

**CITY OF CASCADE, IOWA
CITY COUNCIL MEETING AGENDA & PUBLIC NOTICE
Monday, August 26, 2024, 6:00 P.M
CITY HALL, 320 1ST AVE WEST**

NOTICE: Notice is hereby given that the Cascade City Council will hold a meeting at 6:00 P.M on Monday, August 26, 2024, at City Hall. Any visually or hearing-impaired person with special accessibility needs should contact the City Clerk at 563-852-3114.

Meeting,s are live streamed at www.cityofcascade.org and Facebook Live

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approve Agenda**
- 5. Public Comment (Limit 3 minutes per person-Agenda Items and Local Government Issues)**
- 6. Consent Agenda - Review and approve the following:**
 - 1. Minutes: City Council 8/12/24 and 8/19/24**
 - 2. August 26, 2024 Claims**
- 7. Resignation of City Administrator Lisa Kotter**
- 8. Open Public Hearing Fence Regulations Ordinance**
- 9. Close Public Hearing**
- 10. Consideration of Ordinance #19-24 Fences Heights, Fence Post and Location from Lot Line (First Reading)**
- 11. Consideration of Resolution #76-24 Purchase of Camera System -City Hall, EMS Center and Parks**
- 12. Consideration of Ordinance #20-24 Correction of Election Terms of Office (First Reading)**
- 13. Consideration of Resolution #79-24 Board of Adjustment Appointment**
- 14. Consideration of Resolution #81-24 to Set a Public Hearing on Vacation of Right of Way- Buchanan Street SW between 5th Avenue and Riverview Drive**
- 15. Consideration of Resolution #82-24 City Hall Gym Wall Padding Purchase (\$18,015 total, Cascade Youth Basketball \$15,015,'City donating \$3,000)**
- 16. Consideration of Resolution #84-24 Approval to Hire Weber Surveying-Langworthy Street Plat (\$1,200)**
- 17. Consideration of Resolution #83-24 Encroachment of Fence on DeLong St ROW Between Thomas and Washington Streets**
- 18. Consideration of Resolution #86-24 Road Improvements to 2nd Avenue -Pierce to Buchanan Streets**
- 19. Consideration of Resolution #85-24 Resolution to Approve New Personnel Policy Handbook**
- 20. Reports - Police Chief, Library Furniture and City Administrator**
- 21. Public Comment (Limit 3 Minutes per person-only items on this agenda)**
- 22. Adjournment**

August 12, 2024
City Council Meeting Minutes

The August 12, 2024 Regular City Council meeting was called to order at 6:00PM by Mayor Steve Knepper. The Pledge of Allegiance was recited. Delaney, Gehl, Hosch and Oliphant answered roll call.

Motion Gehl, second Hosch to approve the agenda. Four Ayes. Motion carried.

Multiple individuals spoke during public comment on various topics and concerns.

Motion Delaney, second Gehl to approve the consent agenda items: City Council Minutes 7/22/24, Park Board 7/1/24 and 8/5/24; August 12, 2024 Claims and July 2024 Financial Reports; and Liquor License Annual Renewal Casey's General Store. Four Ayes. Motion carried.

Presentation given by potential City Council candidates for vacant seat.

Motion Delaney, second Gehl to approve Resolution #77-24 Appointment of City Council Member (Mark Weber-vacant term until 12-31-25). Roll Call vote. Four Ayes. Motion carried.

City Clerk Goerdts swore in Mark Weber as new Council Member and Weber to Begin the New Term.

Table consideration of Resolution #76-24 Purchase of Camera System-City Hall, EMS Center and Parks until next Council Meeting.

Motion Oliphant, second Gehl to approve Ordinance #16-24 Noise Ordinance (Final Reading). Roll Call vote. Five Ayes. Motion carried.

Motion Oliphant, second Delaney to approve Ordinance #17-24 Noise Nuisance (Final Reading). Roll Call vote. Five Ayes. Motion carried.

Motion Delaney, second Gehl to approve Resolution #78-24 Social Service Agreement- Cascade Area Chamber of Commerce. Roll Call vote. Five Ayes. Motion carried.

Discussion regarding City Council Term of Office Ordinance.

Updates given on Oak Hill Storm Sewer and Well #6 Motor and Pump.

No action on Resolution #79-24 Board of Adjustment Appointment.

Consideration given to proceed to Accept Additional Oak Hill Park Land for Pickleball Courts. Park Board recommended accepting ground. Consensus given by all five council members for acceptance.

Motion Delaney, second Oliphant to approved Resolution #80-24 Approval to Hire Camera Evaluation of Oak Hill Storm Sewer. Roll Call vote. Three ayes, two nays (Weber, Gehl). Motion carried.

Update given on proposed Ordinance for 8ft Fence Height in C-1, M-1 and M-2 Districts.

Discussion regarding vacation on Buchanan Street SW Right of Way between 5th Avenue and Riverview Drive and Langworthy and Thomas Streets.

City Hall will be closed on Friday August 16th.

Reports were given by Police Chief Heim, and Heim thanked Fire Department for the assistance that was given for the Circus.

Multiple individuals spoke during public comment.

Motion Gehl, second Delaney to Adjourn into Closed Session 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session - City Administrator. Roll Call.vote. Five Ayes. Motion carried.

Closed Session was held.

Motion Gehl, second Delaney to Reconvene back into Open Session for possible action. Roll Call vote. Five Ayes. Motion carried.

No action taken after Closed Session.

Motion Hosch, second Weber to adjourn at 9:22 pm. All Ayes. Motion carried.

Kathy Goerd, City Clerk

Steven J. Knepper, Mayor

August 19, 2024
Special City Council Meeting Minutes

The August 19, 2024 Special City Council meeting was called to order at 5:30PM by Mayor Steve Knepper. The Pledge of Allegiance was recited. Oliphant, Delaney, Weber, Hosch, and Gehl answered roll call.

Motion Delaney, second Gehl to approve the agenda. All Ayes. Motion carried.

Motion Oliphant, second Delaney to adjourn into Closed Session pursuant to 21.5 (1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. No Action will be taken related to closed session. (City Administrator) Roll Call vote. All Ayes. Motion carried.

Motion Delaney, second Gehl to return to closed session. All Ayes. Motion carried.

Motion Oliphant, second Delaney to direct the Administrator to advertise for the full-time City Clerk position, for the Mayor to speak to Clerk Goerdts about her intentions on continuing to work part-time until a replacement is found and once we have that answer to potentially find an interim Clerk to complete essential tasks like payables, banking and payroll. All ayes, motion carried.

Motion Hosch, second Gehl adjourn at 6:06 PM. All Ayes. Motion carried.

Lisa A. Kotter
City Administrator

Steve Knepper
Mayor

Lisa A. Kotter
717 3rd Avenue NW
Cascade IA 52033
(563) 320-1206
[**lisaakotter@gmail.com**](mailto:lisaakotter@gmail.com)

August 21, 2024

Mayor Knepper
Councilmembers Oliphant, Delaney, Hosch, Gehl and Weber
City of Cascade
320 1st Avenue West
Cascade, Iowa 52033

This letter is to inform you that I am resigning from my position as the Cascade City Administrator effective September 11, 2024 in order to take another position. I appreciate the opportunity to serve the community for the past 2.5 years. Together, we have accomplished a great deal during my time as Administrator and I am proud of the work that has been completed. From my perspective, the new Cascade Public Library project will always be at the top of my list. As I have reflected on my time here, I have included a list of the positive and impactful work that has been done. I wish Cascade the best future.

Sincerely,



Lisa A. Kotter
City Administrator

Cascade Accomplishments

March 2022 to August 2024

Grants-Received

\$1 M Dubuque County
\$460K CAT Grant
\$60K Carver Grant
\$50K Jones County
\$1 OK Jones County Foundation
\$2275 Jackson County Foundation
\$25K RCTP 2nd Avenue
\$16,900 ORA Ambulance Study
\$1 OK Daycare Grant
\$800 Aureon Pool iPad
\$11 OK Funding Toward Hwy 136
\$85K Funding for Hwy 136 Sidewalks
\$2K McDonough Foundation 2023
\$20K McDonough Foundation 2024
\$4K Historical Society for New Computer, and Display Cases
\$1 OK Historical Society- New Windows
\$3,260 Food Pantry- New Shelving and Exterior Sign

Total \$1,869,235

Grants Applied -Not Received

Dog Park
Riverbend Sidewalk
Thiesen's Grant
ORA 2024- Planning for Downtown Buildings

Ordinances

Water and Sewer Connections (after discovering we were not charging fee according to ord)
EMS Service Fees x 2
Building Inspection Fees and Allow ECIA
4 Re-zoning
Vacant Buildings
Nuisances
Garbage Hauler
Burning Ordinance
Committee Meeting Times
Plastic Lines Water, Tracer Wire
Rezoning of 30 Lots in Parkridge Subdivision that were Ag
Vicious Animal and Animal Limits
Tree Removal on Private Property
Zoning Code Changes

Garage Sales
Street Naming
Permit Fees Fences, Concrete and Signs
Storm Water Discharge Distance from Curb
Snow Emergency and Sidewalks
Correct 2016 Sewer Rates that didn't make the record
Parking Fees
Parking on Tyler Street and Lincoln Street
Solar Systems
Collection of Utility Fees if Errors Made
Water and Sewer Replacement
Lead Service Lines
Noise Ordinance
Front Setbacks-Porches

Public Works

Storm Sewer Claddagh Court Quotes
3rd Avenue Quotes
Selling Surplus
Properly Declaring Surplus
Sweeper
Buying IDOT Land by Sale Barn
Storm Sewer Miscellaneous
NE Corner Bridge Improvements
5 year Extension Republic Contract
Take Ownership of Langworthy Court
Get City Compliance with RISE Grant or we pay \$1 00K
2nd Avenue Street Project and pool parking area
Two Free Speed Indicator Machines Hwy 136
Improve Coordination on Snow Emergency with Pub Works and Police
Sidewalk Shoveling
City Hall Garage Demolition
Hwy 136-Work w MSA on final bid docs, get IDOT approval, obtain 12 easements, hold public hearing, weekly newsletter idea, get funding for sidewalks and storm sewer, got IDOT to pay for Riverview Road dust control, Storm Sewer Oak Hill

Parks, Recreation, Pool, Cultural

Implement Pool Staff Interviews
Pool Slide Curvy Steps Changed
Tree Removal Policy and 75 dead trees removed
New Playground at Oak Hill
New Dog Park
Construction of Riverview Park Gazebo
15 New Park Benches
Paint City Park Pavilion and New Bathrooms Door Frames
Practice Ballfield at the Levee, Application to DNR and Corp

Working with Baseball Group New Fields
New Pavilion Rental Fees
Tree Donation Program
Pickleball Group Assistance - Working toward 4 new courts
5 Pool Bashes

Library

Debt Explanation
Grants
3 Phases of Design
2 Bid Phases
Fund raising Committee Support
Purchase 3 Properties
Asbestos Removal Contract
Demolition Contract
Friends of the Library Revamp Assistance
Work with Board on Melissa Personnel Items
Owner Rep during construction

Debt

\$200K Dubuque County Loan 1%
\$250K CIPCO Loan 3%
\$1.3M GO Bonds Hwy 136 and Library

Miscellaneous

Compliance with Service Agreements - Non Profits
Using ECIA for Building Inspections
Proper IT Service Agreement with Delaney
Hometown Days Committee Member 22 and 23
Scavenger Hunt
Road Closure form/Event Approval Process
Yellow Event Fencing
American Legal Online Ordinances
Personnel Policy Changes-Vacation, Holiday, Wages, Water Sewer Cert Increments, Uniforms
New Carpet at City Hall
Bill McCarthy Tree Volunteer Award
Public Comment Policy
Work with two Eagle Scouts
Correct Liquor License Approval with Outdoor Events -Were Not Being Done Legally
Dub Co Local Haz Mitigation Plan
Conflict of Interest Policy
Hosted Univ of Dub Pastor Students
Food Pantry Transition, Assist St M pantry
Attend all Park, PZ, Board of Adjust meetings
Working to Correct Election Cycle Council Terms of Office
Extension to Republic Garbage and Recycling

Economic Development

Joint Position with Chamber

Urban Renewal Agreements with Cascade Lumber, Eastern Iowa, Randy Vaske, Nick Callahan,
Iowa Main Street Investment, Rob Knepper, Hwy 136, Library, ROSO,

Parkview Street Single Family Homes

IEDA Downtown Assessment

Vacant Buildings

Mural Contest and Swag

New Banners and Billboards

Partially Fund Salaries with TIF

Applied for KCRG Our Town - Helped Coordinate Visits, Commercials, Sponsors

Attend all CEDC Meetings

Discovered and help correct TIF Blight Status which saves loss of Millions of TIF Funds

Fire Department

Fire Truck Purchase

28E Agreement Jones County Mutual Aid

Mileage Reimbursement for Volunteers

EMS

DRA Grant Funded Study

Implement of Pay Plans

Director Succession Plan

New EMS Building

Assist with Personnel Items

Mileage Reimbursement for Volunteers

Financial

Add G-works Modules Receipt Management and Billing and Licensing

Procurement Policy

Commercial Garbage Back Billing

Code All Bills

2 Annual Budgets

2 Annual Budget Amendments



August 26, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: 8ft fence Proposed Ordinance

This agenda requires a public hearing before the Council. Planning and Zoning held their hearing August 15.

The City currently allows a maximum height of 6 feet for all fences in any zoning district. However, somehow either 8 ft fence permits were improperly issued, or no permits were acquired at all. We have several 8 ft fences in more Industrial districts. It seems reasonable that due to the nature of the work being done in Industrial areas, that we consider allowing an 8ft fence instead of a maximum of 6ft. This 8 ft fence is being proposed only for M-1, M-2 and C-2.

The Planning and Zoning Commission, as required, held a public hearing on the proposed ordinance. No one attended in favor or opposition. The Commission is recommending to proceed with the 8-foot change. In addition, they added a few extra stipulations for Council consideration. The first is to have fences located at least 2 feet away from the property line to allow for maintenance without trespassing. The second that if there are fence posts on one side of the fence, that the post, or what some consider the ugly side, it must face the fence owners' side, not the neighbors. Finally, they want to encourage that any business constructing a fence that is adjacent to a residential property, use a fence material that provides shading into the commercial space. This would not be required but encouraged. I have drafted an ordinance that is in the packet. I have listed this as a first reading. I would also recommend that the next meeting we consider a second and third reading so as to get this completed prior to my departure.

The draft ordinance is included in the packet.

ORDINANCE NO. 19-24

AN ORDINANCE AMENDING TITLE IV, CHAPTER 165 (ZONING) OF THE CODE OF ORDINANCES OF THE CITY OF CASCADE, IOWA

WHEREAS, the City Council of the City of Cascade, Iowa, has determined it is necessary to amend Title IV, Chapter 165 (Zoning) of the Code of Ordinances of the City of Cascade, Iowa ("City Code"), to establish different fence height restrictions for various special exceptions for certain encroaching porch additions.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASCADE, IOWA as follows:

SECTION 1. CITY CODE §165.12(12). City Code § 165.12 (12) is hereby added as follows:

12. Hedges And Fences. In any residential district (R-1, R-2, R-3, and R-4 or General Retail (C-2)), Fences or hedges shall not exceed four (4) feet in height in any required front yard and shall not exceed six (6) feet in height in any required side or rear yard, subject to the further restriction of Section 165.12(1).

In any Manufacturing district or Highway Commercial district (M-1 and M-2 and C-1), fences or hedges shall not exceed eight (8) feet in height, subject to the further restriction of Section 165.12(1).

All fences must be erected at least 2 feet back behind the private property line so as to allow for the proper maintenance of the fence on both sides without trespassing.

All fence posts, if on one side, must face the fence owners side, not the neighboring property.

The City encourages shaded fencing when a business or manufacturing facility abuts a neighboring residential facility.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This ordinance shall be effective after its passage and publication as required by law.

PASSED AND APPROVED this 9th day of September, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

First Reading:

Second Reading:

Third Reading:

Publication:

Sent to American Legal:



August 26, 2024 Agenda

To: City Council, Mayor and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: Camera System

Mike has now received four proposals as of packet time. While the cameras in all cases are the same, there are two different operating systems. The company Mike is recommending is ComElec for the cameras to go in the four locations for City Hall, Riverview Park, City Park and the EMS Center. The total is as follows

Riverview Park \$5725
City Park \$7893
City Hall \$6575
EMS \$5245
Total \$25,438

Within the amount above is \$1,859 for annual lising fees. That amount or something similar, subject to increases, will be paid each year. The balance of \$23,438 is a one time fee for the cameras purchased for these locations.

A resolution is prepared for approval if the Council wants to make a decision at this meeting. The ComElec bid is included.

RESOLUTION #76-24

A RESOLUTION APPROVING THE PURCHASE OF A SECURITY CAMERA SYSTEM AND EQUIPMENT FOR CITY HALL, CITY PARK, RIVERVIEW PARK AND THE EMS CENTER

WHEREAS, City Council has been reviewing the idea of placing cameras in certain City properties for added security; and,

WHEREAS, Council Member and the City's IT Consultant Mike Delaney has spent the last few months volunteering his time to research various cameras and is recommending the proposal from ComElec, (see Exhibit A); and,

WHEREAS, the City has budgeted funds in the FY25 budget to purchase this equipment; and,

WHEREAS, Cascade Communication is partnering with the City to install the necessary internet connections at the two parks to assure the appropriate infrastructure for this system; and,

WHEREAS, the recommendation is to install the first phase of cameras in City Hall, Riverview Park and the City Park.

WHEREAS, the Park Board has reviewed the proposals and concurs with the recommendation.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cascade, Iowa, approves the purchase of the ComElec Services Camera System for the City Hall, City Park, Riverview Park and the EMS Center in the amount of \$23,579 (one-time purchase) and an annual licensing fee of \$1,859 from Fiscal Year 2025 funds. (The annual licensing fees are subject to change each year.)

PASSED, APPROVED AND ADOPTED this 26th day of August, 2024.

Steven Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk



4190 Pennsylvania Ave. Dubuque, IA 52002
 Motorola Tw Way Radio
 CCTV - Card Access - Sound Systems
 Wireless Links - Internet
 563-556-6526

City of Cascade
 Delaney's PC & Mac

Quote# S074-2024
 Date: 07/25/2024

New City Park

Item	QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL
1	3		5MP Multi-Sensor	\$ 1,886.00	\$ 5,658.00
2	3		Pendant Mount Adapter	\$ 158.00	\$ 474.00
3	3		Dome Cover/Smoke or Clear	\$ 158.00	\$ 474.00
4	3		Wall Mount	\$ 96.00	\$ 288.00
5					
6					
7					
8					
9					
10					
11					
12					
13	3		1 Year Licensinc	\$ 143.00	\$ 429.00
14					
15					
16					
17					
18					
19					
20					
21			Install Cameras at New City Park Location.	\$ 570.00	
22					
23					
24					
25					
26					
27					
28					
29					
30					

50% Down on all Orders

Wire amGunt is an estimate only, will be billed accordingly

We will be happy to supply any further information you may need and trust that you call on us to fill your order, which will receive our prompt and careful attention.

