relative” includes all of the following individuals: spouses, , parents, children, children’s spouses, siblings, spouses of siblings, aunts, uncles, first cousins, step-parents and step-children.

For purposes of this Policy, a “material financial interest” exists when an individual or their relative has rights (whether or not yet vested) to be paid compensation, employee or retiree benefits, dividends, or profit-sharing, or to have their expenses reimbursed or obligations or other liabilities repaid, etc. The term is intended to include any and all remunerative expectations.

The City’s elected officials, appointed commissioners, staff, and consultants, shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, donors, grantees or parties to sub-agreements, with the exception that unsolicited gifts, such as trinkets or mementos costing \$5.00 or less, not given regularly may be accepted.

When there is any doubt as to whether a conflict exists, either pursuant to this Policy or under applicable law, the matter shall be resolved by the City Attorney.

All local officials, as defined in Minnesota law, must comply with Minnesota law regarding the receipt of gifts.

Procedure When Appointed Officials have a Conflict

When conflicts arise, the interested appointed official must:

1. Prepare a written statement or make a verbal announcement at the applicable public meeting describing the matter requiring action or decision and the nature of the potential conflict of interest.
 - a. Deliver a copy of the notice to the chair of that board, commission or committee. If the chair has the conflict, notice should go to the appointing authority - the city council.

Procedure when Elected Officials have a Conflict

When conflicts arise, the interested elected official must:

2. Prepare a written statement or make a verbal announcement at the applicable public meeting describing the matter requiring action or decision and the nature of the potential conflict of interest.
 - a. Deliver a copy of the notice to the presiding officer (typically the mayor)

- b. If the mayor has the conflict, notice should go to the acting presiding officer.

Procedure When Staff have a Conflict

1. Each staff member has a duty to disclose to the City Administrator, Finance Director and/or Human Resources Manager of the City the material facts of any proposed transaction of the City in which such person has any conflict(s) identified by this Policy.
2. The disclosure required under 1 (above) is to be made immediately, and to the extent possible, before any consideration of such proposed transaction by the City. If a staff member does not recognize the existence of a conflict prior to a decision regarding the transaction, the staff member has a duty to disclose the material facts of the conflict as soon as it is recognized.
3. A staff member having a conflict shall not participate in the deliberation or decision by the City regarding the transaction under consideration, unless invited by the City Council, City Administrator, Finance Director, and/or Human Resources Manager to do so, after consideration of the significance to the City of the disclosed conflict. The City Council, City Administrator, Finance Director, and/or Human Resources Manager of the City may also request that he or she provide the City with any relevant information regarding the matter.
4. The City Council, City Administrator, Finance Director and/or Human Resources of the City shall take such additional action as may be required to ensure that the conflict is properly noticed to management and that appropriate steps are employed as the transaction and its terms are brought forth for decision-making and/or implementation. Furthermore, the City Administrator, Finance Director, and/or Human Resources Manager of the City shall maintain a record of the existence, procedures employed in managing, and resolution of the conflict.

SECTION 8 DISCIPLINE/GRIEVANCE PROCEDURES

8.1 Discipline

City employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities, including failure to observe proper workplace conduct adopted by the City Council. It is the policy of the City to administer disciplinary penalties without discrimination. Except for probationary employees and as expressly described in this Policy, employees may use the grievance procedure as per the personnel policy with respect to any disciplinary action. To the extent practicable, the supervisor or Department Head shall investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

Nothing in this Policy shall be interested as altering the City employees' status as "at-will" employees or creating any type of "just cause" standard for discipline or termination. When determining whether to impose discipline, including termination, the City may consider all relevant factors, including, but not limited to, the seriousness and frequency of misconduct, and the employee's discipline history.

Discipline may be in one or more of the following forms, although The city of Ramsey reserves the right to take any disciplinary action at any time:

- a) Oral reprimand
- b) Written reprimand
- c) Suspension
- d) Demotion
- e) Termination

- a. Oral reprimand. A verbal reprimand may be imposed by a Department Head for minor violations or incidents. The Department Head must maintain a record of each verbal reprimand. A verbal reprimand may not be appealed or submitted through the grievance process.
- b. Written reprimand. A written reprimand shall state that the employee is being reprimanded for misconduct and describe the misconduct. The employee shall be given a copy of the written reprimand and sign the original acknowledging that he/she has received the reprimand. The signature of the employee does not necessarily indicate that they agree with the reprimand. If the employee refuses to sign the original reprimand, such refusal will be noted on the reprimand. The reprimand shall be placed in the employee's personnel file.
- c. Suspension without pay. Prior to the suspension or as soon thereafter as possible, the employee shall be notified in writing of the reason for the suspension and its length. The employee shall sign the original suspension notice acknowledging that he/she has received it. The signature of the employee does not necessarily indicate that they agree with the suspension. If the employee refuses to sign the suspension notice, such refusal will be noted on the notice. A copy of each written statement shall be placed in the employee's personnel file.

- d. Demotion. The City may demote an employee as it deems necessary in order to address disciplinary concerns or due to performance problems or other factors related to meeting public service needs; demotion results in a reduction in pay, classification, or duties.
- e. Termination. The City may terminate an employee at any time, for any lawful reason or no reason at all. All employees will be notified in writing of the reason for the termination. The employee shall sign the original dismissal notice acknowledging that he/she has received the notice. If the employee refuses to sign, such refusal will be noted on the dismissal notice. The signature of the employee does not mean that he/she agrees with the dismissal. For employees subject to the Minnesota Veterans' Preference Act, the City will provide written notice of the charges against the employee and follow all other provisions of Minnesota Statutes, Section 197.46, as amended.

In any case of suspension, demotion or termination, the employee shall be granted a hearing before the City Council if the employee submits a written request for such a hearing to the City Council within five (5) working days of notification of the action taken. At its sole discretion, the Council may hold the hearing at its next regularly scheduled meeting or any date within thirty (30) days of such meeting. The City Council has the sole discretion to conduct the hearing or to appoint a subcommittee to conduct the hearing. If the Council appoints a subcommittee, the subcommittee shall make its recommendation to the Council at the next regularly scheduled meeting of the Council following the hearing. The Council's decision is final. In the event the Council overturns the disciplinary decision pursuant to this provision, the employee will be reinstated to his/her position with back pay.

For purposes of the Minnesota Government Data Practices Act, the initial disciplinary decision constitutes the final disposition of a disciplinary matter, unless the employee files a timely appeal with the City Council. In such cases, the Council's decision constitutes the final disposition.

Employment at the city of Ramsey may be terminated at the will of either the employee or the City, at any time, and for any lawful reason or no reason at all.

8.2 Grievance Procedure

It is the policy of the City, whenever possible, to prevent the occurrence of grievances and to deal promptly with those that occur. For purposes of this policy, a grievance is defined as a dispute or disagreement as to the interpretation or application of this personnel policy.

Employees shall have the right to present grievances either individually or as a group. Grievances shall be presented to the City Administrator, in writing, within five (5) calendar days of the occurrence of the alleged grievance.

The City Administrator shall respond to an employee's grievance within fourteen (14) calendar days after receiving the alleged grievance. The decision of the City Administrator is final, except that when the City Administrator is directly involved in the facts giving rise to the grievance, appeal may be made to the City Council for final decision within fourteen (14) calendar days of the City Administrator's decision. In such an appeal, the City Council's decision is final. In the event that the City Administrator does not respond to the grievance within fourteen (14) calendar days of

receipt, the grievance shall be considered denied for purposes of the appeal time period discussed above.

In compliance with federal or state law, an employee may also grieve any alleged unsafe act or practice, adverse working conditions, violation of civil rights, and alleged hazardous materials management.

SECTION 9 TRAVEL, TRAINING AND EDUCATION

9.1 Travel Policy

PURPOSE

The city of Ramsey recognizes the need for continued training and professional development for its elected officials and City staff. As part of such training, elected officials and staff may be required to travel to attend workshops, conferences, and other assignments. This policy sets forth the conditions under which such travel will be reimbursed by the City.

POLICY

A request by a Council Member for reimbursement for travel expenses must be approved by the full City Council at an open meeting prior to registering for the event. A request by an employee for reimbursement for travel expenses must be approved by the Department Head prior to registering for the event. Requests for travel will be evaluated on all relevant factors, including but not limited to the following:

- Whether the person traveling will be receiving training on issues relevant to the City or to his or her job duties
- Whether the person traveling will be viewing or studying a facility or function that is similar to one being operated by- or considered by-the city of Ramsey
- Whether the person has been specifically assigned by the City Council to testify on behalf of the City before federal or state officials
- Whether the City has sufficient funding available in the budget to pay the cost of the trip

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

9.2 TRANSPORTATION/AIRLINE TRAVEL CREDITS

The most cost-efficient mode of travel should be used, taking into consideration reasonable time constraints.

Whenever City funds are used to pay for airline travel by an elected official or City employee, all arrangements must be approved by the City Council or Department Head, respectively, prior to City funds being used. All commercial transportation shall be tourist or coach. First-class fares will not be reimbursed. Printed detailed receipts are required airfare and should accompany a request for reimbursement form.

Individuals shall not accept or accumulate travel credits; i.e. travel credits shall be declined by the traveler.

9.3 MILEAGE REIMBURSEMENT

A City vehicle should be used whenever one is available. If a City vehicle is not available, and the Department Head approves use of an employee's personal vehicle for City travel, the City will reimburse the employee for miles driven in excess of the employees' normal mileage to and from work if not leaving from or returning to the work location at the current IRS rate per mile. Mileage is not reimbursable through petty cash. Each request for reimbursement must show the following:

1. Online mapping directions printed showing total miles traveled on City business.
2. If not leaving from employees work location and or returning to work location, then online mapping directions printed showing total miles to and from the employee's home and normal work location, in order to subtract from #1 above, no exceptions.
3. Net miles claimed for the reimbursement.
4. Business purpose of the trip, name of the event and entity/building location name.
5. Starting and ending addresses for each location to substantiate mileage claim.

This level of detail must be documented and included on the request for reimbursement. Employees should contact the Finance Department for clarification or assistance.

If it is necessary to rent a vehicle to conduct City business, the City will reimburse employees or City Council Members for the cost of renting a vehicle. Care should be taken to rent the least expensive vehicle available.

9.4 LODGING

When on City business outside the seven-county metropolitan area, (40 miles or more away from City Hall) lodging accommodations may be provided by the City. All requests for lodging must be submitted, and approved by the Department Head prior to payment. Actual costs for a single occupancy room will be reimbursed, but charges shall be reasonable and consistent with the facilities available. Each employee traveling on City business pursuant to this policy must obtain his or her own hotel rooms. Employees are not allowed to share rooms while traveling on City business, unless otherwise approved in advance by the City Administrator or his/her designee. In order to keep costs at a minimum, the employee or elected official shall stay at a host hotel or motel, or a less expensive hotel at the discretion of the attendee's Department Head. The City will not reimburse for costs associated with the attendance of a family member at a workshop, conference, and other assignment. Printed detailed receipts are required for lodging and should accompany a request for reimbursement form.

9.5 MEALS

When on City business, a maximum of three meals per day will be reimbursed by the City. Attendees shall take advantage of all meals that are provided for and included in the registration fee for workshops, conferences, or other assignments. The City will not reimburse for alcoholic beverages, tobacco products or costs associated with family members.

Printed detailed meal receipts are required for and should accompany a request for reimbursement form. The detailed meal receipt must include the food and beverage items ordered. The request for reimbursement form must include an explanation of the public purpose for the meal and a list of

the attendees. The receipts and reimbursement request form shall be submitted to the Finance Department for payment.

The maximum reimbursement rates for meals, taxes, and tip are as follows: Note: The City will reimburse tips up to 20% of the bill, prior to taxes. Employee's choosing to tip greater than 20% will not be reimbursed for the difference.

Breakfast	\$10
Lunch	\$16
Dinner	\$26

The City Council recognizes the public purpose of the City Administrator's business meetings with developers, staff, consultants, Council members and others; therefore, the City Council grants discretion to the City Administrator to seek reimbursement from the City for business meals, regardless of where or when those meals occur.

9.6 Training and Education Policy

The city of Ramsey is charged with the responsibility of delivering services to a broad constituency of residents and organizations. These services are delivered by staff persons, consultants, and outside agencies. The Ramsey City Council, in an effort to ensure ongoing quality service delivery, provides for a program of training its staff.

It is the primary objective of the training program that training dollars are spent on learning which addresses organizational goals and follows a progression of skill development. On an annual basis, each department is charged with projecting individual staff training needs for the next five years.

The department budget requests and future projections are to be evaluated to ensure compliance with organizational goals and budget allocations. The Department Head is charged with presenting the annual training budget to the City Administrator. The City Administrator is to present his/her recommendations to the City Council as part of the annual budget process.

All departments will be afforded opportunities to ensure training goals are met. However, it is understood that each departments/staff will have varying levels of training needs. The City will not allocate training dollars to specific staff given the varying needs of the organization and the public.

Training Reimbursement Training shall be defined as short-term specific course work in order to gain specific job skills, typically attainable in hours, days or a few weeks.

- The City will pay for job-related, position specific training approved by the Department Head and City Administrator and deemed necessary to effectively complete the requirements of the position, provided there is adequate funding in the budget appropriation for training and at the City Administrator's sole discretion.
- The City will pay for, or reimburse employees for, any and all training required by the City to attain or maintain job-related certification.
- Conference and seminar training shall provide for meals and lodging, if necessary, for in-state and out-of-state training. Travel expenses for in-state training shall be provided through the budget process. Travel expenses shall be provided for out-of-state training with prior approval of the Department Head and City Administrator.

- Department Heads are responsible for providing the Human Resources Manager with records on all employee training done at City expense; upon request a report will be prepared which documents training received and funds expended.

Post-secondary Tuition Reimbursement

Tuition reimbursement shall be defined as eligible costs incurred as a result of attending a post-secondary accredited educational institution; typically classes or courses are completed during one half of an academic year for up to 18 weeks.

With pre-approval, regular City employees are eligible to participate in tuition reimbursement. However it is the expectation of the city of Ramsey that new hires come to the City fully qualified for their position. Therefore, post-secondary tuition reimbursement shall not be provided during an employee's first year of service.

Completion of additional education is not a basis for requesting a salary increase. Courses should be taken outside of work hours; however, when unavoidable courses may be taken during the work day with prior approval from the Department Head.

Employees wishing to utilize the City's tuition reimbursement funds must: 1) submit a request via a "Pre-Approval for Tuition Reimbursement" form prior to registration of classes; this process should be completed prior to the applicable annual budget process, and 2) submit a reimbursement request form after successful completion of classes; employees should be aware of the following key points

- Employees attending an accredited college or university or post-secondary classes at accredited colleges, universities, and vocational/technical institutes can apply for City reimbursement for 50% of the cost of tuition, books and course specific fees, including technologies fees; non-reimbursable fees include fees for supplies, transportation, student activity fees, late registration fees, school entrance fees, and graduation fees.
- In order to be eligible for reimbursement, the degree program or classes must be deemed by the Department Head, City Administrator, and Human Resources Manager to be job-related and a benefit to the employer before the employee registers for the class.
- Reimbursement will only be made upon receipt of a "C" or better for the course.
- Reimbursement will also be made when employees elect to take classes on a Pass / Fail or Credit / No Credit basis, subject to receipt of successful completion.
- Employees seeking reimbursement must present a paid fee statement and grade transcript in order to receive reimbursement.
- Reimbursement for classes taken at private institutions shall not exceed the tuition charged by Minnesota State Colleges and Universities.
- Reimbursements are on a first come, first served basis and shall not exceed the department budget.
- In the event a department receives reimbursement requests that exceed its budget allocation for education reimbursement, the Department Head and City Administrator shall have the discretion to apportion the available funds, including the discretion to refuse reimbursement.
- In the event an employee leaves the City's employment, any reimbursement for education received during the 12 months prior to leaving must be returned to the City.
- Reimbursements will be made through payroll as either a non-taxable reimbursement or taxable reimbursement; contingent upon current IRS guidelines.

SECTION 10 HEALTH AND SAFETY

10.1 Policy Statement

The city of Ramsey's Safety Program is based on the premise that each and every one of our employees is entitled to a safe and healthy work environment. The Safety Program is designed specifically for the protection of our employees and visitors. All city of Ramsey employees are directed to make safety and loss control important matters.

The City believes that every employee is concerned for their own safety and that of their co-workers and will recognize that the rules and policies contained herein are for their protection. The goals that we have set for our Safety Program can only be achieved through a cooperative effort between all employees. Safe working habits and an awareness of all safety rules and policies are a condition of your employment at the city of Ramsey. All employees are required to familiarize themselves with every rule and policy set forth and to abide by them. These rules and policies will be enforced just as any other City policy and failure to comply can result in reprimand, suspension, or employment termination.

All employees are encouraged to make suggestions which will assist in maintaining safe working conditions, and to bring to the attention of their supervisor any unsafe working conditions. It is through our joint participation that accidents can be prevented, but the individual employees, can make safe work practices a habit.

This policy toward safety is in no way limited to the rules that follow, and any unsafe practices, whether listed here or not, will be addressed on a case-by-case basis.

The city of Ramsey is committed to providing its employees with a safe and healthy work environment.

10.2 Health and Personal Safety

Health and personal safety are some of the best guarantees for the successful performance of employees' work. Employees must work safely using the safety devices and equipment provided by the City for their protection. Employees must promptly report safety hazards to their supervisor. Unsafe conditions will be investigated and corrected, as necessary.

10.3 Workers' Compensation / Injuries and Illness at Work

Both Minnesota Worker's Compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's immediate supervisor is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job. First Report of Injury forms must be submitted to Human Resources as soon as possible, but no later than 3 business days from the date of injury.

Pursuant to Minnesota State law, the officials of the City elected or appointed for a regular term of office or appointed to complete the unexpired portion of a regular term are included in the coverage of the Minnesota Workers' Compensation Act.

10.4 Medical Procedures

It is the policy of the city of Ramsey, within the confines of the Minnesota Human Rights Act, to require its employees to be examined by a physician after an injury is sustained, whenever conditions make this desirable for the employee or the City, or whenever the Human Resources Manager, or designee, determines that the interests of the City and the employee will be served thereby. Physical examinations administered at the request of Human Resources Manager, or designee, shall be paid for by the City.

10.5 Smoking Policy

The city of Ramsey bans smoking in all municipal buildings, equipment and city vehicles. Smoking for the purpose of this policy means inhaling or exhaling from any lighted cigar, cigarette, pipe or any other lighted tobacco, plant product, or substance that may be used for smoking in lieu of tobacco intended for inhalation via any of the means listed above. Use of electronic devices which simulate smoking are also prohibited. This includes, but is not limited, to electronic or “e” devices such as e-cigarettes, e-cigars, e-pipes. Electronic devices are prohibited regardless of whether they provide vapor of liquid nicotine, lobelia, and/ or other substances. Non-electronic devices which simulate smoking and smokeless tobacco products (chewing tobacco, snoose, and snuff) are also prohibited.

10.6 Inclement Weather Policy

On occasions when the severity of the weather may cause City offices to be closed, the City Administrator will make a determination as to whether the offices will be closed. The City Administrator or designee will then notify the IT Manager to post the closure to the City’s website. If it is broadcast that City offices are closed prior to the shift start time, then the employee will be paid as if it were a regular workday. If, however, the office is not officially closed, staff will be instructed to take vacation time or compensatory time off for any absence from work that occurs. If the office is officially closed after the start of the shift, staff will receive their regular pay for the remainder of the shift. Compensatory time off or vacation will be taken for time absent from work prior to the official closure. This policy will apply to office employees only and does not include Public Works or Public Safety (fire and police) employees. In circumstances where the City Administrator is out of town, the Acting City Administrator will provide the decision on whether or not to keep City offices open due to inclement weather.

10.7 Municipal Center Severe Weather Plan/Other Emergency Plan

In the event that severe weather or another emergency occurs during the course of the day, staff and occupants of the Municipal Center shall seek shelter in designated areas while also maintaining accountability of all persons in building.

Requirements:

Anoka County Dispatch (911) may activate the outdoor warning devices when a certified weather spotter witnesses severe weather or the National Weather Service indicates that severe weather will threaten all or part of Anoka County. Although the County has the ability to sound the sirens in zones, its common practice is to alert the entire County. If the outdoor warnings do not activate or there is a different emergency, a member of Public Safety (Police or Fire) shall have the authority to enact the emergency plan.

During normal business hours when the outdoor warning sirens sound or as directed by a member of Public Safety (Police or Fire), all employees will move to the primary shelter area. If the primary site is full, then the secondary locations will be used.

- Police Locker Rooms (Men and Women) - Primary.
- If necessary, the stairwell will be utilized as determined by a member of Public Safety and employees and visitors will move to that area as directed.

If non-staff members are present in the Municipal Center, staff should direct them to move to the primary site. If the primary site is full, then the secondary sites will be used. If any members of the public or visitors are within the Municipal Center at the time when a weather emergency, it is the responsibility of the Department Heads to get them to the shelter location.

A member of Public Safety will notify all areas when the situation has become stable and all persons may return to normal activities.

During non-business hours a member of Building Maintenance will guide all groups to the Police Locker Rooms and remain with the group until the situation has become stable. When weather has been determined safe, the Building Maintenance person will allow the groups to return to their normal activities.

Responsibilities:

If necessary the Department Head or their designee will determine accountability of their respective group and/or other departments. A member of Public Safety will gather names of the individuals at all shelter sites to determine personnel accountability.

A member of public safety will make a sweep of the Municipal Center to ensure that all employees and any of the general public have evacuated to the shelter area.

Field Employees:

During an actual severe weather incident, city personnel working outside of a City building, should seek shelter based on their respective Department's severe weather plan or in an area that they feel creates the safest environment.

10.8 Hepatitis-B Vaccine Policy

Hepatitis-B is a viral liver infection which can be debilitating and in some cases, fatal. Because Hepatitis-B is transmitted through body fluids such as blood, certain groups of people are at a greater risk of infection than others.

