



# City Council AGENDA

Monday, November 25, 2024  
6:00 p.m.

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1. **CALL TO ORDER – Pledge of Allegiance & Roll Call**
2. **APPROVE AGENDA – Additions/Deletions**
3. **REVIEW AUGUST MINUTES – Amendment**
4. **CONSENT AGENDA – All items listed under the Consent Agenda, unless removed from the Consent Agenda, shall be approved by a Council motion.**
  - a. Minutes of the October 28, 2024, Regular City Council Meeting & November 12, 2024 Canvass Meeting
  - b. Claims Payable
  - c. Resolution #13.2024 – Acceptance of Podium
5. **REPORTS**
  - Fire Department
  - Public Works
  - Mayor/Council
  - Clerk/Treasurer
6. **UNFINISHED BUSINESS**
  - 604 Cedar Street cement replacement request
  - Council iPad/laptop costs
  - 4M Fund info/update
  - 2025 Budget/Resolution #14.2025 – Final Levy
  - Review of Personnel Policy
  - Employee Reviews Update
7. **NEW BUSINESS**
  - Review W/S rates
  - 2025 Fee Schedule
  - West side windbreak
8. **OPEN FORUM – Open forum provides residents with the opportunity to address the City Council. The City Council cannot take official action on items discussed during the open forum, except to refer items to staff for future reports or follow through. Speakers may be limited to three (3) minutes.**
9. **MAYOR/COUNCIL ITEMS**
  - December 23 – City Council Meeting
  - December 25 – Holiday Observed – City Office Closed
10. **ADJOURN**

Michael W. Cable  
Dennis H. Simpson  
William J. Toulouse  
Matthew B. Gross



Lee E. Doering, Retired  
W.P. Quarnstrom (1925-2020)  
Patrick J. Leary (1938-2019)  
Durward Pederson (1919-1998)  
Brian J. Murphy (1946-2003)

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**LEGAL MEMORANDUM**

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**DATE:** NOVEMBER 19, 2024  
**TO:** THE HONORABLE MAYOR AND COUNCIL MEMBERS OF THE CITY OF MILROY  
**FROM:** CITY ATTORNEY MATTHEW GROSS  
**RE:** PROCEDURES FOR PERSONNEL EVALUATIONS AND PERSONNEL POLICY CHANGES

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Honorable Mayor and Members of the City Council,

This memo is to address the proper procedures to conduct personnel evaluations and to establish or revise personnel policies.

**PERSONNEL EVALUATIONS**

Under the Open Meeting Law (Minn. Stat. 13D), all city council meetings where a quorum of city council members are present are presumed to be “open meetings”, meaning that the meetings must be open to the public. There are few exceptions to the open meeting requirement where the city council may (or are required to) close the meeting to the public and discuss matters with only the mayor and city council present. These “closed meetings” are specifically authorized by statute and are limited to the following matters: labor negotiations, performance evaluations, attorney-client privilege, discussions about purchasing or selling real property, security reports, misconduct allegations of an employee, and discussion of certain non-public data (data that would identify victims of certain crimes, allegations of law enforcement personnel, or educational, health, medical, or welfare data).

For purposes of this memo, personnel evaluations are one of the meetings that the city council may close to the public. These types of meetings are limited to employees of the city, i.e., the city must have the authority to hire and fire these individuals and set the terms of their employment. If the city council does not have such authority over an

individual, they are not permitted to have a closed meeting to discuss that individual or their performance. One such instance would be an independent contractor hired by the city. Because an independent contractor is not an employee of the city, the city would not be able to hold a public hearing to discuss their performance or work they performed. Any such discussion would be required to be held in a public meeting.

For individuals who are employees of the city, the city must identify the individual/employee they are going to evaluate in closed session. This must be listed on the city council meeting agenda at which the closed meeting occurs. This would be listed as "CLOSED MEETING: PERSONNEL EVALUATION OF JOHN SMITH (EMPLOYEE). Pursuant to the Open Meeting Law, Minn. Stat. 13D.05, subd. 3a (a copy of which is attached), the employee being evaluated has the right to elect to have the closed meeting and evaluation open to the public. If the employee does not elect to have the personnel evaluation open to the public, the city council must record the closed meeting and summarize its findings at the next meeting following the closed meeting. The city council can request that the employee being evaluated step out of the meeting to allow the city council to deliberate and discuss without the employee present. However, the city council must allow the employee to be present before the city council when it provides its evaluation to the employee. Additionally, no motion may be made in the closed meeting. For example, if the city council decides to give the employee a raise, any such motion must not be made in the closed meeting. The city council must first move to close the closed meeting and open the open meeting before the city council can proceed with any motion. The city council should be mindful that the employee does have the right to request a copy of the recording of the personnel evaluation by the council. For your review, I have also attached information from the League of Minnesota Cities regarding closed meetings.

#### ESTABLISHING OR REVISING PERSONNEL POLICY

The city council has the authority to establish and adopt personnel policies regulating the terms and conditions of employment of its employees. Personnel policies do not fall within one of the exceptions to the Open Meeting Law, thus, they must be discussed and approved during an open meeting. A city is not authorized to close a meeting to discuss and formulate/revise personnel policies.

Whenever a personnel policy is either established or revised, a copy of that written policy should be provided to each employee and the employee should sign an acknowledgement that they have reviewed and received the policy and are subject to its terms. A copy of the acknowledgement should be placed in each employee's employment file.

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) A public body may close a meeting:

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

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

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

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

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

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

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

## RELEVANT LINKS:

*Southern Minnesota  
Municipal Power Agency v.  
Boyne*, 578 N.W.2d 362  
(Minn. 1998).

*Moberg v. Indep. Sch. Dist.  
No. 281*, 336 N.W.2d 510  
(Minn. 1983).

*St. Cloud Newspapers, Inc. v.  
Dist. 742 Community  
Schools*, 332 N.W.2d 1  
(Minn. 1983).

Minn. Stat. § 412.191, subd.  
1. Minn. Stat. § 645.08 (5).

See section II.G.6. for more  
information about serial  
meetings.

Minn. Stat. § 13D.01, subd. 3.

Minn. Stat. § 13D.05, subd. 1  
(d).

DPO 14-005.  
DPO 13-012.  
DPO 14-014.

Thus, the law applies to meetings of all city councils, planning commissions, firefighter relief associations, economic development authorities, and housing and redevelopment authorities, among others.

The Minnesota Supreme Court has held, however, that the governing body of a municipal power agency, created under Minn. Stat. §§ 453.51-453.62, is not subject to the open meeting law because the Minnesota Legislature granted these agencies authority to conduct their affairs as private corporations.

## F. Gatherings governed by the open meeting law

The open meeting law does not define the term “meeting.” The Minnesota Supreme Court, however, has ruled that meetings are gatherings of a quorum or more of the members of the governing body, or a quorum of a committee, subcommittee, board, department, or commission thereof, at which members

discuss, decide, or receive information as a group on issues relating to the official business of that governing body.

A majority of the members of a statutory city council constitutes a quorum. A majority of the qualified members of any board or commission also constitutes a quorum. Home rule charter cities may have different quorum requirements.

The open meeting law does not generally apply in situations where less than a quorum of the city council is involved. However, serial meetings in groups of less than a quorum that are held in order to avoid the requirements of the open meeting law may be found to violate the law, depending on the specific facts.

## G. Open meeting law exceptions

There are seven exceptions to the open meeting law that authorize the closure of meetings to the public. Under these exceptions some meetings may be closed, and some meetings must be closed. Before a meeting is closed under any of the exceptions, the council must state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.

The commissioner of the Minnesota Department of Administration has advised that a member of the public body (and not its attorney) must make the statement on the record. The open meeting law does not define the phrase “on the record,” but the commissioner has advised that the phrase should be interpreted to mean a verbal statement in open session.

**RELEVANT LINKS:**

*Free Press v. County of Blue Earth*, 677 N.W.2d 471 (Minn. Ct. App. 2004).

*Free Press v. County of Blue Earth*, 677 N.W.2d 471 (Minn. Ct. App. 2004) (holding that a county’s statement that it was closing a meeting under the attorney-client privilege to discuss “pending litigation” did not satisfy the requirement of describing the subject to be discussed at a closed meeting).

Minn. Stat. § 13D.05, subd. 1 (d).

Minn. Stat. § 13D.04, subd. 5.

Minn. Stat. § 13D.03. DPO 13-012.

Minn. Stat. § 13D.03. Minn. Stat. § 13D.01, subd. 3.

The commissioner has also advised that citing the specific statutory authority that permits the closed meeting is the simplest way to satisfy the requirement for stating the specific grounds permitting the meeting to be closed.

Both the commissioner and the Minnesota Court of Appeals have concluded that something more specific than a general statement is needed to satisfy the requirement of providing a description of the subject to be discussed.

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

The same notice requirements that apply to open meetings also apply to closed meetings. For example, if a closed meeting takes place at a regular meeting, the notice requirements for a regular meeting apply. Likewise, if a closed meeting takes place as a special meeting, the notice requirements for a special meeting apply.

**1. Meetings that may be closed**

The public body may choose to close certain meetings. The following types of meetings may be closed:

**a. Labor negotiations under PELRA**

A meeting to consider strategies for labor negotiations, including negotiation strategies or development or discussion of labor-negotiation proposals, may be closed. However, the actual negotiations must be done at an open meeting if a quorum of the council is present.

**The following procedure must be used to close a meeting under this exception:**

- The council must decide to close the meeting by a majority vote at a public meeting and must announce the time and place of the closed meeting.
- Before closing the meeting, the council must state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.
- A written record of all people present at the closed meeting must be available to the public after the closed meeting.

## RELEVANT LINKS:

See Closing a Meeting from  
DPO.  
DPO 05-027.  
DPO 00-037.

Minn. Stat. § 13D.03, subd. 3.

Minn. Stat. § 13D.05, subd.  
3(a).

Minn. Stat. § 13D.05, subd.  
3(a).  
Minn. Stat. § 13D.01, subd. 3.

DPO 05-013 (advising that a  
government entity could close  
a meeting under this  
exception to discuss its  
contract with an independent  
contractor when that  
contractor is an individual  
human being).

DPO 14-007, DPO 15-002,  
and DPO 16-002 (discussing  
what type of summary is  
sufficient).

Minn. Stat. § 13D.05, subd.  
3(b).

*Brainerd Daily Dispatch,  
LLC v. Dehen*, 693 N.W.2d  
435 (Minn. Ct. App. 2005).

*Prior Lake American v.  
Mader*, 642 N.W.2d 729  
(Minn. 2002). DPO 16-003.  
DPO 17-003.

- The meeting must be recorded.
- The recording must be kept for two years after the contract is signed.
- The recording becomes public after all labor agreements are signed by the city council for the current budget period.

If an action claiming that other public business was transacted at the closed meeting is brought during the time the tape is not public, the court will review the recording privately. If the court finds no violation of the open meeting law the action will be dismissed and the recording will be preserved in court records until it becomes available to the public. If the court determines there may have been a violation, the entire recording may be introduced at the trial. However, the court may issue appropriate protective orders requested by either party.

### b. Performance evaluations

A public body may close a meeting to evaluate the performance of an individual who is subject to its authority.

**The following procedure must be used to close a meeting under this exception:**

- The public body must identify the individual to be evaluated prior to closing the meeting.
- The meeting must be open at the request of the individual who is the subject of the meeting; so some advance notice to the individual is needed to allow the individual to make a decision.
- Before closing the meeting, the council must state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.
- The meeting must be electronically recorded, and the recording must be preserved for at least three years after the meeting.
- At the next open meeting, the public body must summarize its conclusions regarding the evaluation. The council should be careful not to release private or confidential data in its summary.

### c. Attorney-client privilege

Meetings between the governing body and its attorney to discuss active, threatened, or pending litigation may be closed when the balancing of the purposes served by the attorney-client privilege against those served by the open meeting law dictates the need for absolute confidentiality. The need for absolute confidentiality should relate to litigation strategy, and will usually arise only after a substantive decision on the underlying matter has been made.



## RELEVANT LINKS:

*Northwest Publications, Inc. v. City of St. Paul*, 435 N.W.2d 64 (Minn. Ct. App. 1989). *Minneapolis Star & Tribune v. Housing and Redevelopment Authority in and for the City of Minneapolis*, 251 N.W.2d 620 (Minn. 1976).

Minn. Stat. § 13D.01, subd. 3.

See *Free Press v. County of Blue Earth*, 677 N.W.2d 471 (Minn. Ct. App. 2004) (holding that a general statement that a meeting was being closed under the attorney-client privilege to discuss “pending litigation” did not satisfy the requirement of describing the subject to be discussed).

Minn. Stat. § 13D.05, subd. 3(c).

*Vik v. Wild Rice Watershed Dist.*, No. A09-1841 (Minn. Ct. App. 2010) (unpublished opinion).

Minn. Stat. § 13D.05, subd. 3(c).

DPO 14-014.  
DPO 08-001 (advising that a public body cannot authorize the release of a tape of a closed meeting under this exception until all property discussed at the meeting has been purchased or sold or the public body has abandoned the purchase or sale).

See Closing a Meeting from DPO.

This privilege may not be abused to suppress public observations of the decision-making process, and does not include situations where the council will be receiving general legal opinions and advice on the strengths and weaknesses of a proposed action that may give rise to future litigation.

### **The following procedure must be used to close a meeting under this exception:**

- Before closing the meeting, the council must state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.
- The council should also describe how a balancing of the purposes of the attorney-client privilege against the purposes of the open meeting law demonstrates the need for absolute confidentiality.
- The council must actually communicate with its attorney at the meeting.

### **d. Purchase or sale of property**

A public body may close a meeting to:

- Determine the asking price for real or personal property to be sold by the public body.
- Review confidential or nonpublic appraisal data.
- Develop or consider offers or counteroffers for the purchase or sale of real or personal property.

### **The following procedure must be used to close a meeting under this exception:**

- Before closing the meeting, the council must state on the record the specific grounds for closing the meeting, describe the subject to be discussed, and identify the particular property that is the subject of the meeting.
- The meeting must be recorded and the property must be identified on the recording. The recording must be preserved for eight years, and must be made available to the public after all property discussed at the meeting has been purchased or sold or after the public body has abandoned the purchase or sale.
- A list of council members and all other persons present at the closed meeting must be made available to the public after the closed meeting.
- The actual purchase or sale of the property must be approved at an open meeting, and the purchase or sale price is public data.

## RELEVANT LINKS:

Minn. Stat. § 13D.05, subd. 3(d).

Minn. Stat. § 13D.05, subd. 3(d).

See Closing a Meeting from DPO.

Minn. Stat. § 13D.05, subd. 2(b).  
Minn. Stat. § 13.43, subd. 2(4).  
DPO 03-020.