Prepared by: Jeff Swift

Accepted by: _____

Total Equipment Cost	\$ 7,323.00
Installation & Labor	\$ 570.00
Subtotal	\$ 7,893.00
Sales Tax	
Total Purchase	\$ 7,893.00
Less Down Payment	
Amount Due	



4190 Pennsylvania Ave. Dubuque, IA 52002
 Motorola Two-Way Radio
 CCTV - Card Access - Sound Systems
 Wireless Links - Internet
 563-556-6526

City of Cascade
 Delaney's PC & Mac

Quote# S073-2024
 Date: 07/25/2024

Riverside Pa

ITEM	QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL
1	1		5MP 360 Multi-Sensor		\$ 2,247.00
2			Pendant Mount Adapter		\$ 158.00
3			Dome Cover/Smoke or Clear		\$ 158.00
4			Wall Mount		\$ 96.00
5			Pole Mount		\$ 92.00
6					
7	1		5MP 180 Multi-Sensor		\$ 1,886.00
8			Pendant Mount Adapter		\$ 158.00
9			Dome Cover/Smoke or Clear		\$ 158.00
10			Wall Mount		\$ 96.00
11					
12					
13	2		1 Year Licensing	\$ 143.00	\$ 286.00
14					
15					
16					
17					
18					
19					
20					
21			Install Cameras at Riverside Park Location.	\$ 390.00	
22			One on Light Pole in Park		
23			One on Building to the South of Park.		
24					
25					
26					
27					
28					
29					
30					

50% Down on all Orders

Wire amount is an estimate only, will be billIM accordingly

We will be happy to supply any further information you may need and trust that you call on us to fill your order, which will receive our prompt and careful attention.

Prepared by: Jeff Swift

Accepted by: _____

Total Equipment Cost	\$ 5,335.00
Installation & Labor	\$ 390.00
Subtotal	\$ 5,725.00
Sales Tax	
Total Purchase	\$ 5,725.00
Less Down Payment	
Amount Due	



4190 Pennsylvania Ave. Dubuque, IA 52002
 Motorola Two-Way Radio
 CCTV - Card Access - Sound Systems
 Wireless Links - Internet
 563-556-6526

City of Cascade
 Delaney's PC & Mac

Quote # S076-2024
 Date: 07/25/2024

EMS Building)

LINE	QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL
1	1		5MP 180 Multi-Sensor	\$ 1,886.00	\$ 1,886.00
2	1		Pendant Mount Adaoter	\$ 158.00	\$ 158.00
3	1		Dome Cover/Smoke or Clear	\$ 158.00	\$ 158.00
4	1		Wall Mount	\$ 96.00	\$ 96.00
5					
6					
7	2		5MP H6SL Dome	\$ 950.00	\$ 1,900.00
8	2		NPT Adapter	\$ 35.00	\$ 70.00
9	2		Pendant Walll Mount	\$ 84.00	\$ 168.00
10					
11					
12					
13					
14					
15					
16					
17					
18	3		1 Year Licensing	\$ 143.00	\$ 429.00
19					
20					
21			Install Cameras at Citykiall Location	\$ 380.00	
22					
23					
24					
25					
26					
27					
28					
29					
30					

50% Down on all Orders

Wire amount is an estimate only, will be billed accordingly

We will be happy to supply any further information you may need and trust that you call on us to fill your order, which will receive our prompt and careful attention.

Prepared by: Jeff Swift

Accepted by: _____

Total Equipment Cost	\$ 4,865.00
Installation & Labor	\$ 380.00
Subtotal	\$ 5,245.00
Sales Tax	
Total Purchase	\$ 5,245.00
Less Down Payment	
Amount Due	



4190 Pennsylvania Ave. Dubuque, IA 52002
 Motorola Tw Way Radio
 CCTV - Card Access - Sound Systems
 Wireless Links - Internet
 563-556-6526

City of Cascade
 Delaney's PC & Mac

Quote# S075-2024
 Date: 07/25/2024

City Hall

ITEM	QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL
1	1		5MP 180 Multi-Sensor	\$ 1,886.00	\$ 1,886.00
2	1		Pendant Mount Adapter	\$ 158.00	\$ 158.00
3	1		Dome Cover/Smoke or Clear	\$ 158.00	\$ 158.00
4	1		Wall Mount	\$ 96.00	\$ 96.00
5					
6					
7	2		5MP H6SL Dome	\$ 950.00	\$ 1,900.00
8	2		NPT Adapter	\$ 35.00	\$ 70.00
9	2		Pendant Wall Mount	\$ 84.00	\$ 168.00
10					
11	2		5MP Comoact Dome	\$ 422.00	\$ 844.00
12					
13					
14					
15					
16					
17					
18	5		1 Year Licensing	\$ 143.00	\$ 715.00
19					
20					
21			Install Cameras at Citv Hall Location	\$ 580.00	
22					
23					
24					
25					
26					
27					
28					
29					
30					

50% Down on all Orders

Wire amount is an estimate only. will be billed accordingly

We will be happy to supply any further information you may need and trust that you call on us to fill your order, which will receive our prompt and careful attention.

Prepared by: Jeff Swift

Accepted by: _____

Total Equipment Cost	\$ 5,995.00
Installation & Labor	\$ 580.00
Subtotal	\$ 6,575.00
Sales Tax	
Total Purchase	\$ 6,575.00
Less Down Payment	
Amount Due	



August 26, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: City Council Terms of Office

Good news to share.

After a number of meetings with our City Attorney and Dubuque County Auditor office staff we have determined that the change made in the code book was not legal according to state law. This was determined by the Secretary of State's office. There are cities called home charter cities that could have made the change the way we did. However, we are not a home charter City. Very few cities are, one close to us is Clinton.

Therefore, since we are not a home charter City, the Council did not have the authority to change the terms of office from 4 to 2 years without a vote of the people in 2021 and 2022. That means that even though we changed the code, the change was not legal. The terms must then stay four years for the five people in office now because legally or technically the four years never really changed. However, since we technically have a code book that says 2 years, we must still adopt a new ordinance to get the book itself changed. Our City Attorney Pat O'Connell has drafted the new code for consideration. I have listed this as a first reading on the agenda. I would suggest you consider adopting both the second and third readings at the September 9 meeting so this can be resolved prior to my departure.

In conclusion, the terms of office for the five current council members are for four years and so Megan, Mike and Mark will be up in November 2025. Bill and Chad will be up in November 27.

The draft ordinance is in the packet.

ORDINANCE NO. 20-24

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CASCADE, IOWA, TO CORRECT ERROR AND REVERTING THE TERM OF COUNCIL MEMBERS FROM TWO TO FOUR YEARS

Whereas, in the City's recodification of January 24, 2022, City Code Chapter 2-1-4 was changed, without the specific notice of the City Council, to reflect two-year terms for Council, instead of the long-standing four-year terms; and

Whereas, Iowa Code Section 376.2 (2) plainly requires that said changes to the term of Council Members must be changed "by petition and election"; and

Whereas, said recodification change to Chapter 2-1-4 was void and ineffective as a matter of law, due to the absence of a petition and election on the issue; and

Whereas, the City Council is obligated by law to correct the wording of the Code to reflect the original, pre-codification language of Chapter 2-1-4;

SECTION I

THEREFORE, BE IT ENACTED that Chapter 2-1-4 of the Code of is amended as follows:

~~2-1-4~~ ~~NUMBER OF TERM OF CITY COUNCIL.~~ ~~The City Council consists of five City Council members elected at large, elected for terms of two years.~~

2-1-4 NUMBER OF TERM OF CITY COUNCIL. The City Council consists of five City Council members elected at large for overlapping terms of four (4) years.

SECTION II

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

SECTION III

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION IV

This ordinance shall be effective after its passage and publication as required by law.

PASSED AND APPROVED this 26th day of August, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdt, City Clerk



August 26, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: Board of Adjustment

The City has now advertised the vacancy and received a new letter of interest from Erik Honda. His letter is in the packet. I was preparing the resolution for Erik to be appointed. However, the Mayor said that Phil Lehman said something to him about still being interested. I have not heard that directly.

I have left the resolution blank. This term goes until 2028. I have also included the ordinance that the appointment for this Board is that of the Council. This is not one of the appointments listed that the recommendation comes from the Mayor.

Not knowing anything about Phil until today, I did speak to Erik as we are having upcoming training on October 29 for all members of the Board of Adjustment and Planning and Zoning Commission. Erik is available for that opportunity.

The resolution is in the packet with no name included.

RESOLUTION #79-24

**RESOLUTION APPROVING A BOARD OF ADJUSTMENT APPOINTMENT TO FILL
A VACANT TERM THROUGH JUNE 30, 2028 IN THE CITY OF CASCADE, IA**

WHEREAS, Chapter 165.30 of the Zoning Code of the City of Cascade grants authority to the City Council to appoint members of the Board of Adjustment; and,

WHEREAS, the Board of Adjustment has a vacancy for a term, effective immediately and expiring June 30, 2028; and,

WHEREAS, there are interested person(s) that have submitted a letter to be appointed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF CASCADE, IOWA, that _____ is appointed to fill the vacant term from August 26,
2024 until June 30, 2028 for the Board of Adjustment.

PASSED, APPROVED AND ADOPTED this 26th day of August, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerd, City Clerk

Erik Honda
316 2nd ave SW
Cascade IA 52033
erikhonda149@hotmail.com
563-581-4837

Dear Members of the City Council,

I am writing to express my interest for the opportunity to be considered to serve on the Board of Adjustment. After reviewing the City of Cascade ordinances that outline the Board of Adjustment, I am excited about the opportunity to contribute to our city's growth and development through this role. If appointed to the board, I am committed to further educating myself on zoning and variances so I can provide a community driven critical view on these issues. Thank you for considering my appointment. I am excited to begin this journey and contribute positively to our shared vision for the future of our city.

Sincerely,

Erik Honda

165.30 Board Of Adjustment Created. A Board of Adjustment is hereby established. The Board shall consist of five (5) members to be appointed by the City Council for a term of five (5) years except that when the Board shall first be created one member shall be appointed for a term of five (5) years, one for a term of four (4) years, one for a term of three (3) years, one for a term of two (2) years, and one for a term of one (1) year. Members of the Board of Adjustment may be removed from office by the City Council for cause upon written charges and after public hearing. Vacancies shall be filled by the City Council for the unexpired term of the member. Two (2) additional members shall be appointed by the Jones County Board of Supervisors from that area of jurisdiction in Jones County, terms of office not to expire in the same year.



August 26, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: Vacating Right of Way

Update: At this meeting it is for Council to consider adopting a Resolution that sets the public hearing date to go over the vacation of the right of way on Buchanan Street SW. The draft resolution sets the public hearing for the next meeting on September 9. The notice would be published is approved by the Council.

I have again reviewed the City policy on the cost to vacate the right of way. I think this is somewhat different due to it not being true roadway space. However, it would be recommended to not sell this land for little to nothing. If we calculate the cost of the land as your previous policy states, the sale should be between \$4,000 and \$8000 for Aschtgen and \$5000 for Cannon. Due to it being their front yard not the right of way passing area, my recommendation is \$1,500 for Aschtgen and \$2,000 for Cannon. The first is lower because of her paying taxes. Cannon's were not paying taxes. This is not the meeting to decide the price in final form, but the resolution does have to state a recommended price. Resolution #43-21 is included which adopted current policy.

Background from August 12

It has to come my attention that the front yard (39') of 505 Buchanan St SW was given to the City after many decades of being owned for the State to facilitate a future expansion. At the time the front yard land was IDOT land, it was intended that someday the highway 136 could expand and this was the old Hwy 136. Once 136 got located to where it is now, the IDOT staff decided it no longer was needed and it was given back to the City. We are being asked to give the 39 feet back. If the Council agrees to this, the City has a number of steps to take prior to vacating land. I would appreciate direction on this issue. We also found out in doing this research, the across the street house at the corner of Buchanan St and 5th Avenue, it is also still listed as public land when it may be time to consider selling it back to the abutting property owner. See the map.

The second issue is some of the right of way surrounding Delaney Auto and Ag. I think it may be in our best interest as we are trying to work with him on getting the area cleaned up to vacate some of the roadways around him. This would allow more of the area to be fenced in. If approved the plan is for an 8 ft fence as well. If the Council agrees to this, the City has a number of steps to take prior to vacating land. I would appreciate direction on this issue. See the map.

I am looking for input prior to beginning the process.

RESOLUTION #81-24

RESOLUTION SETTING A PUBLIC HEARING ON PROPOSED VACATION AND PROPOSED DISPOSITION OF A PORTION OF BUCHANAN STREET SW

WHEREAS, it is believed the portion of Buchanan Street SW adjacent to 500 and 505 Buchanan Street SW is no longer needed for public use, and vacation of the right-of-way will not deny owners of property abutting the right-of-way reasonable access to their properties; and

WHEREAS, the above-described public rights-of-way are two platted pieces of land that the City received many decades ago from the Iowa Department of Transportation when it was decided that Highway 136 would be relocated from the current Buchanan Street SW to a place more west of Buchanan Street SW, hereinafter referred to the "Buchanan Street SW;" and

WHEREAS, the City Council for the City of Cascade, Iowa, has determined it may be in the best interest of the City and its residents to vacate what looks like the two front yards of the homes at 500 and 505 Buchanan Street SW as this extra wide right of way is no longer necessary to allow the traveling public to use the commonly used portion of the right of way and street; and

WHEREAS, in the event these two front yards of Buchanan Street SW are ultimately vacated, the City Council proposes disposing of the following described portions of Buchanan Street SW (which is a piece of the front yards of 500 and 505 Buchanan Street SW) by way of sale to the following purchasers, in exchange for the following respective consideration:

- (a) The front 39 feet of Lots 10, 15, 16 and 21 which are the front yard of Jones County Parcel ID 0406101004 described and delineated as Parcel X on the attached map attached hereto as "Exhibit A," to Dorothy Aschtgen for the sum of \$1,500. (This amount is lowered due to the fact that the County has been taxing the land as if it was owned by Ms. Aschtgen for decades.)
- (b) The Parcel ID 0301236006 which is 20 feet in front of the parcel owned by Douglas Cannon at 500 Buchanan Street SW described and delineated as Parcel Y on the attached map attached hereto as "Exhibit A," to Douglas Cannon, for the sum of \$2,000.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Cascade, Iowa, as follows:

SECTION 1: *Public Hearing:* City Council will hold a public hearing as part of its regular meeting at 6:00 P.M. the 9th day of September 2024, at City Hall, 320 p' Avenue West Cascade, Iowa, 52033 for purposes of obtaining public input on the proposed vacation and proposed disposition of the two front yards along 500 and 505 Buchanan Street SW.

SECTION 2: *Publication of Notice:* The City Clerk is directed to publish notice of said public hearing, which publication shall be not less than four (4) nor more than twenty (20) days prior to the date set for said public hearing pursuant to the requirements of Iowa Code Section 364.7.

SECTION 3: *When Effective.* This Resolution shall be effective upon its passage and approval as provided by law.

Passed this 26th day of August, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdt, City Clerk

CITY OF CASCADE

Buchanan Street SW Vacation of ROW



RESOLUTION #43-21

**RESOLUTION ADOPTING AND APPROVING PRICE POLICY TO PURCHASE
VACATED PROPERTY**

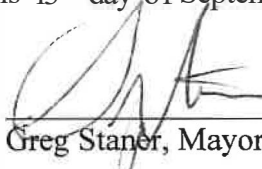
WHEREAS, it is in the normal business that occasionally streets/alleys are vacated and conveyed to abutting property owners; and,

WHEREAS, it is necessary to adopt a price policy for property owners wishing to purchase vacated streets/alleys.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cascade, Iowa, that the attached Price Policy to Purchase Vacated Property, is hereby approved and adopted.

BE IT FURTHER RESOLVED, by the City Council of the City of Cascade, Iowa, that the Price Policy to Purchase Vacated Property will be followed with any vacated property purchase.

PASSED, APPROVED AND ADOPTED this 13th day of September, 2021.



Greg Staner, Mayor

ATTEST:



Danielle Hartke City Clerk CMC, CFO

PRICE POLICY TO PURCHASE VACATED PROPERTY CITY OF CASCADE

The following policy is enacted in an effort to standardize the price at which vacated property will be conveyed to abutting property owners in the City of Cascade, Iowa. This will serve as a tool when communicating with property owners who may be interested in purchasing vacated alleys/streets the price by which the property will be sold. This policy is therefore a guideline when beginning the communication process with those property owners. This policy will also allow the selling price to be at the discretion of the City Council depending on extraordinary situations.

This policy has been adopted by the City Council by resolution. The Conveyance of Vacated Property Price Policy of the City of Cascade can be adjusted at any time by resolution of the City Council.

CONVEYANCE PRICE POLICY

The price that property owners will need to pay to purchase vacated property will be based on Assessed Land Value. Assessed Land Value will be determined by reviewing what the assessed land value is of the lots that are around the perimeter to the vacated streets/alleys are at the time of the conveyance. The lots being reviewed to determine the price will be of the same zoning as the lot being vacated. The per sq. ft. price of the assessed land value of each lot will be determined. Then an average price per sq. ft. for vacation and conveyance will then be determined and the total cost will be calculated. The final price per sq. ft. for the vacated street/alley is at the discretion of the City Council depending on the area. The property owner(s) will also be responsible for paying all the legal fees, including recording fees, associated with the conveyance of the alley/street.

Once a price per sq. ft. has been established, a purchase agreement between the abutting property owners who are interested in purchasing the vacated area and the City of Cascade will be drafted. Following the approval of the purchase agreement, a quit claim deed will then be drawn up. The quit claim deed will then be recorded with the appropriate County Recorder's office.

**NOTICE OF PUBLIC HEARING ON PROPOSED VACATION
AND PROPOSED DISPOSITION OF A PORTION OF BUCHANAN STREET SW**

NOTICE IS HEREBY GIVEN that on the 9th day of September 2024, at 6:00 p.m., the City Council of the City of Cascade, Iowa, will hold a public hearing at City Hall at 320 1st Avenue West, Cascade IA 52033, concerning the proposed vacation of City Right of Way in the two front yard lots of 500 and SOS Buchanan Street SW. At 505 it is the front or west 39 feet. At 500 it is the front or east 20 feet.