The Federal Occupational Safety and Health Administration (OSHA) has stated that all employers must evaluate their employees to assess the risk of Hepatitis-B infection, as it relates to their jobs. If a substantial exposure risk is assessed, the employer must offer the vaccine to those employees at no cost to the employee.

The employees within the city of Ramsey who have been identified at substantial risk of Hepatitis-B infection are Public Works Maintenance staff, Engineering Technicians, Police Officers, Community Service Officers, Reserve Officers, and Fire Fighters.

Any employee who, while on the job, is exposed to blood, body fluids or a needle stick is required to: 1) Contact their supervisor as soon as possible, and 2) Complete a First Report of Injury form to be submitted to Human Resources immediately. The supervisor will initiate appropriate action or contact their Department Head for guidance.

10.9 Housekeeping

All employees need to assume a share of the responsibility in maintaining a high standard of cleanliness and orderliness, and cooperate in maintaining safe, healthful and sanitary conditions in all work areas. A clean work area will make your work more pleasant and help maintain the high standards of quality necessary to meet the professional requirements of the City's services.

SECTION 11 USE OF CITY PROPERTY

All staff members are responsible for the safekeeping and proper care of all property used by them and belonging to the City. Property shall only be used for official purposes and in the capacity for which it was designed.

City employees shall have no expectation of privacy in any property or equipment of the City, including, but not limited to, offices, cubicles, desks, files, vehicles, filing cabinets, voice mail, text messages on City paid cellular telephones, PDAs, computers, laptops, mass storage devices, e-mails, electronic media or devices of any kind, or any other type of equipment, property, or space provided by the City. Except when accessed by the Police Department for law enforcement purposes, any such property or equipment may be accessed by the City at any time, for any purpose, with or without notice to the employee, and with or without reasonable suspicion.

11.1 Public Information

All staff members shall become familiar with- and must comply with- all applicable laws dealing with public and non-public information. Misuse and improper disclosure of public or non-public information is prohibited and may result in discipline, up to and including immediate termination.

11.2 Telephone Use

The proper use of telephone communication is required. Always answer the telephone with a pleasant voice and respond politely to the caller. Personal telephone calls must be brief. Frequent use of the telephone for other than City business is not permitted and may result in discipline, up to and including immediate termination.

11.3 Information Technology Policy

Purpose

The purpose of the city of Ramsey IT Policy is to set standards to protect the City's IT systems from business interruption, unauthorized or inappropriate access, and to maintain appropriate security. The policy is to be adhered to by all users (full-time, part-time, and temporary employees, vendors, consultants, volunteers, interns, and others) who have access to or use the city of Ramsey IT systems both on and off City property. IT systems include, but are not limited to, computers, e-mail, Internet access, printers, phones, mobile devices and various software, etc. .

Violations

Violations of this policy will be addressed consistent with the City's Personnel Policy or union contract and may include disciplinary action, up to and including immediate termination.

Exceptions

Exceptions to the following policy must be reviewed on a case by case basis by the Department Head and approved by the City Administrator.

Glossary of Terms

Configuration: The way a system is set up or the assortment of components that make up the system. Configuration can refer to either hardware or software or both.

Downloads: To copy data from a main source to a computer or mobile device.

Electronic Mail (e-mail): A network application that allows users to exchange messages over communications networks with others.

File Server: An enhanced computer with network operating software that is used for file storage, application functionality, and managing network resources.

Information Technology (IT): Managing and processing information.

Information Technology Systems: Includes, but not limited to, computers, printers, software, e-mail, Internet, telephone, voice mail, cell phones, etc.

Internet: A global network connecting millions of computers.

Intranet: A website or series of sites accessible only within an organization. An intranet's Web sites look and act just like any other web site, but firewall security restricts unauthorized access.

Local Area Network (LAN) – A localized computer network.

Licensing: Legal compliancy of assets.

Social Networking Sites: Sites which focus on building online communities of people who share interests and activities and /or exploring the interests and activities of others. Examples of social networking websites include: Facebook, Linked In, Twitter, and sites that allow users to post personal blogs, etc.

Software: Software includes the operating system and all utilities that enable the computer to function. Application software includes programs that do real work for users (i.e. word processors, spreadsheets, and database management systems).

Portable Equipment: Hardware that is small and lightweight (i.e. laptop computers, hand-held computers, tablets, smart phones, Blackberrys, projectors, digital cameras, etc).

Users: Full-time, part-time, and temporary employees, vendors, consultants, volunteers, interns, and others who have been granted access to the City's Information Technology Systems.

Information Technology Use

Purpose

Inform and provide direction to all users regarding appropriate usage and management of

the City's IT systems and resources. All users must be authorized to use City IT systems by their Department Head, supervisor, or IT.

Auditing

The city of Ramsey reserves the right to monitor and audit use of its IT systems at any time without the user's consent. An audit may result in the removal of hardware and/or software not compliant with this policy, revocation of permission to use the City's IT systems, employee discipline, up to and including immediate termination, and/or criminal charges, depending on the nature of the violation.

Reporting

Users should notify their immediate supervisor, the IT Manager, Human Resources, or the City Administrator upon learning of violations of this policy.

Expectation of Privacy

As discussed above, all City owned equipment and Information Technology Systems, including e-mail, are City property and subject to inspection by the City at any time, without notice, and for any reason or no reason at all. Users should have no expectation of privacy. In addition, the City is subject to the Minnesota Government Data Practices Act and other laws governing the collection, storage, use, and disclosure of data. All files and documents, including personal messages and internet logs, created, received, collected, or generated by City employees or using the City's Information Technology Systems are subject to those laws and may be disclosed in certain circumstances without the permission of the employee or user.

Violation of Policy

Violations of this policy will be addressed consistent with the City's Personnel Policy or union contract and may include discipline up to and including immediate termination., revocation of permission to use the City's IT systems, and/or criminal charges, depending on the nature of the violation.

Hardware and Software Acquisition

The IT Manager must approve all hardware and software prior to acquisition to ensure consistency with the design and architecture of the City's IT network. Users are prohibited from installing, downloading, or acquiring hardware and software, including product demonstrations, without prior approval from the IT Manager. Software applications not required for official City business are strictly prohibited.

Installation, Downloads, and Configuration

No user will be allowed to manipulate hardware and software standard configurations. The IT Manager must be contacted for hardware and software support. No user should change the computer setup or configuration files. Customizing a computer should be limited to items including City-owned software such as wallpaper, screen savers, icons, toolbars and colors. Users are prohibited from downloading, or installing any software including

personal, through the Internet, e-mail, and/or vendor demonstrations without prior approval from the IT Department. In order to maintain optimal functioning, users are encouraged to accept updates to currently authorized programs such as Adobe Acrobat and other previously installed software.

Licensing

To ensure license compliancy all software must be purchased by and licensed to the City.

- a. **Development:** Any software programs (i.e. custom designed Microsoft Access databases, etc.) developed for use by the City becomes the property of the City. Software programs may not be sold or distributed without prior approval.
- b. **Home:** City-owned software may not be loaded on non-City owned equipment unless there is prior approval of the Department Head and the IT Manager.
- c. **Copyright Laws:** City users are required to abide by software and documentation copyright laws and licensing agreements. Question about the legality of the software and documentation should be directed to the IT Manager. At no time should any users make copies of City-owned software and documentation. To prove legal ownership of software, the City must have the original media and manuals stored on City property. The IT Manager will periodically check for software that may be in violation of the above policy.

Data Management and Protection

- a. Under the provisions of the Minnesota Data Practices Act, all data stored on computer media owned, leased or rented by the City is considered to be owned by the City is subject to the Minnesota Data Practices Act, which governs its use and dissemination and data classification. All data is also subject to review and investigation at the discretion of the City Administrator, Department Heads, IT Manager, and/or law enforcement. The City Clerk should be contacted with questions regarding the classification of public and private data.
- b. **Data Ownership:** All information developed or introduced to a City technology system by a user in conjunction with employment with the City is the property of the City.
- c. **Data Storage:** All City data must be saved to a network drive on a City server.
- d. **Data Deletion:** Users are responsible for deleting outdated files that are no longer needed for compliance with of the City Records Retention Schedule; this includes data files and e- mail messages. The City Clerk should be contacted with questions regarding the City Records Retention Schedule.
- e. **Data Back-up:** The IT department backs up all data stored on the file servers. Workstation hard drives or any other devices are not backed up.

Portable Information Systems

Portable personal computer(s), digital cameras, projectors, and other City owned portable equipment can be used for City business, outside of City facilities. When users check out portable equipment they are expected to provide appropriate “common sense” protection against theft, accidental breakage, environmental damage and other risks. Desktop computers and attached devices are not to be removed from City buildings. The user is responsible for the backup of or loss of any data stored on the standalone or portable computer. IT staff is available to assist in the development of procedures for disaster recovery of portable units.

City Issued Cellular Phones

- a. City issued cellular telephones are intended for the use by City employees in the conduct of their official City work to perform services to Ramsey citizens and businesses. Department Heads are responsible for the cellular telephones assigned to their departments, determining service levels for their employees, and exercising discretion in their use. Employees will manage their cell phone use so as not to exceed their service level as approved by their supervisor. Occasional overages will be reviewed by the supervisor on a case by case basis. After a review of the monthly billing statement, employees may be required to reimburse the City for overages in cell use and/or texts, depending on the nature of the calls/texts made during the month. Employees will make an effort to utilize other methods before utilizing cellular minutes. Nothing in this policy will limit Department Head discretion to allow reasonable and prudent use of such telephones or equipment provided that:
 - i. Its use in no way limits the conduct of work of the employee or other employees
 - ii. No personal profit is gained or outside employment is served
- b. A Department Head may authorize an employee to use their own personal phone for City business and be reimbursed by the City for those calls. An employee will not be reimbursed for business-related calls without prior authorization from his or her Department Head. Department Heads may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.
- c. Use of public resources by City employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited. Incidental and occasional personal use may be permitted with the consent of the department director and direct supervisor.
- d. Personal calls made by employees on a City-provided cellular phone will be made or received only when absolutely necessary and when they do not interfere with working operations and should be completed as quickly as possible.
- e. The Administrator, or designee, will have primary responsibility for implementation and coordination of this policy. All Department Heads and supervisors will be responsible for enforcement within their departments and divisions.

Smart Phones/Tablets

The city may at its discretion provide devices to members of staff it deems appropriate.

Electronic Mail (e-mail)/SMS (text) Messaging

- a. The City e-mail system and City owned or issued cellular phones are tools to be used for matters directly related to the business activities of the City and as a means to provide services that are efficient, accurate, timely and complete. E-mail messages and texts are subject to regulation under the Minnesota Data Practices Act. The content of the message determines whether a message is public or non-public/private. E-mail is intended as a medium of communication, not for information storage; therefore, e-mail should not be used for the storage or maintenance of official City records or other City information. Users may receive inappropriate and unsolicited e-mail messages. Any such messages should be reported immediately to the IT department.

Inappropriate non-business use of the City e-mail system and cellular phones includes, but is not limited to; the transmission of non-business audio, graphic or movie files; games; jokes; instant messaging; chain emails; content of an offensive, indecent, or pornographic nature; copyrighted material and large data files not directly related to City business. These items must not be sent or accepted as e-mail attachments. These types of files can adversely affect the network or computer performance.

- b. Users must practice the utmost respect while texting and may not use text messaging, e-mails, or other forms of communication provided or authorized by the City to harass another employee, citizen or other individual. "Textual harassment" is considered harassment and is subject to investigation and disciplinary action as described in the Anti-harassment Policy.
- c. The City retains the right to use management software to eliminate the delivery of junk e-mail (SPAM), including e-mails that contain profanity.

Internet/World Wide Web

- a. The Internet is available to users for research, education, and communications directly related to the mission, charter, or work tasks of the City. Users must honor copyright laws regarding protected commercial software or intellectual property. Users accessing Internet through the City's IT systems should minimize unnecessary network traffic that might interfere with the ability of others to make effective use of this shared network resource. Users are responsible for adhering to City standards when browsing the Internet. Failure to adhere to City standards puts the City and the individual at risk for legal or financial liabilities, potential embarrassment and other consequences, including immediate termination of employment or other disciplinary actions.
- b. The City retains the right to use management software to monitor end user activity. This software may monitor and limit Internet activity.

Prohibited Use

This list includes, but is not limited to illegal activities; profit or commercial activities; outside employment; any other public office or employment which is incompatible with

City employment responsibilities, as determined by the City Administrator; wagering, betting, or selling chances; annoying or harassing other individuals; fund-raising, except for City approved activities; any political or religious activities; unethical activities; pornographic, obscene, or indecent images or content; forwarding of junk e-mail, advertisements, and/or chain email.

Personal Use

- a. The city of Ramsey offers users the privilege of personal use of its technology. Personal use is allowed under the following guidelines listed below and only during break times or before/after normal business hours, as follows: Users must obtain approval from their immediate supervisor prior to personal use of IT systems; only City users are to use the computers and computer related peripherals; users must use their own media (flash drives, CD's) and paper. No personal files or data are to be stored on the City file servers; users must not use IT systems for items listed above in Prohibited Use.
- b. E-mail: E-mail may, on a very limited basis, be used for personal correspondence, as long as it does not interfere with the normal duties of the employee and the above-listed guidelines are followed. Using the City Internet e-mail to participate in any kind personal listservs or broadcast mailing list is prohibited.
- c. Inappropriate non-business use of e-mail and the Internet can cause a burden on resources or carry computer viruses. Examples of this includes, but is not limited to: the transmission of non- business audio, graphic or movie files; games; jokes; instant messaging; content of an offensive or pornographic nature; copyrighted material and large data files not directly related to business. These items must not be downloaded from the Internet. These types of files can be large and affect the network or computer performance or carry viruses.
- d. Desk Telephones: Desk telephones may be used for short, infrequent personal use as long as it does not interfere with the normal duties of the employee and the above guidelines are followed. Employees must pay any costs associated with personal long distance calls within 30 days.
- e. Copiers, Fax Machines, Printers: Users will reimburse the city of Ramsey for personal copies, faxes, and print requests, at the rate listed in the City fee schedule. Personal use fees must be reimbursed within 24 hours from the date the expense was incurred.

Personal Social Networking on City-owned equipment

Individuals must not use City-owned or operated equipment to post to personal sites, including social networking sites, except during break times or before/after work.

Personal Social Networking while off duty and the City's Responsibility:

The city of Ramsey has a duty to protect the reputation of the organization and its employees as well as guard against any liability and potential legal risk regardless of when and where social networking activity occurs. With this in mind, employees must use social media in a manner that follows the following guidelines, as follows:

individuals should exercise caution and good judgment when social networking; individuals shall not represent that they are speaking or acting on behalf of the city of Ramsey or presenting any interests of the city of Ramsey; individuals are not permitted to display the city of Ramsey logo on any part of their online profiles; individuals never have the right to post non-public and confidential information such as information related to coworkers without first obtaining the individuals' express written consent, personnel data, medical information, or claims or lawsuits against the City; individuals who use personal social media accounts are not immune from the law.

In general, all users of social networking should be aware that the content of these social networking sites can be subpoenaed and used in criminal and civil trials. Individuals need to be aware that they have no reasonable expectation of privacy when social networking and use of personal social media accounts are subject to all pertinent city of Ramsey policies, as well as local, state and federal laws. Content that violates existing City policies that exhibit hate, bias, discrimination, pornography, libelous or otherwise defamatory content will not be tolerated. Individuals are prohibited from using social networking sites to harass or attack others, including those who work for the city of Ramsey

City Facebook page or other City social networking sites:

- a. Authorized city staff responsible for updating social media sites must use the greatest care to portray the City in the possible best light.
- b. If the author of a given post is quoting another individual's comments, the comments must be called out as a quote with quotation marks.
- c. In general, all posts should be reviewed by a supervisor.
- d. All posts to the City's social media sites and other official City publications must comply with these policies.

Information Technology Security

Purpose

Ensure secure, protect, and allow appropriate access to city of Ramsey IT systems and resources.

Logins and Passwords

All users must use and maintain unique IT-issued login IDs for computer and network-related access. Login IDs are not to be shared with others, and corresponding passwords must remain confidential. Multi-user or generic login IDs are permissible only in special circumstances approved and maintained by IT. User passwords must adhere to the following requirements:

- o Have a minimum of at least six alphanumeric characters in length
- o Must be changed every 90 days
- o Have at least one numeric digit as well as letters, for example: 1FishTwoFish
- o Have not been previously used in the last five password rotations
- o Automatic screen lock is initiated after 15 minutes of

inactivity.

Appropriate network access shall be assigned by the IT department to each user login ID, and users may only log into computers and equipment with their assigned login ID. Passwords are not to be shared with anyone, and will be forced to change periodically. New passwords should not be easily guessed. Any employee who forgets their password or suspects that their password's security has been compromised, should contact the IT department immediately.

Physical Security

- a. City users are expected to provide reasonable security to their computer workstations and related IT equipment. This includes ensuring that passwords are not written down in accessible places, removable media must be kept in a secured area, and that confidential data is not displayed in such a manner that unauthorized personnel can view it.
- b. All IT equipment is City property and must remain on current premises. Users may not move IT equipment outside of its assigned area without prior approval from the IT department. Designated portable equipment, such as projectors, laptop computers, and digital cameras, may be removed from City buildings only for City business. Portable equipment must be reserved and checked out only to City users. Users are expected to provide appropriate "common sense" protection against theft, breakage, environmental damage, and other risks.
- c. Users are required to log off computer workstations when absent for an extended time, such as end of day. Users may, however, "lock" their workstation instead when absent for a short period of time, such as during a meeting or over lunch.

Virus Protection

All computer workstations, laptops, and servers must be protected from viruses using up-to-date antivirus software. Users may not alter their system's configuration or take other steps to defeat virus protection devices or systems. All files on removable media must be scanned for viruses prior to installation onto or access from City computer equipment. Any files suspected or known to contain viruses must be immediately reported to the IT department for proper handling.

Wireless Access

Unauthorized wireless access into the City's computer network is strictly prohibited. Wireless access is defined as, but not limited to, 802.11 (Wi-Fi), Bluetooth, WiMax, and cellular technologies. Users may not attempt to scan, connect to, or install any wireless computing device on City equipment or property. Wireless access must be authorized and configured by the City's IT department. Any authorized wireless access must utilize standards-based encryption, and conform to adopted security practices as governed by LOGIS and/or state and federal government guidelines.

11.4 Vehicle Use Policy

Staff members shall operate City vehicles in a careful and prudent manner and shall obey all laws of the state and all City orders pertaining to such operation. Staff members shall set a proper example for others when operating City vehicles. Any City employee who drives a City vehicle regularly or occasionally in order to conduct City business, must promptly report loss or suspension of a driver's license to the Department Head.

The intent of this policy is to ensure appropriate use of City vehicles by municipal employees and to ensure a clear understanding thereof.

- a. Conferences, schools, seminars and meetings: For purposes of this policy it is intended that training opportunities during the regular work shift within a 40-mile distance of the work location is considered an acceptable work-related activity in as much as the vehicle will be returned to the work site either during or shortly after the completion of the shift.
- b. Out-of-town and overnight conferences and schools: For travel which has a duration of more than one work day in length, or for travel beyond the 40-mile radius noted above, the employee is to utilize a non-fleet vehicle, the use for which will be compensated at the approved rate. Alternatively, upon prior approval of the City Administrator, the employee can receive the use of a vehicle previously determined as an excess vehicle by the City Council.
- c. Lunch hours and authorized breaks: For purposes of this policy when an employee is scheduled to work at a site other than their normal reporting location, and for Police Officers on duty, use of a City vehicle for travel within one mile of the City limits for the purpose of lunch and other authorized breaks shall not be considered personal use.
- d. Overnight use: It is the intent of this policy that all municipal vehicles will have returned to their designated work location by the end of the work shift unless prior written authorization has been received from the City Administrator.
- e.. Personal use: Personal use of City vehicles by City employees or elected officials is prohibited without the express written consent of the City Administrator or his/her designee.

11.5 Telecommuting Policy

Telecommuting is a work arrangement where the employee works from home or another remote work site away from the primary traditional work place.

Purpose

Consideration for telecommuting arrangements may be made on a case by case basis and only in situations where the employee can demonstrate a benefit to the City. Telecommuting is not appropriate for all employees, it is not a City wide benefit or entitlement, in no way changes the terms and conditions of employment with the City and is not a substitute for dependent care.

Participation

Full-time employees, except those under collective bargaining agreements, may apply to participate. Employees must have successfully completed probation, received a satisfactory rating on their last performance evaluation and not had any disciplinary action taken against them during the past year. Seniority will not be a basis for selecting employees to participate in this program.

Application Process

The telecommuting application must be completed indicating how the telecommuting will benefit the City. All applications must be signed by the Department Head and then forwarded to Human Resources. The Department Head, Human Resources and the City Administrator will evaluate the application to determine whether or not the application will be approved or denied, at the sole discretion of the City Administrator. The Department Head will then meet with the employee regarding the determination.

Telecommuting Program

It is recommended that employees who telecommute do so for a maximum of two days per week, or on a short-term project basis. The telecommuter and the Department Head should agree upon a regular schedule of work hours and work location. Following the regular work schedule is necessary to ensure maximum accessibility. However, the employee must be willing and able to return to the primary work place at the request of the Department Head for any reason with minimal notice. An employee's salary, benefits and job responsibilities will not be affected by participating in telecommuting. Overtime must have prior approval. A remote work site is considered a City work space and the employee, therefore, continues to be governed by applicable City policies, procedures, or practices.

The employee is to be available for telephone, computer and/or fax communication with the City at the times as agreed by the signers on the application. The employee will respond to telephone calls at the telecommuting work location, and will respond to telephone messages left for the employee at the employee's City work location.