DPO 14-004.

DPO 10-001.  
Minn. Stat. § 13.43.

### e. Security reports

A meeting may be closed to receive security briefings and reports, to discuss issues related to security systems, emergency response procedures, and security deficiencies in, or recommendations regarding, public services, infrastructure, and facilities, if disclosure of the information would pose a danger to public safety or compromise security procedures or responses. Financial issues related to security matters must be discussed, and all related financial decisions must be made, at an open meeting.

#### **The following procedure must be used to close a meeting under this exception:**

- Before closing the meeting, the council must state on the record the specific grounds for closing the meeting and describe the subject to be discussed.
- When describing the subject to be discussed, the council must refer to the facilities, systems, procedures, services or infrastructure to be considered during the closed meeting.
- The closed meeting must be recorded, and the recording must be preserved for at least four years.

## 2. Meetings that must be closed

There are some meetings that the open meeting law requires to be closed. The following meetings must be closed:

### a. Misconduct allegations

A public body must close a meeting for preliminary consideration of allegations or charges against an individual subject to the public body's authority.

The commissioner of the Minnesota Department of Administration has advised that a city could not close a meeting under this exception to consider allegations of misconduct against a job applicant who had been extended a conditional offer of employment. (The job applicant was not a city employee). The commissioner reasoned that the city council had no authority to discipline the job applicant or to direct his actions in any way; therefore, he was not "an individual subject to its authority."

The commissioner has also advised that a recording of a closed meeting for preliminary consideration of misconduct allegations is private personnel data under Minn. Stat. § 13.43, subd. 4, and is accessible to the subject of the data but not to the public. The commissioner noted that at some point in time, some or all of the data on the tape may become public under Minn. Stat. § 13.43, subd. 2.

## RELEVANT LINKS:

Minn. Stat. § 13D.01, subd. 3.  
Minn. Stat. § 13D.05, subd. 1.

Note: There is a special provision dealing with allegations of law enforcement personnel misconduct; see Minn. Stat. § 13D.05, subd. 2(a) and section II.G.2.b.- *Certain not-public data*.

Minn. Stat. § 13D.05, subd. 2(a).

Minn. Stat. § 13.32.  
Minn. Stat. § 13.3805, subd. 1.  
Minn. Stat. § 13.384.  
Minn. Stat. § 13.46, subds. 2, 7.  
Minn. Stat. §§ 144.291-144.298.

Minn. Stat. § 13D.01, subd. 3.  
Minn. Stat. § 13D.05, subd. 1.

For example, if the employee is disciplined and there is a final disposition, certain personnel data becomes public.

### **The following procedure must be used to close a meeting under this exception:**

- Before closing the meeting, the council must state on the record the specific grounds for closing the meeting and describe the subject to be discussed.
- The meeting must be open at the request of the individual who is the subject of the meeting. Thus, the individual should be given advance notice of the existence and nature of the charges against him or her, so that the individual can make a decision.
- The meeting must be electronically recorded, and the recording must be preserved for at least three years after the meeting.
- If the public body decides that discipline of any nature may be warranted regarding the specific charges, further meetings must be open.

### **b. Certain not-public data**

The general rule is that meetings cannot be closed to discuss data that are not public under the Minnesota Government Data Practices Act. A meeting must be closed, however, if the following not-public data is discussed:

- Data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults.
- Internal affairs data relating to allegations of law enforcement personnel misconduct or active law enforcement investigative data.
- Educational data, health data, medical data, welfare data or mental health data that are not-public data.
- Certain medical records.

### **The following procedure must be used to close a meeting under this exception:**

- The council must state on the record the specific grounds for closing the meeting and describe the subject to be discussed.
- The meeting must be electronically recorded, and the recording must be preserved for at least three years after the meeting.

## **H. Common issues**

This section provides an overview of some of the common issues cities face while attempting to comply with the open meeting law.

## **CITY OF MILROY**

Regular City Council Meeting

August 26, 2024

### **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Brooks called the meeting to order at 6:00 p.m., the pledge of allegiance was recited and roll call conducted.

Present: Mayor Brooks, Council Members Christensen, Olson and Zwach. Also present were Clerk/Treasurer Snyder, Public Works Director Duscher and Fire Chief Matt Krueger.

Guests Present: Kent Miller, Jimmy Hansen, Mary Dahmes, Sharri & Jeff VanDeWiele, Scott Haken, Tom Marks, Margaret (Peggy) Sik and Al & Angie Pool.

### **GUESTS**

Grady Holtberg, Redwood County EDA was present to introduce himself and inform the council of how the County EDA can help with projects.

### **CONSENT AGENDA**

- July 22, 2024, Regular meeting minutes.
- Claims Payable
- LU Permits #3.2024, #4.2024, #5.2024, #6.2024

**Zwach/Christensen unanimous to approve the consent agenda as presented. Motion carried.**

### **ORDINANCES/RESOLUTIONS**

Resolution #8.2024 Accepting Donations

Resolution #9.2024 Work Comp for Elected Officials

**Zwach/Christensen unanimous to approve these two resolutions as presented. Motion carried.**

### **REPORTS**

**FIRE – Christensen/Zwach unanimous to approve the purchase of six (6) handheld radio batteries. Motion carried.**

They will be attending the Tracy Box Car Day Parade on 9/2/2024 and conducting a controlled training burn on 9/14/2024.

**PUBLIC WORKS** – Inspection by Thein Well has been completed on both wells. The speed signs are up.

**MAYOR/COUNCIL** – Christensen then stated there were numerous candidates he would like to introduce, but this was not allowed by the Mayor as the city does not promote any one candidate or offer a platform for them to debate.

**CLERK/TREASURER** – Attending MCFOA Board Meeting September 6<sup>th</sup> in St. Cloud and MCFOA Advanced Academy September 19<sup>th</sup> & 20<sup>th</sup> in Staples.

### **UNFINISHED BUSINESS**

Mower quoted were in the packet with no decision made.

A health insurance refund for \$936.70 was received from the SWWC Service Coop. These funds are reimbursement due to low claims used by the policy holders. The SWWC service coop recommends these funds be used to reduce premiums, supplement the employees VEBA account, health & wellness. Past practice has been to deposit these refunds into the city general fund.

### **NEW BUSINESS**

The health insurance renewal quote was reviewed with a 2.3% increase for 2025 and will be renewed.

The three candidates who expressed interest in the vacant council position are: Kent Miller, Jeff VanDeWiele and Jimmy Hansen. Council member Zwach then asked if they could ask them questions. These questions were of their making not city provided and were asked of all the candidates in the audience, not just the individuals who expressed the interest in the open position. Councilmember Christensen would like to nominate Margaret (Peggy) Sik so that she has some

experience in case she gets voted in. **Christensen/Olson/Zwach in favor to appoint Margaret (Peggy) Sik, Brooks opposed. Majority rules. Motion carried.**

**Olson/Zwach unanimous to move Acting Mayor Collen Brooks into the Mayor position until 12/31/2024. Motion carried.**

**Olson/Christensen unanimous to approve the Oasis Bar & Grill Liquor License. Motion carried.**

The 2025 proposed budget was reviewed, and paper copies given to the council. This will be tabled until the September meeting.

#### **OPEN FORUM**

Jimmy Hansen then addressed the council with questions in regard to the mower purchase.

#### **MAYOR/COUNCIL ITEMS**

- September 2 – Holiday Observed – City Offices Closed
- September 23 – City Council Meeting

#### **ADJOURN**

**Zwach/Christensen unanimous to adjourn the meeting 6:41p.m. Motion carried.**

Approved this 23<sup>rd</sup> day of September 2024.

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Betsy Snyder, City Clerk/Treasurer

## **CITY OF MILROY**

Regular City Council Meeting

October 28, 2024

### **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Brooks called the meeting to order at 6:00 p.m., followed by the pledge of allegiance.

### **ROLL CALL**

Present: Mayor Brooks, Council Members Christensen, Olson, Sik and Zwach. Also present were Clerk/Treasurer Snyder and Public Works Director Duscher.

### **GUESTS**

Kent Miller, Steve & Debbie Todd, Sharri & Jeff VanDeWiele, Lori Duscher, Mary Dahmes, Scott Haken and Tom Marks and City Attorney Matthew Gross.

### **APPROVE AGENDA**

**Zwach, Christensen unanimous to approve the agenda with the addition of Acting Mayor appointment under New Business.**

City Attorney Matthew Gross then addressed the council about city council operations and procedures. He went over items after watching the last video of the last meeting. Items gone over: Open meeting law & procedures, council members speaking about issues outside of the meetings, penalties for violating an open meeting law, types of cites; charter or Plan A, how to appoint a vacant council position. Council Member Christensen then asked questions of Mr. Gross about what was related to Mayor Brooks about the process to fill the open council position.

### **CONSENT AGENDA**

**Christensen/Olson unanimous to approve the consent agenda as presented.**

- Approve September 23, 2024, Regular Council minutes as presented.
- Approve the payment of claims (check #12656 - #12678) in the amount of \$25,014.12, and electronic payments in the amount of \$16,670.51 as presented.
- LU Permits #11.2024 – 304 Bernice Street, #12.2024 – 305 Prospect Street.
- Resolution #11-2024 – Assessment of unpaid charges.

### **AUGUST MINUTES**

**Zwach/Christensen unanimous to amend the August minutes as they stated they did not include the appointment of Margaret “Peggy Sik” to fill the open council seat.**

Council Member Sik would like the claims to be available for viewing prior to or at the council meeting in which they will be approved. These will be at the council meetings for the council members to view.

### **REPORTS**

**FIRE – Christensen/Sik unanimous to approve the purchase of two (2) leaf blowers, two (2) light towers, two (2) sawzall blades, batteries and diablo blades.**

They will be handing out candy at the fire hall on Halloween. Both the red truck and the generator are going back to the DNR and listed on their site for sale. The department has checked into being put on a waiting list through the DNR for the option to purchase items.

**PUBLIC WORKS – Hydrant flushing hydrants are currently being done. There are a few that need repairs which can be done in the spring. A pond discharge will not be done this fall due to the low water levels. Sweeping leaves and the lead service line inventory has been completed. Christmas lights were discussed. Having the EDA committee once organized in charge of city beautification was discussed.**

**Christensen/Sik unanimous to appoint Debbie Todd to volunteer to oversee Christmas decorations for 2025.**

**MAYOR/COUNCIL** – Brooks has had issues with her current laptop, and she would like the council to consider purchasing new laptops. Prices will be received for the next meeting and in the meantime paper packets will be printed and emailed to/for all council members. Printed items will be ready for pick up between 3:00 and 4:00p.m. on the Thursday prior to the meeting. Council Member Olson needs to leave the meeting at 7:00p.m. He also had a resident question a vehicle that is potentially parked on city property. This will be looked into and a letter sent to the resident in violation. Council Member Sik asked Public Works Director Duscher if he mows through all the trees on the west side of the city as she noted some are mowed and some are not. This property is the former CRP property, and the city is in charge of mowing this. **Christensen/Zwach unanimous to allow Tom Marks (101 Lorrain Street) to erect a snow fence on city property, which is adjacent to his property with removal date of April 15<sup>th</sup>.**

#### **UNFINISHED BUSINESS**

Revolving loan/line of credit. Per the Chief Officer of First Independent Bank and David Drown & Associates the city is not allowed to have this sort of account. Attorney Gross stated the League of MN Cites has an option for cities through them called the 4M fund. Clerk/Treasurer Snyder will get this information for the November meeting.

The Housing Concept review received from the engineers was then gone over by the council. There are two (2) potential sites with the one to the east a better choice with the water and sewer that is currently available. The owner of this property will be informed that it will be his responsibility to put the infrastructure into this property.

Matthew Novak, Attorney from Wabasso was contacted to see if he is interested in handling these for the city. He was contacted by Clerk/Treasurer Snyder, and he is willing to take the city on, but requested the city wait until November or his current fees schedule be sent before cancelling with the county. This will be tabled ore information will be provided before ending the Redwood County prosecution contract. This will be tabled until the November meeting.

604 Cedar Street concrete repair and the letter from the resident was discussed. The owner is not satisfied with the outcome of the reseeding. This will be redone in the spring for them. The concrete that was cut out of their driveway by the city will be reimbursed to them once they get it repaired.

Council member Christensen then asked Public Works director Duscher about the ditch northeast of the city.

Employee Reviews discussed with no update. The personnel policy/benefits will be reviewed at the November meeting.

#### **NEW BUSINESS**

The 2025 fee schedule was given to council for their review and adoption at the November meeting.

**Christensen/Sik unanimous to set the canvass meeting for November 12, 2024, at 6:00 p.m.**

**Christensen/Sik unanimous to appoint Renee Zwach as acting mayor.**

#### **MAYOR/COUNCIL ITEMS**

- October 31 – City Office Closed
- November 5 – General Election – Polls open 7am to 8pm
- November 11 – Holiday Observed – City Office Closed
- November 12 – Special Canvassing Meeting 6pm
- November 25 – City Council Meeting
- November 28 – Holiday Observed – City Office Closed

#### **ADJOURN**

**Zwach/Christensen unanimous to adjourn the meeting 7:02p.m.**

Approved on this 28<sup>th</sup> day of October 2024.

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Betsy Snyder, City Clerk/Treasurer

**CITY OF MILROY**

Special City Council Meeting – Canvass Election Results  
November 12, 2024

**CALL TO ORDER/PLEGDE OF ALLEGIANCE**

Mayor Brooks called the meeting to order at 6:00pm, followed by the pledge of allegiance.

**ROLL CALL**

Present: Mayor Brooks, Council Members Christensen, Olson, Sik and Zwach. Also present was Clerk/Treasurer Snyder.

The election results were then reviewed by the council. The following votes were received;  
**Christensen/Olson unanimous to approve Resolution #12-2024 accepting election results.**

<u>Mayor 2-year term</u>	<u>Votes</u>
Margaret (Peggy) Sik	69
Colleen Brooks	64
<u>Council Member 4-year term</u>	<u>Votes</u>
Kent Miller	90
Scott Haken	57
Shane VanDerostyne	40
Jimmy L. Hansen	31
Write In	2

**ADJOURN**

**Zwach/Christensen unanimous to adjourn the meeting 6:04p.m.**

Approved this 25<sup>th</sup> day of October 2024.