All interested persons will be heard at this time.

Lisa A. Kotter, City Administrator

Please Publish August 28, 2024



August 26, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: Gymnasium Wall Pads

The Cascade Youth Basketball League will soon be starting their seasons again. The Board wanted to add and replace the padding in the gym to make it safer. They were able to raise \$15,015 of the \$18,015 needed. The remaining \$3,000 is what they would request the City donate from the City Hall capital improvements account. The Mayor indicated to the group to come directly to City Council. This has not gone through a Committee for that reason. The account has \$20,000 in it for the year, which is all of City Hall building needs.

The padding is intended to be a dark blue for Cougar colors and have a personalized logo on it as well. The current pads are green, which will be replaced.

IN addition, they are asking the City to pay the full bill so it is tax exempt. The Board would give the City the donated funds. I have prepared a draft resolution to approve this is the Council is willing.

RESOLUTION #82-24

**A RESOLUTION APPROVING FUNDS FOR THE
CITY HALL GYMNASIUM WALL PADS IN THE CITY OF CASCADE**

Whereas, the City of Cascade owns a gymnasium that is connected to its City Hall building; and,

Whereas, the City of Cascade wants to participate with the Cascade Youth Basketball League to keep the gym space used by young people and adults as safe as possible; and,

Whereas, the Cascade Youth Basketball League has raised \$15,015 toward the total \$18,015 cost to replace the current and add additional navy blue, personalized wall pads to prevent anyone from hitting the wall when going after a ball; and,

Whereas, it is most economical for the City to pay for all of the pads, receive the donation and pay for the remaining amount, if the City Council approves the funds; and,

Whereas, the Cascade Youth Basketball League is requesting that the City allocate \$3,000 from its City Hall capital projects account for the purpose of contributing towards the wall pads.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASCADE, IOWA, that the City Council approves the allocation of \$18,015 for City Hall gymnasium wall pads, if the Cascade Youth Basketball League makes a donation to the City in the amount of \$15,015 from Sport Construction Midwest.

PASSED, APPROVED AND ADOPTED this 26th day of August, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk



SPORT CONSTRUCTION MIDWEST

Wall Pad Proposal #4

August 23, 2024

Customer: City of Cascade- 320 1st Ave W Cascade, IA 52033

WALL PADDING:

SEVENTY- THREE 2' wide x 5'4" tall Navy-Blue wall pads, FOURTEEN 2' wide x 5'4" logo pads with CASCADE COUGARS written across them, THREE 4' wide x 5'4" tall Cascade Cougars logo pads, and 5 custom comer pads. Each pad includes 1" top and bottom nailing margins and comes with 2" urethane foam, backerboard, and 14oz vinyl. The eighty-seven standard wall pads will be trimmed to fit gym walls and doors.

Customer will need to supply vector art for the Cougar logo pads.

Customer will add wood on concrete walls and stage wall.

INSTALLATION:

Includes our complete professional installation of the wall pads above.

FREIGHT:

Included to the jobsite near Cascade, IA on all products.

TIMELINE:

Please allow 4-8 weeks to receive the material. Installation should take 1-2 days.

NOTES:

Proposal is valid for 30 days.

Payment via checks only. Credit card processing shall add 4%.

Please make checks payable to Sport Construction Midwest, 125 NE Venture Drive Suite G, Waukee IA 50263.

Down payment of 25% due upon agreement of this proposal with final 75% due net 15 days upon completed installation.

Late payment fees will be assessed at 1.5% per month.

Please sign and email back this proposal to chris@sportconstruction.com

Tax exempt total with delivery and installation \$1 a,01 s.oo

Prepared by: Chris Douglas
Chris Douglas, Sport Construction Midwest

Date: August 23, 2024

Accepted by: _____
City of Cascade

Date: _____

**125 NE Venture Drive - Suite G • Waukee IA 50263 • www.sportconstruction.com
515.987.4484 • 800.268.7899**



CHAMPION MVP14



Champion Blue



Black

Navy

Royal Blue

Champion Blue

Sky Blue

Purple



Dark Maroon

Light Maroon

Rich Red

Flair Red

Orange

Camel



Light Gold

Yellow

Forest Green

Kelly Green

Galaxy Grey

White



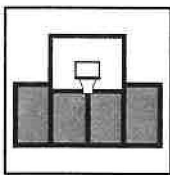


CHAMPION MVP14

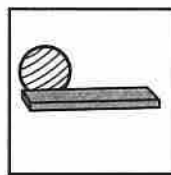
Champion MVP 14 (6CMVP14) is our most popular PVC vinyl for athletic wall pads and gym mats. This attractive PVC vinyl material has a leather grain emboss with the necessary FR treatments to meet CSFM, NFPA-701, and ASTM E-84 (Class AI. Considered the industry's premier choice for wall pads, this multi-purpose fabric can endure long-term use while maintaining structural integrity. Champion MVP 14 is CPSIA certified, meeting all phthalate and lead requirements, assuring it is safe for kids.

6CMVP14	ENGLISH	METRIC	TESTING METHOD
Weight	14 oz./yd ²	474 g/m ²	FS 5040 / ASTM D3776
Stocked Widths	61" <i>capable up to 126"</i>	155cm <i>capable up to 320 cm</i>	
Construction	9 X 9/1" by 1000 X 1000	4 x 4/cm by 1100 x 1100	
Grab Tensile	365 x 348 lbs.11·	1624 x 1548 N/2,5 cm	FS 5100 / ASTM D5034
Tongue Tear	92 x 83 lbs.	409x369 N	FS 5134 / ASTM D2261
Adhesion	28 lbs/2"	125 N/5 cm	FS 5970/ ASTM D751
Emboss/Finish	Elk (Leather)		
Cold Crack	-4· F	-20· C	FS 5874 / ASTM D2136
Treatments	UV, BACshield: Anti-microbial, anti-bacterial, anti-mildew, anti-mold		
Fire Retardant	Pass		ASTM E84, CSFM, NFPA-701

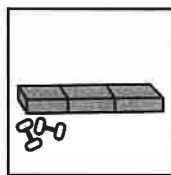
PRODUCT USES AND APPLICATIONS



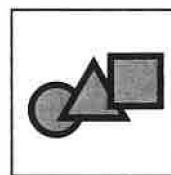
GYM WALL PADS



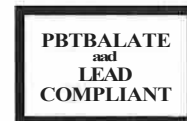
FLOOR MATS



GYM MATS



CHILD DEVELOPMENT
SHAPES



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August 26, 2024 Agenda

To: Mayor, City Council and Staff

From: Lisa Kotter, City Administrator

Date: August 23, 2024

Re: Hire Mike Weber Survey Langworthy Street SE

The Planning and Zoning Commission has reviewed the land on Langworthy and Thomas Streets being considered for vacation. The Commission recommended only vacating the Langworthy side due to the utility locations in the space on Thomas. We have spent some more time out there and if the Council wanted to consider vacating Thomas it would require easements to be obtained. While that could be done, it seems best to keep Thomas Street as City right of way for the full north south piece.

In order to proceed with the vacation of Langworthy Street, we need to have what is called a vacation plat prepared by a surveyor. This was not needed on Buchanan Street because legal descriptions already exist for Aschtgen and Cannon lots. I have received a price of \$1,200 from Mike Weber to complete this work and have it done by September 5. This date allows me to get it back on the agenda September 9.

A resolution is prepared for consideration to hire Mike Weber in the amount of \$1,200.

RESOLUTION #84-24

**A RESOLUTION APPROVING A CONTRACT WITH MIKE WEBER
TO PREPARE A VACATION OF RIGHT OF WAY PLAT SURVEY FOR
LANGWORTHY STREET SE BETWEEN
THOMAS STREET SE AND DILLON STREET SE**

WHEREAS, the City Council and Planning and Zoning Commission have discussed the request from Delaney's Auto and Ag Center to vacate the Langworthy Street SE right of way from Thomas Street SE to Dillon Street SE; and,

WHEREAS, the City Council wishes to proceed to hold a public hearing as required by Iowa State Code and in order to advertise for and hold a public hearing on September 23, 2024, the City must have a vacation plat prepared by a licensed surveyor; and,

WHEREAS, the City has received a price from Mike Weber to complete the work in the amount of \$1,200 and confirmed that he can complete the survey by September 5, 2024; and,

WHEREAS, Delaney Auto and Ag Center has agreed to pay for the cost of the survey as part of the purchase price for the potentially vacated land and Delaney's understands that the cost of the survey must be paid regardless of whether the vacation request is approved.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cascade, Iowa, approves the contract with Mike Weber in the amount of \$1,200 to complete the surveying work to prepare a vacation plat for the land on Langworthy Street SE between Thomas Street SE and Dillon Street SE no later than September 5.

PASSED, APPROVED AND ADOPTED this 26th day of August, 2024.

Steven Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

Delaney Auto Ag Right of Way

Langworthy St
Area

the parcel would
be 240 long by 50
wide.

Thomas Street
Requested but
not
recommended





August 26, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: Delong Street Encroachment

We issued a permit for Delaney's for their building and that included a perimeter fence. We discussed that the North side along Delong has to be in the right place as it is along public right of way. We discussed a 50 foot right of way. When the fence was put up, it is encroaching in the right of way approximately 10-11 feet. I met with them today and am not going to make the decision. I have been working with Jason and Ralph on the clean up of the exterior since the new building is much closer to being done. They have been making progress and I appreciate that. I think overall the fence is an improvement to contain their things and to create a visual barrier for the neighbors. They are going to be putting the slats in the chain link.

There are approximately 50 fence posts concreted into the ground along this side. We obviously have the right to require them to move the fence back. We also could say that since it is an unimproved right of way that they have mowed on the west end, that we could create an agreement that they can stay there until we improve the street, if that ever happens. At that time, they would be required to move it. If they do not move them, the agreement would say that the City can move them and place a special assessment for the cost. I have prepared a resolution with both options for Council to pick from. I will look for direction from the Council.

RESOLUTION #83-24

**A RESOLUTION ADDRESSING THE ENCROACHMENT OF A
FENCE ON THE DELONG STREET SE UNIMPROVED RIGHT OF WAY**

WHEREAS, the City of Cascade owns unimproved right of way called DeLong Street SE between Thomas Street SE and Washington Street SE that abuts the Delaney Auto and Ag business location; and,

WHEREAS, the City Administrator issued a fence permit for the perimeter of the property owned by Delaney Auto and Ag and made it clear that the right of way was 50 feet in width and that the fence must stay south of that line; and,

WHEREAS, Delaney Auto and Ag is working to clean up the exterior of their business parcels and has agreed to put up a fence to not only protect their property from theft but to also create a visual barrier to those residents and property owners that abut the parcels; and,

WHEREAS, Delaney Auto and Ag erred in the placement of the fence and the City staff has determined that the fence along the South side of DeLong Street SE is encroaching in the unimproved right of way by approximately 10 feet; and,

WHEREAS, the fence that is in the right of way contains approximately 50 posts that are concreted in and a chain link fence.

#1 NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cascade, Iowa, agrees to allow the fence to remain in its current location until which time the right of way is improved by the City and at that time the fence structure must come down at the expense of the owner. If the owner does not remove the fence as directed, the City will have the right to remove the fence and assess the cost of removal to the parcel owner as a tax assessment. City staff is directed to have the City Attorney write up an agreement to be recorded and that the cost of those legal fees shall be billed to the Delaneys.

#2 NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cascade, Iowa, directs Delaney Auto and Ag to immediately remove the fence from the DeLong Street SE right of way and relocate it to a location within the privately owned land.

APPROVED AND ADOPTED this 26th day of August, 2024.

Steven Knepper, Mayor

ATTEST:

Kathy Goerd, City Clerk

Delaney Auto Ag Encroachment

Encroachment





August 26, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: 2nd Avenue SW Improvements

As we have been watching the 2nd Avenue SW roadway, it has become necessary to at least present the City Council with the idea of making repairs to the road due to a new library being located here. The original construction plans for the library include a few spot replacements of the curb. The new full length sidewalk is going to be abutting the curb and in some places it seems challenging to have this match well with some new and some old and deteriorated concrete. In addition, there is an area near the east end of this block that is pooling water due to the low spot being mid-block. We will have prices at the meeting for consideration to hire someone to completely replace the north side curb, mill off the surface and lay two new inches of asphalt. We have street dollars in FY25 and have not yet determined what roads will get attention.

A draft resolution is included with blanks for which company and the amount. The bids are coming from Kluesener and Eastern Iowa.

RESOLUTION #86-24

**A RESOLUTION APPROVING A CONTRACT WITH _____
TO COMPLETE A CURB AND GUTTER REPLACEMENT, MILLING AND
ASPHALT RESURFACING PROJECT ON 2^{Nº} AVENUE SW
FROM PIERCE STREET SW TO A POINT 325 FT WEST**

WHEREAS, the City Council and Library Board are in the process of constructing a new library on 2nd Avenue SW that will open in February or March 2025; and,

WHEREAS, the City has found that due to the conditions of the 2nd Avenue SW and the curb and gutter, it is worth considering additional street reconstruction work in the form of milling the road and laying 2 new inches of asphalt and replacing the curb and gutter on the North side of the road which will facilitate better drainage and avoid pooling water; and,

WHEREAS, the City has received two quotes from Kluesner Construction and Eastern Iowa Excavating and Concrete to complete the work; and,

WHEREAS, the City has funds in its FY25 street improvement budget that have yet to be allocated for a specific project; and,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cascade, Iowa, approves the contract with _____ in the amount of \$_____ to replace 325 feet of curb and gutter along the North side of 2nd Avenue SW and to mill and repave the adjoining street surface of 2nd Avenue SW.

PASSED, APPROVED AND ADOPTED this 26th day of August, 2024.

Steven Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

CITY OF CASCADE

2nd Avenue SW





August 26, 2024 Agenda

To: Mayor, City Council and Staff
From: Lisa Kotter, City Administrator
Date: August 23, 2024
Re: Personnel Policy

As discussed previously, I said I was going to bring forward an updated Personnel Handbook for consideration. I think it would be wise to try and complete this task prior to my departure. The CMU Board has already approved the handbook and we try to mimic the same language for consistency.

The Handbook was drafted by the labor attorney for CMU. I have worked with this firm in the past and they do good work but are different then our firm. I don't know that it is necessary or a good use of funds to pay another firm to review this again.

The handbook includes new sections that we do not have in our current book. Those are:

Anti-Discrimination, Anti-Harassment and Anti-Retaliation

Employee Conduct, Discipline, and Complaint Process

OT/Flex Time Policy

Hourly - Nonexempt employees can use up to 40 hours (at time and a half which would be 60 hours total) to draw upon as time off instead of getting paid Overtime. If they don't use the earned comp time by the end of the fiscal year, June 30, it will be paid out as Overtime. Employees will still have the option to choose OT pay for all overtime worked.

Non-hourly- exempt employees can use flex time accrued, and these employees are capped at 24 hours until it is earned back again. No payouts of any flex time earned and earned on straight time since they are salaried. This applied to the Administrator and Chief.

Changes to Existing Sections

Probationary period for new hires is 90 days (was 180}

Office Hours in City Hall now say 830-430 (previous it was 730-430}

NO physical exam needed for employment, only drug screens for CDL drivers.

Added Federal Mileage reimbursement for using your own car, nothing listed before

Bereavement-We added one day for Uncle, Aunt, Cousin. Also added supervisor may allow one sick day for a close relative not specifically listed

Uniform updated so it says we provide allowances instead of the actual uniforms

We deleted residency requirements for part time employees

CMU had one personal day, that was added for all now

Under safety training we added all are required to attend, instead of encouraged

We stated that new water and sewer grades get increases but instead of listing them in the policy it says the policy is approved by resolution

Changed clinic we send injured employees to, used to be Unity Point.

Changed life insurance covered to what we cover, max of \$50K

Reworded our medical coverage, it was not accurate to what employees pay or how increases are given to both the City and employee

Sick leave must be approved by supervisor

For holidays on weekends it gives the supervisor flexibility to change which date when they fall on a weekend

I would recommend adoption at the book. A draft resolution is prepared if the Council is considering adoption.

RESOLUTION #85-24

**A RESOLUTION APPROVING AN
UPDATED PERSONNEL HANDBOOK FOR THE CITY OF CASCADE**

WHEREAS, the City Council employs both full-time and part-time employees and the City must have appropriate and clear policies that govern the work completed by and benefits given to these employees; and,

WHEREAS, the City and Municipal Utilities have not thoroughly updated the handbook, after a review by legal counsel, in many years; and,

WHEREAS, the CMU Personnel Attorney has reviewed the policy handbook and added any required policies such as sexual harassment, disciplinary procedures and Fair Labor Standards; and,

WHEREAS, the City Administrator has completed a thorough review of the handbook prior to presenting it to the City Council; and,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cascade, Iowa, approves the 2024 Personnel Handbook, attached as Exhibit A, as the governing policy for the City of Cascade employees, directs the City Administrator to present each employee with a copy of the new handbook and requires each employee to sign an acknowledgement receipt that it has been received.

PASSED, APPROVED AND ADOPTED this 26th day of August, 2024.

Steven Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

**CITY OF CASCADE AND
CASCADE MUNICIPAL UTILITIES**

EMPLOYEE PERSONNEL POLICY

Effective, 2024

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City of Cascade & Cascade Municipal Utilities Personnel Policy

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1. EMPLOYEE PERSONNEL POLICY STATEMENT

This Employee Personnel Policy is designed to inform employees of the policies, procedures and expectations of the City of Cascade and Cascade Municipal Utilities. Please read it carefully and ask if you have any questions. The language used in this policy is not intended to create a contract between you and the City of Cascade or the Cascade Municipal Utilities. The material in this policy book is presented as a matter of information only. The statement below should be read thoroughly before signing.

I understand that the information described in this policy is not intended to create a contract between the City of Cascade or Cascade Municipal Utilities and the employee. I understand that the City of Cascade and Cascade Municipal Utilities has reserved the right to add to, modify, revoke, suspend, terminate or change any of the policies, procedures, rules and employee benefits in the employee personnel policy at any time, with or without notice to the employee.

I understand that my employment is "at will", meaning that the City of Cascade and Cascade Municipal Utilities reserve the right to end my employment at any time and for any reason. All City and Utilities employees who are employed without specific written contracts of employment entered into on behalf of the City of Cascade and Cascade Municipal Utilities have the right at all times and at their discretion to terminate the employment relationship. Similarly, the City of Cascade and Cascade Municipal Utilities has the same right.