The Department Head and telecommuter must establish an agreed upon schedule where the telecommuter contacts the office to report progress.

The telecommuting projects must have measurable objectives. For example, writing a section of a manual, working on a special project, or preparing spreadsheets and financial analysis where being out of the "office environment" could lead to its accomplishment in a more timely manner.

Equipment

If an employee is approved for telecommuting and the project requires the use of a computer, printer or other computer equipment, the cost of the equipment, maintenance repair of the equipment, equipment insurance, electricity, and/or phone lines are the employee's responsibility.

The cost of installing and licensing software will be at the City's expense as long as a software license already exists for that particular user.

In the case where an employee owns a personal computer, the employee must provide a copy of the appropriate documents to verify that the software being used is legally licensed and receive virus-detection training from the IT Division. The City assumes no liability for loss, damage or wear of employee-owned equipment.

Telecommuters will take all precautions necessary to secure confidential and/or proprietary information and prevent unauthorized access into any City system.

Insurance

The employee will be covered by Worker's Compensation while working at the telecommuting work address during the hours of work as indicated on the Telecommuting Application. The city of Ramsey's liability is limited to injuries resulting directly from the work and only if the injury occurs in the designated work area. Any claims will be handled according to regular Workers Compensation procedures. If injured while telecommuting, the employee should follow the appropriate procedures for reporting the injury. Other family members or visitors to the telecommuting work address are not covered by the City's Worker's Compensation program. The city of Ramsey is not liable for any injuries to family members, visitors, or others in the employee's home. Employees should consider carrying insurance to cover these instances.

Telecommuters working at home will have a designated space maintained by the employee. With advance notice, the employer may visit the work site to ensure that safe work conditions exist. For projects involving extensive computer use, staff may request an ergonomics evaluation of the work area.

Expenses

The City will not reimburse the employee for any expenses the employee incurs to participate in telecommuting. This includes equipment, utilities, supplies and furniture. The City will provide a small and reasonable number of office supplies (such as pens, paper, post-it notes, and paper clips) for use by the telecommuter.

Travel time from the home to the workplace is not compensatory, even if the employee reports to the regular workplace on a day scheduled for telecommuting.

SECTION 12 Drug Free Workplace Policy

12.1 Drug Free Workplace Policy Statement

In accordance with the "Drug-Free Workplace Act of 1988", the city of Ramsey hereby notifies its employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, as defined by law, is prohibited at the time and in the course of any activities performed in conjunction with the employee's work-related responsibilities. It is important to note that not only is the use of illegal drugs unlawful, but also the illegal dispensing of legal (prescription) drugs.

As a condition of employment with the city of Ramsey, all employees will abide by the terms of this Drug-Free Workplace Policy and will notify the City Human Resources Manager in writing of any criminal drug arrest or conviction no later than five days after such arrest or conviction. Employees who violate this policy may be subject to disciplinary actions which may include suspension or immediate termination.

Employees who are convicted of a drug related violation in the workplace or while engaged in work-related responsibilities may be required to participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency. Appropriate personnel action shall be taken against such convicted employee up to and including termination of employment. The City reserves the right to terminate any employee who has been arrested for, pled guilty to, or convicted of any crime involving the operation of a motor vehicle under the influence of illegal drugs, alcohol, or other controlled substances. This includes all such crimes occurring outside of work hours and all such crimes involving the use of any vehicle owned or leased by the City, the employee's personal vehicle, or any other vehicle.

Employees are also encouraged to attend one of the drug-free awareness programs which may be offered periodically. Other parts of the drug-free program may include drug counseling and employee assistance programs in the future.

12.2 Drug and Alcohol Testing

General Policy: It is the policy of the City to provide a drug-free environment. The City's goal is to establish and maintain a healthy and efficient workforce free from the effects of drug and alcohol abuse in compliance with the requirements of the federal Drug-Free Workplace Act of 1988 and other applicable state and federal law.

The City recognizes drug and alcohol abuse as potential health, safety and security problems. Employees needing help in dealing with drug and alcohol problems are encouraged to make use of the medical resources available through their health insurance plans.

Employees are required to report to work on time and in appropriate mental and physical condition for work. No employee shall be under the influence of any illegal drug, alcohol, or

other controlled substance while the employee is working, while the employee is on the employer's premises, representing the City away from the workplace during work hours, or operating the employer's vehicle, machinery or equipment, except to the extent authorized by a valid medical prescription.

Unless specifically authorized as part of the employee's work duties, no employee shall use, possess, manufacture, distribute, dispense, sell, or transfer drugs, alcohol, or drug paraphernalia while the employee is working, while the employee is on the employer's premises, representing the City away from the workplace during work hours, or operating the employer's vehicle, machinery or equipment, except to the extent authorized by a valid medical prescription. Off duty employees may use or possess alcohol on City premises such as parks and parking lots when said use and possession is not prohibited to members of the general public. The sale of alcohol which is part of an employee's job duty is an exception to this policy.

Violations of this policy will result in disciplinary action, up to and including immediate termination, and may have legal consequences.

To assist employees in understanding the perils of drug and alcohol abuse, the City has established a Drug-Free Awareness Program. This drug and alcohol policy constitutes the City's drug free awareness program and fulfills the notification requirements of the federal Drug-Free Workplace Act of 1988. The City will use this program as an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace. The program will inform employees of the dangers of drug and alcohol abuse, explain the City's Drug and Alcohol Policy and the sanctions imposed for its violation, and highlight any treatment, counseling, and rehabilitation referral services that may be available to employees in the City. Nothing set forth in this policy is intended to conflict with state or federal law, rules, or regulations.

As a condition of employment, each and every employee of the City must abide by the terms of this policy and must report in writing any instance of the employee's own conviction under a criminal drug statute. Any such conviction must be reported to the City Human Resources Manager within five (5) days after the conviction. Upon receipt of such notification, the City shall notify the appropriate federal agency of such conviction within the time period required by law.

An employee convicted of a criminal drug offense committed in the course of employment will be subject to appropriate disciplinary action and/or required to complete successfully an appropriate rehabilitation program at the employee's own expense unless provided to the employee through insurance coverage. The City, in its sole discretion, shall determine what disciplinary action is appropriate.

Drug and Alcohol Testing:

- (a) **Purpose:** The purpose of this policy is to provide for the testing of employees and job applicants in conformance with the requirements of Minnesota State law.

(b) Scope: This drug and alcohol testing policy applies to all employees of the City and to all job applicants who have received a conditional offer of employment by the City.

(c) Application of Law: All drug and alcohol testing shall conform to the requirements of applicable state and federal law. To the extent that any provision of this policy conflicts with such law, the law is controlling.

(d) Employees Subject to Federal Testing Requirements: Federal law imposes specific drug and alcohol testing requirements for employees holding certain types of driver's licenses or engaging in certain duties. All testing for such employees will comply with the federal requirements, which may be more strict, or different than, the procedures described in this policy. The City will also follow all federally required procedures regarding the results of such testing.

Definitions: For purposes of the Policy, the following definitions will apply, unless such definitions are inconsistent with applicable law. In the event of such a conflict, the terms will be given the meaning imposed by law:

- **Alcohol:** Ethyl alcohol.
- **Confirmatory Test and Confirmatory Retest:** A drug or alcohol test that uses a method of analysis authorized by Minnesota law for providing specific data as to the drugs, alcohol, or their metabolites detected in an initial screening test.
- **Conviction:** A finding of guilty (including a plea of guilty or "nolo contendere") or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of state or federal
- **Drug:** A controlled substance as defined in applicable law.
- **Drug and Alcohol Testing, Drug or Alcohol Testing, and Drug or Alcohol Test:** Analysis of a body component sample in a manner consistent with Minnesota law for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
- **Drug Paraphernalia:** An item or items described as drug paraphernalia in Minnesota State law.
- **Employee:** A person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for the City. "Employee" shall also mean a volunteer who provides services to the City for no or nominal compensation.
- **Employer:** The city of Ramsey acting through its designees of the City Council.
- **Initial Screening Test:** A drug or alcohol test which uses a method of analysis authorized by Minnesota law, as being capable of providing data as to general classes of drugs, alcohol, or their metabolites.

- **Job Applicant:** A person, independent contractor, or person working for an independent contractor who applies to become an employee of the City, and includes a person who has received a job offer made contingent on the person passing drug or alcohol testing.
- **Premises:** All property and locations that the City owns, is operating, or has established a presence.
- **Positive Test Result:** A finding of the presence of drugs, alcohol, or their metabolites in the sample tested by a confirmatory test in levels at or above the threshold detection levels established by Minnesota law. An alcohol test will be considered positive if the testee has an alcohol concentration level of at least .02 or a lesser level if it is accompanied by an odor of an alcoholic beverage or signs of physical impairment.
- **Reasonable Suspicion:** A belief by the Human Resources Manager, City Administrator, or other supervisory personnel trained in reasonable suspicion observation that the appearance, behavior, speech or body odors of an employee are indicative of the use of a controlled substance or alcohol based on the observation of at least one supervisor or official who has received training in the identification of behaviors indicative of drug and alcohol use.
- **Safety – Sensitive Position:** A job, including any supervisory or management positions, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.
- **Under the Influence:** Having the presence of a drug or alcohol at or above the level of a positive test result.

Circumstances Under which Testing may Occur: Any employee or job applicant of the City may be tested under the following circumstances:

- 1) **Job Applicant:** A job applicant may be requested or required to undergo drug testing after a job offer has been conditionally made and before commencing employment in the position. Alcohol testing will not be a part of a post-offer pre-employment physical examination.
- 2) **Treatment Program Testing:** The City may test any employee referred by the City for chemical dependency treatment or evaluation at any time and without prior notice during the period of treatment or evaluation and for up to two (2) years following completion of any prescribed chemical dependency treatment or evaluation program in accordance with Minnesota State law.
- 3) **Reasonable Suspicion Testing:** No employee will be tested for drugs or alcohol under this provision without the person's consent. If, however, the City asks an employee to undergo a drug or alcohol test and the employee refuses, the employee may be subject to disciplinary action, up to and including immediate termination.

The City may request or require an employee to undergo drug or alcohol testing if the employer has a reasonable suspicion that the employee:

Is under the influence of drugs or alcohol; has violated the employer's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the employer's premises or operating the employer's vehicle,

machinery, or equipment; has sustained or cause another person to sustain a work related personal injury; or has caused a work related accident or was operating or helping to operate machinery, equipment, or vehicle involved in a work related accident.

Random Testing and Testing without Prior Notice: Random testing may be given without prior notice during regularly scheduled work hours to those employees who are in "safety sensitive" positions including any supervisory or management positions in which an impairment caused by drug or alcohol use would threaten the health or safety of any person. Under the random selection process, there is an equal probability that an employee in a safety sensitive position subject to the selection mechanisms will be selected for testing. The City does not have discretion to waive the selection of any employee chosen on a random selection basis.

The City declares that all Fire Department positions (including but not limited to, union, non-union, supervisory and management positions) are hereby designated as "safety sensitive" positions.

The City declares that all Public Works Maintenance Division positions, (including but not limited to, union, non-union, supervisory and management positions) are hereby designated as "safety sensitive" positions.

Testing without prior notice may be conducted on employees who have been referred by the City for chemical dependency treatment or evaluation, or who are participating in a chemical dependency treatment program under an employee benefit plan, or who have participated in such a chemical dependency treatment program in the prior two years.

Criteria for Selecting Testing Laboratories: The City will only use the services of a testing laboratory that meets one or more of the criteria for drug testing or other such applicable criteria as established under Minnesota law, as amended.

Refusal to Undergo Testing:

- **Job Applicants:** Job applicants may refuse to undergo drug testing. However, if a job applicant refuses to undergo drug or alcohol testing requested or required by the employer, no such test shall be given, and the job applicant shall be deemed to have withdrawn the application for consideration for employment.
- **Employees:** Employees may refuse to undergo drug testing. However, if an employee refuses to undergo drug and alcohol testing carried out in conjunction with this Policy the employee may be subject to discipline including, but not limited to, immediate termination.

Tampering with the Urine or Blood Sample:

If an employee or job applicant tampers with his or her own urine or blood sample, or in any way deliberately causes a sample to be invalid, the employee may be subject to discipline including, but not limited to, immediate termination.

Confirmatory Testing. If a positive test is obtained, a second test will be performed on the same sample for confirmation before disciplinary action is initiated. If a sample which tests positive in

the initial test and is negative in the confirming test, the employee will be reported as negative. Employees whose samples test positive in both tests shall be reported positive. An employee has the right to have a confirmed positive sample retested at the same or another City approved laboratory at the employee's own expense (approved laboratories must be in compliance with the Clinical Laboratory Improvement Act.).

In addition, upon a positive test result, an employee may show that he or she is taking a prescription drug under the supervision of a physician, or a nonprescription drug in accordance with its directions, and the positive test result will be reevaluated in light of the drug and dosage used. If such a reevaluation shows that the positive result was caused by such use of prescription or nonprescription drugs, the result will be reported is negative.

Failure to Pass Drug and/or Alcohol Testing: Employees who test positive for drugs or alcohol on a confirmatory test or confirmatory retest may be subject to discipline. Employees may be given the opportunity to go through rehabilitation following a first positive test. All discipline pursuant to this policy will be consistent with applicable law, including but not limited to, Minnesota Statutes, section 181.953 (as amended).

If a job applicant for an affected position tests positive on a confirmatory test for drugs, any offer of employment will be withdrawn and the individual will not be considered for employment by the City. If a positive confirmatory test is caused by the lawful use of a drug prescribed for the job applicant or an over-the-counter substance consumed in accordance with instructions, the City will not withdraw a job offer. However, a job offer will be withdrawn if an applicant is not reasonably able to perform the assigned duties of the position.

Rights of Employee or Job Applicant:

An employee or job applicant who receives a positive test result on a Confirmatory Test has the right to receive a copy of the test result report and, within three (3) working days of notice of the original positive Confirmatory Test result, to submit information to the City in addition to any information already submitted to explain that result, or within five (5) working days to notify the City in writing of the employee's intention to obtain a Confirmatory Retest of the original sample at the employee's or job applicant's own expense.

If the Confirmatory Retest is conducted in accordance with rules established by the Commissioner of the Minnesota Department of Health by a qualified laboratory, and if it is not positive, the City shall reimburse the employee or job applicant for the actual cost of the Confirmatory Retest in an amount not to exceed \$100.00 and no adverse personnel action shall be taken against the employee or job applicant based on the original Confirmatory Test.

General Testing Procedures:

All testing will be performed by a licensed laboratory that certifies its compliance with the requirements of Minnesota State law. When the City decides to test for drug or alcohol use on any of the grounds enumerated in Section 4 the following procedures will apply:

Initial Screening Test: Acknowledgement. Before the Initial Screening Test, the employee or job applicant shall be informed of the City's testing policy and given a form on which the employee or job applicant can acknowledge being so informed.

If the Initial Screening Test produces a negative result, written notice of such result will be given to the individual who took the test within three (3) working days after the City receives the test result report. The employee or applicant will also be notified that they have the right to request and receive a copy of the test report.

The testing laboratory will perform a Confirmatory Test on all samples that produce a positive test result on the Initial Screening Test.

Confirmatory Test. If the Initial Screening Test produces a positive test result, a second test (known as the Confirmatory Test) will be conducted by the laboratory. If the Confirmatory Test is not positive, the City will send written notice of this fact to the employee or job applicant within three (3) working days after receiving the result.

If the Confirmatory Test produces a positive test result, the City will take the following four steps: (1) The City will send written notice of the positive test result within three working days after receiving it to the employee or job applicant. (2) The employee or job applicant will be informed of the right to receive a copy of the test result. (3) The employee or job applicant will be told of the right to explain the positive result by indicating any medication (prescription, signed for, or over-the-counter) that the individual is currently taking or has recently taken and other information relevant to the reliability of or explanation for a confirmatory positive test result. (4) The employee or job applicant will be informed of the right to request a Confirmatory Retest of the original sample at the employee's or job applicant's expense. The employee or job applicant has five working days in which to notify the City of this request in writing.

Confirmatory Retests: After an employee or job applicant chooses to request a Confirmatory Retest, the employee or job applicant has five (5) working days within which to notify the City of this request in writing. Within three (3) days of the receipt of such request, the City will notify the original testing laboratory that it is to conduct a Confirmatory Retest or transfer the sample to another certified laboratory for retesting. If the Confirmatory Retest does not confirm the original positive test result, no adverse personnel action will be taken by the City. If the Confirmatory Retest is positive, the City may withdraw its conditional offer of employment to a job applicant or terminate an employee if such employee chooses not to participate in a chemical dependency treatment or evaluation program.

Data Privacy:

Test result reports and other information acquired in the drug and alcohol testing process are private data on individuals as defined in Minnesota law, and may not be disclosed to another employer or to a third party individual, governmental agency, or private organization without the written consent of the employee or applicant tested, unless otherwise permitted by law or required by court order.

Other Misconduct:

Nothing in this Policy limits the right of the City to discipline or discharge an employee on grounds other than a positive test result in a Confirmatory Test. For example, possession, observed consumption of a controlled substance, the sale of a controlled substance on City premises, or conviction under any criminal drug statute for a violation occurring in the workplace, may by themselves, be grounds for discipline or discharge. Any City employee may be subject to discipline up to and including termination for violation of this Policy or any rules adopted by the City with respect to the manufacture, use, sale, or transfer of drugs and alcohol.

Administrative Responsibility:

The City Administrator, or his or her designees, shall be responsible for implementing this Policy. Each Department Head and supervisor shall be responsible for informing their employees of this Policy. Each employee of the City shall be notified of this Policy. Employees shall acknowledge, in writing, receipt of this Policy.

Collective Bargaining Unit Conflict:

Nothing set forth in this Drug Free Workplace Policy is intended to conflict or interfere with the terms of a collective bargaining agreement, if any, between the City and its employees.

Employee Assistance Program: The City contracts with an outside Employee Assistance Program (E.A.P.) to provide free, confidential assessment and referral services for any number of personal problems including drug and alcohol abuse and misuse. Employees are encouraged to use this service to obtain assistance for themselves or family members. To obtain more information, contact Human Resources.

SECTION 13 ACKNOWLEDGEMENT OF RECEIPT OF THE PERSONNEL POLICY

I acknowledge that I have received a copy of the city of Ramsey Personnel Policy. I understand that this document contains important information regarding the City's general personnel policies and my privileges and obligations as an employee. I will familiarize myself with the personnel policy and I understand that I am governed by its contents. I further understand that the personnel policy is not an employment contract and that the City may change, rescind or add to any policies, benefits, or practices at its sole discretion with or without prior notice.

Employee's Signature

Date

Employee's Name (typed or printed)

Witness' Signature

Date

Witness' Name (typed or printed)

EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this day of September 17, 2007, by and between the CITY OF RAMSEY, State of Minnesota, a municipal corporation, hereinafter called "the CITY," as party of the first part, and Kurtis Ulrich, hereinafter called "EMPLOYEE" as party of the second part, both of whom understand the following:

WITNESSETH:

WHEREAS, the City desires to employ the services of said EMPLOYEE as city administrator of the CITY OF RAMSEY, as provided by Chapter Six of the City Charter; and

WHEREAS, it is the desire of the CITY'S governing body, hereinafter called "COUNCIL," to provide certain benefits, to establish certain conditions of employment, and to set working conditions of said EMPLOYEE; and

WHEREAS, EMPLOYEE desires to accept employment with the CITY; and

WHEREAS, the parties acknowledge that EMPLOYEE is a member of the International City/County Management Association (ICMA) and that EMPLOYEE is subject to the ICMA Code of Ethics;

NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

- 1. Position.** The CITY agrees to employ EMPLOYEE as its city administrator. EMPLOYEE agrees to serve as city administrator in accordance with state statutes, city ordinances and the Code of Ethics of the International and Minnesota City/County Management Associations and to perform such other legally permissible and proper duties and functions as the Council shall from time to time assign.
- 2. Duration.** EMPLOYEE agrees to commence employment with the CITY on September 17, 2007. The term of this agreement shall continue until EMPLOYEE resigns his position or is terminated as provided herein.

Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the CITY to terminate the services of EMPLOYEE at any time, subject only to the provisions set forth in Section 19 of this agreement

Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the EMPLOYEE to resign at any time from his position with CITY, subject only to the provisions set forth in Section 17 of this agreement.

3. **Duties.** CITY hereby agrees to employ Kurtis Ulrich as its city administrator to perform the functions and duties specified in Chapter Six of the CITY OF RAMSEY charter and the CITY OF RAMSEY code of ordinances and to perform other legally permissible and proper duties and functions as the Council shall from time to time assign.
4. **Hours of Work.** It is recognized that EMPLOYEE must devote a great deal of time outside the normal office hours to the business of the CITY, and to that end EMPLOYEE will be allowed to flex his schedule as he shall deem appropriate during said normal office hours.
5. **Outside Activities.** EMPLOYEE shall spend no more than 10 hours per week in teaching, consulting or on other non-CITY-connected business during normal CITY business hours without the prior approval of the COUNCIL. Any such activities shall not be commenced without prior notification of COUNCIL.
6. **Performance Evaluation.** EMPLOYER and EMPLOYEE agree that a performance review will be conducted on EMPLOYEE six (6) months after hire, one (1) year after hire, and annually thereafter. Said review shall be in accordance with specific criteria developed jointly by CITY and EMPLOYEE. Said criteria may be added to or deleted from as the COUNCIL may from time to time determine, in consultation with the EMPLOYEE. Further, the CITY'S Mayor shall provide the EMPLOYEE with a summary written statement of the findings of the COUNCIL and provide an adequate opportunity for the EMPLOYEE to discuss his evaluation with the COUNCIL.

Annually, the COUNCIL and EMPLOYEE shall define such goals and performance objectives that they determine necessary for the proper operation of the CITY and for the attainment of the COUNCIL'S policy objectives and shall further establish a relative priority among those various goals and objectives to be reduced to writing. The goals and objectives shall generally be attainable within the time limitations specified and within the annual operating and capital budgets and appropriations provided.