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Betsy Snyder, City Clerk/Treasurer



**Accounts Payable Check Register Report - First Independent Bank-1005284**

For The Date Range From 10/25/2024 To 11/21/2024

For All Vendors And For Outstanding, Cleared Checks - Computer Generated, Hand Written, eCheck

Check # / eCheck ID	Type	Date	Vendor	Name	Amount	Status
12679	C	11/12/2024	27	FCAM	\$202.16	O
12680	C	11/12/2024	29	Gopher State One-Call	\$4.05	O
12681	C	11/12/2024	31	Heiman Fire Equipment	\$120.00	O
12682	C	11/12/2024	41	MN Valley Telephone Co.	\$271.43	O
12683	C	11/12/2024	59	Running's Supply, INC.	\$1,747.93	O
12684	C	11/12/2024	170	Redwood County Attorney's Office	\$175.00	O
12685	C	11/12/2024	257	JohanneckConcrete	\$316.00	O
12686	C	11/12/2024	284	Menards	\$84.37	O
12687	C	11/12/2024	299	Computers and Beyond	\$15.30	O
12688	C	11/12/2024	350	NCPERS Group Life Ins.	\$16.00	O
12689	C	11/12/2024	428	City of Milroy	\$177.63	O
12690	C	11/12/2024	558	I & S Group	\$600.00	O
12691	C	11/12/2024	569	League of Minnesota Cities	\$122.25	O
12692	C	11/12/2024	575	Quarnstrom & Doering P.A.	\$391.35	O
MEDICA	E	11/12/2024	544	MEDICA	\$3,234.50	O
Southwest Sanitation	E	11/12/2024	413	Southwest Sanitation	\$1,332.58	O
WEX Health	E	11/12/2024	272	WEX Health	\$5.50	O
					<b>Cleared</b>	<b>\$0.00</b>
					<b>Outstanding</b>	<b>\$8,816.05</b>
					<b>Void</b>	<b>\$0.00</b>

**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**  
 Revised Budget  
 For General Fund (01)  
 For the Fiscal Period 2024-11 Ending November 30, 2024

Account Number		Current Budget		Current Actual		Annual Budget		YTD Actual		Remaining Budget %
<b>Revenues</b>										
01-00-3000	General Property Tax	\$ 15,416.67	\$	0.00	\$	185,000.00	\$	103,202.89		44.21%
01-00-3001	Tax Abatement	1,375.00		0.00		16,500.00		0.00		100.00%
01-00-3005	LGA	6,207.58		0.00		74,491.00		37,245.50		50.00%
01-00-3010	Small Cities Assistance	0.00		0.00		0.00		10,860.00		0.00%
01-00-3012	Special Assessments	0.00		0.00		0.00		0.00		0.00%
01-00-3017	Grants - Other	0.00		0.00		0.00		0.00		0.00%
01-00-3020	License & Permits	100.00		0.00		1,200.00		3,295.00		(174.58%)
01-00-3025	Interest Income	50.00		0.00		600.00		2,290.42		(281.74%)
01-00-3030	Pera Aid	0.00		0.00		0.00		0.00		0.00%
01-00-3035	2% Fire State Aid	333.33		0.00		4,000.00		0.00		100.00%
01-00-3055	Insurance Dividend	125.00		0.00		1,500.00		936.70		37.55%
01-00-3060	Misc. Income	41.67		0.00		500.00		2,445.99		(389.20%)
01-00-3201	Swimming Fees	0.00		0.00		0.00		0.00		0.00%
01-00-3207	Spring Clean Up	25.00		0.00		300.00		285.00		5.00%
01-00-3208	Park & Recreation Fees	0.00		0.00		0.00		0.00		0.00%
01-00-3216	Other State Aid	0.00		0.00		0.00		0.00		0.00%
<b>Total General Fund Revenues</b>		<b>\$ 23,674.25</b>	<b>\$</b>	<b>0.00</b>	<b>\$</b>	<b>284,091.00</b>	<b>\$</b>	<b>160,561.50</b>		<b>43.48%</b>

<b>Expenditures</b>										
01-01-4000	Mayor/Council Salary	\$ 416.67	\$	0.00	\$	5,000.00	\$	3,400.00		32.00%
01-01-4005	Clerk/Treasurer Salary	4,750.00		0.00		57,000.00		49,738.07		12.74%
01-01-4010	Assessing Fees	186.67		0.00		2,240.00		2,460.00		(9.82%)
01-01-4011	Custodian Salary	20.83		0.00		250.00		95.46		61.82%
01-01-4020	City Share PERA	375.00		0.00		4,500.00		3,730.38		17.10%
01-01-4025	City Share SS	291.67		0.00		3,500.00		2,996.01		14.40%
01-01-4030	City Share MEDICARE	66.67		0.00		800.00		700.72		12.41%
01-01-4035	Election Expense	166.67		0.00		2,000.00		301.25		84.94%
01-01-4040	Office Supplies	183.33		0.00		2,200.00		2,926.20		(33.01%)
01-01-4045	Cleaning Supplies	16.67		0.00		200.00		170.39		14.81%
01-01-4050	Equipment Purchased	33.33		0.00		400.00		5,620.45		(1305.11%)
01-01-4052	Equipment Repairs/Maintenance	8.33		0.00		100.00		2,181.99		(2081.99%)
01-01-4055	Professional & Legal Services	1,083.33		0.00		13,000.00		18,523.44		(42.49%)
01-01-4056	Redwood County Court Costs	41.67		0.00		500.00		4,375.00		(775.00%)
01-01-4060	Phone	333.33		0.00		4,000.00		2,844.46		28.89%
01-01-4065	Mileage	108.33		0.00		1,300.00		1,951.54		(50.12%)
01-01-4070	Confrences & Training	250.00		0.00		3,000.00		3,147.09		(4.90%)
01-01-4075	Bonds & Insurance	1,333.33		0.00		16,000.00		25,672.00		(60.45%)
01-01-4076	Employer Paid Health Insurance	2,500.00		0.00		30,000.00		27,513.30		8.29%
01-01-4077	VEBA-Maintenance	103.00		0.00		1,236.00		1,227.50		0.69%
01-01-4078	VEBA-Clerk/Treasurer	203.00		0.00		2,436.00		2,427.50		0.35%
01-01-4080	Publications	41.67		0.00		500.00		0.00		100.00%
01-01-4095	Utilities & LP	1,000.00		0.00		12,000.00		5,914.90		50.71%
01-01-4107	Transfer Out to T. FUND SAVINGS	683.33		0.00		8,200.00		8,200.00		0.00%
01-01-4108	Transfer Out to FIRE	0.00		0.00		0.00		3,500.00		0.00%
01-01-4110	Misc. Expense	41.67		0.00		500.00		787.21		(57.44%)
01-01-4116	Postage	58.33		0.00		700.00		209.10		70.13%

**CITY OF MILROY - 507-336-2495**

**Statement of Revenue and Expenditures**

*Revised Budget*

*For General Fund (01)*

*For the Fiscal Period 2024-11 Ending November 30, 2024*

<b>Account Number</b>	<b>Current Budget</b>	<b>Current Actual</b>	<b>Annual Budget</b>	<b>YTD Actual</b>	<b>Remaining Budget %</b>	
01-01-4125	Property Taxes	41.67	0.00	500.00	405.00	19.00%
01-01-4165	Dues/Subscriptions	33.33	0.00	400.00	644.00	(61.00%)
01-01-4200	Equipment & Supplies	0.00	0.00	0.00	0.00	0.00%
01-01-4205	Capital Improvements	0.00	0.00	0.00	0.00	0.00%
01-01-4210	Government Building Repairs	41.67	0.00	500.00	118.00	76.40%
01-01-4255	Tax Abatement Expense	1,375.00	0.00	16,500.00	0.00	100.00%
01-01-4293	Clothing/Uniform Allowance	20.83	0.00	250.00	0.00	100.00%
01-01-4295	Prior Period Adjustments	0.00	0.00	0.00	0.00	0.00%
01-01-5000	First Responder Lease Cost	41.67	0.00	500.00	500.00	0.00%
01-02-4052	Equipment Repairs	8.33	0.00	100.00	0.00	100.00%
01-02-4061	2% Fire State Aid	333.33	0.00	4,000.00	0.00	100.00%
01-02-4145	Ambulance Dues	83.33	0.00	1,000.00	1,000.00	0.00%
01-04-4005	Street Salaries	1,583.33	0.00	19,000.00	15,724.95	17.24%
01-04-4007	Summer Salaries	0.00	0.00	0.00	0.00	0.00%
01-04-4020	City Share Pera	116.67	0.00	1,400.00	1,179.39	15.76%
01-04-4025	City Share SS	100.00	0.00	1,200.00	974.94	18.76%
01-04-4030	City Share Medicare	25.00	0.00	300.00	227.95	24.02%
01-04-4032	Spring Clean Up Day	208.33	0.00	2,500.00	2,713.49	(8.54%)
01-04-4050	Equipment Purchased	41.67	0.00	500.00	0.00	100.00%
01-04-4052	Equipment Repairs/Maintenance	166.67	0.00	2,000.00	2,445.28	(22.26%)
01-04-4060	Phone	13.33	0.00	160.00	133.40	16.63%
01-04-4070	Conference & Training	25.00	0.00	300.00	278.45	7.18%
01-04-4095	Utilities	625.00	0.00	7,500.00	6,723.04	10.36%
01-04-4110	Misc. Expense	8.33	0.00	100.00	108.03	(8.03%)
01-04-4135	Civil Defense Per Diem	0.00	0.00	0.00	0.00	0.00%
01-04-4170	Vehicle Repairs/Maintenance	166.67	0.00	2,000.00	1,378.50	31.08%
01-04-4175	Gas-City Pick Up	125.00	0.00	1,500.00	888.40	40.77%
01-04-4176	Diesel-Plow, Tractor, Mower, Sweeper	208.33	0.00	2,500.00	906.08	63.76%
01-04-4185	Street Maintenance Supplies	83.33	0.00	1,000.00	0.00	100.00%
01-04-4189	Tree Trimming	166.67	0.00	2,000.00	1,185.00	40.75%
01-04-4190	One Call Concepts	33.33	0.00	400.00	77.00	80.75%
01-04-4200	Shop Supplies	66.67	0.00	800.00	245.99	69.25%
01-04-4205	Capital Improvements	0.00	0.00	0.00	0.00	0.00%
01-04-4210	Government Building Repairs	41.67	0.00	500.00	0.00	100.00%
01-04-4275	Seal Coating & Crackfilling	666.67	0.00	8,000.00	0.00	100.00%
01-04-4278	Vehicle/Equipment Replacement	1,666.67	0.00	20,000.00	0.00	100.00%
01-04-4293	Clothing/Uniform Allowance	7.00	0.00	84.00	66.67	20.63%
01-05-4024	Park & Recreation Salary	0.00	0.00	0.00	0.00	0.00%
01-05-4025	City Share SS	0.00	0.00	0.00	0.00	0.00%
01-05-4030	City Share MEDICARE	0.00	0.00	0.00	0.00	0.00%
01-05-4052	Repairs & Maintenance	8.33	0.00	100.00	2,101.86	(2001.86%)
01-05-4065	Mileage	0.00	0.00	0.00	0.00	0.00%
01-05-4095	Utilities	37.50	0.00	450.00	408.20	9.29%
01-05-4110	Misc. Expense	0.00	0.00	0.00	0.00	0.00%
01-05-4189	Tree Trimming	41.67	0.00	500.00	0.00	100.00%
01-05-4200	Equipment & Supplies	25.00	0.00	300.00	148.34	50.55%
01-05-4205	Capital Improvements	0.00	0.00	0.00	4,312.09	0.00%
01-05-4278	Equipment Replacement	41.67	0.00	500.00	0.00	100.00%
01-05-4294	Swimming Lessons	0.00	0.00	0.00	0.00	0.00%

**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For General Fund (01)*  
*For the Fiscal Period 2024-11 Ending November 30, 2024*

<b>Account Number</b>	<b>Current Budget</b>	<b>Current Actual</b>	<b>Annual Budget</b>	<b>YTD Actual</b>	<b>Remaining Budget %</b>
<b>Total General Fund Expenditures</b>	\$ 22,575.50	\$ 0.00	\$ 270,906.00	\$ 225,508.01	16.76%
<b>General Fund Excess of Revenues Over Expenditures</b>	\$ 1,098.75	\$ 0.00	\$ 13,185.00	\$ (64,946.51)	592.58%

**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**  
 Revised Budget  
 For Water Fund (02)  
 For the Fiscal Period 2024-11 Ending November 30, 2024

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
02-00-3060 Misc. Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
02-00-3067 Transfers in from SEWER	0.00	0.00	0.00	0.00	0.00%
02-00-3080 Customer Water	3,750.00	0.00	45,000.00	41,476.25	7.83%
02-00-3090 Reconnection/Penalty/Deposit Fees	83.33	0.00	1,000.00	2,460.00	(146.00%)
02-00-3200 Improvement Fees	3,750.00	0.00	45,000.00	43,545.23	3.23%
<b>Total Water Fund Revenues</b>	<b>\$ 7,583.33</b>	<b>\$ 0.00</b>	<b>\$ 91,000.00</b>	<b>\$ 87,481.48</b>	<b>3.87%</b>
<b>Expenditures</b>					
02-00-4005 Water Salaries	\$ 1,583.33	\$ 0.00	\$ 19,000.00	\$ 15,720.36	17.26%
02-00-4020 City Share PERA	116.67	0.00	1,400.00	1,179.00	15.79%
02-00-4025 City Share SS	100.00	0.00	1,200.00	974.66	18.78%
02-00-4030 City Share MEDICARE	25.00	0.00	300.00	227.97	24.01%
02-00-4052 Equipment Repairs/Maintenance	333.33	0.00	4,000.00	1,411.20	64.72%
02-00-4060 Phone	14.58	0.00	175.00	133.30	23.83%
02-00-4070 Conference & Training	25.00	0.00	300.00	593.32	(97.77%)
02-00-4095 Utilities	250.00	0.00	3,000.00	1,151.01	61.63%
02-00-4100 Meters and Supplies	125.00	0.00	1,500.00	927.46	38.17%
02-00-4116 Postage/Office Supplies	50.00	0.00	600.00	730.05	(21.68%)
02-00-4135 Civil Defense Per Diem	0.00	0.00	0.00	0.00	0.00%
02-00-4165 Dues/Memberships & Permits	41.67	0.00	500.00	612.57	(22.51%)
02-00-4200 Shop Supplies	25.00	0.00	300.00	235.35	21.55%
02-00-4205 Capital Improvements	0.00	0.00	0.00	9,771.02	0.00%
02-00-4217 Tower Maintenance	1,166.67	0.00	14,000.00	20,726.48	(48.05%)
02-00-4220 Chemicals & Testing Fees	41.67	0.00	500.00	726.33	(45.27%)
02-00-4245 Depreciation	0.00	0.00	0.00	0.00	0.00%
02-00-4260 Bond Principal	2,583.33	0.00	31,000.00	32,000.00	(3.23%)
02-00-4265 Bond Interest	271.67	0.00	3,260.00	2,330.50	28.51%
02-00-4270 Bond Agent Fees	31.25	0.00	375.00	395.00	(5.33%)
02-00-4293 Clothing/Uniform Allowance	6.92	0.00	83.00	66.64	19.71%
02-00-4295 Prior Period Adjustments	0.00	0.00	0.00	0.00	0.00%
<b>Total Water Fund Expenditures</b>	<b>\$ 6,791.09</b>	<b>\$ 0.00</b>	<b>\$ 81,493.00</b>	<b>\$ 89,912.22</b>	<b>(10.33%)</b>
<b>Water Fund Excess of Revenues Over Expenditures</b>	<b>\$ 792.24</b>	<b>\$ 0.00</b>	<b>\$ 9,507.00</b>	<b>\$ (2,430.74)</b>	<b>125.57%</b>