This Employee Personnel Policy in no way alters the at-will nature of the employment relationship.

Employee Signature

Date

2. INTRODUCTION

The purpose of this Personnel policy is to establish and maintain a reasonable system for administration of all personnel matters and covering subjects that have been approved by the City of Cascade/Cascade Municipal Utility Board of Trustees, as appropriate. The City Administrator, City of Cascade and the Utility Manager, Cascade Municipal Utilities shall administer these procedures. In his/her absence they shall administered by the City Clerk, City of Cascade or Team lead, Cascade Municipal Utilities. Policies and procedures contained herein may be periodically updated and changed by the Cascade City Council and the Cascade Municipal Utilities Board of Trustees at any time with or without notice to the employee.

This personnel policy is not an employment contract. Nothing in this personnel policy shall in any way be construed as creating any contractual rights or obligations between the City of Cascade or Cascade Municipal Utilities and employees; or limit the City of Cascade's and the Cascade Municipal Utilities' right to terminate the employment of any employee at any time and for any reason.

While not all employment situations are identical, the goal of this personnel policy is for it to be applied consistently to ensure that the principle of fairness is the basis for all personnel actions. These personnel policies have been established to set standards and expectations to ensure that the basis for any personnel action (including, but not limited to, recruitment, examination, selection, retention and discipline); and the procedures employed will be impartial and consistently applied.

Moreover, this personnel policy in no way alters the nature of the employment at-will relationship. All employees (except those with a specifically authorized written and signed contract entered into with the City or Utility) are at-will and have the right at all times and at their discretion to terminate the employment relationship. Similarly, the City of Cascade or the Cascade Municipal Utility has the same right.

Employees are expected to be familiar and comply with the procedures and requirements specified in this personnel policy. An employee who has questions about these personnel policies are encouraged to ask their manager or supervisor for clarification.

3. EMPLOYMENT POSTERS

The City of Cascade ("City") and the Cascade Municipal Utilities ("Utility") shall post all the employment posters required by state and federal law. These posters have information on employee rights. The posters shall be located by the time clock at the City Maintenance Garage, Utilities Warehouse Building, the City Hall Workroom, Cascade Police Station, Cascade Library, and Cascade Swimming Pool.

4. ANTI-DISCRIMINATION, ANTI-HARASSMENT AND ANTI-RETALIATION POLICY

The City and Utility are committed to ensuring equal employment and advancement opportunities and maintaining an environment that is free from discriminatory harassment. It is the policy of the City and Utility to hire and promote qualified individuals on the basis of their qualifications, interests, aptitude, and without regard to race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law. This policy applies to all terms, conditions, and privileges of employment, including, but not limited to, recruiting, hiring, training, transfers,

promotions, benefits, discipline and discharge. It is also the policy of the City and Utility that all employees have the right to work in an environment free of all forms of discrimination, harassment and retaliation. The purpose of this policy is also to maintain a healthy work environment where all individuals are treated with respect and dignity. Finally, the purpose of this policy is to provide procedures for reporting, investigating, and resolving complaints of discrimination, harassment and retaliation.

Discrimination Prohibited

The City and Utility will not tolerate, condone or allow discrimination, harassment, or retaliation by any employee or other non-employees who conduct business with the City and/or Utility. Discrimination, any form of harassment, and retaliation are prohibited and will not be tolerated. The City and Utility consider discrimination, harassment, and retaliation to be forms of serious employee misconduct. Therefore, the City and Utility shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of discrimination, harassment, and retaliation. Any violation of this policy, even "minor violations" will lead to discipline up to and including termination.

It shall be a violation of this policy for any employee or representative of the City or Utility to harass any other employee or representative of the City or Utility through conduct or communication of a sexual nature or regarding an individual's race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law, as defined by this policy.

The City and Utility will not discriminate against any qualified employee or job applicant with respect to any terms, privileges or conditions of employment because of that person's disability. The City and Utility will consider reasonable accommodations that do not pose undue hardship to the City and/or Utility to enable qualified applicants or employees with disabilities to perform the essential functions of the position. The City and Utility encourage applicants or employees to make suggestions regarding reasonable accommodations to their manager or immediate supervisor.

It shall also be a violation of this policy for any employee or representative of the City and/or Utility to tolerate sexual harassment or harassment because of an individual's race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law, as defined by this policy, by any other employee or representative of the City or Utility. Any employee or representative of the City or Utility who has knowledge or belief that an individual has or may have been the victim of prohibited harassment is required to immediately report the alleged acts to an appropriate manager or supervisor. Failure to report the harassing conduct could result in discipline, up to and including termination, for the employee or representative of the City and/or Utility who failed to report.

It shall also be a violation of this policy for any employee or representative of the City or Utility to retaliate against another individual because that individual has filed a discrimination or harassment complaint or has assisted with or participated in a discrimination or harassment investigation or proceeding. Any employee or representative of the City or Utility shall not engage in reprisal, retaliation, harassment, or false accusation against a victim, witness, or an individual who has reliable information, about any act of discrimination or harassment. Any employee or representative of the City or Utility who is found to have retaliated against another individual in violation of this policy will be subject to disciplinary action, up to and possibly including termination.

The City and/or Utility will act to promptly investigate all complaints, either formal or informal, verbal or written, of discrimination, harassment, or retaliation and to promptly take appropriate action to protect individuals from further discrimination, harassment, or retaliation. If the City and/or Utility determines that unlawful discrimination, harassment, or retaliation has occurred, it shall promptly and appropriately discipline any employee or representative of the City or Utility who is found to have violated this policy, up to and possibly including termination, and/or take other appropriate action reasonably calculated to end the discrimination, harassment, or retaliation.

Definitions

Discrimination: Discrimination consists of unfair or unequal treatment of an individual or a group in the workplace based upon their race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information or any other characteristic protected by law.

Sexual Harassment: Sexual harassment consists of unwelcome and unsolicited sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal, physical, or written conduct or communication of a sexual nature when:

1. Submission to that conduct or communication by an individual is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment;
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting the individual's employment; or
3. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment environment.

Examples of conduct that may constitute sexual harassment may include, but are not limited to:

1. Unwelcome verbal harassment or abuse, or unwelcome written harassment or abuse, including through the Internet or email;
2. Unwelcome sexual advances or pressure for sexual activity;
3. Unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact;
4. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment status or implied or overt promises of preferential treatment with regard to an individual's employment status;
5. Unwelcome behavior or words directed at an individual because of gender;
6. Coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
7. Coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another;
8. Threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another;
9. Graffiti or other displays of material that are sexually offensive in nature;
10. Sexual gestures or jokes; or
11. Spreading rumors about or rating other individuals as to sexual activity or performance.

Other Types of Discriminatory Harassment: Other types of discriminatory harassment consist of harassment of employees on the basis of their race, religion, creed, color, sex, gender, gender

identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law, when the conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive employment environment;
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's employment performance; or
3. Otherwise adversely affects an individual's employment opportunities.

Examples of conduct that may constitute discriminatory harassment behavior may include, but are not limited to:

1. Threatening or intimidating conduct directed at others because of race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law, including through the Internet or email;
2. Slurs, negative stereotypes and hostile acts based on race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law;
3. Graffiti or other displays of material that contain offensive language that is derogatory to others because of their race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law;
4. Written or graphic material containing comments or stereotypes which is posted or circulated (including through email or the Internet) and which is aimed at degrading individuals because of their race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law;
5. A physical act of aggression or assault upon another because of, or in a manner reasonably related to, the individual's race, religion, creed, color, sex, gender, gender identity, sexual orientation, pregnancy, age, national origin, disability, genetic information, or any other characteristic protected by local, state or federal law.

Retaliation: Retaliation consists of punishing an employee by demoting them, terminating them or changing their work conditions in a material way because they made a good faith report of discrimination, harassment, or retaliation or because they participated, in good faith, in an investigation into discrimination, harassment, or retaliation. This conduct is illegal and is prohibited by the City and Utility, and by state and federal law. Retaliation is a form of misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled accordingly.

Reporting Procedures

Any individual who believes he or she has been the victim of discrimination, harassment, or retaliation by an employee or representative of the City and/or Utility or by any other person who is participating in, observing, or otherwise engaging in activities under the direction of the City and/or Utility is encouraged to report the alleged act immediately to the individual's manager or supervisor.

If you feel uncomfortable bringing the matter to your Manager or Supervisor or if your Manager or Supervisor is thought to be involved in the harassment, you may contact the City of Cascade Mayor or the Cascade Municipal Utilities Board Chairman, as appropriate, who, to the extent possible, will treat the matter with the degree of confidentiality that you require. If you feel uncomfortable bringing the matter to the City of Cascade Mayor or the Cascade Municipal Utilities Board

Chairman, as appropriate, or if the City of Cascade Mayor or Cascade Municipal Utilities Board Chairman, as appropriate, is thought to be involved in the harassment, you may contact a Cascade City Council Member or Cascade Municipal Utility Board of Trustee, who, to the extent possible, will treat the matter with the degree of confidentiality that you require.

Any employee or representative of the City and/or Utility who has knowledge or belief that an individual has or may have been the victim of prohibited discrimination, harassment, or retaliation is required to immediately report the alleged acts to the individual's manager or supervisor. Failure to report the harassing conduct could result in discipline up to and including termination, for the employee or representative of the City or Utility who failed to report.

Any other person with knowledge or belief that an individual has or may have been the victim of prohibited discrimination, harassment, or retaliation is encouraged to immediately report the alleged acts to the individual's manager or supervisor.

Investigation Procedures

Upon receipt of a report or complaint alleging prohibited discrimination, harassment, or retaliation, the City and/or Utility shall promptly undertake or authorize a thorough investigation. The investigation may be conducted by City and/or Utility officials or by a third party designated by the City and/or Utility. The City and Utility understands that these matters can be extremely sensitive and so far as possible, will keep all employee complaints and all communications, such as interviews and witness statements in strict confidence.

The City and/or Utility may take immediate steps, at its discretion, to protect the complainant, employee, or other representative pending completion of an investigation of alleged discrimination, harassment, or retaliation.

The investigation will be completed as soon as practicable. The investigator will make a written report upon completion of the investigation, which shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. Whether a particular act or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

Responsive Action

If the City or Utility determines that harassment has occurred, appropriate relief for the employee bringing that complaint and appropriate disciplinary action against the harasser will follow. Such action may include, but is not limited to: warning, suspension, transfer, remediation, reprimand, termination or discharge, counseling, training, or mentoring. Instances of discrimination, harassment, or retaliation will be considered a serious violation of City/Utility work rules and will be cause for major discipline. A non-employee who subjects an employee to harassment in the workplace will be informed of the City of Cascade or Cascade Municipal Utilities policy and appropriate action will be taken. In all cases, the City of Cascade and Cascade Municipal Utilities will make follow-up inquiries to ensure that the harassment has not resumed.

An employee who remains unsatisfied after investigation by his/her Manager or Supervisor may seek a review from the City of Cascade Mayor or Cascade Municipal Utilities Board Chairman, as appropriate. The City of Cascade Mayor or Cascade Municipal Utilities Board Chairman, as

appropriate may direct or conduct an independent investigation, including witness interviews and statements concerning the complaint. Additionally, the City of Cascade Mayor or Cascade Municipal Utilities Board Chairman, as appropriate may take further remedial or disciplinary action as is appropriate.

The City and Utility will not tolerate retaliation against any employee who makes a complaint of discrimination, harassment or retaliation, or provides information in connection with any such complaint. However, the City and Utility have the right to discipline individuals who knowingly file false discrimination, harassment, or retaliation complaints or otherwise act in bad faith during a complaint/investigative process.

Training

All City and Utility employees shall participate in training on illegal discrimination and harassment and on the procedures for reporting the same as frequently as required by the City and Utility.

5. FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act (FMLA) requires covered employers to provide eligible employees with up to 12 weeks of unpaid, job-protected leave per year. It also requires that the employee's group health benefits be maintained during the leave. FMLA is designed to help eligible employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain family and medical reasons. It also seeks to accommodate the legitimate interests of employers and promote equal employment opportunity for men.

The City and/or Utility must provide an eligible employee with up to 12 weeks of unpaid leave each year for any of the following reasons:

- For the birth and care of the newborn child of an employee;
- For placement with the employee of a child for adoption or foster care;
- To care for an immediate family member (i.e., spouse, child, or parent) with a serious health condition; or
- To take medical leave when the employee is unable to work because of a serious health condition.

Employees are eligible for FMLA leave if they have worked for their employer at least 12 months, at least 1,250 hours over the past 12 months, and work at a location where the employer employs 50 or more employees within 75 miles. Whether an employee has worked the minimum 1,250 hours of service is determined according to FLSA principles for determining compensable hours of work.

Time taken off work due to pregnancy complications can be counted against the 12 weeks of family and medical leave.

Military family leave provisions also afford FMLA protections to eligible employees specific to the needs of military families.

Any employee seeking additional information about the FMLA may contact the City of Cascade City Administrator or the Cascade Municipal Utility Manager or the nearest office of the Wage and Hour Division of the U.S. Department of Labor.

6. VETERANS PREFERENCE

Under Chapter 35C of the Code of Iowa, all honorably discharged veterans as defined by section 35.1(2) of the Iowa Code are entitled to preference in appointment and employment over other applicants of no greater qualification. The City and Utility will comply with Iowa Code section 35C.6 regarding termination of veterans, which requires that qualifying veterans can be fired only for incompetency and misconduct.

7. RECRUITMENT AND SELECTION

It shall be the policy of the City of Cascade and Cascade Municipal Utilities to recruit and select the most qualified individuals for positions at all levels of city and utility services. The City and Utility may use various methods and media for advertising openings as they deem appropriate to attract an adequate number of quality candidates. However, in all public employment positions which are to be filled by competitive examination or by appointment, public notice of the application deadline to fill a job shall be posted or published at least ten (10) days before the deadline in the same manner as notices of public meetings are posted or published under the Iowa open meetings law.

Whenever a vacancy occurs in a position for which there are believed to be qualified potential applicants within the City and/or Utility's workforce, an announcement may be posted in prominent places in various worksites. Consideration will be given to qualified, regular employees; however, outside applicants may also be considered.

Appointment and promotion to positions are based upon qualifications of the applicant. Selection methods are based on job-related knowledge, skills, abilities, experience, education, and when appropriate, prior demonstrated performance, aptitude and adaptability. Selection factors are weighed as determined to be appropriate for the individual job vacancy. In selecting individuals, the City and Utility shall endeavor to maximize reliability, objectivity and validity. Regardless of the number of applicants, selection methods shall be deemed competitive when: (a) the required qualifications are based upon education and experience; (b) qualified persons are given a reasonable amount of time to apply; and (c) all persons considered compete against common standards. Applications shall be made on forms provided for each vacancy that exist. Job application forms are available at the offices of the City and Utility. Such forms shall require information concerning the applicant's background of education, training experience, residence, references and any other pertinent information. All applications must be signed, and the City or Utility may require proof of statements as deemed appropriate. Any application, which indicates the applicant does not meet the minimum qualifications required for the position, may be rejected. The City and Utility rely upon the accuracy of information contained in the employment application, as well as the accuracy of other personnel data presented throughout the hiring process and employment. Any misrepresentation, falsification or material omission may result in the exclusion of the applicant from further consideration of employment or, if hired, may result in disciplinary action, up to and including termination of employment. Applications shall be rejected if the applicants are unable to perform the essential functions and duties of the position applied for. The employer reserves the right to reject all applicants and to solicit additional applications.

8. REQUIRED FORMS FOR EMPLOYMENT

Each employee shall complete all the required forms (some listed below) for employment after notice of hiring but before beginning work:

1. W-4 Federal Income Tax Withholdings.
2. W-4 Iowa Income Tax Withholdings
3. INS-9 Employment Eligibility Verification Form.
4. IPERS Membership/Beneficiary Form.
5. Health Insurance Enrollment Form.
6. Employee Personnel Policy Sign-Off

9. PROBATIONARY PERIOD

While City and Utility employees are at-will and may be dismissed at any time for any reason, new employees shall participate in a 90-day probationary period from the date of hire. All employees who are promoted, transferred and re-assigned shall also participate in a 90-day probationary period.

At the end of the 3rd month of the probationary period, the City of Cascade City Administrator and/or the Cascade Municipal Utility Manager will present the employee with an oral and written evaluation. During the probationary period the employee will continue to receive all benefits and paid holidays of non-probationary employees.

10. RESIDENCY REQUIREMENT

The City of Cascade has adopted the following residency requirement: The City Administrator and Police Chief must reside within 2 miles of the City within 60 days of employment; this may be extended with Council approval. The full-time police officer and the City Clerk must reside within 45 minutes of the City. Public Works Superintendent and Operators must reside within 15 minutes of the City.

Cascade Municipal Utilities has adopted the following residency requirement: The CMU manager must reside within 2 miles of the City and all employees subject to being on call must reside within a 15 minute response time of the CMU Warehouse.

11. RESIGNATION

While City and Utility employees are at-will, in the event an employee decides to leave employment, the City and Utilities requires a 2-week written notice from the resigning employee prior to leaving in order for the City and Utility to consider the resignation to be in good standing. When proper notice is given and all of the required forms have been returned to the City of Cascade City Clerk or Cascade Municipal Utility Manager before the employee is issued his/her final check for unused vacation. The following is a list of the items that will need to be completed upon an employee's resignation.

1. Request/Denial form for continued medical insurance coverage.
2. Workers' Compensation Release form.
3. Any items issued by the employer throughout the employee's career. These include keys, radios and related equipment etc.

12. NEPOTISM

Chapter 71 of the Code of Iowa prohibits nepotism within the third degree of consanguinity. The employment of relatives within the City and Utilities is discouraged.

13. RECORDS

The City of Cascade City Clerk or Cascade Municipal Utility Manager shall maintain a service record for each employee showing the name, title, department, salary, and changes in employment status, training and any other necessary information. Each employee shall promptly report all changes of name, address and telephone number to the City of Cascade City Clerk or Cascade Municipal Utility Manager. Employees shall report temporary or permanent changes in employment status to the City of Cascade City Clerk or Cascade Municipal Utility Manager.

The City and Utility advise that, pursuant to Iowa Code sections 22.15 and 22.7(11), information placed in an employee's personnel record as a result of disciplinary action may become a public record, including the fact that the employee was discharged, demoted or resigned in lieu of being discharged, in addition to any documentation showing the reason or rationale for the discharge, demotion or resignation in lieu of discharge.

Payroll registers shall be kept permanently. All other personnel records not a part of a current employee's personnel file, including correspondence, applications, examinations and reports may be destroyed based on state record retention guidelines.