In effecting the provisions of this Section, the COUNCIL and EMPLOYEE mutually agree to abide by the provisions of applicable law.

7. **Salary.** EMPLOYER shall pay EMPLOYEE a salary of \$118,656 per year starting March 17, 2008. The annual salary shall be prorated based on the CITY'S payroll schedule.

The COUNCIL shall conduct an annual 360 degree performance review of EMPLOYEE. Upon said performance review, the City Council may, in its sole discretion, review the terms of this agreement and increase EMPLOYEE'S salary and/or benefits.

8. **Vacation.** Effective upon EMPLOYEE 's first day of employment, EMPLOYEE shall be credited with 10 days of accrued vacation leave. In addition, EMPLOYEE shall accrue vacation days at a rate of 4.62 hours per pay period (or 15 days annually). At the time of the EMPLOYEE'S one year performance review, pending satisfactory performance, the COUNCIL may consider an adjustment to EMPLOYEE'S vacation accruals. EMPLOYEE shall be allowed to accrue up to two times the EMPLOYEE'S annual vacation accrual.
9. **Sick Leave.** Effective upon EMPLOYEE 's first day of employment, EMPLOYEE shall be credited with 12 days of accrued sick leave. In addition, EMPLOYEE shall accrue sick leave in accordance with the city's personnel policies.
10. **Health, Dental, Life and Disability Insurance.** For 2007, EMPLOYER shall provide the EMPLOYEE with a monthly contribution toward group health insurance totaling \$879.00. In future years, the EMPLOYEE will receive the same percentage increase to the EMPLOYER's monthly contribution as received by other non-union employees and approved by the city council. EMPLOYER shall provide EMPLOYEE the same dental, life and disability insurance benefits as provided to all other non-union employees.
11. **Pension Plans.** The CITY shall contribute to PERA or an alternate pension plan, if selected by the EMPLOYEE, as required and authorized by State law.
12. **Supplemental Deferred Compensation.** As per MN Statute 356.24, subd.1 (5), EMPLOYER will match the EMPLOYEE'S deferred compensation contribution up to \$2,000. Contributions will be directed to the Minnesota State Deferred Compensation plan.
13. **Expenses.** EMPLOYEE shall be eligible for reimbursement of actual expenses incurred while conducting business on behalf of the CITY on the same basis as other EMPLOYEES of the CITY. In addition, EMPLOYEE shall be paid \$500 per month for use of his personal automobile for EMPLOYER BUSINESS WITHIN THE State of Minnesota. If EMPLOYEE uses his own automobile for EMPLOYER business outside the State, then EMPLOYER shall reimburse EMPLOYEE for business use of his personal automobile on a per mile basis and at a rate equal to what EMPLOYER reimburses all other employees for business use of a personal automobile.
14. **Dues and Subscriptions.** EMPLOYER shall budget and pay the professional dues and subscriptions for EMPLOYEE which are deemed reasonable and necessary for EMPLOYEE's continued participation in national, regional, state and local associations necessary and desirable for EMPLOYEE's continued professional participation, growth and advancement. Dues and subscriptions include, but are not limited to, the International City/County Management Association (ICMA), the Minnesota City/County Management Association (MCMA) and the Ramsey Rotary Club.

15. **Professional Development.** The EMPLOYER shall budget and pay necessary and reasonable registration, travel and subsistence expenses of EMPLOYEE for professional and official travel, meetings and occasions adequate to continue the professional development of EMPLOYEE and to adequately pursue necessary official and other committees thereof which EMPLOYEE serves as a member.

Professional Development includes, but is not limited to, annual attendance at the ICMA national conference, the State MCMA conference, and the League of Minnesota Cities annual conference. The EMPLOYEE may engage in other professional development training activities as per the city's personnel policy and contingent upon the availability of resources. Coursework covered by the city's Tuition Reimbursement policy must be approved by the city council prior to course registration. EMPLOYEE shall use good judgment in his outside activities so he will not neglect his primary duties to the EMPLOYER.

16. **Indemnification.** The CITY shall defend and indemnify EMPLOYEE pursuant to Minnesota Statutes 466.07 and 465.76. In addition, the CITY shall defend, hold harmless, and indemnify EMPLOYEE from all alleged violations of torts; statutes, laws, rules, and ordinances, provided the EMPLOYEE was acting in the performance of the duties of the position.
17. **Resignation.** In the event EMPLOYEE voluntarily resigns his position with the CITY, then EMPLOYEE shall give the CITY a 45-day prior written notice.
18. **Suspension.** The CITY may suspend the EMPLOYEE with full pay and benefits at any time while this agreement is in effect, but only if
- (1) a majority of the COUNCIL and the EMPLOYEE agree, or
 - (2) after a public hearing, a majority of the COUNCIL votes to suspend

EMPLOYEE for just cause provided, however, that EMPLOYEE shall have been given written notice setting forth the charges at least 10 days prior to the public hearing.

19. **Termination and Severance Pay.** The CITY at any time may terminate this agreement with or without cause. In the event EMPLOYEE is terminated by the COUNCIL during such time that EMPLOYEE is willing and able to perform his duties under this agreement, then in that event the CITY agrees to pay EMPLOYEE his then current salary and benefits for a period of six months. In the event the CITY must pay six months of severance, the EMPLOYEE will not be entitled to accrue additional vacation, sick leave or holidays during the period that severance is paid.

In the event EMPLOYEE is terminated because of malfeasance in office, gross misconduct, conviction for a felony, or conviction for an illegal act involving personal gain to EMPLOYEE, then EMPLOYER shall have no obligation to pay the severance benefits.

Upon the effective date of the EMPLOYEE's termination, under all circumstances the EMPLOYEE shall also be compensated for all earned sick leave and vacation and any other accrued benefits per the city's Personnel Policy.

In the event the CITY at any time during the term of this agreement reduces the salary or other financial benefits of EMPLOYEE by a greater percentage than an applicable across-the-board reduction for all employees of the CITY, or in the event the CITY refuses, following written notice, to comply with any other provision benefiting EMPLOYEE herein, or the EMPLOYEE resigns following a suggestion by a majority of the COUNCIL that he resign, then, in that event EMPLOYEE may, at his option, be deemed to be "terminated" at the date of such reduction or such refusal to comply within the meaning and context of the herein severance pay provision.


- 20. Other Terms and Conditions of Employment.** The COUNCIL, in consultation with the EMPLOYEE shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of EMPLOYEE, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this agreement, the CITY OF RAMSEY charter or any other applicable law.

In addition to the benefits enumerated specifically herein for the benefit of EMPLOYEE, all provisions of the CITY OF RAMSEY charter and code, and regulations and rules of the CITY relating to vacation and sick leave, retirement and pension system contributions, holidays, and other benefits and working conditions as they now exist or hereafter may be amended, also shall apply to EMPLOYEE as they would to other employees of CITY, in addition to said benefits enumerated specifically for the benefit of EMPLOYEE except as herein provided.

- 21. General Provisions.** The text herein shall constitute the entire agreement between the parties. This agreement shall become effective commencing September 17, 2007, and shall continue until EMPLOYEE resigns his position or is terminated as provided herein.

If any provisions, or any portion thereof, contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

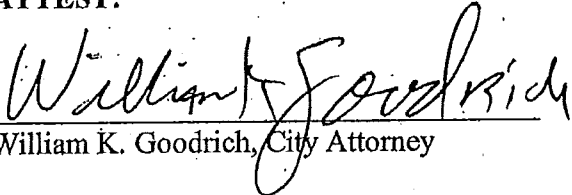
IN WITNESS WHEREOF, the CITY OF RAMSEY has caused this agreement to be signed and executed in its behalf by its Mayor, and duly attested by its City Attorney, and the EMPLOYEE has signed and executed this agreement, both in duplicate, the day and year first above written.



Thomas G. Gamec, Mayor
CITY OF RAMSEY

State of Minnesota

ATTEST:



William K. Goodrich, City Attorney

(Seal)



Kurtis Ulrich, EMPLOYEE

Councilmember Look introduced the following resolution and moved for its adoption:

RESOLUTION #09-06-115

RESOLUTION CONSIDERING THE CITY ADMINISTRATOR'S PERFORMANCE EVALUATION

WHEREAS, a one year, 360 degree performance evaluation was completed for the City Administrator for March 17, 2008 – March 17, 2009; and

WHEREAS, the City Council and the City Administrator discussed the City Administrator's performance in closed session on May 26, 2009; and

WHEREAS, it was the consensus of the City Council that Mr. Ulrich's performance was satisfactory; and

WHEREAS, the City Council desires to amend Mr. Ulrich's Employment Agreement to include 19 days of vacation annually and a standard step increase which will result in an annual salary of \$127,209, effective March 17, 2009.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) Based upon satisfactory performance, the City Council amends Mr. Ulrich's Employment Agreement to include 19 days of vacation and a salary increase to \$127,308, effective March 17, 2009.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Elvig, and upon vote being taken thereon, the following voted in favor thereof:

Mayor Ramsey
Councilmember Look
Councilmember Elvig
Councilmember Dehen
Councilmember Jeffrey
Councilmember McGlone
Councilmember Wise

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

None

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 9th day of June, 2009.



Mayor

ATTEST:



City Clerk

SECTION 3 EMPLOYEE RECRUITMENT, SELECTION, EMPLOYMENT & TERMINATION

3.1 Scope

The City Administrator or a designee will manage the hiring process for positions within the City. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision and must approve all hires to City employment. All hires will be made according to merit and fitness related to the position being filled.

3.2 Features of the Recruitment System

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

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

3.3 Testing and Examinations

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

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

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

3.4 Pre-Employment Medical Exams

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

When a pre-employment medical exam is required, it will be required of all candidates who are finalists and/or who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by a licensed physician designated by the City with the cost of the exam paid by the City. (Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist.) The physician will notify the City Administrator or designee that a candidate either is or isn't medically able to perform the essential functions of the job, with or without accommodations and whether the candidate passed a drug test, if applicable.

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

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

3.5 Selection Process

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

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

3.6 Background Checks

All finalists for employment with the City will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the City Administrator will determine the level of background check to be conducted based on the position being filled.

3.7 Criminal Background Investigations

Authority

State law authorizes city police departments to conduct criminal history background investigations on applicants for City positions using Minnesota Computerized Criminal History data.

Applications

This section applies only to applicants who are finalists for regular, temporary, seasonal, casual, and volunteer status positions. Before a finalist is eligible to receive a conditional job offer or begin employment with the City, and to the extent permitted by law, the applicant must authorize the Police Department, in writing, to undertake a criminal history background investigation and to release the information to the City Council, City administrator and/or other City staff as appropriate.

Rejection of Applications

Except in the case of exceptions set forth in Minnesota state law, as may be amended from time to time, if the City rejects an application for employment due partly or solely to the applicant's prior conviction of a crime which relates directly to the position sought, the City's Human Resources Manager will notify the applicant in writing of the following:

- 1) The Grounds and reasons for denial;
- 2) The applicant complaint and grievance procedure set forth in Minnesota State law, as may be amended from time to time;
- 3) The earliest date the applicant may reapply for employment or a volunteer position; and
- 4) That all competent evidence of rehabilitation will be considered upon re-application.

Only public conviction information related directly to the position sought will be considered in denying employment. In situations where identity is questioned, fingerprint verifications will be allowed, to the extent permitted by law. The City reserves the right to consider the applicant's criminal history, including any and all evidence of rehabilitation, when evaluating him or her for employment with the City, to the maximum extent permitted by law.

3.8 *Reclassification and New Position / Vacant Position*

Reclassification

When a position's duties and responsibilities change (increase or decrease), the position is considered a reclassification and may be automatically filled by the incumbent of the original position; contingent upon the incumbent's ability to meet the position's minimum requirements and necessary knowledge, skills, and abilities, at the City's discretion.

New Position

If the City creates a new position to meet its public service needs the position will be filled according to the City Administrator's direction.

3.9 *Nepotism*

The potential for conflicts of interest are increased when personnel who are related are employed by the same employer; and real or implied conflicts of interest can result in distrust and a general lack of harmony among other employees.

Whenever possible, and with due regard for job-relevant qualifications, merit, and fitness, the employer shall avoid the appointment of any person related to an appointed officer or regular full-time or regular part-time employee of the City. Appointments or assignments of persons related to an employee in the same department in which the employee works is prohibited.

This provision does not apply to marital status or familial status, as protected under the Minnesota Human Rights Act. Employment of the spouse of an elected or appointed officer or employee is not prohibited; however, appointment or assignment of an employee's spouse in the same department in which the employee works is prohibited, if the appointment or assignment would

result in an employee directly supervising or influencing the recruitment, employment, salary, fees, or performance review of the employee's spouse.

Appointment to a position with the City shall not be construed as an employment contract between the city of Ramsey and an employee. All employees whose positions are covered by this policy are appointed by - and serve - at the sole discretion of the employer.

3.10 Probation

Subject to the provisions of an applicable collective bargaining agreement, every original appointment and every promotional appointment, is subject to a probationary period of six (6) months, except for patrol officers, paid-on-call firefighters, and Department Heads who have a one-year probationary period. During the probationary period a probationary employee may be terminated at the sole discretion of the City. If terminated during the probationary period, the employee shall be notified in writing of the termination and shall have no right to appeal the termination.

Employees may use sick and vacation leave during their probationary period at the discretion of the Department Head.

At the sole discretion of the City Administrator, an employee's probationary period may be extended for 90 calendar days. Completion of the probationary period or any extended probationary period is not, and cannot be construed as, a promise of continued employment or otherwise altering the at-will nature of employment.

3.11 Supplemental Employment

No city of Ramsey patrol officer shall work as a police officer or keeper of the peace directly for any establishment in the City or at any special private functions within the City. Officers needed at special functions shall work as city of Ramsey employees and shall be paid directly by the City. The City, in return, will bill the person or entity requesting the officers' presence at the function from which payment the City will reimburse itself for the officers' services.

3.12 Performance Evaluations

Performance evaluations are used to assess employee performance in terms of specific job requirements and provide measures for setting up training and development programs for improvement and opening communication channels. On the anniversary date of an employee's current position, or in January if so determined by the Human Resources Manager, as well as when an employee is completing their probationary period, a formal performance evaluation may be completed. If a formal performance evaluation is completed, it will be reviewed with the employee.

For Department Heads, the City Administrator will make note of any City Council feedback regarding Department Head performance and summarize the Council's comments when writing the Department Head's performance evaluation. The City Administrator will review the performance evaluation with the Department Head. The Department Head will have the opportunity to discuss the performance evaluation with the City Council at a closed City Council meeting if he/she so chooses.

The City will consider each employee's performance evaluation when considering salary increases or potential promotional opportunities. As a general rule, an employee who receives an overall rating of "Needs Improvement" or "Poor" will not be eligible for promotional opportunities, salary increases, except for any "cost of living" adjustment made by the City. Further, an employee who receives an overall rating of "Needs Improvement" or "Poor" must follow a performance improvement plan to bring performance to an acceptable level. If performance is not brought to an acceptable level as described in the performance improvement plan, discipline may be imposed, up to and including termination. Conducting, or the results of, performance evaluations does not alter the at-will nature of employment.

3.13 Resignations

As at-will employees, all City employees may resign at any time, for any reason. In order to be considered "in good standing" at the time of resignation, an employee must file with employee's Department Head, at least 14 days before leaving, a written resignation stating the effective date of the resignation. Department Heads wishing to resign "in good standing" should give the City as much advance notice as possible, but must provide at least 30 days' notice. Failure to comply with this 14 day or 30 day notice procedure may be considered cause for denying the employee future employment by the City and denying termination benefits. Unauthorized absence from work for a period of three working days may be considered by the Department Head as a resignation "not in good standing" and without benefits.

3.14 Lay-offs

After at least two weeks' notice to the employee, the City Administrator may lay off any employee when such action is necessary because of shortage of work or funds, the abolition of a position, or changes in organization.

Meeting Date: 03/22/2022

Information

Title:

Discuss Reassigning the City Administrator's Appointments on Various Committees

Purpose/Background:

The purpose of this discussion is reassign City Administrator Ulrich's various committee appointments due to his pending retirement.

Below are recommendations:

- The Highway 10 Committee - Appoint Deputy City Administrator, and future City Administrator if Committee continues.
- North Metro Mayors Association - Appoint Deputy City Administrator and designate future City Administrator upon hire.
- Quad Cities Cable Communications Commission - Appoint Council Member if interested, or future City Administrator. Next QCTV Board meeting is in May.

Timeframe:

Up to 10 minutes.

Funding Source:

Not applicable

Responsible Party(ies):

Kurt Ulrich, City Administrator

Outcome:

Based on discussion; to be adopted by consent at a future regular City Council meeting.

Attachments

No file(s) attached.

Form Review

Inbox

Kurt Ulrich

Form Started By: Colleen Lasher

Final Approval Date: 03/17/2022

Reviewed By

Kurt Ulrich

Date

03/17/2022 04:19 PM

Started On: 03/15/2022 11:05 AM

Meeting Date: 03/22/2022

Information

Title:

Discuss Updating the Policy for the Recruitment, Application, and Interview Process of Appointing City Board and Commission Members

Purpose/Background:

The purpose of this discussion is to seek feedback from the City Council regarding the Boards and Commission Recruitment, Application, and Interview Process Policy, especially with regard to the incumbent reappointment timing and process so that the incumbent process directly matches policy language and better aligns with the entire recruitment policy.

There are three draft policies attached to this case. Two of them attempt to streamline the incumbent process with the new applicant process. One of the drafts completely removes the incumbent process and combines that process with new applicants.

Summary of attached Drafts:

A1: Cleans up language, adds more details regarding the advertising process to include exactly when the application period would be open and closed, and states that incumbents would be considered in one collective process, concurrent with new applicants, plus other refinements.

B1: Cleans up language, adds more details regarding the advertising process to include exactly when the application period would be open and closed, and states that incumbents would be considered in one collective process, concurrent with new applicants, plus other refinements. This version also provides for the opportunity to expand the recruitment to a continuous process which would be in addition to the regular annual recruitment in an effort to increase the applicant pool. As background, the annual Board and Commission interview process was held Tuesday, March 15th. There were four interviews for four openings. All four boards were advertised (EDA, EPB, Park and Rec. and Planning) in the City newsletter, the Anoka County Union, on QCTV, the city website, Facebook and the community sign. A better turn out of applicants would be beneficial.

C1: Removes the incumbent reappointment process and combines it with annual recruitment for new members, plus other refinements.

Based on City Council direction each draft policy can be revised, added to, or reduced. However, from an administrative perspective, staff would be more effective if incumbents are considered in one concurrent process.

For ease of discussion, the following considerations were not included in the draft policies, but can be added with City Council direction. 1) draft policies that include language with regard to earlier discussions of revising the incumbent reappointment policy (even/odd terms discussion); and 2) language that considers incumbent applicants separately from new applicants. With that said, staff will be happy to draft an updated policy for adoption based on the City Council's direction.

Timeframe:

This discussion is estimated to take 15 minutes.

Funding Source:

There is no funding needed.

Responsible Party(ies):

Colleen Lasher, Administrative Services Director

Outcome:

To develop an updated and detailed, recruitment, application, and interview process of appointing City Board and Commission Members.

Attachments

[April 2014 Policy](#)

[June 2016 Policy](#)

[2016 Resolution](#)

[Draft Policy A1](#)

[Draft Policy B1](#)

[Draft Policy C1](#)

Form Review

Inbox

Kurt Ulrich

Form Started By: Colleen Lasher

Final Approval Date: 03/17/2022

Reviewed By

Kurt Ulrich

Date

03/17/2022 04:11 PM

Started On: 03/15/2022 10:48 AM

POLICY FOR THE RECRUITMENT, APPLICATION, AND INTERVIEW PROCESS OF APPOINTING CITY BOARD AND COMMISSION MEMBERS

Purpose: The Mayor and City Council of the City of Ramsey have the authority to establish volunteer boards and commissions to advise them on matters affecting the City, as detailed in Chapter 2-155 of the City Code. The purpose of this policy is to outline a process for the recruitment, application, and interview process of appointing City board and commission members.

Scope: This policy applies to the following advisory commissions established by the City of Ramsey: Economic Development Authority, Environmental Policy Board, Park and Recreation Commission, Planning Commission, and to the Charter Commission with the exceptions noted in item number 8.

Process: The intent of this policy is to ensure that openings on City boards and commissions are publicized to the community at large, that applicants are evaluated objectively and treated fairly and courteously, and that members of boards and commissions are selected on the basis of their qualifications and suitability for the position.

1. Incumbent reapplication process

Annually, the Human Resources Manager will notify commission members by December 1st reminding them of the upcoming term expiration and inviting them to complete and submit a brief letter of intent indicating their desire to continue serving, along with the option for highlighting additional information such as accomplishments, personal contributions to the commission, and ideas for improving the effectiveness of the commission for review by the City Council.

The chair of each board or commission for which appointments are being considered will be invited to submit written comments to the City Council, making a recommendation regarding reappointment. The form for written comments will be provided by the city. The final decision regarding appointments will rest with the City Council.

The City Council will meet, discuss, and determine whether or not a recommendation for reappointment will be made. If it is determined that the City Council does not wish to reappoint the incumbent, the incumbent will be notified and that individual's seat will be advertised. If it is determined that the incumbent will be reappointed, the incumbent will be notified and the seat will not be advertised.

2. New member application process

Annually, prior to the normal ending date of boards and commissions terms, the Human Resources Manager will prepare a detailed notice of position availability for publication in the City newsletter and in the City's official newspaper, as required by the Charter.