**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**  
 Revised Budget  
 For Sewer Fund (03)  
 For the Fiscal Period 2024-11 Ending November 30, 2024

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
03-00-3012 Special Assessments	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
03-00-3090 Connection Fees	0.00	0.00	0.00	1,000.00	0.00%
03-00-3110 Customer Sewer	1,250.00	0.00	15,000.00	9,285.70	38.10%
03-00-3200 Improvement Fees	250.00	0.00	3,000.00	26,283.36	(776.11%)
<b>Total Sewer Fund Revenues</b>	<b>\$ 1,500.00</b>	<b>\$ 0.00</b>	<b>\$ 18,000.00</b>	<b>\$ 36,569.06</b>	<b>(103.16%)</b>
<b>Expenditures</b>					
03-00-4005 Sewer Salaries	\$ 1,583.33	\$ 0.00	\$ 19,000.00	\$ 15,720.36	17.26%
03-00-4020 City Share PERA	116.67	0.00	1,400.00	1,179.00	15.79%
03-00-4025 City Share SS	100.00	0.00	1,200.00	974.66	18.78%
03-00-4030 City Share MEDICARE	25.00	0.00	300.00	227.97	24.01%
03-00-4050 Equipment Purchased	83.33	0.00	1,000.00	0.00	100.00%
03-00-4052 Equipment Repairs/Maintenance	333.33	0.00	4,000.00	282.00	92.95%
03-00-4060 Phone	14.58	0.00	175.00	133.30	23.83%
03-00-4070 Conference & Training	25.00	0.00	300.00	593.32	(97.77%)
03-00-4095 Utilities & LP	250.00	0.00	3,000.00	3,087.73	(2.92%)
03-00-4106 Transfer Out to WATER	0.00	0.00	0.00	0.00	0.00%
03-00-4116 Postage/Office Supplies	50.00	0.00	600.00	679.00	(13.17%)
03-00-4125 Property Taxes	0.00	0.00	0.00	874.24	0.00%
03-00-4135 Civil Defense Per Diem	0.00	0.00	0.00	0.00	0.00%
03-00-4165 Dues/Memberships & Permits	33.33	0.00	400.00	345.00	13.75%
03-00-4200 Shop Supplies	25.00	0.00	300.00	95.35	68.22%
03-00-4205 Capital Improvements	0.00	0.00	0.00	1,761.25	0.00%
03-00-4220 Chemicals & Testing Fees	416.67	0.00	5,000.00	5,300.66	(6.01%)
03-00-4240 Jetter Expenses	83.33	0.00	1,000.00	3,062.50	(206.25%)
03-00-4245 Depreciation	0.00	0.00	0.00	0.00	0.00%
03-00-4293 Clothing/Uniform Allowance	6.92	0.00	83.00	66.64	19.71%
03-00-4295 Prior Period Adjustments	0.00	0.00	0.00	0.00	0.00%
<b>Total Sewer Fund Expenditures</b>	<b>\$ 3,146.49</b>	<b>\$ 0.00</b>	<b>\$ 37,758.00</b>	<b>\$ 34,382.98</b>	<b>8.94%</b>
<b>Sewer Fund Excess of Revenues Over Expenditures</b>	<b>\$ (1,646.49)</b>	<b>\$ 0.00</b>	<b>\$ (19,758.00)</b>	<b>\$ 2,186.08</b>	<b>111.06%</b>

**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Garbage Fund (04)*  
**For the Fiscal Period 2024-11 Ending November 30, 2024**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
04-00-3012 Special Assessments	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
04-00-3115 Charges for Services	1,666.67	0.00	20,000.00	17,211.10	13.94%
<b>Total Garbage Fund Revenues</b>	<b>\$ 1,666.67</b>	<b>\$ 0.00</b>	<b>\$ 20,000.00</b>	<b>\$ 17,211.10</b>	<b>13.94%</b>
<b>Expenditures</b>					
04-00-4250 Charges for Services	\$ 1,083.33	\$ 0.00	\$ 13,000.00	\$ 11,493.16	11.59%
04-00-4295 Prior Period Adjustments	0.00	0.00	0.00	0.00	0.00%
<b>Total Garbage Fund Expenditures</b>	<b>\$ 1,083.33</b>	<b>\$ 0.00</b>	<b>\$ 13,000.00</b>	<b>\$ 11,493.16</b>	<b>11.59%</b>
<b>Garbage Fund Excess of Revenues Over Expenditures</b>	<b>\$ 583.34</b>	<b>\$ 0.00</b>	<b>\$ 7,000.00</b>	<b>\$ 5,717.94</b>	<b>18.32%</b>

**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
**For 2022 Street Project Levy (05)**  
**For the Fiscal Period 2024-11 Ending November 30, 2024**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
05-00-3068 Transfers In	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
05-00-3205 '22 Street Project Abatement Levy	8,333.33	0.00	100,000.00	50,534.72	49.47%
<b>Total 2022 Street Project Levy Revenues</b>	<b>\$ 8,333.33</b>	<b>\$ 0.00</b>	<b>\$ 100,000.00</b>	<b>\$ 50,534.72</b>	<b>49.47%</b>
<b>Expenditures</b>					
05-00-4260 Loan Principal	\$ 6,821.85	\$ 0.00	\$ 81,862.19	\$ 81,862.19	0.00%
05-00-4265 Loan Interest	3,841.48	0.00	46,097.81	46,097.81	0.00%
05-01-4298 Construction Fund	0.00	0.00	0.00	0.00	0.00%
05-01-4299 Debt Service Fund	0.00	0.00	0.00	0.00	0.00%
<b>Total 2022 Street Project Levy Expenditures</b>	<b>\$ 10,663.33</b>	<b>\$ 0.00</b>	<b>\$ 127,960.00</b>	<b>\$ 127,960.00</b>	<b>0.00%</b>
<b>2022 Street Project Levy Excess of Revenues Over Exp</b>	<b>\$ (2,330.00)</b>	<b>\$ 0.00</b>	<b>\$ (27,960.00)</b>	<b>\$ (77,425.28)</b>	<b>(176.91%)</b>



**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For Fire Fund (06)*  
**For the Fiscal Period 2024-11 Ending November 30, 2024**

Account Number		Current Budget		Current Actual		Annual Budget		YTD Actual		Remaining Budget %
<b>Revenues</b>										
06-00-3015	Relief Reimbursement	\$ 0.00	\$	0.00	\$	0.00	\$	8,164.50		0.00%
06-00-3018	Fire Training Reimbursement	0.00		0.00		0.00		8,158.00		0.00%
06-00-3025	Interest Income	33.33		0.00		400.00		61.70		84.58%
06-00-3040	Township Contracts-Fire Protection	1,025.00		0.00		12,300.00		12,300.00		0.00%
06-00-3041	Township Contracts-T. Fund Savings	687.50		0.00		8,250.00		8,200.00		0.61%
06-00-3045	Fire Calls	125.00		0.00		1,500.00		1,500.00		0.00%
06-00-3050	Donations	0.00		0.00		0.00		0.00		0.00%
06-00-3060	Misc. Income	0.00		0.00		0.00		0.00		0.00%
06-00-3063	Supplemental Relief Benefits	0.00		0.00		0.00		0.00		0.00%
06-00-3065	Transfers In from GENERAL	0.00		0.00		0.00		11,700.00		0.00%
<b>Total Fire Fund Revenues</b>		<b>\$ 1,870.83</b>	<b>\$</b>	<b>0.00</b>	<b>\$</b>	<b>22,450.00</b>	<b>\$</b>	<b>50,084.20</b>		<b>(123.09%)</b>
<b>Expenditures</b>										
06-03-4005	Salaries	\$ 166.67	\$	0.00	\$	2,000.00	\$	0.00		100.00%
06-03-4025	City Share SS	14.17		0.00		170.00		0.00		100.00%
06-03-4030	City Share Medicare	3.33		0.00		40.00		0.00		100.00%
06-03-4050	Equipment Purchased	250.00		0.00		3,000.00		3,778.55		(25.95%)
06-03-4052	Equipment Repairs/Maintenance	83.33		0.00		1,000.00		1,153.56		(15.36%)
06-03-4055	Professional & Legal Services	83.33		0.00		1,000.00		1,912.06		(91.21%)
06-03-4065	Mileage	0.00		0.00		0.00		0.00		0.00%
06-03-4066	Physicals	125.00		0.00		1,500.00		2,140.00		(42.67%)
06-03-4070	Conference & Training	83.33		0.00		1,000.00		16,534.25		(1553.43%)
06-03-4095	Utilities	12.50		0.00		150.00		97.90		34.73%
06-03-4107	Transfer Out to T. Fund Savings	0.00		0.00		0.00		0.00		0.00%
06-03-4109	Parade Candy	12.50		0.00		150.00		128.87		14.09%
06-03-4116	Postage	2.08		0.00		25.00		12.65		49.40%
06-03-4135	Civil Defense Per Diem	41.67		0.00		500.00		0.00		100.00%
06-03-4150	Vehicle Gas	41.67		0.00		500.00		733.09		(46.62%)
06-03-4151	Supplies/Fire Clothes	41.67		0.00		500.00		2,666.75		(433.35%)
06-03-4155	Operating Supplies	25.00		0.00		300.00		1,806.71		(502.24%)
06-03-4165	Dues & Subscriptions	41.67		0.00		500.00		452.00		9.60%
06-03-4170	Vehicle Repairs & Maintenance	166.67		0.00		2,000.00		1,722.79		13.86%
06-03-4205	Capital Improvements	0.00		0.00		0.00		5,783.00		0.00%
06-03-4276	Relief Supplemental Benefits	0.00		0.00		0.00		0.00		0.00%
<b>Total Fire Fund Expenditures</b>		<b>\$ 1,194.59</b>	<b>\$</b>	<b>0.00</b>	<b>\$</b>	<b>14,335.00</b>	<b>\$</b>	<b>38,922.18</b>		<b>(171.52%)</b>
<b>Fire Fund Excess of Revenues Over Expenditures</b>		<b>\$ 676.24</b>	<b>\$</b>	<b>0.00</b>	<b>\$</b>	<b>8,115.00</b>	<b>\$</b>	<b>11,162.02</b>		<b>(37.55%)</b>

**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Milroy EDA (08)*  
**For the Fiscal Period 2024-11 Ending November 30, 2024**

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
08-00-3060 Misc. Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
08-00-3070 Rental Income	833.33	0.00	10,000.00	9,700.00	3.00%
<b>Total Milroy EDA Revenues</b>	<b>\$ 833.33</b>	<b>\$ 0.00</b>	<b>\$ 10,000.00</b>	<b>\$ 9,700.00</b>	<b>3.00%</b>
<b>Expenditures</b>					
08-08-4011 Custodian Salary	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
08-08-4025 City Share SS	0.00	0.00	0.00	0.00	0.00%
08-08-4030 City Share MEDICARE	0.00	0.00	0.00	0.00	0.00%
08-08-4052 Equipment Repairs/Maintenance	16.67	0.00	200.00	0.00	100.00%
08-08-4095 Utilities & LP	8.33	0.00	100.00	0.00	100.00%
08-08-4125 Property Taxes	100.00	0.00	1,200.00	1,326.00	(10.50%)
08-08-4205 Capital Improvements	0.00	0.00	0.00	0.00	0.00%
08-08-4210 Government Building Repairs	41.67	0.00	500.00	0.00	100.00%
08-08-4290 Water	83.33	0.00	1,000.00	984.74	1.53%
08-08-4291 Sewer	41.67	0.00	500.00	410.05	17.99%
08-08-4292 Garbage	12.50	0.00	150.00	0.00	100.00%
08-08-4295 Prior Period Adjustments	0.00	0.00	0.00	0.00	0.00%
<b>Total Milroy EDA Expenditures</b>	<b>\$ 304.17</b>	<b>\$ 0.00</b>	<b>\$ 3,650.00</b>	<b>\$ 2,720.79</b>	<b>25.46%</b>
<b>Milroy EDA Excess of Revenues Over Expenditures</b>	<b>\$ 529.16</b>	<b>\$ 0.00</b>	<b>\$ 6,350.00</b>	<b>\$ 6,979.21</b>	<b>(9.91%)</b>

**CITY OF MILROY - 507-336-2495**  
**Statement of Revenue and Expenditures**  
 Revised Budget  
 For Milroy Fitness Center (09)  
 For the Fiscal Period 2024-11 Ending November 30, 2024

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
09-00-3209 Fitness Center Memberships	\$ 583.33	\$ 0.00	\$ 7,000.00	\$ 2,949.30	57.87%
<b>Total Milroy Fitness Center Revenues</b>	<b>\$ 583.33</b>	<b>\$ 0.00</b>	<b>\$ 7,000.00</b>	<b>\$ 2,949.30</b>	<b>57.87%</b>
<b>Expenditures</b>					
09-09-4011 Custodian Salary	\$ 100.00	\$ 0.00	\$ 1,200.00	\$ 1,155.40	3.72%
09-09-4025 City Share SS	7.50	0.00	90.00	68.84	23.51%
09-09-4030 City Share MEDICARE	1.67	0.00	20.00	16.10	19.50%
09-09-4035 Election Expense	0.00	0.00	0.00	0.00	0.00%
09-09-4045 Cleaning Supplies	25.00	0.00	300.00	80.94	73.02%
09-09-4052 Equipment Repairs/Maintenance	41.67	0.00	500.00	250.00	50.00%
09-09-4095 Utilities & LP	166.67	0.00	2,000.00	1,834.06	8.30%
09-09-4125 Property Taxes	4.17	0.00	50.00	45.00	10.00%
09-09-4155 Operating Supplies	27.50	0.00	330.00	3,298.86	(899.65%)
09-09-4205 Capital Outlay	0.00	0.00	0.00	0.00	0.00%
09-09-4210 Government Building Repairs	0.00	0.00	0.00	0.00	0.00%
09-09-4278 Equipment Replacement	83.33	0.00	1,000.00	0.00	100.00%
09-09-4295 Prior Period Adjustments	0.00	0.00	0.00	0.00	0.00%
<b>Total Milroy Fitness Center Expenditures</b>	<b>\$ 457.51</b>	<b>\$ 0.00</b>	<b>\$ 5,490.00</b>	<b>\$ 6,749.20</b>	<b>(22.94%)</b>
<b>Milroy Fitness Center Excess of Revenues Over Expend \$</b>	<b>125.82</b>	<b>\$ 0.00</b>	<b>\$ 1,510.00</b>	<b>(3,799.90)</b>	<b>351.65%</b>