14. WORK SCHEDULE

Normal working hours for office personnel is 8:30 AM to 4:30 PM Monday through Friday with no lunch away from the desk. If lunch is taken this work day will be extended by 30 minutes to accommodate. Normal working hours for Equipment Operators and Utility Operators is 7:00 AM to 3:30 PM. There will be a half-hour lunch period. Lunch period is not paid.

The normal work schedule for all employees shall be 40-hours per week consisting of 5-days of 8-hours each day, Monday through Friday, with the exception of Police Department employees.

City and Utility "Office Hours" will be 8:30 AM to 4:30 PM.

Each employee is responsible to know when he or she is expected to be at work and what their schedule is.

15. WORKDAY BREAKS

All employees will normally receive two 15-minute paid breaks in an eight-hour period. The City of Cascade or the Cascade Municipal Utilities will not purchase beverages and snacks or the accessory materials used to brew or cook beverages or snacks. The employee is responsible for his/her own beverage or snack during their break period.

16. PAY SCHEDULE

The City's and Utility's payroll period is bi-weekly with employees receiving pay checks once every 14-days. In either case, payroll period begins on Friday and ends on Thursday. Payday for Utility employees is on Thursday, and Friday for City employees. When payday falls on a holiday, all employees shall receive their paycheck on the following or preceding day. Payroll deductions will include federal income tax, state income tax, social security, Medicare, IPERS and any other mutually agreeable deduction between the employee and employer.

17. WAGES/COMPENSATION / EVALUATIONS

Employees' hourly or salary rate will be determined on how well the employee performs his/her job. Job performance may be evaluated annually by the employee's manager and/or supervisor, using the following considerations:

- | | | |
|-------------------------|--------------------|------------------------------|
| 1. Communications | 5. Cooperation | 9. Quantity of Work |
| 2. Job Attitude | 6. Dependability | 10. Use of Time |
| 3. Job Knowledge | 7. Attendance | 11. Work Habits |
| 4. Willingness to Learn | 8. Quality of Work | 12. Work without Supervision |

18. OVERTIME - GENERAL PROVISIONS FOR NON-EXEMPT EMPLOYEES

Non-exempt employees must be compensated for every hour actually worked. With the exception of hourly police employees, **every hour actually worked over 8 hours in a day or 40 hours in a work week** will be compensated at a rate of 1.5 times the employee's regular hourly rate of pay or accrued as compensatory time off at time-and-one-half. A maximum of 60 hours of compensatory time may be accumulated each fiscal year to be used at the straight time rate. Holidays, vacation days, and sick days are counted as hours-worked for the purpose of calculating overtime. These are additional employee benefits beyond that required by the FLSA. There will be no duplication or pyramiding in the computation of overtime and other premium wages. No employee will be paid more than once at a premium rate, or more than once for the same hours worked. Additional overtime provisions are specified for City and Utility on-call employees under Section 22 below.

At the discretion of the employee's manager or supervisor, and with at least 24 hours advance notice, a non-exempt employee may use compensatory time that was previously earned. Compensatory time cannot be used in the same pay period during which it was accrued. Any unused compensatory time remaining at the end of the fiscal year will be paid out as wages to the employee.

19. ON-CALL STATUS

Addition: City and Utility on-call employees will receive 7 hours per week, at their approved hourly rate, as compensation for restriction of personal movement. On-call employees, with the exception of hourly police employees, will be paid time and one-half for all non-scheduled hours worked. An employee on-call shall remain within a 15-minute response time of the city garage or utility warehouse at all times. An employee on-call shall carry on their person at all times the employer's 2-way radio, pager, or cell-phone to ensure communication and response to a call-out situation. On-call employees will be trained to handle all duties of their respective operation before being placed into the on-call schedule. Any employee subject to the on-call policy, with the exception of hourly police employees, who is called out to help the on-call employee will get a minimum of one hour at the time-and-one-half overtime rate or the actual time spent over the one hour minimum at the time-and-one-half overtime rate.

20. COUNCIL AND UTILITY BOARD MEETINGS

Any non-exempt employee, with the exception of hourly police employees, whose presence is requested at a City Council or Utility Board meeting or other committee meeting shall receive overtime pay for attending the meeting if the meeting occurs at times other than normal working hours (and at the regular rate of pay for attending the meeting if the meeting occurs during the

employee's normal working hours). The employee will receive a minimum compensation of one hour or actual time spent over the one-hour minimum. Hourly police employees shall be compensated at their regular hourly rate of pay for the actual time spent attending the meeting.

21. USE OF PRIVATE AUTOMOBILE

Prior to the usage of any private vehicle for City or Utility business as part of their job duties, the employee will provide the City of Cascade City Administrator or the Cascade Municipal Utility Manager with a Certificate of Insurance for the motor vehicle and operator indicating that all privately owned vehicles driven by the employee in the course of performing job duties have insurance coverage. The personal insurance policy issued by a company licensed to do business in the State of Iowa shall show a minimum limit of liability coverage.

If an employee is required to use their private vehicle to fulfill the job requirements of employment by the employer, the employee shall be reimbursed for business mileage at the current federal mileage rate. This mileage rate is authorized for all trips approved by the City of Cascade City Administrator and the Cascade Municipal Utility Manager.

Employee mileage reimbursement requests for personal vehicle use will need to be presented in writing to the City of Cascade City Clerk or Cascade Municipal Utility Manager with a statement of reason for the trip, location traveled to and the total number of miles traveled. The Council or Utility Board at their regularly scheduled monthly meeting will consider reimbursement to an employee.

22. EMERGENCY EMPLOYMENT

In an emergency situation, or when the required employment is not expected to exceed five (5) days, the Mayor or City Administrator for the City and the Board Chairman or Utility Manager for the Utilities may be authorized to employ the personnel needed to continue necessary City or Utility services. A special Council meeting or Utility Board meeting shall be called in the event employment is to exceed five (5) days.

23. INCOMPATIBLE ACTIVITIES

Employees shall not become involved in any activity, which requires so much of their time that it impairs their attendance or efficiency in the performance of their duties as an employee with the City or Utility. Employees shall not engage in any employment, activity, or enterprise that is inconsistent, incompatible, or in conflict with their duties as an employee, or with the duties, functions and responsibilities of the department by which they are employed with the City or Utility.

24. FULL-TIME EMPLOYEES

Full-time employees are scheduled to work a minimum of 40-hours per week. They may be paid hourly or salary. Full-time employees are eligible for all employee fringe benefits. Full-time hourly employees are required to record hours worked on a time clock and/or a time card. Each employee is responsible for his or her own time card.

25. PERMANENT PART-TIME EMPLOYEES

A permanent part-time employee is one who is regularly scheduled to work less than 40-hours per week. They will be paid by the hour for all hours worked, at an hourly rate established by the

employer. Permanent part-time employees are required to record their hours on a time clock and/or a time card and are responsible for his or her own time card

26. TEMPORARY EMPLOYEES

An employee who is hired for a specific period of time of not more than six (6) months.

27. HOURLY/NON-EXEMPT EMPLOYEES

Employees who are compensated on the basis of time spent performing job duties and are non-exempt from the overtime requirements of the FLSA. With the exception of hourly police employees, hourly, non-exempt employees are eligible for overtime pay as specified in Section 21 above. Sections 13(b)(20) of the Federal Fair Labor Standards Act provides overtime pay exemptions for public agencies who employ less than five employees in law enforcement activities during the workweek.

28. SALARIED/EXEMPT EMPLOYEES

Employees who are compensated on a salary basis and based on their job duties are exempt from the overtime requirements of the FLSA. These employees are not eligible for overtime pay.

It is recognized that salaried/exempt employees may, because of the demands of the position, sometimes be required to work outside regular working hours and/or more than 40 hours in a workweek. While salaried/exempt employees will not be paid overtime, they may be eligible to accrue flex-time on a straight time (hour-for-hour) basis for "overtime" hours worked. Flex-time accruals shall be capped at 24 hours, meaning that there will be no further flex-time accruals by a salaried/exempt employee unless and until their unused flex-time accrual balance is less than 24 hours. There will not be any payout of unused flex-time accruals, including upon an employee's separation from employment.

29. MEDICAL INSURANCE

The City of Cascade and the Cascade Municipal Utilities shall provide employee health insurance to all permanent full-time employees, at the employer's expense. The employer shall also provide family health insurance to permanent full-time with legal dependents via premium cost sharing. The employer's and employees' share of the family health insurance premium will be set at budget time pursuant to an annual resolution by the Council and Utility Board. The employees' share of the family health insurance monthly premium shall be deducted from the employee's last payroll check each month. Medical insurance rate increases will be considered as part of the overall compensation package. Medical insurance coverage becomes effective 30-days after the date of hire.

The employer will pay the insurance premiums for any employee that becomes disabled (not able to work on the job) for 90-days following disability after which time the employee may continue coverage by paying the monthly insurance premium him or herself. The employee must deliver a check in the amount of the premium by the last day of the month to the City of Cascade City Clerk or Cascade Municipal Utility Manager in order to maintain insurance coverage.

30. DISABILITY INSURANCE

A long-term disability policy is provided for all full-time employees. The employer agrees to pay the entire cost for disability insurance premium. The monthly benefit is 66.67% of the employee's weekly earnings not to exceed \$3,000. The minimum monthly benefit is \$100. The waiting period is 90-days for illness and accident. The maximum payment period is 26-weeks. Disability insurance rate increases will be considered as part of the overall compensation package. Disability insurance coverage becomes effective 30-days after the date of hire.

31. LIFE INSURANCE

The employer shall provide a term life insurance policy for full-time employees equal to the employee's salary capped at \$50,000. The employer shall also provide a \$4,000 life insurance policy for each of full-time employee's dependent over 14-days of age. The employer shall pay the premium.

32. CONTINUATION OF MEDICAL COVERAGE UNDER IOWA CODE CHAPTER 509A

Employees who retire from City or Utility employment before age sixty-five (65) are eligible to continue in the City/Utility group health insurance plan up to Medicare eligibility. For purposes of this section, a retired employee is one who has applied for and is receiving a retirement allowance from the Iowa Public Employment Retirement System. Coverage must be continuous, in that the employee must elect the same coverage at retirement, and the retired employee must pay the full cost of the premium.

33. WORKERS' COMPENSATION INSURANCE

The employer will provide Workers' Compensation Insurance for all employees. Employees should discuss questions relating to Workers' Compensation Insurance with the City of Cascade City Administrator and the Cascade Municipal Utility Manager.

34. IOWA PUBLIC EMPLOYERS RETIREMENT SYSTEM (!PERS)

The City of Cascade and the Cascade Municipal Utilities shall contribute the State mandated percentage of an eligible employee's gross wages to IPERS. The eligible employee's contribution to IPERS shall be the State mandated percentage of gross wages. The City of Cascade and the Cascade Municipal Utilities shall contribute the State mandated of an eligible police officer's gross wages to IPERS. The eligible police employee's contribution to IPERS shall be the State mandated percentage of gross wages. Contribution rates are established by the Iowa State Legislature and are subject to change annually. The City Administrator can receive the Iowa State Code Chapter 457 exception if he/she chooses with the same % of IPERS employer paid wages placed into a 457 plan.

35. DEFERRED COMPENSATION - 457

The City of Cascade and the Cascade Municipal Utilities established a Section 457 Deferred Compensation Plan retirement plan through the International City/County Manager's Association (ICMA). Full-time and permanent part-time employees are eligible to enroll in this plan. Details about this plan are available by contacting the City of Cascade City Administrator and the Cascade Municipal Utility Manager.

36. VACATION TIME

Earned vacation time will be credited to an employee's record on their date of hire (anniversary date). Vacation time may be used in 1/10 of an hour (0.1 hour) increments. Vacations will be earned as follows:

- 10 days upon hire (with a 90 day probationary period)
- 15 days after completing 3 years of service
- 20 days after completing 6 years of service
- 25 days after completing 10 years of service

Each employee's vacation year will run from the employees' anniversary date to the next anniversary date. Unused vacation time remaining at the end of the employees' anniversary year will not be paid out to the employee. Up to one-half of the employee's vacation accrued for that vacation year can be carried over to the next vacation year, but cannot be compounded beyond the one year. All vacation time will need to be approved by the department head or City of Cascade City Administrator or the Cascade Municipal Utility Manager prior to scheduling its use. Vacations should be scheduled at least one week in advance. The maximum amount of vacation time off that will be approved is two (2) weeks in a row. Extended needs for leave should be discussed with the department head or City of Cascade City Administrator and the Cascade Municipal Utility Manager as these may be accommodated through unpaid Leave of Absence. Accrued but unused vacation will be paid out to the employee upon separation from employment, but will forfeit payment for accrued but unused vacation if the employee leaves their employment without giving at least 2-weeks advance notice of resignation.

37. HOLIDAYS/ PERSONAL DAY

Full-time employees shall receive 8-hours of holiday pay for each of the following holidays plus one 8 hour personal day:

New Years Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve Day, Christmas Day, New Years Eve Day.

When a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed (these days can be changed per City and Utility management as needed). If a holiday falls during an employee's scheduled vacation, that vacation day shall be credited back to the employee's vacation leave balance. Employees shall forfeit the right of payment for any holiday if they do not have an excused absence on the working day immediately preceding or following such holiday.

Full-time hourly non-exempt employees, with the exception of hourly police employees, who are required to work a holiday shall receive one-and-one-half times their regular hourly rate of pay for all hours they are required to work on the holiday. Hourly police employees who are required to work a holiday shall receive holiday pay plus their regular hourly rate for all hours they are required to work on the holiday.

38. SICK LEAVE

Full-time City and Utility employees shall earn 8 sick leave days (64 hours) per year. Employees with less than one year of completed service will earn 1.23-hours of sick leave for each completed 40-hour week of service. There is no cap on an employee's accrual of sick leave. Sick leave will not be paid to an employee unless the employee provides a doctor's statement of employee's sickness after the 3rd day of consecutive sickness. If the City of Cascade or the Cascade Municipal Utilities suspects an employee is abusing sick leave, the employer may require documentation of sickness at any time. Sick leave may be used by the employee or for the employees' spouse, children, mother, father or legal guardian for the necessary care or treatment of sickness, medical, dental, optical or chiropractic appointments. City Administrator or Utility Manager can approve exceptions for other relatives as needed. Sick leave may be used in 1/10 of an hour (0.1 hour) increments. Sick leave requests should be sent to Department Heads or City/Utility management as soon as possible prior to the leave occurring.

39. BEREAVEMENT LEAVE

Full-time employees shall be granted paid leave of absence for up to 3-days for absence due to death of spouse, son, daughter, mother, father, legal guardian, brothers, sisters, mother-in-law, father-in-law, grandparents, grandchildren, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or other relatives living in the household. Up to one day absence will be granted for aunts, uncles or cousins. Up to one day of Sick leave may also be pre-approved with management to be used for unlisted family or friends for day of funerals.

40. MILITARY LEAVE

Employees shall be granted military leave in accordance with Section 29A.28 of the Code of Iowa.

41. PREGNANCY LEAVE AND SHORT-TERM DISABILITY

Unpaid leave is available for a pregnant employee who is disabled by the pregnancy, pursuant to state law, for up to eight (8) weeks or the period of disability, whichever is less. The employee may use accumulated sick leave and personal days to continue their wages during the leave. Unpaid pregnancy leave or short-term disability leave shall run concurrently with FMLA leave, if applicable.

42. JURY DUTY

Full-time employees selected for jury duty or called as a witness shall receive a paid leave of absence for the time spent on such duty. Compensation received by the employee from the Court will be turned over to the City of Cascade City Clerk or Cascade Municipal Utility Manager, with the exception of reimbursements of meal and travel expenses incurred by the employee. Employees shall notify their immediate supervisor or the City of Cascade City Administrator or the Cascade Municipal Utilities Manager as soon as possible.

43. REDUCTION OF FORCE

If and when it becomes necessary to reduce the number of employees because of a shortage of work or limitation of funds, separation of the employee will be accomplished with due consideration to status (temporary, part-time, full-time), qualifications, and performance evaluations.

44. ILLNESS/INJURY AUTHORIZATION

Employees who become ill or injured on the job will be taken to the health care provider selected by the employer- presently Medical Associates - 805 Johnson St SW. If the employee needs emergency care 911 shall be called and employee transported to the closest emergency care provider.

All illness and injuries that occur on the job shall be reported immediately to a supervisor or superior. The employee shall be responsible for completing an illness/injury authorization form for the employer and health care provider. Regardless of how minor the injury, the form is required along with a statement describing exactly how the illness or injury occurred and witnesses to the illness or injury along with other pertinent information.

45. DRUG & ALCOHOL TESTING

CDL and pipeline employees are subject to federally mandated drug and alcohol testing. The purpose of the drug and alcohol-testing program is to prevent accidents and injuries from misuse of alcohol or use of a controlled substance. The employer provides a program for the pipeline personnel according to the requirements of 49 CFR 199 and a program for the CDL holders according to the requirements of 49 CFR 382. New hires shall be given information on the drug and alcohol program. The two programs are available from the City of Cascade City Administrator and Cascade Municipal Utility Manager. The employer has a policy regarding Substance Abuse Prevention

46. SUBSTANCE ABUSE PREVENTION POLICY

Employees who perform work duties covered by the DOT and/or FMCSA regulations are subject to DOT Drug and Alcohol regulations. If the test of an employee, who is subject to the requirements of federal DOT drug and alcohol testing, results in an MRO verified positive test for the use of drugs or an alcohol concentration of 0.04 or greater, the employee will be referred to an appropriate substance abuse professional for assessment and enrollment in a treatment and rehabilitation program, if recommended. Results of the positive drug or alcohol test and terms of rehabilitation will remain confidential, except as provided by the federal regulators.

Employees referred to the treatment and rehabilitation program as a result of an MRO verified positive test or breath testing showing an alcohol concentration above 0.04, must immediately cease any substance abuse, must be subject to testing before returning to safety-sensitive duty, must subject themselves to periodic unannounced testing for a period of not to exceed 60-months, and must comply with all other conditions of the treatment and counseling program recommended by the substance abuse professional.

The employee shall pay for all expenses of the substance abuse treatment and rehabilitation program. An employee required to take time off in order to participate in a rehabilitation program will be permitted to use sick leave, vacation time, and/or unpaid leave for a period of up to a total of 60-days.

Participation in substance abuse treatment and rehabilitation will not result in disciplinary action; however, non-covered duties may be assigned until the MRO or substance abuse professional determines that the employee may return to duty. Successful completion of the prescribed program will be required for the employee to continue employment with the employer.

If an employee is undergoing substance abuse treatment and counseling or has returned to duty upon successfully completing such treatment and rehabilitation and a subsequent test is verified by the MRO as positive, the employee will be terminated.