Periodically, when an unexpected vacancy on a board or commission occurs, the staff liaison to the commission will notify the Human Resources Manager who will take one of the following two actions:

- 1) Refer back to the most recent recruitment file in an effort to identify a viable candidate that has already successfully passed the interview process. If a candidate is identified and willing to serve on the given board or commission, the Human Resources Manager will consult with the City Administrator and act according to the City Administrator's direction; if applicable, a resolution appointing the new member will be presented to the City Council, or
- 2) Prepare a detailed notice of position availability for publication once in the City newsletter and in the City's official newspaper, as required by the Charter.

The application deadline will be no less than two weeks after the date of publication or posting in the City's official newspaper.

3. Interviews

The Human Resources Manager will arrange interview times and notify applicants and the City Council of the arrangements.

If there are more than five applicants for a vacancy, the City Council will evaluate the applications and select five applicants to be interviewed.

Interview questions will be determined before the interview based on qualifications identified as necessary, as well as to accurately identify each applicant's knowledge, skills, and abilities, and the benefits that the applicant, if appointed, may bring to the board or commission in the future.

All applicants will be asked the same questions. Depending on responses, some follow-up questions will differ from candidate to candidate for purposes of clarification.

The City Council will evaluate applicants by comparing responses to interview questions, information contained in the letter of interest/application, and potential contribution to the existing diversity of expertise, experience and geographic representation on the applicable board or commission.

Interviews will not be televised but will be held in an open meeting.

4. Selection

Recommendations from the City Council regarding appointments will be forwarded to the next regular meeting of the City Council for consideration.

When vacancies occur on the EDA, the Mayor will make a recommendation for appointment to the City Council.

Except where a vacancy unexpectedly occurs, creating a vacant seat mid-term, all new appointments or reappointments to regular terms on a City board or commission will be effective on April 1. This is to allow the current members of the City Council the opportunity to review and select individuals for seats on boards and commissions.

5. Notification to applicants

After the appointments have been approved, the Human Resources Manager will notify all applicants of the results of the process and take the necessary steps to on-board new members.

6. Terms

Board and Commission members shall serve four-year terms, with the exception of members of the Economic Development Authority serving six-year terms. There will be no limit to the number of terms that can be served. Terms will expire annually on March 31. Incumbents will be allowed to continue to serve until a successor is appointed.

7. Stipends for members of City boards and commissions

Effective July 1, 1996, members of all City boards and commissions (with the exception of the Charter Commission) are eligible for stipends to cover expenses for meetings actually attended. The amount of the stipends is established by City Council resolution and subject to change as deemed necessary by the City Council. Elected officials seated on a board or commission are not eligible for a stipend.

Stipends paid to members of City boards and commissions will be reported to the Internal Revenue Service as required by law.

8. Exceptions pertaining to Charter Commission

Appointments to the City of Ramsey Home Rule Charter Commission are made by the Chief Judge of the Tenth Judicial District in accordance with Minnesota Statute 410.05, when a commission member's term expires or a vacancy occurs, the chief judge has 30 days to make an appointment. If the judge fails to make an appointment, the governing body of the city may appoint the new members unless the chief judge indicates in writing to the governing body, within the 30 day period, of his or her intention to make the appointments. In this case, the judge has an additional 60 days to make the appointment.

Terms of office for members of the City of Ramsey Home Rule Charter Commission are established by Minnesota Statutes 410.05 subd.2. Terms of the Charter Commission are based on a calendar year rather than April 1st through March 31st.

9. Service on more than one City board or commission

Resolution 89-11-302 states that it is the policy of the Ramsey City Council "to avoid appointing individuals to more than one Board or Commission unless adequate representation cannot be accomplished or it is clearly in the best interest of the City of Ramsey to make such appointments to multiple Boards or Commission."

10. Revisions

Adopted by the City Council August 13, 1996

Revised by the City Council August, 11, 1997

- Ordinance #97-10 amended City Code 2.03.02 changing terms of office for boards and commissions from two years to four years and establishing a limitation of two consecutive four-year terms, effective August 11, 1997.

Revised by the City Council December 11, 2001

Revised by the City Council December 17, 2002

- Evaluation panel defined as the three members of the Personnel Committee
- The two Board/Commission representatives will have 1.5 votes each

Revised by the City Council November 25, 2003

- New application/questionnaire to be reviewed and scored by evaluation panel. Top five scorers invited to interview.

Revised by the City Council December 9, 2003

- Incumbents who wish to apply for another term will submit a letter of interest which will be reviewed by the evaluation panel. The incumbent will be reappointed or the seat will be advertised.

Revised by the City Council March 14, 2006

- Each member of the evaluation panel will receive one vote in order to avoid a tie
- Term limits are abolished.
- Members of the evaluation panel will meet in person to discuss applications for reappointment, as they do with new applications

Revised by the City Council January 27, 2009

- Incumbents and new applicants will be considered in one collective recruitment, interview and selection process.
- Term expiration dates will be adjusted for current and future board and commission members to March 31
- Applicants will be interviewed by the full City Council (the evaluation panel) and the City Council will consult with the chair and vice chair of each board or commission regarding appointments, as deemed necessary; however, chairs and vice chairs will not vote on appointments
- If there are more than five applicants for a vacancy, the City Council will screen the applications and select five applicants to be interviewed

Revised by the City Council June 28, 2011

- Advertising for unexpected vacancies, if needed, will be advertised only once in the Ramsey Resident
- Interviewees will be invited to a short open house prior to interviews
- Interview questions will be revised to more accurately identify each applicant's knowledge, skills, and abilities based on the qualifications identified as necessary and the benefits that the applicant, if appointed, may bring to the board or commission in the future

Revised by the City Council April, 2014.

- Omit "Incumbents seeking reappointment will be required to complete a City of Ramsey application for boards and commissions and will be considered in one collective recruitment, interview and selection process
- Omit inviting applicants to a short open house prior to interviews.
- Remove the term "evaluation panel" -- replacing it with the term "City Council."
- Remove "Reviewing applications -- After the application deadline has passed, the Human Resources Manager will forward all applications to the City Council for scoring. The Human Manager will total the scores and invite the top five scorers to interview."
- Omit several unnecessary headings / improved formatting.

POLICY FOR THE RECRUITMENT, APPLICATION, AND INTERVIEW PROCESS OF APPOINTING CITY BOARD AND COMMISSION MEMBERS

Purpose: The Mayor and City Council of the City of Ramsey have the authority to establish volunteer boards and commissions to advise them on matters affecting the City, as detailed in Chapter 2, Article V, Section 2-155 of the City Code. The purpose of this policy is to outline a process for the recruitment, application, and interview process of appointing City board and commission members.

Scope: This policy applies to the following advisory commissions established by the City of Ramsey: Economic Development Authority, Environmental Policy Board, Park and Recreation Commission and the Planning Commission. This policy does not include the Charter Commission; Charter Commission appointments are not made by the City Council but rather by the Chief Judge of the Tenth Judicial District.

Process: The intent of this policy is to ensure that openings on City boards and commissions are publicized to the community at large, that applicants are evaluated objectively and treated fairly and courteously, and that members of boards and commissions are selected on the basis of their qualifications and suitability for the position.

1. Incumbent reapplication process

Annually, the Human Resources Manager will notify commission members by December 1st reminding them of the upcoming term expiration and inviting them to complete and submit a brief letter of intent indicating their desire to continue serving, along with the option for highlighting additional information such as accomplishments, personal contributions to the commission, and ideas for improving the effectiveness of the commission for review by the City Council.

The chair of each board or commission for which appointments are being considered will be invited to submit written comments to the City Council, making a recommendation regarding reappointment. The form for written comments will be provided by the city. The final decision regarding appointments will rest with the City Council.

The City Council will meet, discuss, and determine whether or not a recommendation for reappointment will be made. If it is determined that the City Council does not wish to reappoint the incumbent, the incumbent will be notified and that individual's seat will be advertised. If it is determined that the incumbent will be reappointed, the incumbent will be notified and the seat will not be advertised.

2. New member application process

Annually, prior to the normal ending date of boards and commissions terms, the Human Resources Manager will prepare a detailed notice of position availability for publication in the City newsletter and in the City's official newspaper, as required by the Charter.

Periodically, when an unexpected vacancy on a board or commission occurs, the staff liaison to the commission will notify the Human Resources Manager who will take one of the following two actions:

- 1) Refer back to the most recent recruitment file in an effort to identify a viable candidate that has already successfully passed the interview process. If a candidate is identified and willing to serve on the given board or commission, the Human Resources Manager will consult with the City Administrator and act according to the City Administrator's direction; if applicable, a resolution appointing the new member will be presented to the City Council.
- 2) Prepare a detailed notice of position availability for publication once in the City newsletter and in the City's official newspaper, as required by the Charter.

The application deadline will be no less than two weeks after the date of publication or posting in the City's official newspaper.

3. Interviews

The Human Resources Manager will arrange interview times and notify applicants and the City Council of the arrangements.

If there are more than five applicants for a vacancy, the City Council will evaluate the applications and select five applicants to be interviewed.

Interview questions will be determined before the interview based on qualifications identified as necessary, as well as to accurately identify each applicant's knowledge, skills, and abilities, and the benefits that the applicant, if appointed, may bring to the board or commission in the future.

All applicants will be asked the same questions. Depending on responses, some follow-up questions will differ from candidate to candidate for purposes of clarification.

The City Council will evaluate applicants by comparing responses to interview questions, information contained in the letter of interest/application, and potential contribution to the existing diversity of expertise, experience and geographic representation on the applicable board or commission.

Interviews will not be televised but will be held in an open meeting.

4. Selection

Recommendations from the City Council regarding appointments will be forwarded to the next regular meeting of the City Council for consideration.

When vacancies occur on the EDA, the Mayor will make a recommendation for appointment to the City Council.

Except where a vacancy unexpectedly occurs, creating a vacant seat mid-term, all new appointments or reappointments to regular terms on a City board or commission will be effective on April 1. This is to allow the current members of the City Council the opportunity to review and select individuals for seats on boards and commissions.

5. Notification to applicants

After the appointments have been approved, the Human Resources Manager will notify all applicants of the results of the process and take the necessary steps to on-board new members.

6. Terms

Board and Commission members shall serve four-year terms, with the exception of members of the Economic Development Authority serving six-year terms. There will be no limit to the number of terms that can be served. Terms will expire annually on March 31. Incumbents will be allowed to continue to serve until a successor is appointed.

7. Stipends for members of City boards and commissions

Effective July 1, 1996, members of all City boards and commissions are eligible for stipends to cover expenses for meetings actually attended. The amount of the stipends is established by City Council resolution and subject to change as deemed necessary by the City Council. Elected officials seated on a board or commission are not eligible for a stipend.

Stipends paid to members of City boards and commissions will be reported to the Internal Revenue Service as required by law.

8. Service on more than one City board or commission

Resolution 89-11-302 states that it is the policy of the Ramsey City Council “to avoid appointing individuals to more than one Board or Commission unless adequate representation cannot be accomplished or it is clearly in the best interest of the City of Ramsey to make such appointments to multiple Boards or Commission.”

9. Revisions

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- New application/questionnaire to be reviewed and scored by evaluation panel. Top five scorers invited to interview.

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- Incumbents who wish to apply for another term will submit a letter of interest which will be reviewed by the evaluation panel. The incumbent will be reappointed or the seat will be advertised.

Revised by the City Council March 14, 2006

- Each member of the evaluation panel will receive one vote in order to avoid a tie
- Term limits are abolished.
- Members of the evaluation panel will meet in person to discuss applications for reappointment, as they do with new applications

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- Incumbents and new applicants will be considered in one collective recruitment, interview and selection process.
- Term expiration dates will be adjusted for current and future board and commission members to March 31
- Applicants will be interviewed by the full City Council (the evaluation panel) and the City Council will consult with the chair and vice chair of each board or commission regarding appointments, as deemed necessary; however, chairs and vice chairs will not vote on appointments
- If there are more than five applicants for a vacancy, the City Council will screen the applications and select five applicants to be interviewed

Revised by the City Council June 28, 2011

- Advertising for unexpected vacancies, if needed, will be advertised only once in the Ramsey Resident
- Interviewees will be invited to a short open house prior to interviews
- Interview questions will be revised to more accurately identify each applicant's knowledge, skills, and abilities based on the qualifications identified as necessary and the benefits that the applicant, if appointed, may bring to the board or commission in the future

Discussion by the City Council April, 2014 to make the following revisions:

- Omit "Incumbents seeking reappointment will be required to complete a City of Ramsey application for boards and commissions and will be considered in one collective recruitment, interview and selection process
- Omit inviting applicants to a short open house prior to interviews.
- Remove the term "evaluation panel" -- replacing it with the term "City Council."
- Remove "Reviewing applications -- After the application deadline has passed, the Human Resources Manager will forward all applications to the City Council for scoring. The Human Manager will total the scores and invite the top five scorers to interview."
- Omit several unnecessary headings / improved formatting.
- Omit the Charter Commission from the policy.

Revised by the City Council June 28, 2016

Council Member introduced the following resolution and moved for its adoption:

RESOLUTION #16-06-122

**RESOLUTION TO ADOPT THE UPDATED POLICY FOR THE RECRUITMENT,
APPLICATION AND INTERVIEW PROCESS OF APPOINTING CITY BOARD AND
COMMISSION MEMBERS**

WHEREAS, the City Council would like its practices and written policies for appointing board and commission members to be efficient, effective and aligned with the City's strategic plan; and

WHEREAS, the City Council would like simplify the incumbent reapplication process; and

WHEREAS, the City Council would like simplify the process to fill unexpected vacancies due to unforeseen resignations; and

WHEREAS, the City Council would like remove unnecessary Charter Commission language from the updated policy.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

Motion to approve resolution # 16-06-122 to Adopt the Updated Policy for the Recruitment, Application and Interview Process of Appointing City Board and Commission members as presented.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member, , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:~

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 28th day of June 2016.

**POLICY FOR THE RECRUITMENT, APPLICATION,
AND INTERVIEW PROCESS OF APPOINTING
CITY BOARD AND COMMISSION MEMBERS**

This is a draft policy that allows for incumbents to be evaluated at the same time as new applicants and DOES NOT include the recent discussion regarding even/odd term incumbents.

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Purpose: The Mayor and City Council of the City of Ramsey have the authority to establish volunteer boards and commissions to advise them on matters affecting the City, as detailed in Chapter 2, Article V, Section 2-155 of the City Code. The purpose of this policy is to outline a process for the recruitment, application, and interview process of appointing City board and commission members.

Scope: This policy applies to the following advisory commissions established by the City of Ramsey: Economic Development Authority, Environmental Policy Board, Park and Recreation Commission and the Planning Commission. This policy does not include the Charter Commission; Charter Commission appointments are not made by the City Council but rather by the Chief Judge of the Tenth Judicial District.

Process: The intent of this policy is to ensure that openings on City boards and commissions are publicized to the community at large, that applicants are evaluated objectively and treated fairly and courteously, and that members of boards and commissions are selected on the basis of their qualifications and suitability for the position.

1. Incumbent reapplication process

Annually, staff will notify commission members by December 1st reminding them of the upcoming term expiration and invite them to complete and submit a brief letter of intent indicating their desire to continue serving, along with the option for highlighting additional information such as accomplishments, personal contributions to the commission, and ideas for improving the effectiveness of the commission for review by the City Council.

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The chair of each board or commission for which appointments are being considered will be invited to submit written comments to the City Council, making a recommendation regarding reappointment. If the chair is the incumbent, the vice-chair will be contacted; if both are incumbents, the most senior member of the board or commission will be contacted. The form for written comments will be provided by the city. The final decision regarding appointments will rest with the City Council.

In one collective process, concurrent with new applicants, the City Council will meet, discuss, and determine whether or not a recommendation for reappointment will be made. If it is determined that the City Council does not wish to reappoint the incumbent, the incumbent will be notified. If it is determined that the incumbent will be reappointed, the incumbent will be notified.

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Regardless of the incumbent reapplication status, all board and commissions will be advertised to the public.

2. New member application process

Annually, prior to the normal ending date of boards and commissions terms, staff will

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prepare a detailed notice for publication in the City's January/February newsletter and in the City's official newspaper, as required by the Charter. The notice will publicize that applications are being accepted for boards and commissions, including the Economic Development Authority, the Environmental Policy Board, the Park and Recreation Commission and the Planning Commission. The notice will provide language stating that applications will be considered by the City Council for current openings and future vacancies occurring in the next annual recruitment cycle. The notice will provide an application closing date of the last Friday in February.

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3. Unexpected Vacancy Process

Periodically, when an unexpected vacancy on a board or commission occurs, the board or commission staff liaison will notify the head of human resources, who will take one of the following three actions:

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- 1) Refer back to the most recent recruitment file in an effort to identify a viable candidate that has already successfully passed the interview process. If a candidate is identified and willing to serve on the given board or commission, the head of human resources, will consult with the City Administrator and act according to the City Administrator's direction; if applicable, a resolution appointing the new member will be presented to the City Council.
- 2) Prepare a detailed notice of position availability for publication once in the City newsletter with an application deadline date of the last day of the month of the first month of the newsletter edition and in the City's official newspaper, as required by the Charter. The City Administrator will provide the head of human resources with direction as to if this step should occur or to wait until the next annual recruitment process.

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4. Interviews

Staff, will arrange interview times and notify applicants and the City Council of the arrangements.

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The application deadline will be no less than two weeks after the date of publication or posting in the City's official newspaper.¶

If there are more than five applicants per the total number of vacancies to be filled, the City Council will evaluate the applications and select five applicants to be interviewed.

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Revised by the City Council June 28, 2016

**POLICY FOR THE RECRUITMENT, APPLICATION,
AND INTERVIEW PROCESS OF APPOINTING
CITY BOARD AND COMMISSION MEMBERS**

This is a draft policy the allows for a continuous, year round option of recruitment.

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Purpose: The Mayor and City Council of the City of Ramsey have the authority to establish volunteer boards and commissions to advise them on matters affecting the City, as detailed in Chapter 2, Article V, Section 2-155 of the City Code. The purpose of this policy is to outline a process for the recruitment, application, and interview process of appointing City board and commission members.

Scope: This policy applies to the following advisory commissions established by the City of Ramsey: Economic Development Authority, Environmental Policy Board, Park and Recreation Commission and the Planning Commission. This policy does not include the Charter Commission; Charter Commission appointments are not made by the City Council but rather by the Chief Judge of the Tenth Judicial District.

Process: The intent of this policy is to ensure that openings on City boards and commissions are publicized to the community at large, that applicants are evaluated objectively and treated fairly and courteously, and that members of boards and commissions are selected on the basis of their qualifications and suitability for the position.

1. Incumbent reapplication process

Annually, staff will notify commission members by December 1st reminding them of the upcoming term expiration and invite them to complete and submit a brief letter of intent indicating their desire to continue serving, along with the option for highlighting additional information such as accomplishments, personal contributions to the commission, and ideas for improving the effectiveness of the commission for review by the City Council.

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The chair of each board or commission for which appointments are being considered will be invited to submit written comments to the City Council, making a recommendation regarding reappointment. If the chair is the incumbent, the vice-chair will be contacted; if both are incumbents, the most senior member of the board or commission will be contacted. The form for written comments will be provided by the city. The final decision regarding appointments will rest with the City Council.

In one collective process, concurrent with new applicants, the City Council will meet, discuss, and determine whether or not a recommendation for reappointment will be made. If it is determined that the City Council does not wish to reappoint the incumbent, the incumbent will be notified. If it is determined that the incumbent will be reappointed, the incumbent will be notified.

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Regardless of the incumbent reapplication status, all board and commissions will be advertised to the public.

2. New member application process

Annually, prior to the normal ending date of boards and commissions terms, staff will prepare a detailed notice for publication in the City's January/February newsletter and in the

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City's official newspaper, as required by the Charter. The notice will publicize that applications are being accepted for boards and commissions, including the Economic Development Authority, the Environmental Policy Board, the Park and Recreation Commission and the Planning Commission. The notice will provide language stating that applications will be considered by the City Council for current openings and future vacancies occurring in the next annual recruitment cycle. The notice will provide an application closing date of the last Friday in February.

3. Unexpected Vacancy Process

Periodically, when an unexpected vacancy on a board or commission occurs, the board or commission staff liaison will notify the head of human resources, who will take one of the following three actions:

- 1) Refer back to the most recent recruitment file in an effort to identify a viable candidate that has already successfully passed the interview process. If a candidate is identified and willing to serve on the given board or commission, the head of human resources, will consult with the City Administrator and act according to the City Administrator's direction; if applicable, a resolution appointing the new member will be presented to the City Council.
- 2) Refer to new applicants' applications that have been received through the continuous posting period, but not yet interviewed by the City Council and schedule mid-year interviews for the current vacancy.
4. 3 If options 1 and 2 above are not viable, prepare a detailed notice of position availability for publication once in the City newsletter with an application deadline date of the last day of the month of the first month of the newsletter edition and in the City's official newspaper, as required by the Charter. The City Administrator will provide the head of human resources with direction as to if this step should occur or to wait until the next annual recruitment process. Interviews

Staff, will arrange interview times and notify applicants and the City Council of the arrangements.

If there are more than five applicants per the total number of vacancies to be filled, the City Council will evaluate the applications and select five applicants to be interviewed.

Interview questions will be determined before the interview based on qualifications identified as necessary, as well as to accurately identify each applicant's knowledge, skills, and abilities, and the benefits that the applicant, if appointed, may bring to the board or commission in the future.

All applicants will be asked the same questions. Depending on responses, some follow-up questions will differ from candidate to candidate for purposes of clarification.

The City Council will evaluate applicants by comparing responses to interview questions, information contained in the letter of interest/application, and potential contribution to the existing diversity of expertise, experience and geographic representation on the applicable board or commission.

Interviews will not be televised but will be held in an open meeting.

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The application deadline will be no less than two weeks after the date of publication or posting in the City's official newspaper.¶

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5. Selection

Recommendations from the City Council regarding appointments will be forwarded to the next regular meeting of the City Council for consideration.

When vacancies occur on the EDA, the Mayor will make a recommendation for appointment to the City Council.