## CITY OF MILROY

2024

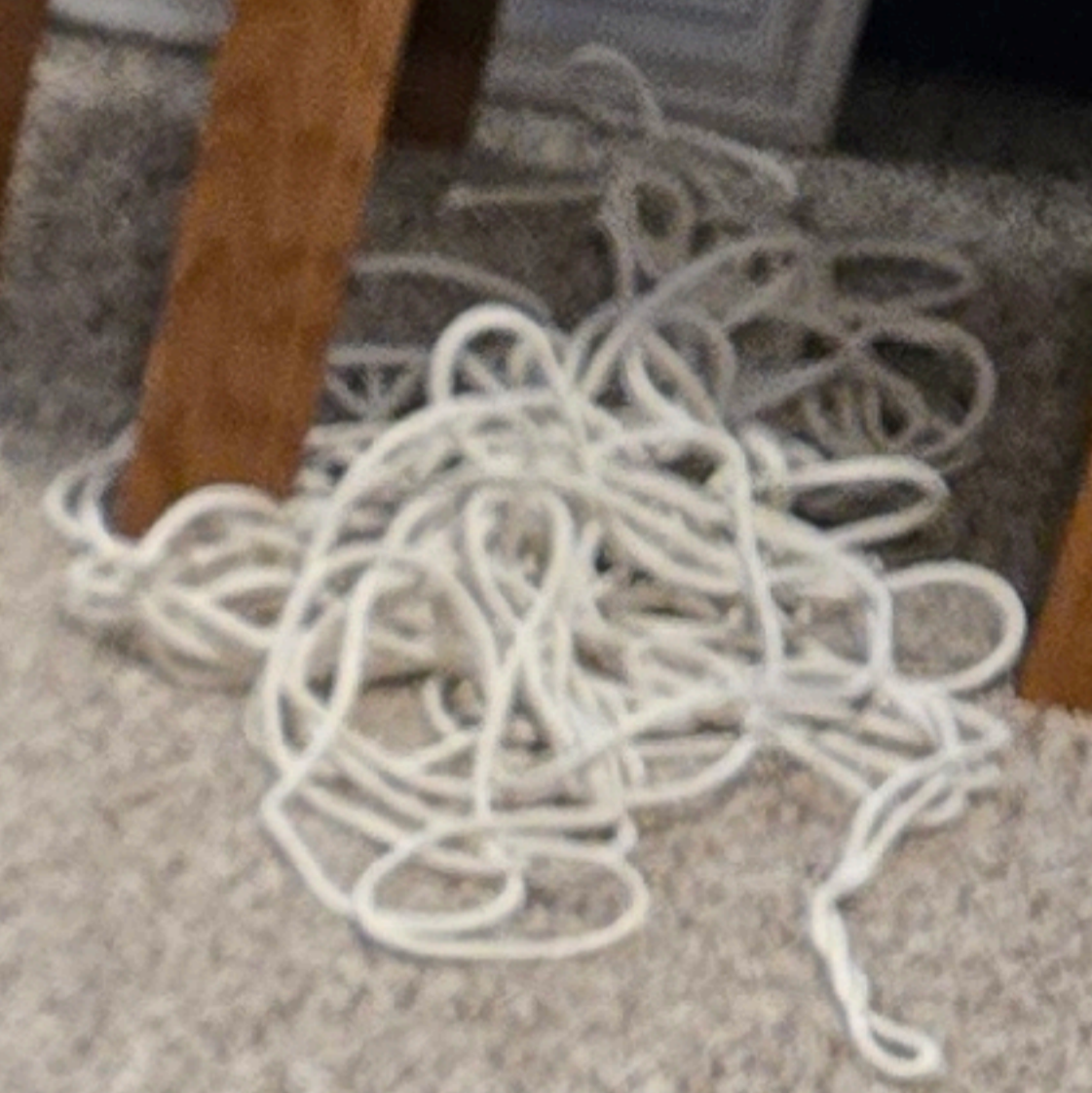
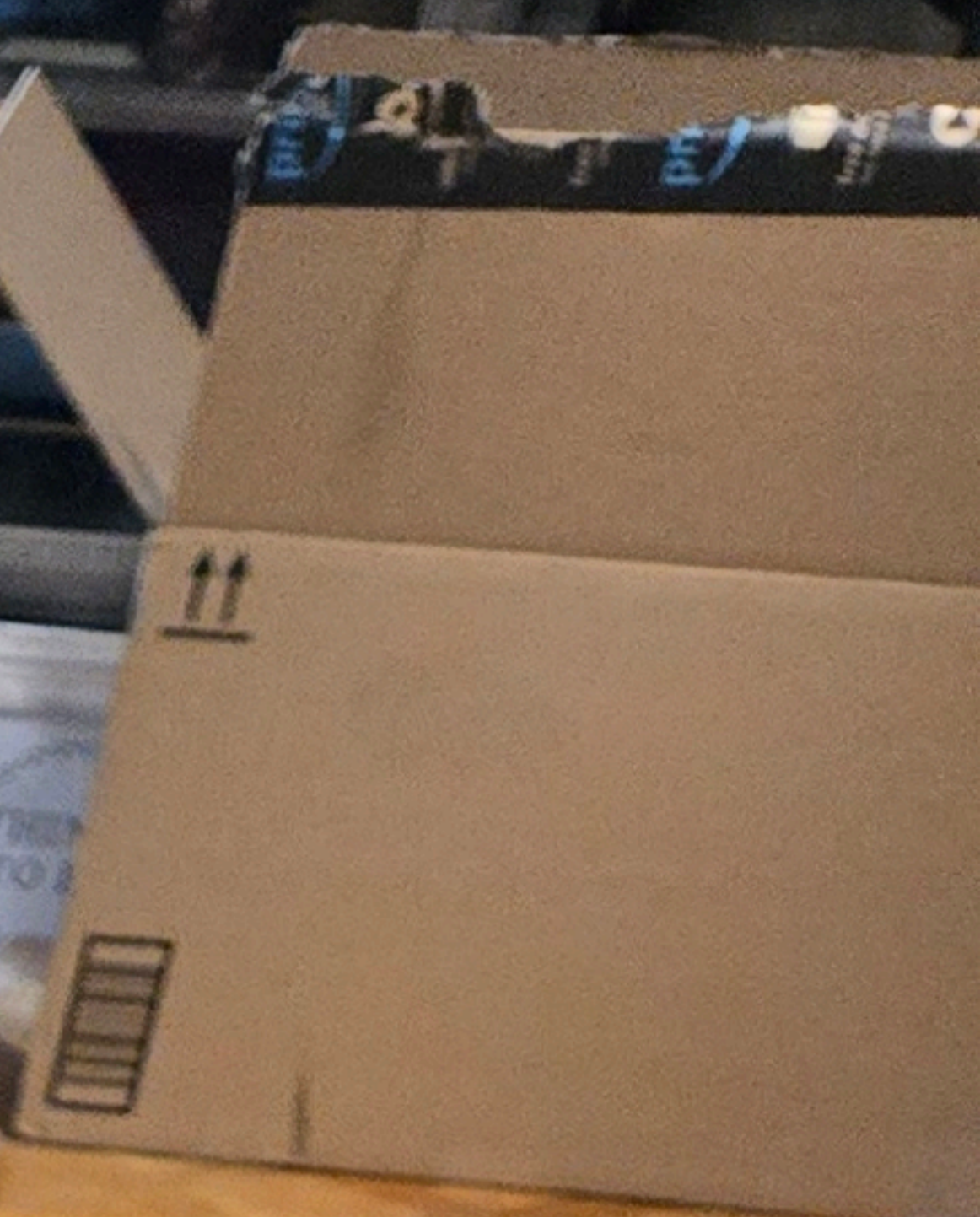
CHECKING	AMOUNT	BALANCE
Beginning Balance	10/1/2024	73,925.59
EFT – Pera	1,185.68	72,739.91
EFT – IRS	1,544.30	71,195.61
EFT – State of MN	224.09	70,971.52
EFT - Sales Tax	758.00	70,213.52
EFT - Sales Tax		70,213.52
Payroll	6,567.23	63,646.29
Misc. Receipts	4,025.00	67,671.29
WSG Receipts	16,240.18	83,911.47
		83,911.47
AP	27,789.22	56,122.25
First Independent - Checking Interest	15.67	56,137.92
First Independent - Analysis Charge	81.30	56,056.62
Ending Balance	10/31/2024	

GENERAL FUND SAVINGS ACCOUNT	AMOUNT	BALANCE
Beginning Balance	10/1/2024	301,905.33
Transfer Out/In		301,905.33
Interest	384.62	302,289.95
Ending Balance	10/31/2024	

TRUCK FUND SAVINGS ACCOUNT	AMOUNT	BALANCE
Beginning Balance	10/1/2024	26,590.51
Transfer Out/In		26,590.51
Interest	11.29	26,601.80
Ending Balance	10/31/2024	

GENERAL FUND CD	AMOUNT	BALANCE
Beginning Balance	10/1/2024	300,000.00

TRUCK FUND CD	AMOUNT	BALANCE
Beginning Balance	10/1/2024	143,366.00







WHEN USING INTERNAL MONITORS AND GOING TO OR: UNPLUG FULL CORD FROM MONITOR

**RESOLUTION 2024-13**

**CITY OF MILROY  
COUNTY OF REDWOOD  
STATE OF MINNESOTA**

**EXPRESSING ACCEPTANCE OF AND APPRECIATION FOR THE DONATION OF A PODIUM**

**Organization/Business/Individual**

Scott Haken

**Property**

One (1) Podium

**WHEREAS**, the above-listed have presented to the City donation of the stated piece of property; and

**WHEREAS**, the City Council is appreciative of the donation and commends the businesses, organizations and individuals listed for their civic efforts,

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Milroy, Minnesota; the donation is hereby accepted and acknowledged with gratitude.

Adopted by the Mayor and Council of the City of Milroy, Minnesota, this 25<sup>th</sup> day of November 2024.

SIGNED: \_\_\_\_\_  
Colleen Brooks, Mayor

ATTEST: \_\_\_\_\_  
Betsy Snyder, City Clerk/Treasurer



A&M Construction  
101 Rice po box 212  
Lynd MN 56157  
507-828-9939

# INVOICE

*Recvd 11/14/2024*

Lanny and Diane Sik  
Milroy  
*604 Cedar St.*

Invoice # 00000510000909

Invoice Date 10/27/2024

Due Date 10/27/2024

Item	Description	Unit Price	Quantity	Amount
Service	Replace concrete driveway per estimate  <i>24' x 23'</i> <i>City tore out 24' x 3'</i>	4320.00	1.00	4,320.00
<b>Subtotal</b>				4,320.00
<b>Total</b>				4,320.00
<b>Amount Paid</b>				0.00
<b>Balance Due</b>				\$4,320.00

$$4320.00 \div 23 = 187.93 \text{ per foot}$$
$$3 \times 187.93 = 563.48$$

*City Owes*

# 4M Fund

MINNESOTA MUNICIPAL MONEY MARKET FUND



## Minnesota Municipal Money Market Fund

Safety,  
Service, and  
Performance  
are the primary tenets  
of the League of MN Cities  
sponsored 4M Fund. The 4M Fund is a  
customized solution designed specifically to meet the  
cash and investment management needs of public entities.

## 4M Fund Benefits

- ▶ Banking services
- ▶ Customized accounting
- ▶ Online account and report access
- ▶ Direct wire of state aid
- ▶ Daily liquidity through money market programs
- ▶ Fixed income trading
- ▶ Cash flow management program
- ▶ Bond proceeds management program

## Contact Us



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PMA Financial Network, LLC serves as the Administrator to 4M. PMA Securities, LLC serves as the marketer to 4M. PMA Asset Management, LLC serves as the investment advisor to 4M.

# Investment Options

## 4M Liquid Asset Class

An overnight money market portfolio providing access to reduced-cost banking services.

## 4M PLUS Class

A money market portfolio with a 14-day aging requirement that offers a slightly enhanced yield.

## 4M Term Series Investment Pools

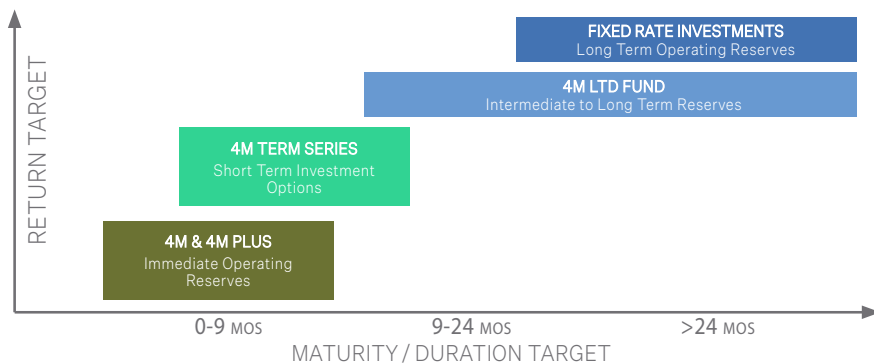
A short-term investment option that seeks higher yields and provides a fixed rate and a specific date to meet investment needs. *Offered by PMA Financial Network, LLC.*

## 4M Limited Term Duration Fund (4M LTD)

The 4M LTD Fund seeks to provide excess income over money market and deposit products while maintaining limited price volatility.