Employees who undergo substance abuse treatment and counseling under this policy and who continue to work must meet all established standards of conduct and job performance.

47. PROPERTY DAMAGE PROCEDURE

An employee, who is involved in a vehicle accident that causes property damage of any kind, shall follow the procedure below:

1. Secure the scene of the accident.
2. Call 911 and have a Law Enforcement officer and Ambulance dispatched to the accident site if needed.
3. Have the Law Enforcement Officer complete a written report.
4. Inform the City of Cascade City Administrator or Cascade Municipal Utility Manager.
5. All employees with a Commercial Driver's License will need to take a drug & alcohol test within 2-hours following the accident or document the reasons why the testing was not completed. The testing guidelines will follow the same procedure as outlined in our substance abuse programs. If an employee fails to follow this procedure they will be suspended for 3-work days without pay.
6. A copy of the accident report will be placed in the employee's permanent personnel record regardless of who was at fault for causing the accident.

48. USE OF CITY/UTILITY VEHICLES

No officer or employee shall provide the use of a City or Utility vehicle or transportation in a City or Utility vehicle to any person who is not an employee of the employer. However, it is not a violation of this section for an employee to provide transportation in a City or Utility vehicle for a person while in the performance of official duties, during an emergency situation, or to provide transportation for a contractor or vendor of services. Such transportation shall have a legitimate business purpose connected to the City of Cascade or Cascade Municipal Utilities business.

49. WORKSHOPS/CONFERENCES

Employees may be requested to attend workshops and/or safety training programs that are job related. The employee will receive his/her normal salary or hourly pay rate to attend. Necessary meals, travel and hotel expenses will be reimbursed. Receipts must be provided for reimbursed expenses. Personal expenses such as telephone calls, room service, or entertainment are the employee's responsibility.

1. Overnight travel: Hourly non-exempt employees will be paid for all hours of travel falling within their normal work hours. With the exception of hourly police employees, these hours qualify for purposes of calculating overtime pay.
2. One day: Hourly non-exempt employees will be paid for all time involved in the workshop assignment, including travel time (less the normal meal period). With the exception of hourly police employees, these hours qualify for purposes of calculating overtime pay.
3. Salaried exempt employees will receive their normal salary to attend workshops.

50. OPERATING CERTIFICATIONS

City public works department employees who obtain additional Water and Wastewater Grade level certifications from the Iowa DNR will be compensated with additional pay as a new Grade level is achieved. Verification of successfully passing a test must be provided prior to a pay increase being implemented. These wage increases will be approved by Resolution of the City Council and reviewed periodically. The employer shall furnish the study guides and materials. The employee shall be responsible for preparing and obtaining the certifications on his/her own time.

51. COMPLIANCE WITH OSHA REGULATIONS

The City of Cascade and the Cascade Municipal Utilities will attempt to provide the safest possible working conditions for its employees as mandated by the Occupational Safety and Health Act (OSHA) requirements. The City and Utility shall provide all necessary safety training and equipment an employee need to carry out his/her assigned duties and responsibilities. Employees must attend safety training as scheduled & follow the guidelines to comply with OSHA regulations as outlined in said training meetings and written safety programs of the City and Utilities. These programs are available from the City of Cascade City Administrator and the Cascade Municipal Utilities Manager.

52. TELEPHONE & CELL PHONE USAGE

City and Utility telephones, including cell phones, are to be used for City and Utility business only. The only exception is emergency situations. Personal non-emergency phone calls, should be made on off-duty time and on a personal cell phone. If an employee uses the City/Utilities telephone or cellular phone for an emergency personal phone call, they shall inform the City of Cascade City Clerk and Cascade Municipal Utility Manager with the date, time and phone number called. The employee will be responsible for any charges.

Employees may carry and use personal cell phones while on duty. However, if the City of Cascade City Administrator and the Cascade Municipal Utility Manager determines that the number of on duty cell phones calls is unreasonable or interfering with the employees' work, the employee may be asked to turn the phone off or not bring it to work. Persistent problems with personal cellular phone use may result in disciplinary action.

53. VOLUNTEER FIRE AND RESCUE SERVICE

In compliance with Iowa Code 100B.14, the City and/or Utility shall not terminate the employment of any employee for joining a volunteer emergency services unit or organization. An employee who is a volunteer firefighter, volunteer EMT, or first responder will be paid their normal hourly wage when dispatched for an emergency call. In the case where more than one employee is a volunteer firefighter only one employee at a time will be permitted to leave the job. If the employee is involved in a job with another employee and two people are needed at the job, the volunteer must

stay on the job. The employee will be responsible for contacting their supervisor for approval before leaving the job to respond to the call. In the absence of their supervisor they shall notify the City Clerk/Utility Lead.

54. EMPLOYEE CONDUCT

In order to maintain safe, efficient and harmonious operation, and to continue to provide the highest standard of public service, the City and Utility have adopted the following rules outlining examples of unacceptable employee conduct. Each rule reflects a common understanding of what behavior is acceptable and unacceptable in the workplace.

While it is not possible to list all of the offenses for which an employee will be disciplined, the following are examples of inappropriate, unacceptable conduct:

- Unsatisfactory work performance.
- Falsifying employment or other job-related records.
- Violating the City's policy against workplace harassment of any kind.
- Establishing an unacceptable pattern of tardiness or absenteeism, or failing to report for work without notification to the City.
- Unauthorized failure to return from a leave of absence.
- Engaging in unnecessary or unauthorized use of City property or supplies particularly for personal use.
- Reporting to work intoxicated or under the influence of non-prescribed drugs, alcohol or other substances.
- Illegally manufacturing, possessing, using, selling, distributing or transporting drugs.
- Bringing or using alcoholic beverages to or in City workplaces or using alcoholic beverages while engaged in City business off of City premises.
- Fighting or using obscene, abusive or threatening language.
- Stealing property of coworkers, customers, clients or the City.
- Having unauthorized firearms or other weapons on the City premises or while on City business.
- Disregarding smoking, safety or security regulations.
- Engaging in insubordination or failing to cooperate with assigned employees, coworkers, supervisors or managers.
- Failing to follow City job instructions or to perform work requested by a supervisor or manager.
- Violating a City safety rule or practice or creating or contributing to unsafe, unhealthy or unsanitary conditions.
- Failing to maintain confidentiality of City, client, patient or customer information.
- Failing to maintain necessary licenses and/or certifications.
- Failing to maintain motor vehicle insurability.
- Violation of personnel policies.
- Failure to cooperate in workplace investigations.

The City and/or Utility may modify these rules as changing conditions warrant. The City and Utility expect an employee's complete cooperation in observing these rules, which have been designed for our common protection and benefit. The City and/or Utility may take whatever disciplinary action it deems appropriate in response to an offense, up to and including termination, even if the particular offense is not included in the above list.

55. DISCIPLINE

Employment with the City and/or Utility is based on mutual consent and both the employee and the City/Utility have the right to terminate employment at will, with or without cause or advance notice. If an employee's performance, work habit, attitude or demeanor becomes unsatisfactory in the judgment of the City and/or Utility, based on violations of either the rules listed above, or other City and/or Utility policies, rules, procedures or expectations, employee may be subject to disciplinary action, up to and including termination without warning. However, the City and Utility recognize that certain employee misconduct can be corrected using progressive discipline. But the City and Utility expressly reserve the right to use progressive discipline at their discretion, are not required to employ any form of progressive discipline, and may impose any level of discipline at any time based on the circumstances.

Situations that the City and Utility believes will respond to corrective discipline may be handled as follows:

- Warning. The employee's supervisor, in the case of unsatisfactory conduct, may issue both a verbal and a written warning.
- Suspension. If sufficient improvement is not being made or if the conduct continues, the employee may be suspended for a period of up to two (2) working days without pay.
- Termination. A further offense may result in termination.

The City and Utility recognize there are certain types of employee problems that are serious enough to justify either a suspension or a termination of employment without going through the usual progressive discipline guidelines explained above. As noted above, the City and Utility are not required to follow progressive discipline, but will do so where appropriate to correct employee problems at an early stage, benefiting both the employee and the City/Utility.

To the extent required by law, employees will be provided appropriate due process before suspension or termination. If due process is required by law, the pre-deprivation process will include notice of the charge or charges against employee, a brief explanation of the evidence or information which supports the charges and an opportunity for the employee to respond to the charge or charges. Also, when required, the City and/or Utility's termination of employees will be in accordance with Iowa Code §35C.6 and/or §372.15.

The City and Utility, pursuant to Iowa Code Sections 22.15 and 22.7(11), advise that information placed in an employee's personnel record as a result of disciplinary action may become a public record, including the fact that an employee was discharged, demoted or resigned in lieu of being discharged, in addition to any documentation showing the reason or rationale for the discharge, demotion or resignation in lieu of discharge.

56. COMPLAINT PROCEDURE

General Procedures

An employee may file a complaint under this Section alleging the unjust application, interpretation or violation of the City or Utility's application of the personnel policies in this document. (Note: If the complaint involves conduct of the sort outlined in Section 5 of this personnel policy, employees shall follow the procedure outlined in that Section.) Should an employee have a complaint, it shall be addressed in the following manner:

Step One: The complaining employee shall first orally address the issue with the City of Cascade City Administrator or the Cascade Municipal Utility Manager. Police employees should discuss their complaint with the Police Chief.

Step Two: If the complaint is not resolved at Step One, the complaining employee may within ten calendar days following the Step One meeting, set forth in writing the basis of the complaint and present the written complaint to the City of Cascade Mayor or Cascade Municipal Utility Board Chairman, who shall respond within twenty calendar days of the receipt of the Step Two complaint

Step Three: If the complaint is not resolved to the employee's satisfaction at Step Two, the employee may submit a Step Three written request to discuss the matter with the City Council or Utility Board at the next regular meeting. This Step Three request must be submitted in writing by the employee within ten calendar days following the written Step Two response or following twenty days after the submission of the Step Two complaint if a response is not provided. The City Council or Utility Board shall render a written decision within twenty calendar days following the meeting where it considered the employee's complaint. The Step Three decision by the City Council or Utility Board shall be final.

Office of the Ombudsman

Pursuant to Iowa Code section 70A.29, the City and Utility are notifying all employees that Iowa Code chapter 2C authorizes the State of Iowa Office of the Ombudsman to investigate complaints. Any employee wishing to contact the Ombudsman's Office may do so by calling toll-free at 1-888-426-6283.

57. TOOLS AND EQUIPMENT

The City of Cascade and the Cascade Municipal Utility shall furnish all tools and equipment necessary for the performance of the employees' duties. It shall be the responsibility of each employee who is furnished tools, instruments, or equipment to care for, safeguard and return such tools, instruments, or equipment in good care. Any worn, broken, or damaged tools or instruments shall be returned to the employer for replacement.

Tools, instruments, office equipment or any other equipment, shall not be used for the personal use by the employees without prior approval by the City of Cascade City Administrator and the Cascade Municipal Utility Manager. Buildings, real estate properties or any other facilities shall not be used for personal use by the employees without prior approval by the City of Cascade City Administrator and the Cascade Municipal Utility Manager.

58. SAFETY TOED BOOTS

Permanent full-time non-office employees shall be required to wear safety-toed shoes or boots while on the job. The safety-toed shoes or boots shall be hard soled and meet ANSI (American National Standards Institute) standards for the employee's corresponding occupational classification. City and Utility employees subject to the safety toed boot requirement shall receive an annual \$150 boot allowance, payable upon receipt of purchase up to \$150.00 after the beginning of each fiscal year. An employee who fails or refuses to wear safety-toed boots will be removed from the job site by the department head and subject to disciplinary action.

59. SAFETY GLASSES

Each employee is required to wear safety glasses on the job that requires the use of safety glasses. The employer will provide safety glasses or an employee allowance for prescription safety lenses and frames. An employee who fails or refuses to wear safety glasses when required will be removed from the job site by the department head and subject to disciplinary action. The employer will provide a prescription safety glasses allowance once every 2-years for full-time employees with a receipt from the employee. The frames and lenses will be from a selected safety eyewear package from an employer selected optical provider to ensure compliance with OSHA requirements and ANSI standards. The employee shall pay for his/her own eye exam and any difference between the employer allowance and the actual cost. The employee is required to contact the City of Cascade City Administrator or the Cascade Municipal Utility Manager for the information regarding the optical provider and safety frame and lenses prior to obtaining prescription safety glasses. A safety glasses allowance is up to \$95.00 for both City employees and Utility employees.

60. SALVAGED MATERIALS

Employees are responsible for any materials, equipment or supplies issued to them. All unused materials and salvaged parts are subject to inventory and accountability. Materials unfit for further use shall be returned to the employer for disposal. Salvaged materials, such as copper, aluminum, and brass shall be placed in the designated containers at the City's maintenance garage or at the Utilities' warehouse. For the Utilities, all wood and steel poles shall be returned to the warehouse and stored in the appropriate area. For the City, all scrap iron will be stored at the maintenance garage or other designated location until hauled to the salvage yard. Salvaged materials transported to a salvage yard shall be paid by check made out to the City of Cascade or Cascade Municipal Utilities and returned to the City of Cascade City Clerk or Cascade Municipal Utility Manager.

61. UNIFORM POLICY

The employer shall furnish uniforms for all permanent full-time (non-office) utility employees. Uniformed employee shall wear their designated uniform during all scheduled work hours. The City and CMU shall provide a uniform allowance for employees in the annual budget. Uniforms shall not be worn when the employee is not on duty.

62. DRIVER'S LICENSE / COMMERCIAL DRIVERS LICENSE

All current employees and applicants for employment in job classifications that require a valid Driver's license shall obtain and maintain a valid Iowa Driver's license prior to his or her first day of employment. Newly hired employees, who are required by law to have a valid commercial drivers' license (CDL), are responsible for obtaining and maintaining their CDL within 6 months of hire date. If the new employee is hired not having their correct CDL license needed, the cost incurred to obtain

the training for the CDL will be paid for by the employer and will be paid back to the employer at 50% of the training expense if the employee separates from service voluntarily within 2 years of their hire date.

63. FLEXIBLE SPENDING ACCOUNT

The employer shall provide a flexible spending account, at the employer's expense, for all permanent full-time employees which allows employees to elect to defer a portion of their pay on a pre-tax basis to pay for dependent care, or health, dental, and vision expenses not already reimbursed under a qualified plan. Any amounts contributed to this flexible spending account reduces your federal and state income tax and FICA tax withholdings. Employee participation in the flexible spending account is voluntary.

64. COMPUTER, INTERNET & EMAIL USE POLICY

The City and Utilities provide computers, Internet access, and email accounts for its employees as a tool to enhance productivity, efficiency, communication, and information transfer for job related tasks. Computers, Internet, and email shall be used for obtaining information, communication, and the transfer of information relevant to the employee's job duties for the City or Utilities. Using computers, Internet, and email for any other purpose is discouraged. The City and Utilities reserves the right to examine any systems, inspect any data recorded in those systems, and monitor email and Internet use. Routine backup of the file server records employees' email and Internet use.

All email and Internet viruses and outbreaks detected must be reported immediately to the Cascade Municipal Utility Manager or the City of Cascade City Administrator. Downloaded materials and emails are the property of the City of Cascade and/or Cascade Municipal Utilities and are not the private property of any employee. Such materials and communications are classified as public record subject to Iowa Open Records Act and the Freedom of Information Act. The City and Utilities have no control over the information that exists on the Internet or through email; and therefore, cannot be responsible for the content, which some employees may find offensive or objectionable. Intellectual property and material received by email from external sources should be treated as copyrighted material and should not be downloaded, duplicated, or used without permission.

65. SECURITY SYSTEMS

Every employee is responsible for helping to make the City and Utility a safe and secure work environment. Upon leaving work, everything is locked including doors and workstations while protecting valuable or sensitive material in your work area. Report any lost or stolen keys, passes, or other similar devices to your supervisor immediately. You should refrain from discussing with nonemployees specifics regarding City or Utility security systems, alarms, passwords, etc. We also request that you immediately advise your supervisor of any known or potential security risks and/or suspicious conduct of employees, customers, or guests of the City and/or Utility.

Authorized Utility employees shall be the only employees to open or close any Utility structures or buildings. The authorized employee who opens any building with a monitoring system will be responsible for disarming the alarm system upon entry and rearming the alarm system when leaving. Alarm notification shall be to the appropriate authorities and also to the manager. If the manager is not available the On-Call phone will be notified and the assigned on-call employee should respond accordingly.

City of Cascade & Cascade Municipal Utilities Personnel Policy

Current

**CITY OF CASCADE AND
CASCADE MUNICIPAL UTILITIES**

EMPLOYEE PERSONNEL POLICY

**Revised June 10, 2015 by the
Cascade City Council and Cascade Municipal Utilities Board**

**Revised June 30, 2018 by the Cascade Municipal Utilities Board
(added one personal day)**

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1. EMPLOYEE PERSONNEL POLICY STATEMENT

This policy manual is designed to inform employees of the policies, procedures and expectations of the City of Cascade and Cascade Municipal Utilities. Please read it carefully and ask if you have any questions. The language used in this policy is not intended to create a contract between you and the City of Cascade or the Cascade Municipal Utilities. The material in this policy book is presented as a matter of information only. The statement below should be read thoroughly before signing.

I understand that the information described in this policy is not intended to create a contract between the City of Cascade or Cascade Municipal Utilities and the employee. I understand that the City of Cascade and Cascade Municipal Utilities has reserved the right to modify, revoke, suspend, terminate or change the policies, procedures, rules and employee benefits with a written notice.

I understand that my employment is "at will", meaning that the City of Cascade and Cascade Municipal Utilities reserve the right to end my employment at any time.

Moreover, this Employee Personnel Policy in no way alters the nature of the employment relationship. All City and Utilities employees who are employed without specific written contracts of employment entered into on behalf of the City of Cascade and Cascade Municipal Utilities have the right at all times and at their discretion to terminate the employment relationship. Similarly, the City of Cascade and Cascade Municipal Utilities has the same right.

Employee Signature

Date

2. INTRODUCTION

The purpose of this Manual is to establish and maintain a reasonable system for administration of all personnel matters. The City Administrator, City of Cascade and the Utility Manager, Cascade Municipal Utilities shall administer these procedures. In his/her absence they shall administered by the City Clerk, City of Cascade or Utility Clerk, Cascade Municipal Utilities. Policies and procedures contained herein may be periodically updated and changed by the Cascade City Council and the Cascade Municipal Utilities Board of Trustees with a written notice to the employee.