Except where a vacancy unexpectedly occurs, creating a vacant seat mid-term, all new appointments or reappointments to regular terms on a City board or commission will be effective on April 1. This is to allow the current members of the City Council the opportunity to review and select individuals for seats on boards and commissions.

6. Notification to applicants

After the appointments have been approved, the staff will notify all applicants of the results of the process and take the necessary steps to on-board new members.

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7. Terms

Board and Commission members shall serve four-year terms, with the exception of members of the Economic Development Authority serving six-year terms. There will be no limit to the number of terms that can be served. Terms will expire annually on March 31. Incumbents will be allowed to continue to serve until a successor is appointed.

8. Stipends for members of City boards and commissions

Effective July 1, 1996, members of all City boards and commissions are eligible for stipends to cover expenses for meetings actually attended. The amount of the stipends is established by City Council resolution and subject to change as deemed necessary by the City Council. Elected officials seated on a board or commission are not eligible for a stipend.

Stipends paid to members of City boards and commissions will be reported to the Internal Revenue Service as required by law.

9. Service on more than one City board or commission

Resolution 89-11-302 states that it is the policy of the Ramsey City Council “to avoid appointing individuals to more than one Board or Commission unless adequate representation cannot be accomplished or it is clearly in the best interest of the City of Ramsey to make such appointments to multiple Boards or Commission.”

10. Revisions

Adopted by the City Council August 13, 1996

Revised by the City Council August, 11, 1997

- Ordinance #97-10 amended City Code 2.03.02 changing terms of office for boards and commissions from two years to four years and establishing a limitation of two consecutive four-year terms, effective August 11, 1997.

Revised by the City Council December 11, 2001

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- Evaluation panel defined as the three members of the Personnel Committee
- The two Board/Commission representatives will have 1.5 votes each

Revised by the City Council November 25, 2003

- New application/questionnaire to be reviewed and scored by evaluation panel. Top five scorers invited to interview.

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Revised by the City Council March 14, 2006

- Each member of the evaluation panel will receive one vote in order to avoid a tie
- Term limits are abolished.
- Members of the evaluation panel will meet in person to discuss applications for reappointment, as they do with new applications

Revised by the City Council January 27, 2009

- Incumbents and new applicants will be considered in one collective recruitment, interview and selection process.
- Term expiration dates will be adjusted for current and future board and commission members to March 31
- Applicants will be interviewed by the full City Council (the evaluation panel) and the City Council will consult with the chair and vice chair of each board or commission regarding appointments, as deemed necessary; however, chairs and vice chairs will not vote on appointments
- If there are more than five applicants for a vacancy, the City Council will screen the applications and select five applicants to be interviewed

Revised by the City Council June 28, 2011

- Advertising for unexpected vacancies, if needed, will be advertised only once in the Ramsey Resident
- Interviewees will be invited to a short open house prior to interviews
- Interview questions will be revised to more accurately identify each applicant's knowledge, skills, and abilities based on the qualifications identified as necessary and the benefits that the applicant, if appointed, may bring to the board or commission in the future

Discussion by the City Council April, 2014 to make the following revisions:

- Omit "Incumbents seeking reappointment will be required to complete a City of Ramsey application for boards and commissions and will be considered in one collective recruitment, interview and selection process
- Omit inviting applicants to a short open house prior to interviews.
- Remove the term "evaluation panel" -- replacing it with the term "City Council."
- Remove "Reviewing applications -- After the application deadline has passed, the Human Resources Manager will forward all applications to the City Council for scoring. The Human Manager will total the scores and invite the top five scorers to interview."
- Omit several unnecessary headings / improved formatting.
- Omit the Charter Commission from the policy.

Revised by the City Council June 28, 2016

**POLICY FOR THE RECRUITMENT, APPLICATION,
AND INTERVIEW PROCESS OF APPOINTING
CITY BOARD AND COMMISSION MEMBERS**

This draft policy removes the incumbent process but includes other changes as noted in version A and B.

Purpose: The Mayor and City Council of the City of Ramsey have the authority to establish volunteer boards and commissions to advise them on matters affecting the City, as detailed in Chapter 2, Article V, Section 2-155 of the City Code. The purpose of this policy is to outline a process for the recruitment, application, and interview process of appointing City board and commission members.

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Process: The intent of this policy is to ensure that openings on City boards and commissions are publicized to the community at large, that applicants are evaluated objectively and treated fairly and courteously, and that members of boards and commissions are selected on the basis of their qualifications and suitability for the position.

1. New and Incumbent member application process

Annually, prior to the normal ending date of boards and commissions terms, staff will prepare a detailed notice for publication in the City's January/February newsletter and in the City's official newspaper, as required by the Charter. The notice will publicize that applications are being accepted for boards and commissions, including the Economic Development Authority, the Environmental Policy Board, the Park and Recreation Commission and the Planning Commission. The notice will provide language stating that applications will be considered by the City Council for current openings and future vacancies occurring in the next annual recruitment cycle. The notice will provide an application closing date of the last Friday in February.

2. Unexpected Vacancy Process

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- 1) Refer back to the most recent recruitment file in an effort to identify a viable candidate that has already successfully passed the interview process. If a candidate is identified and willing to serve on the given board or commission, the head of human resources, will consult with the City Administrator and act according to the City Administrator's direction; if applicable, a resolution appointing the new member will be presented to the City Council.
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- Omit the Charter Commission from the policy.

Revised by the City Council June 28, 2016

Meeting Date: 03/22/2022

Information

Title:

Discuss Developing a Charter Commission Recruitment Policy

Purpose/Background:

The purpose of this discussion is to begin gathering feedback from the City Council regarding how to proceed with developing a Charter Commission Recruitment Policy.

Timeframe:

To be determined.

Funding Source:

Not applicable.

Responsible Party(ies):

Colleen Lasher, Administrative Services Director
Kurt Ulrich, City Administrator
Fritz Knaack, City Attorney

Outcome:

Based on discussion.

Attachments

MS 405 Charter Appointments

Ramsey Charter

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	03/17/2022 04:10 PM
Form Started By: Colleen Lasher		Started On: 03/15/2022 10:46 AM
Final Approval Date: 03/17/2022		

410.05 CHARTER COMMISSION.

Subdivision 1. **Appointment.** When the district court of the judicial district in which a city is situated, deems it for the best interest of the city so to do, the court, acting through its chief judge, may appoint a charter commission to frame and amend a charter. Upon presentation of a petition requesting such action, signed by at least ten percent of the number of voters of the city, as shown by the returns of the last regular city election, or upon resolution of the governing body of the city requesting such action, the court shall appoint a charter commission. The commission shall be composed of not less than seven nor more than 15 members, each of whom shall be a qualified voter of the city. The size of the commission shall be determined within the above limits by the court, except that where the commission is appointed pursuant to a petition of the voters or resolution of the governing body of the city, the size of the commission shall be as specified in such petition or resolution. Any city may by charter provision fix the size of the charter commission at a figure which shall not be less than seven nor more than 15 members, and such charter provision shall prevail over any inconsistent provisions of this subdivision. Except as otherwise provided in the charter, no person shall be disqualified from serving on a charter commission by reason of holding any other elective or appointive office other than judicial. The charter may provide that members of the governing body of the city cannot serve on the charter commission.

Subd. 2. **Commission members; terms, vacancies.** Charter commission members shall hold office for the term of four years, and until their successors are appointed and qualify, except that of members initially appointed after July 1, 1967, eight shall be appointed for two-year terms and seven for four-year terms. Vacancies in the commission shall be filled by appointment of the chief judge for the unexpired terms. Upon the expiration of each term, the chief judge shall appoint new or reappoint existing commission members within 60 days. Appointments shall be made by order filed with the court administrator of the district court. An appointee who neglects to file with the court administrator within 30 days a written acceptance and oath of office shall be deemed to have declined the appointment and the place shall be filled as though the appointee had resigned. The charter commission, within 30 days after the initial appointment of the commission, shall make rules, including quorum requirements, with reference to its operations and procedures. The commission shall submit to the chief judge of the district court, on or before December 31 of each year, an annual report outlining its activities and accomplishments for the preceding calendar year. The commission shall forward a copy of the report to the clerk of the city. Any member may be removed at any time from office, by written order of the district court, the reason for such removal being stated in the order. When any member has failed to perform the duties of office and has failed to attend four consecutive meetings without being excused by the commission, the secretary of the charter commission shall file a certificate with the court setting forth those facts and the district court shall thereupon make its order of removal and the chief judge shall fill the vacancy created thereby.

Subd. 3. **Commission appointments; nominees.** A city council, a charter commission, or the petitioners requesting the appointment of a charter commission may submit to the court the names of eligible nominees which the district court may consider in making appointments to the charter commission.

Subd. 4. **Commission meetings.** The charter commission shall meet at least once during each calendar year, and upon presentation of a petition signed by at least ten percent of the number of voters of the municipality, as shown by the returns of the last annual municipal election, or upon resolution approved by a majority of the governing body of the city requesting the commission to convene, the commission shall meet to consider the proposals set forth in such petition or resolution.

Subd. 5. **Discharge.** (a) A charter commission in a statutory city may be discharged as follows:

(1) if the charter commission of a statutory city determines that a charter is not necessary or desirable, the commission may be discharged by a vote of three-fourths of its members; or

(2) if a petition signed by registered voters equal in number to at least five percent of the registered voters in the city requesting a referendum to discharge the charter commission is filed with the city clerk, an election must be held on the issue at a general election or a special election pursuant to section 205.10. If a majority of the votes cast support the referendum, the charter commission shall be discharged.

(b) Another commission may not be formed sooner than one year from the date of discharge.

History: (1269) RL s 749; 1909 c 423; 1913 c 535 s 1; 1949 c 210 s 1; 1959 c 305 s 5; 1961 c 608 s 1; Ex1967 c 33 s 1; 1971 c 208 s 1-3; 1973 c 123 art 5 s 7; 1976 c 44 s 20; 1979 c 330 s 3; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 1987 c 51 s 1; 2004 c 197 s 1,2; 2008 c 331 s 6; 2020 c 87 s 1

RAMSEY CITY CHARTER

**Updated
November 2014**

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City Charter Originally Adopted on May 22, 1984

**CHAPTER 1
NAME, BOUNDARIES, POWERS
AND GENERAL PROVISIONS**

Section 1.1 Name and Boundaries. The City of Ramsey, Anoka County, Minnesota, shall continue to be a municipal corporation under that name and with the same boundaries as now are or hereafter may be established. The city clerk shall keep in his/her office at least two copies of this charter with amendments, and shall maintain in each copy an accurate and up-to-date description of the boundaries. The copies of the charter, amendments and boundary descriptions shall be available for public inspection anytime during regular office hours.

Section 1.2 Powers of the City. The city shall have all powers which it may now or hereafter be possible for a municipal corporation in this state to exercise in harmony with this charter and with the constitutions of this state and of the United States and with the statutes of this State. It is the intention of this charter to confer upon the city every power which it would have if it were specifically mentioned, unless otherwise provided in this charter. The charter shall be construed liberally in favor of the city, and the specific mention of particular municipal powers in other Sections of this charter does not limit the powers of the city to those thus mentioned. Unless granted to some other officer or body, all powers are vested in the council.

Section 1.3 Charter a Public Act. This charter shall be a public act and need not be pleaded or proved in any case.

- Section 1.1 amended by Ordinance #00-12 – effective January 24, 2001

CHAPTER 2 FORM OF GOVERNMENT

Section 2.1 Form of Government. The form of government established by this charter is the “Mayor-Council Plan” as defined by current Minnesota State Statutes. Except as otherwise provided by state statutes or this charter, all powers of the city are vested in the city council.

Section 2.2 Boards and Commissions. There shall be no separate administrative board of health, library board, or any other administrative board or commission except for the administration of a function jointly with another political subdivision. The council shall itself be and perform the duties and exercise the powers of such boards and commissions provided for by state statutes. The council may, however, establish or abolish by ordinance boards or commissions to advise the council with respect to any municipal function or activity, or to perform quasi-judicial functions. Notice of initial formation and all vacancies shall be published in the city newsletter and in the legal newspaper. Membership of various boards and commissions shall not exceed nine members, at least two-thirds of which shall be residents of the City of Ramsey.

Section 2.3 Council Composition and Election.

2.3.1 Mayor and Council. The council shall be composed of the mayor, elected at-large, two councilmembers elected at-large, and four councilmembers, each of whom shall be elected from a separate Ward as established or amended pursuant to this charter. The mayor and councilmembers shall be qualified electors. Each councilmember elected from a ward shall be a resident of the Ward, but a change in Ward boundaries does not disqualify a councilmember from serving the remainder of a term. Except as hereinafter provided, councilmembers shall serve for a term of four years and until a successor is elected and qualifies. The mayor shall serve for a term of four years and until a successor is elected and qualifies. The elections for the mayor and councilmembers shall be held as provided in Subsection 2.3.3.

2.3.2 Wards. The city shall be divided into four separate Wards. The boundaries of such Wards shall be determined by ordinance based upon population as determined by the most recent federal decennial census and shall be as equal in population as practicable and each Ward shall be composed of compact, contiguous territory. An ordinance designating the boundaries of the City’s election Wards shall be enacted within sixty days after the state legislature has been redistricted or by May 10 in the year ending in two, whichever comes first. The Wards shall be designated as ward numbers 1, 2, 3 and 4.

2.3.3 Transition Schedule.

2.3.3.1 For the 2002 Citywide election only:

- (1) Councilmembers elected in the year 2000 shall be assigned to the Ward in which he/she resides.
- (2) Councilmembers from Ward Numbers 1 and 3 shall be elected.
- (3) Two at-large councilmembers shall be elected, with the candidate receiving the highest number of votes serving a four-year term and the

candidate receiving the second highest number of votes serving a two-year term.

2.3.3.2 For the 2004 Citywide election only:

- (1) Councilmembers from Ward Numbers 2 and 4 shall be elected.
- (2) One at-large councilmember shall be elected to serve a four-year term.
- (3) A mayor shall be elected.

2.3.3.3 Thereafter and commencing with the City wide election in 2006, there shall be biennial City wide elections with councilmembers from Ward Numbers 1 and 3 and an at-large councilmember elected, and at the next City wide election councilmembers from Ward Numbers 2 and 4, an at-large councilmember and a mayor shall be elected.

Section 2.4 Incompatible Offices. No member of the council shall hold any paid municipal office or employment through the city other than that to which elected. Further, until one year after the expiration of his/her term, no mayor or councilmember shall be appointed or employed by the city in a compensated position which was created, or the compensation for which was increased, during his/her term as mayor or councilmember.

Section 2.5 Vacancies. A vacancy in the council, whether it be in the office of mayor or councilmember, shall be deemed to exist in the case of the failure of any person elected thereto to qualify, or by reason of the death, resignation in writing filed with the city clerk, removal from office, non-residence in the city, conviction of a felony of any such person after his/her election, or by reason of the failure of any councilmember without good cause to attend council meetings for a period of three consecutive months. In each such case, the council shall publicly declare by resolution, the vacancy to exist within fifteen (15) days of its occurrence and such vacancy shall be filled according to the provisions of Section 4.5.

Section 2.6 The Mayor's Powers and Duties.

2.6.1 The mayor shall preside at meetings of the council and shall have a vote as a member. The mayor shall be recognized as the head of the city government for all ceremonial purposes, by the courts for serving civil process, and by the governor for purposes of martial law, but shall have no administrative duties.

2.6.2 Consistent with the responsibility to accept considerable leadership over the general conduct of city affairs, the mayor shall study the operations of the city government and recommend desirable changes and improvements to the council. The mayor shall also deliver messages to the council and the public, including a comprehensive message on the state of the city, as soon as practicable after the beginning of each year of his/her term of office.

2.6.3 At the first meeting of each year the council shall choose an acting mayor from the councilmembers. He/she shall perform the duties of mayor during the disability or absence of the mayor, or, in the case of vacancy in the office of mayor, until a successor has been appointed and qualifies.

Section 2.7 Salaries. The mayor and councilmembers shall receive such compensation as is fixed by the council in accordance with state statutes. Any increases in such compensation shall not become effective until after the next municipal election. Other officers and employees of the city shall receive such salaries or wages as may be fixed by the council.

Section 2.8 Investigation of City Affairs. The council may make investigations into the affairs of the city and the conduct of any city department, office or agency and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. The council shall provide for an audit of the city's accounts at least once a year by the state department in charge of such work or by a certified public accountant. At any time, the council may provide for an examination or audit of the city accounts of any city officer or agency, and it may provide for any survey or research study of any subject of municipal concern.

- Section 2.3 amended by General Election, November 5, 1996 – effective December 5, 1996
- Section 2.3 amended by Special Election, November 6, 2001 – effective December 6, 2001
- Section 2.5 amended by Ordinance #00-12 – effective January 24, 2001
- Section 2.1 amended and Section 2.1.1 added by Ordinance #06-35 – ordinance effective April 26, 2007 – but amendment effective January 1, 2011
- Section 2.5 amended by Ordinance #09-18 – effective March 18, 2010
- Section 2.1 amended and Section 2.1.1 deleted by Ordinance #10-03 – and adopted by voters in November 2, 2010 General Election – Effective November 3, 2010

CHAPTER 3 COUNCIL PROCEDURES

Section 3.1 Council Meetings. The council shall meet regularly at least once each month at such times and places as the council may designate by ordinance. The mayor or any three members of the council may call special meetings of the council upon at least twenty-four hours notice to each member, and such reasonable public notices as may be prescribed by council rule in compliance with state statutes. The twenty-four hours notice shall not be required in an emergency. A state of emergency shall be deemed to exist when the public peace, health, morals, safety or welfare are in immediate jeopardy. To the extent provided by state statutes, all meetings of the council and its committees shall be public, and any citizen shall have access to the minutes and records of the council at all reasonable times. During any of its public meetings, the council shall not prohibit, but may place reasonable restrictions upon citizens' comments and questions and citizen input shall be provided for at the beginning of each council meeting.

Section 3.2 deleted (effective December 5, 2002, relating to Liaison Function)

3.2.1 deleted (effective December 5, 2002, relating to Precinct Liaison)

3.2.2 Precinct Boundaries. The precinct boundaries shall correspond to those adopted and revised periodically by council, by resolution.

3.2.3 deleted (effective September 8, 1993 relating to Precinct Liaison Meetings)

Section 3.3 Rules of Procedure and Quorum. Except as otherwise provided in this charter, the council shall determine its own rules and order of business. A majority of all members shall constitute a quorum to do business, but a smaller number may adjourn from time to time. The council may by rule provide means by which a minority may compel the attendance of absent members in accordance with state statutes.

Section 3.4 Ordinances, Resolutions and Motions.

3.4.1 Except as otherwise provided in this charter or state statutes, an affirmative vote of four or more members of the council shall be required for the adoption of all ordinances, resolutions and motions. The votes of councilmembers on any action taken shall be recorded in accordance with state statutes.

3.4.2 Except as otherwise provided in this charter, all legislation shall be by ordinance. The vote on all ordinances shall be by a roll call vote.

3.4.3 The general administrative business of the council shall be conducted by resolution or motion.

Section 3.5 Procedures on Ordinances. Every proposed ordinance shall be presented in writing. No ordinance shall contain more than one subject. Such subject shall be clearly expressed in its title. The enacting clause shall be "The City of Ramsey Ordains". No ordinance, except an emergency ordinance, shall be adopted at the meeting at which it is introduced and at least three days shall elapse between its introduction and final adoption.

Section 3.6 Emergency Ordinances. An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety or welfare, and in such ordinance the emergency is defined and declared in a preamble thereto. An emergency ordinance must be approved by a majority of available members of the city council. An emergency ordinance must be in writing but may be enacted without previous filing or voting, and may be adopted finally at the meeting at which it is first introduced and voted upon by the council. An emergency ordinance shall remain in effect for the duration of the emergency. No prosecution shall be based upon the provisions of an emergency ordinance until twenty-four hours after the ordinance has been adopted, filed with the city clerk, and either has been posted in three conspicuous places in the city or published as provided for in this charter, or the person charged with violation thereof had actual notice of the ordinance prior to the act or omission resulting in the prosecution.

Section 3.7 Signing and Publication of Ordinances. The final version of every ordinance shall be read in full prior to passage by council unless such reading is waived by a majority vote of the council, provided that a copy of the ordinance is posted or otherwise made available to the public at least three working days prior to the meeting at which it is to be adopted. The ordinance shall then be signed by the mayor, attested to by the city clerk, and filed and preserved by the city clerk. Each ordinance, or summary of such ordinance, shall be published at least once in the official newspaper. This summary of each ordinance shall include, in layman's terms, the intent of the ordinance. To the extent and in the manner provided by state statutes, an ordinance may incorporate by reference, a state statute, a state administrative rule or a state regulation, a code, or an ordinance or part thereof, without publishing the material referred to in full.

Section 3.8 Procedure on Resolutions. Every resolution shall be presented in writing and shall be filed and preserved by the city clerk.

Section 3.9 When Ordinances and Resolutions Passed by City Council Take Effect. Every resolution and emergency ordinance shall take effect immediately upon its adoption or at such later date as it specifies. Every other ordinance shall take effect thirty days after its publication or at such later date as it specifies.

Section 3.10 Amendment and Repeal of Ordinances and Resolutions.

3.10.1 An ordinance or resolution which repeals all or part of a previous ordinance or resolution, respectively, shall give the number, if any, in the title of the ordinance or resolution to be repealed in whole or in part. No ordinance or resolution shall be amended by reference to the title alone, but an ordinance or resolution which amends such ordinance or resolution, respectively, shall set forth in full each Section to be amended and shall indicate by appropriate type or symbols, matter to be omitted or added. Amendment or repeal of an ordinance or resolution shall require a majority vote of all members of the council, unless otherwise provided in this charter or by state statutes.