## Fixed Income Investments

A Fixed Income Investment Program that allows investors to purchase investment instruments including FDIC insured or collateralized certificates of deposit of banks and thrift institutions ("CDs"), government securities and municipal securities. *Offered through PMA Financial Network, LLC and PMA Securities, LLC.*



## Bond Proceeds Management Program

Bringing your project to life with a comprehensive investment and arbitrage management program for bond proceeds. *Offered through PMA Securities, LLC.*

## Cash Flow Management Program

A complete and accurate picture of your entity's cash flow so you can put your money to work sooner... and longer. *Offered through PMA Financial Network, LLC.*



Securities, public finance and institutional fixed income brokerage services are offered through PMA Securities, LLC. PMA Securities, LLC is a broker-dealer and municipal advisor registered with the SEC and MSRB, and is a member of FINRA and SIPC. As a Municipal Advisor, PMA Securities Inc. provides financial advisory services and advice with respect to the investment of proceeds of municipal securities. PMA Asset Management, LLC, an SEC registered investment advisor, provides investment advisory services to local government investment pools. All other financial products and services are provided by PMA Financial Network, LLC. These entities operate under common ownership with the Firm. Securities and public finance services offered through PMA Securities, LLC are available in CA, CO, FL, IL, IN, IA, MI, MN, MO, NE, NY, OH, OK, PA, SD, TX and WI. This document is not an offer of services available in any state other than those listed above, has been prepared for informational and educational purposes only and does not constitute a solicitation to purchase or sell securities, which may be done only after client suitability is reviewed and determined. All investments mentioned herein may have varying levels of risk, and may not be suitable for every investor. For more information, please visit us at [www.pmanetwork.com](http://www.pmanetwork.com). For institutional Investor use only. ©2024 PMA Financial Network, LLC. For Institutional Use Only

**CITY OF MILROY  
FINAL SUMMARY BUDGET STATEMENT**

The purpose of this report is to provide 2025 summary budget information concerning the City of Milroy to interested citizens. The budget is published in accordance with MN. Stat. 471.6965. The budget is a summary document only. The complete budget may be examined at the City Office. The City Council approved the 2025 budget on November 25, 2024.

	2024 BUDGETED	2025 BUDGETED
<b>Revenues:</b>		
Property Taxes.....	\$ 185,000	\$ 185,000
Licenses & Permits.....	1,200	1,200
Intergovernmental Revenues		
LGA.....	74,491	74,592
Small Cities Assistance.....	-	15,899
State Categorical Fire Aid.....	4,000	6,000
FCAM Tax Abatement Levy.....	16,500	16,500
2022 Street Project Levy.....	100,000	110,000
Charges for Garbage Services.....	20,000	21,000
Interest Earnings.....	600	600
Miscellaneous and Fire Revenues.....	24,750	24,700
EDA Fund.....	10,000	11,000
Fitness Center Fund.....	7000	3,500
<b>Total Revenues</b>	<b>\$ 443,541</b>	<b>\$ 469,991</b>
<b>Expenditures:</b>		
General Government.....	\$ 165,512	\$ 175,812
Public Safety & Fire.....	19,435	19,435
Streets.....	73,744	81,844
Garbage.....	13,000	15,000
Parks.....	1,850	6,850
FCAM Tax Abatement.....	16,500	16,500
Transfer Out to Truck Fund Savings.....	16,400	16,400
2022 Street Project Levy.....	127,960	127,960
EDA Fund.....	3,650	4,000
Fitness Center Fund.....	5,490	6,190
<b>Total Expenditures</b>	<b>\$ 443,541</b>	<b>\$ 469,991</b>

Levy History

	Proposed	2022	2020	Final
	General	Street	Abatement	General
	Levy	Levy	Elevator	Levy
2021	180,000		16,500	175,000
2022	190,000		16,500	180,000
2023	190,000	72,724	16,500	180,000
2024	190,000	100,000	16,500	185,000
2025	190,000	110,000	16,500	185,000

**RESOLUTION 2024–14**

**CITY OF MILROY  
COUNTY OF REDWOOD  
STATE OF MINNESOTA**

**APPROVING FINAL 2024 TAX LEVY COLLECTIBLE IN 2025**

**BE IT RESOLVED** by the City Council of the City of Milroy, County of Redwood, State of Minnesota, that the following sums are the proposed amounts to be levied for the year 2025 upon the taxable property in the City of Milroy, Minnesota,

<b>Fund Name</b>	<b>2025</b>
<b>General Fund</b>	<b>\$185,000</b>
<b>Tax Abatement Levy</b>	<b>\$16,500</b>
<b>2022Street Project Abatement Levy</b>	<b>\$110,000</b>
	<b>\$311,500</b>

**NOW, THEREFORE BE IT RESOLVED**, the Milroy City Clerk/Treasurer is hereby instructed to transmit a certified copy of this Resolution to the County Auditor of the County of Redwood, State of Minnesota.

Adopted by the Mayor and Council of the City of Milroy, Minnesota, this 25<sup>th</sup> day of November 2024.

SIGNED: \_\_\_\_\_  
Colleen Brooks, Mayor

ATTEST: \_\_\_\_\_  
Betsy Snyder, City Clerk/Treasurer

# CITY OF MILROY PERSONNEL POLICY

Adopted 2020

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## CITY OF MILROY PERSONNEL POLICY

### **Purpose**

The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of the City of Milroy. They should not be construed as contract terms for any city employees. No supervisor or City representative has any authority to enter into any agreement for employment for any specific period of time, or to make any agreement contrary to this provision. Nothing in this Personnel Handbook, or in other City policies which may be communicated to the employee, constitutes a contract of employment for any city employee. The policies are not intended to cover every situation that might arise and can be amended at any time at the sole discretion of the city. These policies supersede all previous personnel policies. As an employee, you are responsible for complying with current city policy at all times.

This handbook provides information to you, as an employee of the City of Milroy, about certain terms and conditions of your employment. It is not, and should not be considered, an employment contract. Your continued employment, and the conditions of the employment, is solely within the discretion of the City of Milroy. The handbook summarizes major policies and programs related to your employment. Additional information about many of these policies and programs is available from the city clerk's office. Please take advantage of those resources to assure that you are fully aware of your rights and responsibilities as an employee of the City of Milroy.

Except as otherwise prohibited by law, the City of Milroy has the right to terminate any employee at any time for any or no reason. Employees may similarly terminate employment at any time for any reason.

### **Scope**

These policies apply to all employees of the city. Except where specifically noted, these policies do not apply to:

- Elected officials
- City attorney
- Members of city boards, commissions, and committees
- Consultants and contractors
- Volunteers, except as specifically noted for paid-per-call firefighters.

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

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

### **EEO Policy Statement**

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

## **Data Practices Advisory**

Employee records are maintained in a location designated by the city clerk/treasurer. Personnel data is retained in personnel files, finance files, and benefit/medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc.

Employees have the right to know what data is retained, where it is kept, and how it is used. All employee data will be received, retained, and disseminated according to the Minnesota Government Data Practices Act.

## **Media Requests**

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority.

Any employee who identifies a mistake in reporting should bring the error to the city clerk or other appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use, etc.

With the exception of routine events and basic information readily available to the public, all requests for interviews or information from the media are to be routed through the city administrator. No city employee is authorized to speak on behalf of the city without prior authorization from the city administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites. When responding to media requests, employees should follow these steps:

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

All news releases concerning city personnel will be the responsibility of the city council.

When/if the city council authorizes a staff person to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing the city. Account names on social media sites must be clearly connected to the city and approved by the city administrator.
- Be respectful, professional, and truthful when providing information. In most cases, only factual information (not opinions or editorial comments) should be provided: "The city finished street cleaning on 16 streets in the northwest corner of the city this past week" instead of "The city is doing a great job with street cleaning this year!" Corrections must be issued when needed.
- Generally not include personal opinions in official city statements. One exception is communications related to promoting a city service. For example, an employee could post the following on the city's Facebook page: "My family visited Hill Park this weekend and really enjoyed the new band shelter." Employees who have been approved to use social media sites on behalf of the city should seek assistance from the city administrator on this topic.

- Notify the city administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

### **Personal Communications and Use of Social Media**

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

- Remember what you write or post is public, and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation that would not be permissible in the workplace is not permissible between co-workers online, even if it is done after hours, from home and on home computers.
- The City of Milroy expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of sex, race, national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status with regard to public assistance or membership or activity in a local human rights commission.
- If you publish something related to city business, identify yourself and use a disclaimer such as, "I am an employee of the City of Milroy. However, these are my own opinions and do not represent those of the City of Milroy."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Personal social media account name or email names should not be tied to the city.

## **CITYWIDE WORK RULES & CODE OF CONDUCT**

### **Conduct as a City Employee**

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

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

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

- Maintain good attendance while meeting the goals set by an employee's supervisor.

### **Attendance & Absence**

The operations and standards of service in the City of Milroy require that employees be at work unless valid reasons warrant absence, or an employee has a position that has been approved to work remotely. In order for a team to function efficiently and effectively, employees must fully understand the goals that have been set for them and the time required to be on the job. Understanding attendance requirements is an essential function of every city position.

Employees who are going to be absent from work are required to notify their supervisor as soon as possible in advance of the absence. In the event of an unexpected absence, employees should call their supervisor before the scheduled starting time and keep in mind the following procedures:

- If the supervisor is not available at the time, the employee should leave a message that includes a telephone number where he/she can be reached and/or contact any other individual who was designated by the supervisor.
- Failure to use the established reporting process will be grounds for disciplinary action.
- The employee must call the supervisor on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the supervisor.
- Employees who are absent for three (3) days or more and who do not report the absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing.
- The city may waive this rule if extenuating circumstances warranted such behavior.

This policy does not preclude the city from administering discipline for unexcused absences of less than three (3) days. Individual departments may establish more specific reporting procedures.

For budgetary and confidentiality reasons, non-exempt employees (eligible for overtime pay) are not authorized to take work home or work through lunch without prior approval from their supervisor.

### **Access to and Use of City Property**

Any employee who has authorized possession of keys, tools, cell phones, pagers, or other city-owned equipment must register his/her name and the serial number (if applicable) or identifying information about the equipment with his/her supervisor. All such equipment must be turned in and accounted for by any employee leaving employment with the city in order to resign in good standing. Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the city is prohibited unless authorized by the city administrator. Any employee found having an unauthorized duplicate key will be subject to disciplinary action.

### **Appearance**

Departments may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. Dress needs vary by function. Employees who spend a portion of the day in the field need to dress in a professional manner appropriate to their jobs, as determined by their supervisor. Employees may dress in accordance with their gender identity, within the constraints of the dress codes adopted by the city. City staff shall not enforce the city's dress code more strictly against transgender and gender diverse employees than other employees.

### **Conflict of Interest**

City employees are to remove themselves from situations in which they would have to take action or make a decision where that action or decision could be a perceived or actual conflict of interest or could result in

a personal benefit for themselves or a family member. If an employee has any question about whether such a conflict exists, he/she should consult with the city administrator.

### **Falsification of Records**

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

### **Whistleblower Protections**

An employee of the City who, in good faith, reports an activity that he/she considers to be illegal or dishonest to one or more of the parties may have whistleblower protections. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate city management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or Human Resources. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to discipline up to and including termination.

It is the city's legal responsibility to protect employees who make a complaint of employment discrimination, who serve as a witness or participate in an investigation, or who are exercising their rights when requesting religious or disability accommodation from retaliation.

Whistleblower protections are provided in two important areas – confidentiality and against retaliation; insofar as consistent with Minnesota Data Practices, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. The City will not retaliate against a whistleblower. This includes but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact Human Resources immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing.

### **Personal Telephone Calls**

Personal telephone calls are to be made or received only when truly necessary (e.g., family or medical emergency). They are not to interfere with city work and are to be completed as quickly as possible. Any personal long-distance call costs will be paid for by the employee.

### **Political Activity**

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

### **Smoking**

The City of Milroy observes and supports the Minnesota Clean Indoor Air Act. All city buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars, and cigarettes) or “vaping” with e-cigarettes is prohibited while in a city facility or vehicle.

Smoking of any kind, including pipes, cigars, cigarettes, vaping with e-cigarettes, and the use of chewing tobacco, is prohibited for employees while on duty. Employees 18 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

## DEFINITIONS

### **Authorized Hours**

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

### **Benefits**

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

### **Benefit Earning Employees**

Employees who are eligible for at least a pro-rated portion of city-provided benefits. Such employees must be year-round employees who work at least 30 hours per week on a regular basis.

### **Demotion**

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

### **Direct Deposit**

As permitted by state law, all city employees are required to participate in direct deposit.

### **Employee**

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

### **Exempt Employee**

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

### **FICA (Federal Insurance Contributions Act)**

FICA is the federal requirement that a certain amount be automatically withheld from employees’ earnings. Specifically, FICA requires an employee contribution of 6.2 percent for Social Security and 1.45 percent for Medicare. The city contributes a matching 7.65 percent on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers). These amounts may change if required by law.

### **Fiscal Year**

The period from Jan. 1 to Dec. 31.

### **Full-Time Employee**

Employees who are required to work thirty (30) or more hours per week year-round in an ongoing position.

### **Hours of Operation**

The city's regular office hours of operation are Monday through Thursday, from 8 a.m. to 4 p.m.  
The city's regular maintenance hours are Monday through Friday, 7:30 a.m. to 4:30 p.m.

**Supervisor**

Employee named to supervise other employees, if you are the supervisor then city council would act as your supervisor.

**Non-Exempt Employee**

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

**Part-Time Employee**

Employees who are required to work less than thirty (30) hours per week year-round in an ongoing position.

**Pay Period**

A fourteen (14) day period beginning at 12 a.m. (midnight) on Sunday through 11:59 p.m. on Saturday, fourteen (14) days later.

**PERA (Public Employees Retirement Association)**

Statewide pension program in which all city employees meeting program requirements must participate in accordance with Minnesota law. The city and the employee each contribute to the employee's retirement account.

**Reclassify**

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

**Seasonal Employee**

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

**Service Credit**

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

**Temporary Employee**

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

**Training/Probationary Period**

A six-month period at the start of employment with the city (or at the beginning of a promotion, reassignment, or transfer) that is designated as a period within which to learn the job, unless covered by a collective bargaining agreement stating a different time frame. The training period is an integral extension of the city's selection process and is used by supervisors for closely observing an employee's work. An employee serving his/her initial probationary period may be disciplined at the sole discretion of the city, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.



Nothing in this policy handbook shall be construed to imply that after completion of the probationary period, an employee has any vested interest or property right to continued City employment.

Time served in temporary, seasonal, volunteer or interim positions are not considered part of the probationary period. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked, and the probationary period will be extended by the length of time taken.

Training begins on your first day of employment with an orientation process in which you will learn about city policies and procedures, take a tour of the city, and meet co-workers. Then you will begin to learn your job by training with your supervisor or a co-worker. In the first few months, you will meet with your supervisor frequently to discuss your progress and at six months, you will have a formal review.

### **Weapons**

Weapons are defined to include all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

### **Workweek**

A workweek is seven consecutive 24-hour periods. For most employees the workweek will run from Monday through the following Sunday. With the approval of the city council, departments may establish a different workweek based on coverage and service delivery needs.

## **EMPLOYEE RECRUITMENT & SELECTION**

### **Scope**

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

### **Features of the Recruitment System**

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

Application for employment will generally be made online or by application forms provided by the city. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the city administrator or designee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position.