This manual is not an employment contract. Nothing in this manual shall in any way be construed as creating any contractual rights or obligations between the City of Cascade or Cascade Municipal Utilities and employees; or limit the City of Cascade's and the Cascade Municipal Utilities' right to terminate the employment of any employee at any time.

The goal of uniform personnel practices is to insure that the principle of fairness is the basis for all personnel actions. These personnel policies and procedures have been established to set standards insuring that in any personnel action, including recruitment, examination, selection, retention and discipline; the basis for the action and the procedures employed will be impartial and universally applied.

Moreover, this Employee Personnel Policy in no way alters the nature of the employment relationship. All employees who are employed, without specific written contracts of employment entered into on behalf of the City or Utilities, have the right at all times and at their discretion to terminate the employment relationship. Similarly, the City of Cascade or the Cascade Municipal Utility has the same right.

The following written policies shall be in effect covering subjects that have been approved by the City of Cascade/Cascade Municipal Utility Board of Trustees, as appropriate. The following policy applies to all employees.

4. EMPLOYMENT POSTERS

The City of Cascade and the Cascade Municipal Utilities shall post all the employment posters required by state and federal law. These posters have information on employee rights. The posters shall be located by the time clock at the City Maintenance Garage, Utilities Warehouse Building, the City Hall Workroom, Cascade Police Station, Cascade Library, and Cascade Swimming Pool.

5. EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the City of Cascade and the Cascade Municipal Utilities to provide equal employment opportunities to all without regard to race, color, religion, national origin, political ideology, marital status, sex, age, and mental or physical disability, except where it is based upon a bona fide occupational qualification. This policy applies to recruiting, hiring, placement, compensation, promotion, transfer, layoff, dismissal, seniority, benefits, training, and all other terms and conditions of employment.

6. HARASSMENT IS FORBIDDEN

A fundamental policy of the City of Cascade and Cascade Municipal Utilities is that the workplace is for work. Our goal is to provide a workplace free from tensions involving matters which do not relate to the City of Cascade's and the Cascade Municipal Utilities' business. In particular, an atmosphere of tension created by non work-related conduct, including ethnic, racial, sexual or religious remarks, animosity, unwelcome sexual advances or requests for sexual favors, or other such conduct not belonging in our workplace.

Harassment of employees or of applicants by other employees is prohibited. Harassment includes, without limitation, verbal harassment (epithets, derogatory statements, slurs), physical harassment (assault, physical interference with normal work or involvement), visual harassment (posters, cartoons, drawings), and innuendo.

Sexual harassment is a violation of state and federal law. It includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal or physical conduct, or visual forms of harassment of a sexual nature when submission to such conduct is either explicitly or implicitly made a term or condition of employment or is used as the basis for employment decisions or when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

You cannot be forced to submit to such conduct as a basis for any employment decision and the City of Cascade and Cascade Municipal Utilities will do its best to keep itself free of any conduct which creates an intimidating, hostile or offensive work environment for our employees.

WHAT TO DO IF YOU FEEL OUR POLICY HAS BEEN VIOLATED

In the event that any sort of ethnic, racial, religious, or sexual harassment, or similarly abusive verbal or physical conduct interferes with any individual's work performance or creates an intimidating, hostile or offensive work environment, we urge you to contact your Manager or Supervisor.

If you feel uncomfortable bringing the matter to your Manager or Supervisor or if your Manager or Supervisor is thought to be involved in the harassment, you may contact the City of Cascade Mayor or the Cascade Municipal Utilities Board Chairman, as appropriate, who, to the extent possible, will

treat the matter with the degree of confidentiality that you require. If you feel uncomfortable bringing the matter to the City of Cascade Mayor or the Cascade Municipal Utilities Board Chairman, as appropriate, or if the City of Cascade Mayor or Cascade Municipal Utilities Board Chairman, as appropriate, is thought to be involved in the harassment, you may contact a Cascade City Council Member or Cascade Municipal Utility Board of Trustee, who, to the extent possible, will treat the matter with the degree of confidentiality that you require. Charges of harassment will be promptly and thoroughly investigated and a report will be made to you concerning the results of the investigation.

If the City of Cascade or Cascade Municipal Utilities determines that harassment has occurred, appropriate relief for the employee bringing that complaint and appropriate disciplinary action against the harasser, up to and including discharge, will follow. A non-employee who subjects an employee to harassment in the workplace will be informed of the City of Cascade or Cascade Municipal Utilities policy and appropriate action will be taken. In all cases, the City of Cascade and Cascade Municipal Utilities will make follow-up inquiries to ensure that the harassment has not resumed.

An employee who remains unsatisfied after investigation by his/her Manager or Supervisor may seek a review from the City of Cascade Mayor or Cascade Municipal Utilities Board Chairman, as appropriate. The City of Cascade Mayor or Cascade Municipal Utilities Board Chairman, as appropriate may direct or conduct an independent investigation, including witness interviews and statements concerning the complaint. Additionally, the City of Cascade Mayor or Cascade Municipal Utilities Board Chairman, as appropriate may take further remedial or disciplinary action as is appropriate.

The City of Cascade and Cascade Municipal Utilities understands that these matters can be extremely sensitive and so far as possible, will keep all employee complaints and all communications, such as interviews and witness statements in strict confidence.

The City of Cascade and Cascade Municipal Utilities will not tolerate retaliation against any employee who makes a complaint of sexual harassment or provides information in connection with any such complaint.

7. FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act (FMLA) of 1993 requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least 1 year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

Any employee seeking additional information about the FMLA may contact the City of Cascade City Administrator or the Cascade Municipal Utility Manager or the nearest office of the Wage and Hour Division of the U.S. Department of Labor.

8. VETERANS PREFERENCE

Under Chapter 35C of the Code of Iowa, all honorably discharged veterans of any war designated by the Iowa Code are entitled to a job preference over other applicants of no greater qualification. The preferred person shall not be disqualified from holding any position by reason of age or physical disability, unless said age or physical disability renders this person incompetent to properly perform

the duties applied for. If preferred applicant meets all qualifications for duties applied for, said applicant shall or shall not be hired for specific reasons.

9. POLICIES AND PROCEDURES FOR EMPLOYEES

This section is designed to be an aid to employees in understanding the policies and procedures used by the City and Utilities in personnel administration. Discussed in this section will be such topics as employee compensation, fringe benefits, disciplinary procedures and appeals. Employees are expected to be familiar with these procedures. Any employee has the right to ask for clarification of any administrative rule and ask that the rule be formally stated in writing. Appeal procedures for administrative rules are established here.

10. RECRUITMENT AND SELECTION

It shall be the policy of the City of Cascade and Cascade Municipal Utilities to seek out and secure the most qualified individual for positions at all levels of city and utility services. Appointment and promotion to positions are based upon qualifications of the applicant. Selection methods are based solely on job-related knowledge, skills, abilities, experience, education, and when appropriate, prior demonstrated performance, aptitude and adaptability. Selection factors are weighed as determined to be appropriate for the individual job vacancy.

Regardless of the number of applicants, selection methods shall be deemed competitive when: (a) the required qualifications are based upon education and experience; (b) qualified persons are given a reasonable amount of time to apply; and (c) all persons considered compete against common standards.

Applications shall be made on forms provided for each vacancy that exist. Job application forms are available at the offices of the City and Utilities. Such forms shall require information concerning the applicant's background of education, training experience, residence, physical fitness, references and any other pertinent information required by the employer.

After a conditional offer of employment is extended to an applicant, a physical examination by a licensed physician will be required. The examining doctor will have to approve the potential employee is physically capable of doing the job they would be hired to perform. The employer shall pay the physical examination cost. Any application, which indicates the applicant does not meet the minimum qualifications required for the position, may be rejected. Applications shall be rejected if the applicants are physically or mentally unable to perform the essential functions and duties of the position applied for, has made any false statement of any material fact, or attempted to practice any deception or fraud in their application. The employer reserves the right to reject all applicants and to solicit additional applications.

11. REQUIRED FORMS FOR EMPLOYMENT

Each employee shall complete all the required forms for employment after notice of hiring but before beginning work:

- | | |
|--|---|
| 1. W-4 Federal Income Tax Withholdings. | 5. Health Insurance Enrollment Form. |
| 2. W-4 Iowa Income Tax Withholdings | 6. Substance Abuse Prevention Program Certificate Receipt |
| 3. INS-9 Employment Eligibility Verification Form. | |

4. IPERS Membership/Beneficiary Form.

12. PROBATIONARY PERIOD

New employees shall serve a 180-day probationary period from the date of hire. An employee may be dismissed for any reason during this period. If dismissed, the employer shall give a written notice stating the date of dismissal and reasons therefore. The appointing person or body is responsible for the dismissal.

All promotions, transfer and re-appointments will be subject to a 180-day probationary period. During this type of probationary period, employees will continue to be considered permanent employees and will be subject to the same disciplinary procedures as other permanent employees.

At the end of the 3rd month of the probationary period, the City of Cascade City Administrator and the Cascade Municipal Utility Manager will present the employee with an oral and written evaluation. Again at the end of the probationary period, an evaluation of the employee will be presented to the employee. During the probationary period the employee will receive all benefits and paid holidays of a permanent employee.

13. RESIDENCY REOUIREMENT

All full-time employees hired after the date of adoption of this policy will have 90-days after successfully completing the probationary period to reside within 2-miles of Corporate Limits of the City of Cascade. The residency requirement will be required for continued employment with the Cascade Municipal Utilities.

The City of Cascade has adopted the following residency requirement: The City Administrator and Police Chief must reside within 2 miles of the City within 60 days of employment; may be extended with Council approval. The full-time police officer and the City Clerk must reside within 45 minutes of the City. Public Works Superintendent and Equipment Operator must reside within 15 minutes of the City. Part-time positions must reside within 45 minutes of the City.

14. RESIGNATION

In the event an employee decides to leave employment, the City and Utilities requires a 2-week written notice prior to leaving. When proper notice is given and all of the required forms have been returned to the City of Cascade City Clerk or Cascade Municipal Utility Clerk before the employee is issued his/her final check for unused vacation. The following is a list of the items that will need to be completed upon an employee's resignation.

1. Request/Denial form for continued medical insurance coverage.
2. Workers' Compensation Release form.
3. Any items issued by the employer throughout the employee's career. These include keys, radios and related equipment etc.

15. NEPOTISM

Chapter 71 of the Code of Iowa prohibits nepotism within the third degree of consanguinity. The employment of relatives within the City and Utilities is discouraged.

16. RECORDS

The City of Cascade City Clerk or Cascade Municipal Utility Clerk shall maintain a service record for each employee showing the name, title, department, salary, and changes in employment status, training and any other necessary information. Each employee shall promptly report all changes of name, address and telephone number to the City of Cascade City Clerk or Cascade Municipal Utility Clerk. Employees shall report temporary or permanent changes in employment status to the City of Cascade City Clerk or Cascade Municipal Utility Clerk.

Payroll registers shall be kept permanently. All other personnel records not a part of a current employee's personnel file, including correspondence, applications, examinations and reports may be destroyed after ten years upon order by the Council or Board of Trustees.

17. WORK SCHEDULE

Normal working hours for office personnel is 7:30 AM to 4:30 PM Monday through Friday. Lunch period shall be one hour. Lunch period is not paid. Normal working hours for Equipment Operators and Utility Operators is 7:00 AM to 3:30 PM. There will be a half-hour lunch period. Lunch period is not paid.

The normal work schedule shall be 40-hours per week consisting of 5-days of 8-hours each day, Monday through Friday, with the exception of Police Department employees.

City and Utility "Office Hours" will be 7:30 AM to 4:30 PM. Office employees shall stagger their lunch hours to ensure the City/Utilities office remains open during the noon hour. Each employee is responsible to know when he or she is expected to be at work and what their schedule is.

18. WORKDAY BREAKS

All employees will receive two 15-minute breaks in an eight-hour period. The City of Cascade or the Cascade Municipal Utilities will not purchase beverages and snacks or the accessory materials used to brew or cook beverages or snacks. The employee is responsible for his/her own beverage or snack during their break period.

19. PAY SCHEDULE

The Utilities' and City's payroll period is bi-weekly with employees receiving pay checks once every 14-days. In either case, payroll period begins on Friday and ends on Thursday. Payday for Utility employees is on Thursday, and Friday for City employees. When payday falls on a holiday, all employees shall receive their paycheck on the preceding day. Payroll deductions will include federal income tax, state income tax, social security, Medicare, IPERS and any other mutually agreeable deduction between the employee and employer.

20. WAGES / COMPENSATION/ EVALUATIONS

Employees' hourly or salary rate will be determined on how well the employee performs his/her job. Job performance will be evaluated annually, using the following considerations:

- | | | |
|-------------------------|--------------------|------------------------------|
| 1. Communications | 5. Cooperation | 9. Quantity of Work |
| 2. Job Attitude | 6. Dependability | 10. Use of Time |
| 3. Job Knowledge | 7. Attendance | 11. Work Habits |
| 4. Willingness to Learn | 8. Quality of Work | 12. Work without Supervision |

Wages are reviewed annually and pay increases will be considered based on employee evaluations. The employer will consider one wage request per year. This will be done during budget meetings. All pay increases will be earned through favorable evaluations. Pay increases are not just given without merit. With the exception of hourly police employees, overtime compensation will be at the rate of 1.5 times the hourly rate; and will be paid for all hours worked over 8 each day, with the exception of hours worked under Section 21 below. Holidays, vacation days, and sick days are counted as hours-worked for the purpose of calculating overtime. This is an additional employee benefit.

21. ON-CALL STATUS

Addition: City and Utility on-call employees will receive 7 hours per week, at their approved hourly rate, as compensation for restriction of personal movement. On-call employees, with the exception of hourly police employees, will be paid time and one-half for all non-scheduled hours worked. An employee on-call shall remain within a 15-minute response time of the city garage or utility warehouse at all times. An employee on-call shall carry on their person at all times the employer's 2-way radio, pager, or cell-phone to ensure communication and response to a call-out situation. On-call employees will be trained to handle all duties of their respective operation before being placed into the on-call schedule. Any employee subject to the on-call policy, with the exception of hourly police employees, who is called out to help the on-call employee will get a minimum of one hour overtime or the actual time spent over the one hour minimum.

22. RESERVED

23. COUNCIL AND UTILITY BOARD MEETINGS

Any employee, with the exception of hourly police employees, whose presence is requested at a City Council or Utility Board meeting or other committee meeting shall receive overtime pay if the meeting occurs at times other than normal working hours. The employee will receive a minimum compensation of one hour or actual time spent over the one-hour minimum. Hourly police employees shall be compensated at their regular hourly rate of pay.

24. USE OF PRIVATE AUTOMOBILE

Prior to the usage of any private vehicle for City or Utility business, the employee will provide the City of Cascade City Administrator or the Cascade Municipal Utility Manager with a Certificate of Insurance for the motor vehicle and operator. If an employee is required to use their private transportation to fulfill the job requirements of employment by the employer, the employee shall be reimbursed at a rate set by the employer from time to time. This mileage rate is authorized for all trips approved by the City of Cascade City Administrator and the Cascade Municipal Utility Manager.

Mileage allowance will need to be presented in writing to the City of Cascade City Clerk or Cascade Municipal Utility Clerk with a statement of reason for the trip, location traveled to and the total

number of miles traveled. The Council or Utility Board at their regularly scheduled monthly meeting will consider reimbursement to an employee.

25. EMERGENCY EMPLOYMENT

In an emergency situation, or when the required employment is not expected to exceed five (5) days, the Mayor or City Administrator for the City and the Board Chairman or Utility Manager for the Utilities may be authorized to employ the personnel needed to continue necessary City or Utility services. A special Council meeting or Utility Board meeting shall be called in the event employment is to exceed five (5) days.

26. INCOMPATIBLE ACTIVITIES

Employees shall not become involved in any activity, which requires so much of their time that it impairs their attendance or efficiency in the performance of their duties. Employees shall not engage in any employment, activity, or enterprise that is inconsistent, incompatible, or in conflict with their duties as an employee, or with the duties, functions and responsibilities of the department by which they are employed.

27. FULL-TIME EMPLOYEES

Full-time employees are scheduled to work a minimum of 40-hours per week. They may be paid hourly or salary. Full-time employees are eligible for all fringe benefits. Full-time hourly employees are required to record hours worked on a time clock and/or a time card. Each employee is responsible for his or her own time card.

28. PERMANENT PART-TIME EMPLOYEES

A permanent part-time employee is one who is scheduled to work less than 40-hours per week. They will be paid by the hour for all hours worked, at an hourly rate established by the employer. Permanent part-time City and Utility employees may receive benefits based on the number of continuous years they have been employed by the Utilities. Permanent part-time employees are subject to the same work rules governing full-time employees. Permanent part-time employees are required to record their hours on a time card.

A permanent part-time City Employee who is scheduled to work 28-hours or more per week and has 12 consecutive years of employment is eligible for benefits. The City Council shall determine the benefits. A permanent part-time Utility Employee who works fewer hours than 40 and is a permanently, regularly, weekly scheduled part-time person with five (5) consecutive years of employment, shall receive benefits in proportion to the previous fiscal years hours.

29. TEMPORARY EMPLOYEES

Employment is for a specific period of time of not more than six (6) months

30. HOURLY EMPLOYEES

Employees compensated on the basis of time spent performing job duties are non-exempt; and, with the exception of hourly police employees, are eligible for overtime pay. Sections 13(6)(20) of the Federal Fair Labor Standards Act provides overtime pay exemptions for employees of law enforcement departments with less than five employees.

31. SALARY EMPLOYEES

Employees compensated on the basis of accomplishing assigned responsibilities and functions are exempt, and not eligible for overtime pay.

32. MEDICAL INSURANCE

The City of Cascade and the Cascade Municipal Utilities shall provide employee health insurance to all permanent full-time employees, at the employer's expense. The employer shall also provide family health insurance to permanent full-time with legal dependents via premium cost sharing. The employer's and employees' share of the family health insurance premium will be set at budget time pursuant to an annual resolution by the Council and Utility Board. The employees' share of the family health insurance monthly premium shall be deducted from the employee's 4th payroll check each month. The employer will pay yearly premium cost increases, which occur, until the next budget session. Medical insurance rate increases will be considered as part of the overall compensation package. Medical insurance coverage becomes effective 30-days after the date of hire.

The employer will pay the insurance premiums for any employee that becomes disabled (not able to work on the job) for 90-days following disability after which time the employee may continue coverage by paying the monthly insurance premium him or herself. The employee must deliver a check in the amount of the premium by the last day of the month to the City of Cascade City Clerk or Cascade Municipal Utility Clerk.