3.10.2 Repeal of Initiative Ordinances. An ordinance passed under the initiative power shall not be repealed or amended by the council except by submission to the voters of the question by the council at a regular municipal or special election.

Section 3.11 Review and Revision of Ordinances and Indexing of Resolutions. The city shall review, revise and rearrange its ordinance code and its resolution index with such additions and deletions as may be deemed necessary by the council at least once every two years. The ordinance code and the resolution index may be published in a book, pamphlet or loose-leaf form and copies shall be made available by the council at the office of the city clerk for general distribution to the public for a reasonable charge. Incorporation in such a code shall be a sufficient publication of any ordinance provision not previously published, if a notice is placed in the official newspaper for at least two successive weeks that copies of the codification are available at the office of the city clerk.

- **Section 3.2.2 amended by Ordinance #99-15 - effective January 28, 2000**
- **Section 3.2.3 deleted by Ordinance #93.09 – effective September 8, 1993**
- **Section 3.5 amended by Ordinance #85-9 – effective September 28, 1985**
- **Section 3.6 & 3.7 amended by Ordinance #00-12– effective January 24, 2001**
- **Section 3.8 amended by Ordinance #85-9 – effective September 28, 1985 and amended by Ordinance #00-12 - effective January 24, 2001**
- **Section 3.11 amended by Ordinance #00-12 – effective January 24, 2001**
- **Section 3.2 deleted by General Election November 5, 2002 – effective December 5, 2002**
- **Subsection 3.2.1 deleted by General Election November 5, 2002 – effective December 5, 2002**
- **Section 3.1 amended by Ordinance #04-47 – effective March 3, 2005**
- **Section 3.4.1 amended by Ordinance #04-47 – effective March 3, 2005**

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CHAPTER 4 NOMINATIONS AND ELECTIONS

Section 4.1 The Regular Municipal Election. A regular municipal election shall be held on the first Tuesday after the first Monday in November of each even-numbered year, commencing in 1984, at such places as the city council shall designate. At least fifteen days prior notice shall be given by the city clerk by posting a notice thereof in at least one public place in each election precinct, and by publishing a notice thereof at least once in the official newspaper of the city stating the time and the places of holding such election and of the officers to be elected. Failure to give such notice shall not invalidate such election. Elected and qualified officers provided for by this charter shall assume the duties of office to which they were elected on the first business day in January following such election.

4.1.1 Primary Elections. Primary elections shall be held on the same date as prescribed by the Minnesota Statute, which establishes the statewide primary election date. The primary election shall be for the selection of two nominees for each elective office at the regular municipal election, unless two nominees or fewer file for each elective office.

Section 4.2 Filing for Office. All persons who shall desire to be elected to any elected office shall file an affidavit not more than ten weeks or less than eight weeks before the primary election with the city clerk, paying a filing fee to the city clerk in an amount as set by ordinance.

The city clerk shall prepare and have printed at the expense of the city the necessary ballots or other required material for such election.

The ballots or other material shall contain no political party designation of any candidate and the names of the candidates for each office may be arranged on the ballot alphabetically according to the surname of each candidate.

The ballots or the results shall be counted and preserved and the city clerk shall be the final custodian of such ballots or returns for the city.

A sample ballot or a facsimile representation of the ballot shall be posted at the place of election at least one week before such election by the city clerk, whose duty it is to preserve such sample ballots.

4.2.1 Repealed (effective November 14, 1994)

Section 4.3 Procedure at Elections. Consistent with the provisions of this charter and applicable state statutes, the council may by ordinance further regulate the conduct of municipal elections. Except as otherwise provided by this charter and supplementary ordinances, general state statutes on elections shall apply to municipal elections.

Section 4.4 Special and Advisory Elections Except for Elected Office. The council may by resolution order any special or advisory election deemed appropriate by the council, for any reason, and provide all means for holding it. At least fifteen days prior notice shall be given by the city clerk by posting a notice thereof in at least one public place in each election precinct, and

by publishing a notice thereof at least once in the official newspaper of the city stating the time and the places of holding such election.

Section 4.5 Vacancy of Municipal Elected Office.

4.5.1 When a vacancy in an elected office of the city occurs with 365 days or more remaining in the term of the vacated office, there shall be a special election held within ninety days after the vacancy occurs to elect a successor to serve for the remainder of the unexpired term of the office vacated.

4.5.2 The city clerk shall give at least sixty days published prior notice of such special election, except as set forth under 4.5.5 of this Section.

4.5.3 The procedure at such election and assumption of duties of elected officers following such election shall conform as nearly as practicable to that prescribed for other municipal elections under this charter.

4.5.4 In the case of a vacancy where there remains less than 365 days in the unexpired term, the council shall, by a majority vote, appoint a successor to serve for the remainder of said term. In the case of a tie vote of the council, the mayor, or acting mayor if the office of mayor be vacant, shall make the appointment from the candidates involved in the tie vote.

4.5.5 Office Vacancy when less than eight weeks prior to primary election.

4.5.5.1 Special Election. When a vacancy in an elected office of the city occurs when there is less than eight weeks prior to a primary election there shall be no primary election, except as provided in Section 4.5.5.3 below. The special election to fill the vacancy shall coincide with the Regular Municipal Election and the notice of such vacancy shall be published as soon as is practicable.

4.5.5.2 Vacancy in offices to be voted on in the Regular Municipal Election. If a vacancy occurs less than eight weeks prior to the primary election, in the office of the mayor or the councilmembers whose seats are to be voted on in the Regular Municipal Election, said vacancy shall be considered not to exist for the purpose of the Regular Municipal Election. The person elected to fill the vacancy in the Regular Municipal Election, if approved by unanimous vote of the sitting Council, may assume the duties of the office to which elected on the first business day following the City Clerk's issuance of a certificate of election to said person.

4.5.5.3 Vacancy in an office not to be voted on in the Regular Municipal Election. If a vacancy occurs in the office of the mayor or a councilmember not standing for election in the Regular Municipal Election, a special primary election and a special election shall be held in January of the subsequent year following the vacancy to fill said vacancy. The election procedures for the special primary election and the special election shall be those election procedures for municipal office candidates as prescribed in Minnesota Statutes and this Charter. Notwithstanding Section 2.3.1 of this Charter, which provides for a four-year term

for the mayor and councilmembers, the term of the mayor and/or a councilmember elected pursuant to this subsection will be for the remainder of the vacant term.

4.5.6 If there are insufficient numbers of candidates in a regular or special election to fill expiring or vacated municipal offices, the city council shall fill said offices by appointment until the next regular municipal election. In the case of a tie vote of the council, the mayor shall make said appointment from the candidates under consideration.

- **Section 4.2 amended by Ordinance #88-9– effective October 13, 1988**
- **Section 4.1 & 4.2 amended by Ordinance #00-12 – effective January 24, 2001**
- **Section 4.1.1 added by Special Election, November 6, 2001 – effective December 6, 2001**
- **Section 4.2 amended by Special Election, November 6, 2001 – effective December 6, 2001**
- **Section 4.2.1 Repealed by Ordinance #94-07 - effective November 14, 1994**
- **Section 4.4 & 4.5.2 amended by Ordinance #00-12 – effective January 24, 2001**
- **Section 4.5 amended by Ordinance #04-47 – effective March 3, 2005**
- Section 4.5.5 amended by Ordinance #09-18 – effective March 18, 2010**
- **Section 4.5.5.1 added by Ordinance #09-18 – effective March 18, 2010**
- **Section 4.5.5.2 added by Ordinance #09-18 – effective March 18, 2010**
- **Section 4.5.5.3 added by Ordinance #09-18 – effective March 18, 2010**
- **Section 4.1.1 amended by Ordinance #10-08 – effective August 5, 2010**

CHAPTER 5 INITIATIVE, REFERENDUM AND RECALL

Section 5.1 Powers Reserved by the People. The people of the City of Ramsey reserve to themselves the powers in accordance with the provisions of this charter to initiate and adopt ordinances, to require ordinances passed by the council to be referred to the electorate for approval or disapproval, and to recall elected public officials. These powers shall be called the initiative, the referendum, and the recall, respectively.

Section 5.2 General Provisions for Petitions.

5.2.1 Petition for Initiative and Referendum. A petition for initiative and referendum provided for under this chapter shall be sponsored by a committee of five registered voters of the city whose names and addresses shall appear on the petition. A petition may consist of one or more papers, but each separately circulated paper shall contain at its head, or attached thereto, the information specified in Sections 5.5 or 5.7 which apply, respectively, to initiative and referendum. Each signer shall be a registered voter of the city and shall sign his/her name and give his/her street address. Each separate page of the petition shall have appended to it a certificate by the circulator, verified by oath, that each signature appended thereto was made in his/her presence and that the circulator believes them to be the genuine signature of the person whose name it purports to be. The person making the certificate shall be a resident of the city and registered to vote. Any person who's name appears on a petition may withdraw his/her name by a statement in writing filed with the city clerk before said city clerk advises the council of the sufficiency of the petition.

5.2.2 Petition for Recall of a Ward Councilmember. A petition for recall of a councilmember elected from a separate ward shall be sponsored by a committee of five registered voters whose name and addresses shall appear on the petition and who reside within the ward represented by the councilmember. A petition may consist of one or more papers, but each separately circulated paper shall contain at its head, or attached thereto, the information specified in section 5.8 which applies to recall. Each signer shall be a registered voter of the ward represented by the councilmember subject to the recall and each signer shall sign his/her name and give his/her street address. Each separate page of the petition shall have appended to it a certificate by the circulator, verified by oath, that each signature appended thereto was made in his/her presence and that the circulator believes them to be the genuine signature of the person whose name it purports to be. The person making the certificate shall be a registered voter of the ward represented by the councilmember subject to the recall. Any person who's name appears on a petition may withdraw his/her name by a statement in writing filed with the city clerk before said city clerk advises the council of the sufficiency of the petition.

Section 5.3 Determination of Sufficiency. The committee shall file the completed petition in the office of the city clerk. The required number of signatures for initiative and referendum shall

be at least twenty percent of the total number of registered voters at the time of the last citywide election. The required number of signatures for recall of the mayor or a councilmember elected at large shall be at least twenty percent of the total number of registered voters in the city at the time of the last citywide election. The required number of signatures for recall of a councilmember elected from a ward shall be at least twenty percent of the total number of registered voters in the ward represented by the councilmember subject to the recall at the time of the last citywide election. Immediately upon receipt of the petition, the city clerk shall examine the petition as to its sufficiency and report to the council within ten days. Upon receiving the report, the council shall determine by resolution the sufficiency of the petition.

Section 5.4 Disposition of Insufficient or Irregular Petition. If the council determines that the petition is insufficient or irregular, as defined in Sections 5.3 and 5.2 respectively, the city clerk shall deliver a copy of the petition, together with a written statement of its defects, to the sponsoring committee. The committee shall have thirty days in which to file additional signature papers and/or to correct the petition in all other particulars, except that, in the case of a petition for recall, the committee may not change the statement of the grounds on which the recall is sought. Within five days of receipt of the corrected petition, the city clerk shall again report to the council. If the council finds that the petition is still insufficient or irregular, the city clerk shall file the petition in his/her office and notify the sponsoring committee. The final finding that the petition is insufficient or irregular shall not prejudice the filing of a new petition for the same purpose, nor shall it prevent the council from referring the subject matter of the petition to the voters at the next regular or special election.

Section 5.5 Initiative. Any ordinance may be proposed by a petition, which shall state at the head of each page or attached thereto the exact text of the proposed ordinance. If the council passes the proposed ordinance with amendments, and a majority of the sponsoring committee do not disapprove the amended form by a statement filed with the city clerk within ten days of its passage by the council, the ordinance need not be submitted to the voters. If the council fails to enact the ordinance in a form acceptable to the majority of the sponsoring committee within sixty days after the final determination of sufficiency of the petition, the ordinance as originally proposed shall be placed on the ballot at the next election occurring in the city. If no election is to occur within 120 days after the filing of the petition, the council shall call a special election on the ordinance to be held within such period.

Section 5.6 Initiative to Amend the Charter. Nothing in this charter shall be construed in any way as affecting the right of the electors to propose amendments to this charter.

Section 5.7 Referendum. Prior to the date an ordinance takes effect, it may be subjected to referendum by a petition, which shall state at the head of each page, or attached thereto, the exact text of the ordinance to be considered by the voters. If the petition is found to be sufficient under the provisions of Section 5.3 of this chapter, the said ordinance shall thereby be prevented from going into operation, and the subject matter of the petition shall be placed on the ballot at the next election occurring in the city. If no election is to occur within 120 days after the filing of the petition, the council shall call a special election to be held within such period, providing the petition has been found to be sufficient. If a majority of the voters voting thereon vote for the ordinance contained in the petition, it shall take effect immediately upon certification of the election results by the council.

Section 5.8 Recall. Consideration by the electorate of the recall of any elected officer of the city may be initiated by petition. The petition shall state at the head of each page, or attached thereto, a certificate stating the name of the officer whose removal is sought, the grounds for recall, which shall be malfeasance, misfeasance or nonfeasance in office, is not more than 250 words, and the intention of the sponsoring committee to bring about the officer's recall. Such petition shall be filed in the city clerk's office prior to circulation. If the petition or amended petition is found sufficient under the provisions of Section 5.3 of this chapter, the city clerk shall transmit it to the council without delay, and shall also officially notify the person sought to be recalled of the sufficiency of the petition and of the pending action. The council shall, at its next meeting, by resolution, provide for the holding of a special recall election within ninety days after such meeting, the council may, in its discretion, provide for the holding of the recall vote at that time. If the special recall election involves a councilmember elected from a separate ward, the special recall election shall be conducted only within the ward of such councilmember. If the special recall election involves the mayor, a councilmember who is elected at large, the election shall be a citywide election. The city clerk shall include with the published notice of the election the statement of the grounds for the recall and, also, in not more than 500 words, the answer of the officer concerned in justification of his/her course of office. If a vacancy occurs due to recall election, Section 4.5 herein shall apply to fill such vacancy.

- Sections 5.2, 5.3, 5.4, 5.5, 5.8 amended by Ordinance #00-12– effective January 24, 2001
- Section 5.3 amended by Special Election, November 6, 2001 – effective December 6, 2001
- Section 5.2.1, 5.2.2, 5.3 & 5.8 amended by Ordinance #04-47 – effective March 5, 2005

**CHAPTER 6
ADMINISTRATION OF CITY AFFAIRS**

Section 6.1 Administrative Responsibility. The council, as a body, shall be responsible for the administration of the city. The council shall appoint an administrative officer to assist in the administration of city affairs. For purposes of reference in this charter, this administrative officer shall be referred to as the city administrator.

Section 6.2 Administrative Organization.

6.2.1 The council may by ordinance establish city departments, offices and agencies and prescribe their functions. No power or duty conferred by this charter upon a particular office or agency shall be transferred to any other.

6.2.2 The city council shall by resolution hire or remove heads of departments, and such other future officers and personnel as may be required to operate the city efficiently. The council shall determine the qualifications thereof and prescribe the duties to be performed by each, except as otherwise prescribed in this charter.

6.2.3 The heads of departments and other officers designated by the council shall report in person to the council and to the public at least once each quarter at a regularly scheduled council meeting.

Section 6.3 Duties of the City Administrator. The city administrator shall be the chief administrative officer for the council. The council shall establish by resolution, the powers, duties and reporting requirements of the city administrator.

Section 6.4 Purchases and Contracts. All purchases shall be made and all contracts let by the council. Contracts shall be made in compliance with the uniform contracting law, and whenever competitive bids are required, the contract shall be let to the lowest responsible bidder. All contracts, bonds and instruments of any kind to which the city is a party shall be signed by the mayor and the city administrator on behalf of the city and shall be executed in the name of the city. The council may by ordinance adopt further regulations for the making of bids and the letting of contracts.

Section 6.5 Subordinate Officers. There shall be a city clerk and such other officers subordinate to the city administrator as the city council may create by ordinance. The city clerk, subject to the direction of the city administrator, shall keep the public records, and shall have other duties as the city administrator shall prescribe. In addition, the city clerk shall have other powers and duties imposed by state law, this charter, city ordinance and city resolution. The Council may by ordinance abolish offices which have been created by ordinance, and may by resolution, abolish offices which have been created by resolution. It may combine the duties of various offices as it may see fit.

- Sections 6.1, 6.3, 6.4 & 6.5 amended by Ordinance #00-12 – effective January 24, 2001

CHAPTER 7 TAXATION AND FINANCES

Section 7.1 Council to Control Finances. The council shall have full authority over the financial affairs of the city except as limited or prohibited by the state constitution, state laws, or this charter. It shall provide for the collection of all revenues and other assets, and the auditing and settlement of accounts. It shall further provide for the safekeeping and disbursement of public moneys.

Section 7.2 Fiscal Year. The fiscal year of the city shall be the calendar year.

Section 7.3 System of Taxation. Subject to the state constitution, and except as forbidden by it, or by state statutes, the council shall have full power to provide by ordinance for a system of local taxation. This authority includes the power by ordinance to assess, levy, and collect taxes on all subjects or objects of taxation except as limited or prohibited by the state constitution, by this charter or by state statutes imposing restriction upon the city, irrespective of charter provisions.

Section 7.4 Submission of Budget.

7.4.1 Annually, the city administrator shall submit to the council the budget recommendations in accordance with a budget calendar to be established by resolution. The budget shall provide a complete financial plan for all city funds and activities for the ensuing fiscal year and, except as required by state statutes or this charter, shall be in such form as the council may require. It shall include a summary and show in detail all estimated income and all proposed expenditures, including debt service and comparative figures for the current fiscal year, actual and estimated, and the preceding year. In addition to showing proposed expenditures for current operations, it shall show proposed capital expenditures to be made during the year and the proposed method of financing each such capital expenditure. The total proposed operating budget to be provided from the property tax shall not exceed the amounts authorized by state statutes and this charter. Consistent with these provisions, the budget shall contain such information and be in the form prescribed by ordinance and by state statutes. The Annual Financial Statement shall be in such form as state statutes, this charter or the council may prescribe.

7.4.2 For each utility operated by the city, its budget shall show anticipated net surplus or deficit and the proposed method of its disposition; and subsidiary budgets for each utility giving income and expenditure information shall be included or attached as appendices.

Section 7.5 Long-term Financial Plan.

7.5.1 The city council shall have prepared a long-term financial plan of at least five years. This information shall be revised and extended each year. The city council shall hold an annual public hearing on the long-term financial plan and adopt it by resolution with or without amendment. The financial plan, at minimum, shall consist of three elements as specified in Sections 7.5.2 through 7.5.4 which follow.

7.5.2 The Public Service Program. The program shall be a continuing five-year plan for all public services, estimating future needs for the public health, safety and welfare of the city. It shall measure the objectives and needs for each city department, the standard of services desired, and the impact of each such service on the annual operating budget.

7.5.3 The Capital Improvement Program. This program shall consist of projects and facilities that are or will be needed by the city in carrying out the anticipated program of public services. It shall include a list of all capital improvements proposed to be undertaken during the next five fiscal years, with appropriate supporting information as to the necessity for such improvements; the priority of each anticipated improvement; cost estimate, method of financing and recommended time schedule for each such improvement; and the estimated annual cost of operating and maintaining the facilities to be constructed or acquired. This information shall be revised and extended each year for capital improvements still pending or in process.

7.5.4 Five Year Financial Forecast. This forecast shall detail the estimated revenue and expenditures necessary to carry out the Public Service and Capital Improvement Programs as described in Sections 7.5.2 and 7.5.3. In addition, the forecast will identify financing sources and uses, cash flow projections, and financial policies that impact and exercise control over revenues and expenditures.

7.5.5 A summary of the long-term financial plan shall be published in the city newsletter annually.

Section 7.6 Council Action on Budget.

7.6.1 The budget public hearing dates, procedures to be followed during the hearing, and publications, are established by state statute. However, the actual adoption of the proposed annual budget and the municipal levy shall take place at the next regularly, scheduled council meeting following the mandated public hearing(s) to ensure that comments received during the public hearing(s) are given due consideration before the final budget and municipal tax levy are adopted. The council may revise the proposed budget but no amendment to the budget shall increase the authorized expenditures to an amount greater than the estimated funds available. The council shall adopt the budget by a resolution that shall set forth the total for each budgeted fund and each department function or program, with such segregation as to objects and purpose of expenditures as the council deems necessary for purposes of budget control. The council shall also adopt a resolution levying the amount of taxes provided in the budget, and the city administrator shall certify the tax resolution to the county auditor in accordance with state law. Adoption of the budget resolution shall constitute appropriations at the beginning of the fiscal year of the sums fixed in the resolution of the several purposes named.

7.6.2 At least two weeks before the proposed budget is adopted, for the ensuing fiscal year, a summary of the proposed budget and municipal levy increases and decreases shall be given in the city newsletter. Such summary shall be set forth in language designed to be readily understood by the layperson, and shall provide appropriate supporting information as to the necessity for any increases. Failure to provide the specified

summary will not invalidate the budget. A summary of the adopted final budget shall be printed in the city newsletter as soon as is practical after the adoption.

Section 7.7 Enforcement of the Budget.

7.7.1 The city council shall enforce the provisions of the budget. It shall approve and authorize payments of bills, at each regularly scheduled council meeting, that have been presented for payment, supported by an itemized bill, payroll time sheet, or other document approved and signed by the responsible city officer who vouches for its correctness and reasonableness. Bills that are of an ongoing operating nature, have been appropriated in the budget, and been approved by the responsible city officer, may be paid prior to regular council meetings to avoid late penalties or to take advantage of available discounts. Other payments may occur in the event it is unreasonable or untimely to obtain council approval for funding an emergency or unforeseen expenditure which is necessary for the routine operation of the city as directed by council in a purchasing policy which shall be adopted by ordinance.