The deadline for application may be extended by the city clerk. Unsolicited applications will not be kept on file.

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

### **Testing and Examinations**

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

- Keyboarding exercises for data entry positions.
- Writing exercises for positions requiring writing as part of the job duties.
- “In-basket” exercise for an administrative support position (sets up real-life scenarios and items that would likely be given to the position for action, and asks the candidate to list and prioritize the steps they would take to complete the tasks).
- Mock presentation to the City Council for a planning director position, for example.
- Scenarios of situations police officers are likely to encounter on the job that test the candidate’s decision-making skills (can be role played or multiple choice questions).

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

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

### **Pre-Employment Medical Exams**

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

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

When required, the medical exam will be conducted by a licensed physician designated by the city with the cost of the exam paid by the city. (Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist). The physician will notify the city administrator or designee that a candidate either is or isn’t medically able to perform the essential functions of the job, with or without accommodations, and whether the candidate passed a drug test, if applicable. If the candidate requires accommodation to perform one or more of the essential functions of the job, the city administrator or designee will confer with the physician and candidate regarding reasonable and acceptable accommodations. If a candidate is rejected for employment based on the results of the medical exam, he/she will be notified of this determination.

### **Selection Process**

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

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

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

### **Background Checks**

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

### **Training Period**

The training period is an integral part of the selection process and will be used for the purpose of closely observing the employee's work and for training the employee in work expectations. Training periods apply to new hires, transfers, promotions, and rehires. Training periods are twelve months in duration, but may be extended by, for example, an unpaid leave of absence.

## **ORGANIZATION**

### **Job Descriptions**

The city will maintain job descriptions for each regular position. New positions will be developed as needed but must be approved by the City Council prior to the position being filled.

A job description is prepared for each position within the city. Each job description will include: position title, department, supervisor's title, FLSA status (exempt or non-exempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, supervisory responsibilities (if any), and extent of supervisory direction or guidance provided to position. In addition, job descriptions may also describe the benefits offered and potential career path opportunities as a means to entice a qualified pool of applicants. Good attendance and compliance with work rules and policies are essential functions of all city positions.

Prior to posting a vacant position the existing job description is reviewed by the city administrator or designee and the hiring supervisor to ensure the job description is an accurate reflection of the position and the stated job qualifications do not present artificial barriers to employment.

A current job description is provided to each new employee. Supervisors are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the city council.

### **Assigning and Scheduling Work**

Assignment of work duties and scheduling work is the responsibility of the supervisor subject to the approval of the city council.

### **Job Descriptions and Classifications**

Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the city council.

### **Layoff**

In the event it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the city before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the city administrator, subject to approval of the City Council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoffs.

## **HOURS OF WORK**

### **Work from Home**

Only employees with job functions that are able to be done offsite will be allowed to do so with approval. Reasonable notice should be given for an 'offsite workday' request, employee is entitled to a timely response to said request. Working hours should be consistent with employee's standard working schedule. This does not include days on 'travel status' (seminars, conferences, etc). Employees must continue to comply with the City's organizational rules, policies, and procedures. All terms and conditions of City employment continue to apply, including compensation, benefits, and individual responsibilities.

Employees are responsible for protecting City property, such as laptops, and should make reasonable efforts to safeguard said property (unattended laptop, for example). Work related information should remain on City property/devices (laptops, hard drives, etc). Care should be taken to safeguard confidential information, including citizen's private information. Business/in-person meetings should not be held at the residence of an employee. This does not include teleconference/phone meetings which are acceptable. Overtime and leave requests must be approved and processed as they normally would in office.

### **Meal Breaks and Rest Periods**

A paid fifteen (15) minute break is allowed within each four (4) consecutive hours of work. An unpaid sixty (60) minute lunch period is provided. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time, end time, or lunch time by saving these breaks.

### **Adverse Weather Conditions**

City facilities will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will not normally have their pay reduced as a result of this absence. Employees will be allowed to use accrued sick or vacation time for hours missed due to weather.

Public Works maintenance employees will generally be required to report to work regardless of conditions.

## **COMPENSATION**

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

When the occasion occurs that an employee has to come into work outside of normal scheduled hours, the employee will receive a minimum of one hour of compensation.

When the occasion occurs that an employee has to come into work on a weekend, the employee will be compensated at time and a ½, regardless if the 40 hours have been worked that week or not.

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

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

- Require nondisclosure by an employee of his or her wages as a condition of employment.

- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Stat. §181.172, subd. 3.
- The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection Law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800) 342-5354.

### **Direct Deposit**

As provided for in Minnesota law, all employees are required to participate in direct deposit. Employees are responsible for notifying the city administrator of any change in status, including changes in address, phone number, names of beneficiaries and marital status.

### **Time Reporting**

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be 40 hours per workweek. They will be paid according to the time reported on their time sheets. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a bi-weekly basis. Each time reporting form must include the signature of the employee and immediate supervisor. Reporting false information on a time sheet may be cause for immediate termination.

### **Overtime**

The City of Milroy has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The city clerk will determine whether each employee is designated as "exempt" or "non-exempt" from earning overtime.

### **Non-Exempt (Overtime-Eligible) Employees**

All overtime-eligible employees will be compensated at the rate of time-and-one-half for all hours worked over 40 in one workweek. Vacation, sick leave, and paid holidays do not count toward "hours worked."

For most employees the workweek begins at midnight on Sunday and runs until the following Sunday night at 11:59 p.m. Supervisors may establish a different workweek based on the needs of the department, subject to the approval of the city council.

The Mayor, Acting Mayor or the employee's supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of time-and-one-half on the next regularly scheduled payroll date. Anything earned over eight (8) hours per pay period will be banked as comp time. These hours will be reported at each monthly council meeting and paid out at the end of the year.

### **Exempt (Non-Overtime-Eligible) Employees**

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountability, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City of Milroy will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or accident.
- The employee is in a position that earns sick leave, receives a short-term disability benefit or workers' compensation wage loss benefits, and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the city in which the employee does not work a full week. In this case, the city will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness, or injury, but:
  - Paid leave has not been requested or has been denied.
  - Paid leave is exhausted.
  - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The City of Milroy may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The City of Milroy will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the city any amounts received by the employee as jury fees or witness fees.

If the city inadvertently makes an improper deduction to the weekly salary of an exempt employee, the city will reimburse the employee and make appropriate changes to comply in the future.

All employees, in all departments, are required to work overtime as requested by their supervisors as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

### **Leave Policy for Exempt Employees**

Exempt employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. The normal hours of business for exempt staff are Monday through Friday, 8 a.m. to 5 p.m., plus evening meetings as necessary.

Exempt employees are required to use paid leave when on personal business or away from the office for four (4) hours or more, on a given day. Absences of less than four (4) hours do not require use of paid leave as it is presumed that the staff member regularly puts in work hours above and beyond the normal 8 a.m.

to 5 p.m. Monday through Friday requirement. Exempt employees must communicate their absence to the city clerk.

If one of the above employees is regularly absent from work under this policy and it is found that there is excessive time away from work that is not justified, the situation will be handled as a performance issue.

### **PERFORMANCE REVIEWS**

An objective performance review system will be established by the city council for the purpose of periodically evaluating the performance of city employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.

Performance reviews will be discussed with the employee. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable using the city's grievance process, other performance evaluation data, including subjective assessments, are not. For those parts of the performance evaluation system deemed not challengeable, an employee may submit a written response, which will be attached to the performance review. Performance reviews are to be scheduled on a regular basis, at least annually. The form, with all required signatures, will be retained as part of the employee's personnel file.

During the training period, informal performance meetings should occur frequently between the supervisor and the employee. Conducting these informal performance meetings provides both the supervisor and the employee the opportunity to discuss what is expected, what is going well and not so well.

Signing of the performance review document by the employee acknowledges the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

### **BENEFITS**

#### **Health Insurance**

The city will enroll eligible employees into the group health plan and make a competitive monthly contribution toward the group health benefit costs. The city will also contribute the deductible towards the policyholders VEBA plan.

#### **Retirement/PERA**

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

### **HOLIDAYS**

The city observes the following official holidays for all regular full-time and part-time employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veterans Day
Presidents Day	Thanksgiving Day
Memorial Day	Columbus Day ( <i>Floating Holiday</i> )
Independence Day	Christmas Day
Juneteenth	

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter.

When a holiday falls on a Sunday, the following Monday will be the “observed” holiday and when a holiday falls on a Saturday, the preceding Friday will be the “observed” holiday for city operations/facilities that are closed on holidays.

Full-time employees will receive pay for official holidays at their normal straight time rates, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Part-time employees will receive prorated holiday pay based on the number of hours normally scheduled. Any employee on a leave of absence without pay from the city is not eligible for holiday pay.

Premium pay of 2 times the regular hourly wage for employees required to work on a holiday will be for hours worked on the “actual” holiday as opposed to the “observed” holiday.

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

### **LEAVES OF ABSENCE**

Depending upon an employee’s situation, more than one form of leave may apply during the same period of time (e.g., the Family and Medical Leave Act is likely to apply during a workers’ compensation absence). An employee will need to meet the requirements of each form of leave separately. Leave requests will be evaluated on a case-by-case basis.

Except as otherwise stated, all paid time off, taken under any of the city’s leave program, must be taken consecutively, with no intervening unpaid leave. The city will provide employees with time away from work as required by state or federal statutes, if there are requirements for such time off that are not described in the personnel policies.

#### **Funeral Leave**

Employees will be permitted to use up to four (4) consecutive working days, with pay, as funeral leave upon the death of an immediate family member. This paid leave will not be deducted from the employee’s vacation or sick leave balance. Immediate family means spouse, children, parents, grandparents, grandchildren, siblings and spouses of such persons, and shall include parents and siblings of the employee’s spouse or any blood relative residing in the same household.

#### **PTO/ESST Leave**

Effective January 1, 2024, the State of Minnesota enacted the Earned Sick and Safe Time (ESST) law (Minn. Stat. §§ 181.9445-181.9448). The City will designate the first 48 hours of PTO leave used each calendar year by an employee eligible to accrue PTO as Earned Sick and Safe Time (ESST). If an employee chooses to use the employee's first 48 hours of PTO in a calendar year for reasons other than the ESST-qualifying reasons outlined by statute, the City of Milroy will not provide additional ESST-designated PTO hours. Employees who wish to preserve their ESST-designated PTO specifically for the ESST purposes outlined by law are responsible for managing their own PTO usage to ensure their 48 hours of ESST-designated PTO are available to be used for ESST purposes throughout the course of the calendar year when requested by the employee. The statutory reasons for which ESST may be used are set forth in Minn. Stat. § 181.944. While an employee may use any available PTO hours the employee has for an ESST purpose, the employee will not be provided with additional ESST-designated PTO hours once the employee's available 48 hours have been exhausted each calendar year. Employees who do not use all of their 48 hours of ESST-designated PTO in a calendar year will be allowed to carry over their unused ESST-designated PTO into the next calendar year, up to a maximum



accumulation of 80 hours of ESST-designated PTO.

PTO leave can be used for any reason, subject to existing request and approval procedures. As with all paid time off programs, the city needs to ensure that service to the public and work requirements are not adversely impacted.

**(a) Medical Certification**

Good attendance is an essential job function for all city employees. If unplanned absences are excessive, a doctor’s certification may be required. The physician’s certification is to state the nature and duration of the illness or injury and verify that the employee is unable to perform the duties and responsibilities of his/her position. A statement attesting to the employee’s ability to return to work and perform the essential functions of the job and a description of any work restrictions may also be required before the employee returns to work.

**(b) Accrual Rates for PTO leave**

Years of Service	Annual Accrual Rates
Year 1	1.5 hours per pay period
Years 2-5	4 hours per pay period
Years 6-8	6 hours per pay period
Years 9-12	8 hours per pay period
Years 13-17	10 hours per pay period
Year 18+	12 hours per pay period

PTO will not accrue during unpaid leaves. Regular part-time employees will accrue PTO leave on a prorated basis based on regular hours worked. Employees can carry over any annual leave up to two times the amount earned in a year.

**(c) Returning to Work After a Medical Absence**

After a medical absence, a physician’s statement may be required on the employee’s first day back to work, indicating the nature of the illness or medical condition and attesting to the employee’s ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation. Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Sick leave may be denied for any employee required to provide a doctor’s statement until such a statement is provided.

The city has the right to obtain a second medical opinion to determine the validity of an employee’s workers’ compensation or sick leave claim, or to obtain information related to restrictions or an employee’s ability to work. The city will arrange and pay for an appropriate medical evaluation when it has been required by the city.

**(d) Severance Pay**

Employees leaving the city in good standing will receive 100 percent of their annual leave balance as compensation (applicable taxes will be withheld). Employees have the option of directing those dollars into a 457 deferred compensation plan (subject to IRS maximum deferral regulations and Minnesota law).

**(e) Unpaid Leave**

Unpaid leaves may be approved in accordance with the city personnel policies. Employees must normally use all accrued annual leave prior to taking an unpaid leave.

If the leave qualifies under Parenting Leave or Family and Medical Leave, the employee may retain a balance of forty (40) hours when going on an unpaid leave. Any exceptions to this policy must be approved by the city administrator.

**Military Leave**

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

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

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

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

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

Employees will be granted up to ten (10) working days of unpaid leave whose immediate family member is a member of the United States armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Unless the leave would unduly disrupt the operations of the city, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

#### **Fire Department/First Responder Leave**

Any Employee joining the Milroy Fire Department or the Milroy First Responders is entitled to leave his/her job to provide protection without the loss of wage, provided his/her specific duties are covered.

#### **Jury Duty**

Regular full-time and part-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the city in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the clerk of court so the city will be able to determine the amount of compensation due for the period involved.

Temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty but can take a leave without pay subject to department head approval. However, if a temporary or seasonal employee is classified as exempt, he/she will receive compensation for the jury duty time.

### **Court Appearances**

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

### **Victim or Witness Leave**

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony, or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, reasonable time off from work to attend criminal proceedings related to the victim's case.

### **Job Related Injury or Illness**

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

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

Workers' compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

### **Pregnancy and Parenting Leave**

#### **[The Minnesota law changed effective July 1, 2014]**

Employees who work twenty (20) hours or more per week and have been employed more than one year are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child as eligible for up to 12 weeks of unpaid leave and must begin within twelve (12) months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employee should provide reasonable notice, which is at least three (3) days. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued leave (i.e., sick leave, vacation leave, etc.) during Parenting Leave. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will be responsible for the entire premium unless otherwise provided in this policy (i.e., where leave is also FMLA qualifying). For employees on an FMLA absence as well, the employer contributions toward insurance benefits will continue during the FMLA leave absence.