33. DISABILITY INSURANCE

A long-term disability policy is provided for all full-time employees. The employer agrees to pay the entire cost for disability insurance premium. The monthly benefit is 66.67% of the employee's weekly earnings not to exceed \$3,000. The minimum monthly benefit is \$100. The waiting period is 90-days for illness and accident. The maximum payment period is 26-weeks. Disability insurance rate increases will be considered as part of the overall compensation package. Disability insurance coverage becomes effective 30-days after the date of hire.

34. LIFE INSURANCE

The employer shall provide a term life insurance policy for full-time employees equal to the employee's salary or annual wage based upon 2,080/hrs/yr. The employer shall also provide a \$4,000 life insurance policy for each of the employee's dependent over 14-days of age. The employer shall pay the premium.

35. RESERVED

36. WORKERS' COMPENSATION INSURANCE

The employer will provide Workers' Compensation Insurance for all employees. Employees should discuss questions relating to Workers' Compensation Insurance with the City of Cascade City Administrator and the Cascade Municipal Utility Manager.

37. IOWA PUBLIC EMPLOYERS RETIREMENT SYSTEM (IPERS)

The City of Cascade and the Cascade Municipal Utilities shall contribute the State mandated percentage of an eligible employee's gross wages to IPERS. The eligible employee's contribution to IPERS shall be the State mandated percentage of gross wages. The City of Cascade and the Cascade Municipal Utilities shall contribute the State mandated of an eligible police officer's gross wages to IPERS. The eligible police employee's contribution to IPERS shall be the State mandated percentage of gross wages. Contribution rates are established by the Iowa State Legislature and are subject to change annually.

38. DEFERRED COMPENSATION - 457

The City of Cascade and the Cascade Municipal Utilities established a Section 457 Deferred Compensation Plan retirement plan through the International City/County Manager's Association (ICMA). Full-time and permanent part-time employees are eligible to enroll in this plan. Details about this plan are available by contacting the City of Cascade City Administrator and the Cascade Municipal Utility Manager.

39. VACATION TIME

Earned vacation time will be credited to an employee's record on their date of hire (anniversary date). Vacation time may be used in 10th of an hour increments. Each employee's vacation will run from the employees' anniversary date to the next anniversary date. Unused vacation time will not be paid at the end of the employees' anniversary year. One half of the employee's vacation accrued for that year can be carried over to the next year. Vacation cannot be compounded beyond the one year. All vacation time will need to be approved by the department head or City of Cascade City Administrator or the Cascade Municipal Utility Manager. Vacations should be scheduled at least one week in advance. The maximum amount of time off that will be approved is two (2) weeks in a row. Extended needs should be discussed with the department head or City of Cascade City Administrator and the Cascade Municipal Utility Manager as these may be accommodated through unpaid Leave of Absence. Accrued vacation time will be forfeit if an employee leaves the employment without a 2-week notice. Earned vacation time will be credited to each employee's record on their date of hire - anniversary date. Vacations will be earned as follows:

- 10 days upon hire (with a 90 day probationary period)
- 15 days after completing 3 years of service
- 20 days after completing 6 years of service
- 25 days after completing 10 years of service

40. HOLIDAYS/ PERSONAL DAY

Full-time employees shall receive 8-hours of holiday pay for each of the following holidays. When a holiday falls on a Saturday, the proceeding Friday shall be observed. When a holiday falls on a Sunday the following Monday shall be observed. If a holiday falls during an employee's vacation, they shall be entitled to an additional day's vacation. Employees shall forfeit the right of payment for any holiday if they do not have an excused absence on the working day immediately preceding or following such holiday.

New Years Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve Day, Christmas Day, New Years Eve Day.

Full-time CMU employees shall also receive one personal day per year to be used at their discretion.

Full-time hourly employees, with the exception of hourly police employees, who are required to work a holiday shall receive one- and one-half times their regular hourly rate of pay for all hours required. Hourly police employees shall receive holiday pay plus their regular hourly rate for all hours worked on a holiday.

41. SICK LEAVE

Full-time City and Utility employees shall earn 8-sick days or 64-hours per year. Employees with less than one year of service will earn 1.23-hours of sick leave for each completed 40-hour week of service. Sick days can accumulate indefinitely. Sick days will not be paid unless a doctor's statement of sickness is presented after the 3rd day of consecutive sickness. If the City of Cascade or the Cascade Municipal Utilities suspects sick leave is being abused, employer may require documentation of sickness at any time. Sick leave may be used by the employee or for the employees' spouse, children, mother, father or legal guardian for the necessary care or treatment of sickness, medical, dental, optical or chiropractic appointments. Sick leave may be used in 10th of an hour increments.

42. BEREAVEMENT LEAVE

Full-time employees shall be granted paid leave of absence for up to 3-days for absence due to death of spouse, son, daughter, mother, father, legal guardian, brothers, sisters, mother-in-law, father-in-law, grandparents, grandchildren, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or other relatives living in the household.

43. MILITARY LEAVE

Any employee when ordered in writing by the proper military authority to active state or federal service is entitled to a leave of absence from employment for the period of time such active state or federal service is required. The employee will be allowed to return to their previous position when they return, without loss of pay during the first 30-days of such leave of absence. This does not include employees who enlist for military service.

44. MATERNITY LEAVE

Disabilities caused or contributed to by a pregnancy and recovery thereof, shall be covered by accumulated sick leave or unpaid leave, if necessary

45. JURY DUTY

Full-time employees selected for jury duty or called as a witness shall receive a paid leave of absence for the time spent on such duty. Compensation received by the employee from the Court will be turned over to the City of Cascade City Clerk or Cascade Municipal Utility Clerk, with the exception of meal and travel expenses incurred by the employee. Employees shall notify their immediate supervisor or the City of Cascade City Administrator or the Cascade Municipal Utilities Manager as soon as possible.

46. REDUCTION OF FORCE

If and when it becomes necessary to reduce the number of employees because of a shortage of work or limitation of funds, separation of the employee will be accomplished with due consideration to status and performance evaluations.

47. ILLNESS/INJURY AUTHORIZATION

Employees who become ill or injured on the job shall will be taken to the health care provider selected by the employer - presently the Cascade Medical Center, 610 2nd Av., NE. If the employee needs emergency care 911 shall be called and employee transported to the closest emergency care provider. All illness and injuries that occur on the job shall be reported immediately to a supervisor or superior. The employee shall be responsible for completing an illness/injury authorization form for the employer and health care provider. Regardless of how minor the injury, the form is required along with a statement describing exactly how the illness or injury occurred and witnesses to the illness or injury along with other pertinent information.

48. DRUG & ALCOHOL TESTING

CDL and pipeline employees are subject to federally mandated drug and alcohol testing. The purpose of the drug and alcohol-testing program is to prevent accidents and injuries from misuse of alcohol or use of a controlled substance. The employer provides a program for the pipeline personnel according to the requirements of 49 CFR 199 and a program for the CDL holders according to the requirements of 49 CFR 382. New hires shall be given information on the drug and alcohol program. The two programs are available from the City of Cascade City Administrator and Cascade Municipal Utility Manager. The employer has a policy regarding Substance Abuse Prevention

49. SUBSTANCE ABUSE PREVENTION POLICY

If the test of an employee, who is subject to the requirements of federal DOT drug and alcohol testing, results in an MRO verified positive test for the use of drugs or an alcohol concentration of 0.04 or greater, the employee will be referred to an appropriate substance abuse professional for assessment and enrollment in a treatment and rehabilitation program, if recommended. Results of the positive drug or alcohol test and terms of rehabilitation will remain confidential, except as provided by the federal regulators.

Employees referred to the treatment and rehabilitation program as a result of an MRO verified positive test or breath testing showing an alcohol concentration above 0.04, must immediately cease any substance abuse, must be subject to testing before returning to safety-sensitive duty, must subject themselves to periodic unannounced testing for a period of not to exceed 60-months, and must

comply with all other conditions of the treatment and counseling program recommended by the substance abuse professional.

The employee shall pay for all expenses of the substance abuse treatment and rehabilitation program. An employee required to take time off in order to participate in a rehabilitation program will be permitted to use sick leave, vacation time, and/or unpaid leave for a period of up to a total of 60-days.

Participation in substance abuse treatment and rehabilitation will not result in disciplinary action; however, non-covered duties may be assigned until the MRO or substance abuse professional determines that the employee may return to duty. Successful completion of the prescribed program will be required for the employee to continue employment with the employer.

If an employee is undergoing substance abuse treatment and counseling or has returned to duty upon successfully completing such treatment and rehabilitation and a subsequent test is verified by the MRO as positive, the employee will be terminated.

Employees who undergo substance abuse treatment and counseling under this policy and who continue to work must meet all established standards of conduct and job performance.

50. PROPERTY DAMAGE PROCEDURE

An employee, who is involved in an accident that causes property damage of any kind, shall follow the procedure below:

1. Secure the scene of the accident.
2. Call 911 and have a Law Enforcement officer and Ambulance dispatched to the accident site if needed.
3. Have the Law Enforcement Officer complete a written report.
4. Inform the City of Cascade City Administrator or Cascade Municipal Utility Manager.
5. All employees with a Commercial Driver's License will need to take a drug & alcohol test within 2-hours following the accident or document the reasons why the testing was not completed. The testing guidelines will follow the same procedure as outlined in our substance abuse programs. If an employee fails to follow this procedure they will be suspended for 3-work days without pay.
6. A copy of the accident report will be placed in the employee's permanent personnel record regardless of who was at fault for causing the accident.

51. USE OF CITY/UTILITY VEHICLES

No officer or employee shall provide the use of a City or Utility vehicle or transportation in a City or Utility vehicle to any person who is not an employee of the employer. However, it is not a violation of this section for an employee to provide transportation in a City or Utility vehicle for a person while in the performance of official duties, during an emergency situation, or to provide transportation for a contractor or vendor of services. Such transportation shall have a legitimate business purpose connected to the City of Cascade or Cascade Municipal Utilities business.

52. WORKSHOPS/CONFERENCES

Employees may be requested to attend workshops and/or safety training programs that are job related. The employee will receive his/her normal salary or hourly pay rate to attend. Necessary meals, travel and hotel expenses will be reimbursed. Personal expenses such as telephone calls, room service, or entertainment are the employee's responsibility.

1. Overnight travel: Hourly non-exempt employees will be paid for all hours of travel falling within their normal work hours Monday through Friday. With the exception of hourly police employees, these hours qualify for purposes of calculating overtime pay.
2. One day: Hourly non-exempt employees will be paid for all time involved in the workshop assignment, including travel time (less the normal meal period). With the exception of hourly police employees, these hours qualify for purposes of calculating overtime pay.
3. Salaried exempt employees will receive their normal salary to attend workshops.

53. OPERATING CERTIFICATIONS

City public works department employees who obtain and hold a Grade II Water Treatment and a Grade II Water Distribution Certificate from the Iowa Department of Natural Resources shall receive a \$.60 per hour wage increase upon receipt and verification of the certificates. City public works department employees who obtain and hold a Grade II Wastewater Treatment Certificate from the Iowa Department of Natural Resources shall receive a \$.60 per hour wage increase upon receipt and verification of the certificate. The employer shall furnish the study guides and materials. The employee shall be responsible for preparing and obtaining the certifications on his/her own time.

54. COMPLIANCE WITH OSHA REGULATIONS

The City of Cascade and the Cascade Municipal Utilities shall provide all necessary safety training and equipment an employee need to carry out his/her assigned duties and responsibilities. Employees must follow guidelines to comply with OSHA regulations as outlined in training meetings and written safety programs of the City and Utilities. These programs are available from the City of Cascade City Administrator and the Cascade Municipal Utilities Manager.

55. TELEPHONE & CELL PHONE USAGE

City and Utility telephones, including cell phones, are to be used for City and Utility business only. The only exception is emergency situations. Personal non-emergency phone calls, should be made on off-duty time and on a personal cell phone. If an employee uses the City/Utilities telephone or cellular phone for an emergency personal phone call, they shall inform the City of Cascade City Clerk and Cascade Municipal Utility Clerk with the date, time and phone number called. The employee will be responsible for any charges.

Employees may carry and use personal cell phones while on duty. However, if the City of Cascade City Administrator and the Cascade Municipal Utility Manager determines that the number of cell phones call is unreasonable or interfering with the employees' work, the employee may be asked to turn the phone off or not bring it to work. Persistent problems with a personal cellular phone may result in disciplinary action.

56. EMERGENCY CALLS

An employee who is a volunteer firefighter, volunteer EMT, or first responder will be paid their normal hourly wage when dispatched for an emergency call. In the case where more than one

employee is a volunteer firefighter only one employee at a time will be permitted to leave the job. If the employee is involved in a job with another employee and two people are needed at the job, the volunteer must stay on the job. The employee will be responsible for contacting their supervisor for approval before leaving the job to respond to the call. In the absence of their supervisor they shall notify the City Clerk/Utility Clerk.

57. CAUSE FOR DISCHARGE, SUSPENSION OR DEMOTION

All employees are employees at will.

58. GRIEVANCE PROCEDURE

Any employee that feels he or she has a grievance, they are to discuss it with the City of Cascade City Administrator and the Cascade Municipal Utility Manager. Police employees that feel they have a grievance shall discuss it with the Police Chief. If they are not satisfied, they may go to the City of Cascade Mayor or Cascade Municipal Utility Board Chairman. If still unsatisfied, the employee may submit a written request to discuss the matter with the City Council or Utility Board at the next regular meeting. In all cases a written letter outlining the grievance the employee has, shall be submitted to the proper individual and follow the proper chain of command.

59. TOOLS AND EQUIPMENT

The City of Cascade and the Cascade Municipal Utility shall furnish all tools and equipment necessary for the performance of the employees' duties. It shall be the responsibility of each employee who is furnished tools, instruments, or equipment to care for, safeguard and return such tools, instruments, or equipment in good care. Any worn, broken, or damaged tools or instruments shall be returned to the employer for replacement.

Tools, instruments, office equipment or any other equipment, shall not be used for the personal use by the employees without prior approval by the City of Cascade City Administrator and the Cascade Municipal Utility Manager. Buildings, real estate properties or any other facilities shall not be used for personal use by the employees without prior approval by the City of Cascade City Administrator and the Cascade Municipal Utility Manager.

60. SAFETY TOED BOOTS

Permanent full-time non-office employees shall be required to wear safety-toed shoes or boots while on the job. The safety-toed shoes or boots shall be hard soled and meet ANSI (American National Standards Institute) standards for the employee's corresponding occupational classification. City and Utility employees subject to the safety toed boot requirement shall receive an annual \$50 boot allowance, payable on the 1st payroll of the fiscal year. An employee who fails or refuses to wear safety-toed boots will be removed from the job site by the department head and subject to disciplinary action.

61. SAFETY GLASSES

Each employee is required to wear safety glasses on the job that requires the use of safety glasses. The employer will provide safety glasses or an employee allowance for prescription safety lenses and frames. An employee who fails or refuses to wear safety glasses when required will be removed from the job site by the department head and subject to disciplinary action. The employer will

provide a prescription safety glasses allowance once every 2-years for full-time employees with a receipt from the employee. The frames and lenses will be from a selected safety eyewear package from an employer selected optical provider to ensure compliance with OSHA requirements and ANSI standards. The employee shall pay for his/her own eye exam and any difference between the employer allowance and the actual cost. The employee is required to contact the City of Cascade City Administrator or the Cascade Municipal Utility Manager for the information regarding the optical provider and safety frame and lenses prior to obtaining prescription safety glasses. A safety glasses allowance is up to \$95.00 for both City employees and Utility employees.

62. SALVAGED MATERIALS

Employees are responsible for any materials, equipment or supplies issued to them. All unused materials and salvaged parts are subject to inventory and accountability. Materials unfit for further use shall be returned to the employer for disposal. Salvaged materials, such as copper, aluminum, and brass shall be placed in the designated containers at the City's maintenance garage or at the Utilities' warehouse. For the Utilities, all wood and steel poles shall be returned to the warehouse and stored in the appropriate area. For the City, all scrap iron will be stored at the maintenance garage or other designated location until hauled to the salvage yard. Salvaged materials transported to a salvage yard shall be paid by check made out to the City of Cascade or Cascade Municipal Utilities and returned to the City of Cascade City Clerk or Cascade Municipal Utility Clerk.

63. UNIFORM POLICY

The employer shall furnish uniforms for all permanent fulltime (non-office) maintenance and utility employees. Uniforms for utility employees shall consist of a 100% cotton fabric. The uniforms shall be provided and maintained through a commercial uniform service on a weekly basis. Uniformed employee shall wear their designated uniform during all scheduled work hours. The City shall provide a uniform allowance for police employees in the annual police department budget. Uniforms shall not be worn when the employee is not on duty.

64. COMMERCIAL DRIVERS LICENSE

Employees, who are required by law to have valid commercial drivers' license, are responsible for obtaining and maintaining valid commercial drivers' license at their own expense. City/Utility vehicles may be used by an employee for the required pre-trip inspection and driving test associated with obtaining an Iowa commercial drivers' license upon approval of the Cascade Municipal Utility Manager or the City of Cascade City Administrator.

65. FLEXIBLE SPENDING ACCOUNT

The employer shall provide a flexible spending account, at the employer's expense, for all permanent full-time employees which allows employees to pre-tax their portion of the monthly health insurance premium, out-of-pocket medical expenses, and dependent care expenses. Employee participation in the flexible spending account is voluntary.

66. COMPUTER, INTERNET & EMAIL USE POLICY

The City and Utilities provide computers, Internet access, and email accounts for its employees as a tool to enhance productivity, efficiency, communication, and information transfer for job related tasks. Computers, Internet, and email shall only be used for obtaining information, communication, and the transfer of information relevant to the employee's job duties for the City or Utilities. Using computers, Internet, and email for any other purpose is prohibited. The City and Utilities reserves the right to monitor email and Internet use. Routine backup of the file server records employees' email and Internet use.

All material downloaded from the Internet shall be downloaded to the employee's computer, not the file server. All email and Internet viruses and outbreaks detected must be reported immediately to the Cascade Municipal Utility Manager or the City of Cascade City Administrator. Downloaded materials and emails are the property of the City of Cascade and/or Cascade Municipal Utilities. Such materials and communications are classified as public record subject to Iowa Open Records Act and the Freedom of Information Act. The City and Utilities have no control over the information that exists on the Internet or through email; and therefore cannot be responsible for the content, which some employees may find offensive or objectionable.

67. SECURITY SYSTEMS

Only authorized Utility employees shall open or close any Utility structures or buildings. The employee who opens any building with monitoring will be responsible for disarming the alarm system upon entry and rearming when leaving. Alarm notification shall be to the appropriate authorities and also to the manager. If the manager is not available the On-Call phone will be notified and that person should respond accordingly.