7.7.2 Any obligation incurred by any person in the employ of the city for any purpose not authorized in the budget resolution, or for any amount in excess of the amount authorized, shall be a personal obligation upon the person incurring the obligation and such person will be subject to appropriate disciplinary or criminal action. No check shall be issued or transfer made to any account other than one owned by the city until the claim to which it relates has been supported by an itemized bill, payroll, time sheet or other document approved and signed by the responsible city officer who vouches for its correctness and reasonableness.

Section 7.8 Alterations to the Budget. After the budget resolution has been adopted, the council shall not increase the amounts fixed in the resolution beyond the estimated funds available except to the extent that actual receipts exceed the estimated funds available. At anytime, the council may, by resolution approved by a 4/5 vote of its members, reduce the sums appropriated for any purpose by the budget resolution, or authorize the transfer of sums from unencumbered balances of appropriations in the budget resolution to other purposes.

Section 7.9 Funds. There shall be maintained in the city treasury a general fund and such other funds as may be required by state statutes, resolution or ordinance. The council shall, by resolution or ordinance, create and abolish funds and shall define which funds are eligible for interfund loans as it may deem necessary and appropriate.

Section 7.10 City Indebtedness.

7.10.1 Except as provided in Sections 7.11 and 7.12, no obligation shall be issued to pay current expenses, but the council may issue and sell obligations for any other municipal purpose in accordance with state statutes and within the limitations prescribed by law. Except in the case of obligations for which an election is not required by this charter or state statutes, no such obligation shall be issued and sold without the approval of the majority of the voters voting on the question at a general or special election.

7.10.2 A description of each such proposed issue shall be published in the city newsletter, but failure to publish such description, or any defect in the description, shall not invalidate the issue. However, corrections shall be published at the earliest practical time.

Section 7.11 Tax Anticipation Certificates. At anytime after January 1, the council may issue tax anticipation certificates in anticipation of state and federal aids and the collection of taxes levied the previous year for any fund and not yet collected. The total amount of certificates issued against any fund for any year together with interest thereon until maturity shall not exceed 90 percent of the total state and federal aids and current taxes due to the fund and uncollected at the time of issuance. Such certificates shall be issued on such terms and conditions as the council may determine, but they shall become due no later than April 1 of the year following their issuance. The proceeds of the tax levied and such state or federal aids as the governing body may have allocated for the fund against which tax anticipation certificates are issued, and the full faith and credit of the city shall be irrevocably pledged for the redemption of the certificates.

Section 7.12 Emergency Debt Certificates.

7.12.1 If in any year, the receipt from taxes or other sources should, for some unforeseen cause, become insufficient for the ordinary expenses of the city, or if any calamity or other public emergency necessitates the making of extraordinary expenditures, the council may by ordinance issue on such terms and in such manner as the council determines, emergency debt certificates to run not in excess of three years. A tax sufficient to pay principal and interest on such certificates with the margin required by law shall be levied as required by law. The ordinance authorizing the issue of the emergency debt certificates shall state the nature of the emergency and be approved by at least four members of the council. It may be passed by emergency ordinance as defined in Section 3.6 except that the ordinance shall be enacted by a 4/5 vote of the council.

7.12.2 A description of each such proposed certificate shall be published in the city newsletter, but failure to publish such description, or any defect in the description, shall not invalidate the certificate. However, corrections shall be published at the earliest practical time.

- Sections 7.1 through 7.12 amended by Ordinance #94-03 - effective March 25, 1994
- Sections 7.4.1 & 7.6.1 amended by Ordinance #00-12– effective January 24, 2001

CHAPTER 8 PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Section 8.1 Power to Make Improvements and Levy Assessments. The city may make any type of local improvement not forbidden by law and levy special assessments to pay all or part of the cost of such local improvements. The total of the assessments for any local improvement may not exceed the cost of the local improvement, plus all costs and expenses connected therewith, including interest. No assessment shall exceed the benefit to the property assessed as measured by the increase in the market value of the property assessed as a result of the local improvement.

Section 8.2 Application of Charter. All local improvement projects shall be carried out exclusively under the provisions of this charter. The term “local improvement” as used in this Section shall mean a public improvement financed partly or wholly from special assessments.

Section 8.3 Assessments for Services. The council may provide by ordinance that the cost of the city services to streets, sidewalks, or other public or private property may be assessed against property benefited and may be collected in the same manner as special assessments.

Section 8.4 Local Improvement Procedure. When the city undertakes any local improvement to which the state local improvement code Minn. Stat. Chapter 429 applies, it shall comply with the provisions of that law, except as modified below. The council may by ordinance prescribe the procedure to be followed in making any other local improvement and levying assessments therefore.

8.4.1 Sixty Day Waiting Period. A period of sixty (60) days shall elapse after the conclusion of the public hearing required by law to precede the ordering of the construction of a local improvement project (the “Public Hearing”) before the actual ordering of the local improvement by the council and the council entering into a contract for the local improvement construction.

8.4.2 Percentage of Owners Required. When the local improvement has been petitioned for by the owners of not less than 50 percent in frontage of the real property abutting on streets named in the petition as the location of the local improvement the resolution ordering the local improvement by the council may be approved by vote of a majority of all members of the council. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council.

8.4.3 Petition Against the Local Improvement. A proposed local improvement may be initiated by petition of the owners of real property abutting on the streets named in the petition. If, within thirty (30) days of the conclusion of the public hearing, a petition against such local improvement is filed with the city administrator which petition is signed by a percentage of the owners of real property abutting on the streets named in the initiating petition as the location of the improvement which percentage is greater than the percentage of owners of real property who signed the initiating petition, the council shall not make such local improvement at the expense of the abutting property owners. For purposes of the foregoing sentence, “owners of real property” shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned

residential greater than 10 acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.4 Counter Petition in Favor of the Improvement. If within thirty (30) days of the filing with the city administrator of a petition against the local improvement as described in Section 8.4.3 above, there is filed with the city administrator a petition in favor of the local improvement, signed by owners of real property abutting on the streets named in the initiating petition as the location of the improvement, in a percentage greater than the percent of owners of real property who signed the petition against the local improvement, then in such event the council may disregard the petition against the local improvement and proceed with the local improvement.

8.4.5 Petition Against Council Initiated Improvement. If the local improvement was initiated by council resolution without an initiating petition and, within sixty (60) days of the conclusion of the public hearing, a petition is filed with the city administrator against such local improvement and which petition is signed by 60 percent or more of the owners of real property proposed to be assessed for and benefited by the local improvement, the council shall not make such local improvement at the expense of the benefited property owners. For purposes of the foregoing sentence, “owners of real property” shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned residential greater than 10 acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.6 Withdrawal of Name from Petition. Any person whose name appears on a petition to the council in favor of a local improvement, or on a petition to the council filed against a local improvement, may withdraw his/her name by a statement in writing filed with the city administrator before such petition is presented to the council or in person at a city council meeting before the city council accepts said petition.

8.4.7 Filing of Petition with City Council. All completed petitions filed with the city administrator as described herein shall be presented to the council by the city administrator at the council’s next regularly scheduled meeting.

8.4.8 One Year Before Any Further Action. When a proposed local improvement is disallowed pursuant to the petition process described in the foregoing Sections, the council shall not vote on the same improvement within a period of one year after the public hearing on said improvement.

Section 8.5 Computation of Time. Where the performance or doing of any act or matter is required by this charter, and the period of time is prescribed and fixed by this charter, the time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of time. When the last day of the period falls on a Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

Section 8.6 Sewer and Water Projects. This Section applies to any Local Improvement Project completed after January 1, 1996, which includes extending Urban Services (Sewer and/or Water) to an existing home or neighborhood.

8.6.1 Connection Policy. The City may not compel any property owner with a functional private sewer and water system to connect to City Sewer and/or Water.

8.6.2 Assessment Policy. The City may not levy an assessment for any component of any project which includes Sewer and/or Water improvements against a property whose owner elects to remain on a functional private Sewer and/or Water system.

8.6.3 Request for Urban Services. Property owners who remain on private Sewer and Water systems after Urban Services become available may request connection to Urban Services at any time. Upon connection to Urban Services an assessment may be levied provided it is consistent with the original assessment.

- Section 8.1 through 8.5 amended by Ordinance #92-12 - effective January 25, 1993
- Section 8.6 added by Special Election, May 20, 1996 – effective June 20, 1996
- Section 8.4.2, 8.4.3 and 8.4.4 amended by Ordinance #06-22 – effective October 16, 2006
- Section 8.4, 8.4.2 (added) 8.4.2 made 8.4.3 – and so on, amended by Ordinance #12-08 - effective October 1, 2012
- Section 8.4.5 amended by Ordinance #14-07 – effective November 2014

CHAPTER 9
EMINENT DOMAIN

Section 9.1 Acquisition of Property. The city may acquire by purchase, gift, condemnation, or otherwise, any property, either within or without its boundaries, that may be needed by the city for any public purpose. In acquiring property by exercising the power of eminent domain, the city shall proceed according to Minnesota Statutes, Chapter 117, or other applicable laws.

CHAPTER 10 FRANCHISES

Section 10.1 Except as otherwise provided by state statutes, no person, firm or corporation shall place or maintain any permanent or semi-permanent fixtures in, over, upon or under any street or public place for the purpose of operating a public utility, or for any other purpose, without a franchise therefore from the city. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. No exclusive franchise shall be granted unless the proposed ordinance is submitted to the voters of the city following a public hearing and approved by at least a majority of those voting thereon. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the city clerk to guarantee publication before the ordinance is passed.

Section 10.2 Term. No perpetual franchise or privilege shall be created, nor shall any exclusive franchise or privilege be granted for a period of more than twenty-five years.

Section 10.3 Public Hearing. Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by the council, the council shall hold a public hearing on the matter. Notice of such hearing shall be published at least once in the city newsletter and in the official newspaper not less than ten days prior to the date of the hearing. Failure to publish said notice or any defect in said notice shall not invalidate the notice. However, correction(s) must be published at the earliest practical time.

Section 10.4 Power of Regulation Reserved. Subject to any applicable state statutes, the council may by ordinance reasonably regulate and control the exercise of any franchise, including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable state or municipal law, or regulation, or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain.

Section 10.5 Renewals or Extensions. Every extension, renewal, or modification of any existing franchise, or of any franchise granted thereafter, shall be subject to the same limitations and shall be granted in the same manner as a new franchise.

- Section 10.1 amended by Ordinance #00-12 – effective January 24, 2001

CHAPTER 11 PUBLIC OWNERSHIP AND OPERATION OF UTILITIES

Section 11.1 Acquisition and Operation of Utilities. The city may own and operate any gas, water, heat, power, light, telephone or other public utility for supplying its own needs for utility service, or for supplying utility service to private consumers or both. It may construct all facilities reasonably needed for that purpose, and may acquire any existing utility properties so needed; but such action shall only be taken by ordinance, which shall not be an emergency ordinance. The operation of all public utilities owned by the city shall be under the supervision of the city council.

Section 11.2 Rates and Finances. The council may, by ordinance, fix rates, fares and prices for municipal utilities, but such rates, fares and prices shall be just and reasonable. The council shall make each municipal utility financially self-sustaining. Before any rates, fares or prices for municipal utilities shall be fixed by the council, the council shall hold a public hearing on the matter in accordance with Section 11.6 of this chapter. The council shall prescribe the time and the manner in which payments for all such utility services shall be made, and may make such other regulations as may be necessary, and prescribe penalties for violations of such regulations.

Section 11.3 Purchase in Bulk. The council may, in lieu of providing for the local production of gas, electricity, water and other utilities, purchase the same in bulk and resell them to local consumers at such rates as it may fix. Before such rates are fixed by the council, the council shall hold a public hearing on the matter in accordance with Section 11.6 of this chapter.

Section 11.4 Lease of Plant. The council may, if the public interest will be served thereby, contract with any responsible person, co-partnership or corporation for the operation of any utility owned by the city upon such rentals and conditions as it may deem necessary; but such contract shall not be an emergency ordinance. In no case shall such contract be for a longer term than ten years.

Section 11.5 Public Utility. How Sold. No public utility owned by the city shall be sold or otherwise disposed of by the city unless the full terms of the proposition of said sale or other disposition thereof, together with the price to be paid therefore, shall be embodied in an ordinance approved by a majority of the registered voters voting thereon at a general or special election. Before such ordinance is submitted to a vote, the council shall hold a public hearing on the matter in accordance with Section 11.6 of this chapter.

Section 11.6 Notice of Public Hearing. Notice of public hearing required by this chapter shall be published at least once in the official newspaper and in the city newsletter at least ten days prior to the date of the hearing. Failure to publish said notice or any defect in said notice shall not invalidate the notice. However, the correction(s) must be published at the earliest practical time.

CHAPTER 12
MISCELLANEOUS AND TRANSITORY PROVISIONS

Section 12.1 Official Publication. The council shall annually designate a legal newspaper of general circulation in the city as its official newspaper in which shall be published ordinances and other matters required by state statutes and this charter to be so published, as well as such other matters as the council may deem it in the public interest to have published in this manner.

Section 12.2 Oath of Office. Every officer of the city shall, before entering upon the duties of his/her office, take and subscribe an oath of office in substantially the following form: "I do solemnly swear (or affirm:) to support the constitution of the United States and of this state and to discharge faithfully the duties devolving upon me as (mayor, councilmember, city administrator, etc.) of the City of Ramsey to the best of my judgment and ability".

Section 12.3 City Officers Not to be Interested in Contracts. Except as otherwise permitted by state statutes, no officer of the city, who is authorized to take part in any manner in any contract with the city, shall voluntarily have a personal financial interest in such contract or personally benefit financially therefrom.

Section 12.4 Official Bonds. The city administrator and other such officers or employees of the city as may be provided for by ordinance shall each, before entering upon the duties of his/her respective office or employment, give a corporate surety bond to the city in such form and such amount as may be fixed by the council as security for the faithful performance of his/her official duties. This corporate surety bond may be in the form of either individual or blanket bonds at the discretion of the council. They shall be approved by the council, and approved as to form by the city attorney, and filed with the city administrator. The premiums on the bonds shall be paid by the city.

Section 12.5 Sales of Real Property. No real property of the city, with the exception of cemetery plots, shall be disposed of except by ordinance. The proceeds of any sale of such property shall be used as far as possible to retire any outstanding indebtedness incurred by the city in the purchase, construction, or improvement of this or other property used for the same public purpose. If there is no such outstanding indebtedness, the council may by resolution designate some other public use for the proceeds.

Section 12.6 Vacation of Streets. The council may by ordinance vacate any street or alley or other public grounds or part thereof within the city. Such vacation may be made only after published notice in the official newspaper and an opportunity for affected property owner and public to be heard, and upon such further terms and by such procedure as the council by ordinance may prescribe. A notice of completion of such procedure shall be filed in accordance with state statutes.

Section 12.7 Statutes Not Affected by Charter. All general laws and statutes of the state applicable to all cities operating under home rule charters, or applicable to cities of the same class as the City of Ramsey operating under home rule charters, and not inconsistent with the provisions of this charter, or the ordinances of this city, shall apply to the City of Ramsey, and shall be construed as supplementary to the provision of this charter.

Section 12.8 City to Succeed to Rights and Obligations of Former City. The city shall succeed to all property, rights, and privileges, and shall be subject to all legal obligations of the former city.

Section 12.9 Existing Ordinances and Resolutions Continued. All ordinances, resolutions and regulations of the municipality in force when this charter takes effect, and not inconsistent with the provisions thereof, are hereby continued in full force and effect until amended or repealed.

Section 12.10 Officers to Continue for Present Terms. All elective and appointive officers of the city holding office on the effective date of this charter shall continue in office for the terms to which they were elected or appointed, and until their successors shall have been elected or appointed and have qualified.

Section 12.11 Pending Condemnations and Assessments. Any condemnation or assessment proceeding in progress when this charter takes affect shall be continued and completed under the state statutes under which such proceeding was begun. All assessments made by the municipality prior to the time when this charter takes effect shall be collected, and the lien thereof enforced in the same manner as if this charter had not been adopted.

Section 12.12 Ordinances to Make Charter Effective. The council shall by ordinance, resolution, or other appropriate action make such regulations as may be necessary to carry out and make effective the provisions of this charter.

Section 12.13 A Newsletter. A newsletter shall be published by the city at regular intervals at least six times each year. The postal role for the city shall be used for the distribution.

Section 12.14 This charter becomes effective thirty days after adoption.

- Section 12.2 & 12.4 amended by Ordinance #00-12 – effective January 24, 2001

Ramsey City Charter Adopted by Special Election – May 22, 1984

CHAPTER 13 POLICE DEPARTMENT

Section 13.1 Department Created. The existing police department for the city shall forthwith be established as permanent and shall consist of a chief of police, and such other officers and members as may be provided for by the council.

Section 13.2 Appointments. The chief of police shall be appointed by the council. All other appointments to or promotions within the department shall be made as provided by law.

Section 13.3 Rank. The chief of police shall be the head of the department and have supervision over all officers and members thereof.

Section 13.4 Duties of Chief. The chief of police shall keep such records and make such reports concerning the activities of his/her department as may be required by statute or by the city council. The chief shall be responsible for the performance by the police department of its functions, and all persons who are members of the police department shall serve subject to the orders of the chief of police.

Section 13.5 Duties. It shall be the duty of the officers of the police department to see to the enforcement of all of the ordinances of the city and all statutes applicable therein, and to preserve order and prevent infractions of the law and arrest violators thereof.

Section 13.6 Conduct of Members. It shall be the duty of every member and officer of the police department to conduct himself or herself in a proper and law-abiding manner at all times. Each member and officer of the department shall obey the orders and directions of his/her superior.

Section 13.7 Rules and Regulations. The chief of the police department may make or prescribe such rules and regulations as he/she shall deem advisable, such rules, when approved by the council, shall be binding on such officers and members. Such rules and regulations may cover, besides the conduct of the officers and members, uniforms and equipment to be worn or carried, hours of service, vacation, and all other similar matters necessary or desirable for the efficiency of the department.

Section 13.8 Equal Opportunity. In making appointments to the police department, no person shall be deprived of an opportunity to serve on the police department because of race, religion, skin color, national origin or sex. No arbitrary rules on height, weight, or achievement of strength unrelated to job needs shall be imposed. No handicapped person shall be denied, merely by virtue of being handicapped, appointment to a position on the police department which the handicapped person is competent to fill.

- Chapter 13 added by Ordinance #88-21 - effective December 13, 1988

CHAPTER 14
METROPOLITAN URBAN SERVICE AREA

- **Chapter 14 added by Special Election, August 15, 1995 – effective September 15, 1995**
- **Section 14.2 added by Special Election, September 22, 1997 – effective October 22, 1997**
- **Chapter 14 deleted by General Election, November 5, 2002 – effective December 5, 2002**

CHAPTER 15
ADOPTION OF COMPREHENSIVE MUNICIPAL PLAN

Section 15.1 Comprehensive Plan. Minnesota Statutes, Chapter 462 requires that the City prepare and adopt a comprehensive municipal plan which plan is defined as a compilation of policy statements, goals, standards and maps for guiding the physical, social and economic development, both private and public, of the municipality and its environs. The comprehensive plan represents the City's planning agency's recommendations for the future development of the City.

15.1.1 Adoption of Comprehensive Plan. The City Council may by resolution by a majority vote of all its members adopt and amend the comprehensive plan or portion thereof as the official municipal plan upon such notice and hearing as may be prescribed by ordinance.

- Chapter 15 added by Special Election, November 6, 2001 – effective December 6, 2001

CC Work Session

3. 1.

Meeting Date: 03/22/2022

By: Katie Schmidt, Administrative Services

Information

Title:

Review Future Topics/Calendar

Purpose/Background:

Attached is the current list of future topics for work session discussion. Items are drawn from Council requests at meetings, or are related to topics that have been identified in the City's strategic plan. Tentative dates have been assigned.

Recommendation:

N/A

Outcome/Action:

For Council review - no formal action necessary.

Attachments

Future Topics List

Form Review

Inbox

Colleen Lasher

Kurt Ulrich

Form Started By: Katie Schmidt

Final Approval Date: 03/17/2022

Reviewed By

Colleen Lasher

Kurt Ulrich

Date

03/17/2022 01:32 PM

03/17/2022 04:03 PM

Started On: 03/15/2022 08:51 AM

	<u>Tentative City Council Future Work Session Topics</u>	
Proposed Date	Topic	Minutes (Estimate)
2022		
April	Rental Property Ordinance	15
April	Review Highway 10 Design Elements	20
April	Assign an Interim City Administrator	10
April 26	Review Highway 10 Interchange Design Elements	TBD
April/May	Update City Social Media Policy	30-45
April/May	Q1 Communications Update - Thorstad	10
May	Draft Trail Maintenance Policy – Westby/Riemer	30
May	Recycling Report (trends, costs, programs)	10
May	Review Draft Stormwater Pond Maintenance Policy – Westby/Riemer	30
TBD	Consider Limiting the Length of Council Meetings-	10
TBD	Review Charter Commission Recommendations on Election Section - Lasher	
TBD	Discuss Ordinance Governing Commission Member Appointment Process	
TBD	Discuss Council and B/C Remote Meetings Policy - Lasher	15
TBD	Consider Veterans’ Housing Project-Ulrich	TBD
TBD	Review Street maintenance Scheduling and Rating System (Bruce/Grant) -	TBD
TBD	Review Ordinance Requirements for Trash and Recycling Container Screening - TBD	TBD
TBD	LIADC Park Flag Project Review (Kurt)	TBD
TBD	Conclude Discussions Regarding Updating the Employee Telecommuting Policy Lasher	20
TBD	Review procedure/policy/best practice for introduction of resolutions/proclamations – Ulrich	20
TBD	Discuss the General Topic of Holding Joint Meeting(s) with the Council and Commissions & Other Cities. Based on discussion, future work sessions - TBD.	20
TBD	Discuss Historic Town Hall – Ulrich	30
TBD	City Branding Presentation - Ulrich	40
TBD	Park System Plan – Riemer/Riverblood	60