### **Administrative Leave**

Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the City Council.

### **Adoptive Parents**

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

### **School Conference Leave**

Any employee who has worked half-time or more for more may take unpaid leave for up to a total of sixteen (16) hours during any 12-month period to attend school conferences or classroom activities related to the employee's child (under 18 or under 20 and still attending secondary school), provided the conference or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the city. Employees may choose to use vacation leave hours for this absence, but are not required to do so.

### **Bone Marrow/Organ Donation Leave**

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours, unless agreed to by the city, to undergo medical procedures to donate bone marrow or an organ. The 40 hours is over and above the amount of accrued time the employee has earned

The city may require a physician's verification of the purpose and length of the leave requested to donate bone marrow or an organ. If there is a medical determination that the employee does not qualify as a bone marrow or organ donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

### **Elections / Voting**

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for purposes of serving as an election judge, provided that the employee gives the city at least twenty (20) days written notice.

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

### **Regular Leave without Pay**

The city clerk may authorize leave without pay for up to thirty (30) days. Leave without pay for greater periods may be granted by the City Council.

Normally employee benefits will not be earned by an employee while on leave without pay. However, the city's contribution toward health, dental and life insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays, sick leave, or vacation leave (*annual leave*). Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and will accrue sick leave and vacation leave (*annual leave*) based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued vacation leave time must normally be used before an unpaid leave of absence will be approved.

To qualify for leave without pay, an employee need not have used all sick leave earned unless the leave is for medical reasons. Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the city.

Employees returning from a leave without pay for a reason other than a qualified Parenting Leave or FMLA, will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified Parenting Leave or FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the city administrator subject to approval of the City Council.

**Note:** The Family and Medical Leave Act (29 CFR Part 825) provides certain employees with up to 12 workweeks of unpaid, job-protected leave a year, and requires group health benefits to be maintained during the leave as if employees continued to work instead of taking leave.

The FMLA applies to all public agencies, including state, local and federal employers, and local education agencies (schools). To be eligible for FMLA leave, an employee must work for a covered employer and:

- have worked for that employer for at least 12 months; and
- have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave; and
- work at a location where at least 50 employees are employed at the location or within 75 miles of the location.

**Note:** “volunteer” firefighter may count as employees if paid at or near minimum wage.

Given the employee eligibility requirements, even though all cities are covered by the FMLA, only employees in cities with more than 50 employees have the potential to qualify for FMLA protected leave. Thus, only cities with 50 or more employees generally include an FMLA policy in their personnel policies.

### **Family and Medical Leave**

Refer to the League’s model [FMLA policy](#) for language.

### **Reasonable Unpaid Work Time for Nursing Mothers**

**[MN law change effective July 1, 2014]**

Nursing mothers will be provided reasonable unpaid break time for nursing mothers to express milk for nursing her child for one year after the child’s birth. The city will provide a room (other than a bathroom) as close as possible to the employee’s work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

### **Light Duty/Modified Duty Assignment**

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the city council on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the city administrator. The city administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, he/she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he/she is unable to perform the essential functions, duties, and requirements of the position. This notice **must** be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the city's job description along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the city administrator. The city may require a medical exam conducted by a physician selected by the city to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the city administrator whether or not to assign light duty work to the employee. Although this policy is handled on a case-by-case basis.

If the city offers a light duty assignment to an employee who is out on workers' compensation leave, the employee may be subject to penalties if he/she refuses such work. The city will not, however, require an employee who is otherwise qualified for protection under the Family and Medical Leave Act to accept a light duty assignment.

The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

#### **Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy**

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

- More frequent restroom, food, and water breaks;
- Seating;
- Limits on lifting over 20 pounds; and/or
- Temporary transfer to a less strenuous or hazardous position, should one be available.

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

### **SEXUAL HARASSMENT PREVENTION**

#### **General**

The City of Milroy is committed to creating and maintaining a public service work place free of harassment and discrimination. Such harassment is a violation of Title VII of the Civil Rights Act of 1964, the Minnesota Human Rights Act, and other related employment laws. In keeping with this commitment, the city maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment.

This policy statement is intended to make all employees, volunteers, members of boards and commissions, and elected officials sensitive to the matter of sexual harassment, to express the city's strong disapproval of unlawful sexual harassment, to advise employees against this behavior and to inform them of their rights and obligations. The most effective way to address any sexual harassment issue is to bring it to the attention of management.

#### **Definitions**

To provide employees with a better understanding of what constitutes sexual harassment, the definition, based on Minnesota Statute § 363.01, subdivision 41, is provided: sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature, when:

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

Examples of inappropriate behaviors that are unacceptable and therefore prohibited, even if not unlawful in and of themselves include: unwanted physical contact; unwelcome sexual jokes or comments; sexually explicit posters or pinups; repeated and unwelcome requests for dates or sexual favors; sexual gestures or any indication, expressed or implied, that job security or any other condition of employment depends on submission to or rejection of unwelcome sexual requests or behavior. In summary, sexual harassment is the unwanted, unwelcome or repeated action of an individual against another individual, using sexual overtones.

### **Expectations**

The City of Milroy recognizes the need to educate its employee's volunteers, members of boards and commissions, and elected officials on the subject of sexual harassment and stands committed to providing information and training. All employees are expected to treat each other and the general public with respect, and assist in fostering an environment free from offensive behavior or harassment. Violations of this policy may result in discipline, including possible termination. Each situation will be evaluated on a case-by-case basis.

Employees who feel that they have been victims of sexual harassment, or employees who are aware of such harassment, should immediately report their concerns to any of the following:

1. A supervisor;
2. City Clerk;
3. Mayor or city councilmember.

In addition to notifying one of the above persons and stating the nature of the harassment, the employee is also encouraged to take the following steps, if the person feels safe and comfortable doing so. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible, a supervisor.

1. Communicate to the harasser the conduct is unwelcome. Professionally, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions, and request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.
2. In some situations such as with an offender from the public, it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with an offender.
3. To reiterate, it's important you notify a supervisor, the city administrator, the mayor or councilmember of your concerns. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter. If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the city administrator, the mayor or the city attorney.

The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. Management takes these complaints seriously and has the obligation to provide an environment free of sexual harassment. The city is obligated to prevent and correct unlawful harassment in a manner which does not abridge the rights of the accused. To accomplish this task, the cooperation of all employees is required.

In the case of a sexual harassment complaint, a supervisor must report the allegations promptly to the city administrator. If the city administrator is the subject of the complaint, then the supervisor is to report the complaint to the City Attorney. A supervisor must act upon such a report even if requested otherwise by the victim. The city will take action to correct any and all reported harassment to the extent evidence is available to verify the alleged harassment and any related retaliation. All allegations will be investigated. Strict confidentiality is not possible in all cases of sexual harassment as the accused has the right to answer charges made against them; particularly if discipline is a possible outcome. Reasonable efforts will be made to respect the confidentiality of the individuals involved, to the extent possible.

The City is not voluntarily engaging in a dispute resolution process within the meaning of Minn. Stat. § 363A.28, subd. 3(b) by adopting and enforcing this workplace policy. The filing of a complaint under this policy and any subsequent investigation does not suspend the one-year statute of limitations period under the Minnesota Human Rights Act for bringing a civil action or for filing a charge with the Commissioner of the Department of Human Rights.

### **Special Reporting Requirements**

When the supervisor is the alleged harasser, a report will be made to the city clerk who will assume the responsibility for investigation and discipline.

If the city clerk is the alleged harasser, a report will be made to the City Attorney who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a councilmember is the alleged harasser, the report will be made to the city clerk and referred to the City Attorney who will undertake the necessary investigation. The City Attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

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

If an elected or appointed city official (e.g., council member or commission member) is the victim of disrespectful workplace behavior, the City Attorney will be consulted as to the appropriate course of action.

### **Retaliation**

The City of Milroy will not tolerate retaliation or intimidation directed towards anyone who makes a complaint of employment discrimination, who serves as a witness or participates in an investigation, or who is exercising his/her rights, including when requesting religious or disability accommodation. Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal or harassment. While each situation is very fact dependent, generally speaking retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of EEO laws.

It can also include threats of reassignment, removal of supervisory responsibilities, filing civil action, deportation or other action with immigration authorities, disparagement to others or the media and making false report to government authorities because an employee has engaged or may engage in protected activities. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

If you feel retaliation is occurring within the workplace, please report your concern immediately to any of the following:

1. Immediate supervisor;



2. City Clerk;
3. Mayor or City Councilmember
4. In the event an employee feels retaliation has occurred by the city administrator or the City Council, then reporting may be made to the City Attorney.

Supervisors who have been approached by employees with claims of retaliation will take the complaint seriously and promptly report the allegations promptly to the city administrator, or if the complaint is against the city administrator to the City Attorney, who will decide how to proceed in addressing the complaint.

## **RESPECTFUL WORKPLACE POLICY**

The intent of this policy is to provide general guidelines about conduct that is and is not appropriate in the workplace and other city-sponsored social events.

The city acknowledges this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

### **Applicability**

Maintaining a respectful public service work environment is a shared responsibility. This policy is applicable to all city employees, volunteers, firefighters, members of boards and commissions and City Council members.

### **Abusive Customer Behavior**

While the city has a strong commitment to customer service, the city does not expect employees to accept verbal and other abuse from any customer.

An employee may request that a supervisor intervene when a customer is abusive, or the employee may defuse the situation themselves, including professionally ending the contact.

If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible, a supervisor. Employees should leave the area immediately when violence is imminent unless their duties require them to remain (such as police officers). Employees must notify their supervisor about the incident as soon as possible.

### **Types of Disrespectful Behavior**

The following behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves:

#### **Violent behavior**

Includes the use of physical force, harassment, bullying or intimidation.

#### **Discriminatory behavior**

Includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, pregnancy, gender-biased statements, such as stereotypes about women or men, marital status, age, sexual orientation, gender identity, or gender expression, familial status, or status with regard to public assistance.

#### **Offensive behavior**

May include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person based

upon violent or discriminatory behavior as listed above. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction.

Although the standard for how employees treat each other and the general public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the city administrator.

### **Sexual harassment**

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

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

### **Sexual harassment includes, but is not limited to, the following**

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

### **Names and Pronouns**

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

### **Employee Response to Disrespectful Workplace Behavior**

All employees should feel comfortable calling their supervisor or city clerk to request assistance should they not feel comfortable with a situation. If situations involve violent behavior call the police or ask the individual to leave the area.

If employees see or overhear a violation of this policy, employees should advise a supervisor, the city clerk, or City Attorney promptly.

Employees who believe disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible, the city clerk.

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

**Step 1(b).** If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or city administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter.

In some situations, with an offender from the public it is preferable to avoid one on one interactions. Talk to your supervisor or city clerk about available options to ensure there are others available to help with transactions with the offender.

**Step 1(c).** The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. It is vitally important you notify a supervisor, the city clerk, the mayor or councilmember of promptly of your concerns. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it promptly to a supervisor or the city administrator.

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

#### **Supervisor's Response to Allegations of Disrespectful Workplace Behavior**

Employees who have a complaint of disrespectful workplace behavior will be taken seriously. In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations promptly to the city clerk, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

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

**Step 1(b).** Supervisors, when talking with the reporting employee will be encouraged to ask him or her what he or she wants to see happen next. When an employee comes forward with a disrespectful workplace complaint, it is important to note the city cannot promise complete confidentiality, due to the need to investigate the issue properly. However, any investigation process will be handled as confidentially as practical and related information will only be shared on a need to know basis and in accordance with the Minnesota Data Practices Act.

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

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

**Step 3.** The supervisor must notify the city clerk about the allegations (assuming the allegations do not involve the city clerk).

**Step 4.** In most cases, as soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations, and the alleged violator will have the opportunity to answer questions and respond to the allegations. The City will follow any other applicable policies or laws in the investigatory process.

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

**Step 6.** The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable and to the extent permitted by the Minnesota Government Data Practices Act.

### **Special Reporting Requirements**

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the city clerk who will determine how to proceed in addressing the complaint as well as appropriate discipline.

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

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

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

If an elected or appointed city official (e.g., council member or commission member) is the victim of disrespectful workplace behavior, the City Attorney will be consulted as to the appropriate course of action.

### **Confidentiality**

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

### **Retaliation**

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

### **Possession and Use of Dangerous Weapons**

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

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

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on city property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

## **SEPARATION FROM SERVICE**

### **Resignations**

Employees wishing to leave the city service in good standing must provide a written resignation notice to their city clerk, at least ten (10) working days before leaving. Exempt employees must give thirty (30) calendar days' notice. The written resignation must state the effective date of the employee's resignation. Unauthorized absences from work for a period of three consecutive work days may be considered as resignation without proper notice.

Failure to comply with this procedure may be cause for denying the employee's severance pay and any future employment with the city.

### **Severance Pay**

Employees who leave the employ of the city in good standing by retirement or resignation will receive pay for 100 percent of unused accrued annual leave.

## **DISCIPLINE**

### **General Policy**

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

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the city's personnel policies. The supervisor and/or the city administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

### **No Contract Language Established**

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

### **Process**

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

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee. The following are descriptions of the types of disciplinary actions:

### **Oral Reprimand**

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors have the ability to issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed.

### **Written Reprimand**

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected, or the behavior has not consistently improved in a reasonable period of time.

Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the city clerk with prior approval from the city council.

A written reprimand will: (1) state what did happen; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

### **Suspension With or Without Pay**

The city council may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the city council, except in the case of veterans. Qualified veterans, who have completed their initial probationary period, will not be suspended without pay in conjunction with a termination.

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

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

### **Demotion and/or Transfer**

An employee may be demoted or transferred if attempts at resolving an issue have failed and the city council determines a demotion or transfer to be the best solution to the problem.

The employee must be qualified for the position to which they are being demoted or transferred. The City Council must approve this action.

### **Salary**

An employee's salary increase may be withheld or the salary may be decreased due to performance deficiencies.

## **Dismissal**

The city council, may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with city standards.

If the disciplinary action involves the removal of a qualified veteran, who has completed his/her initial probationary period, the appropriate hearing notice will be provided and all rights will be afforded the veteran in accordance with Minnesota law.

## **GRIEVANCE PROCEDURE**

Any dispute between an employee and the city relative to the application, meaning or interpretation of these personnel policies will be settled in the following manner:

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

**Step 2:** If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the date at which the incident allegedly occurred, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the city administrator within seven (7) days after the supervisor's response is due. The city administrator or his/her designee will respond to the employee in writing within seven (7) calendar days. The decision of the city administrator is final for all disputes with exception of those specific components in a performance evaluation subject to a challenge through the Minnesota Department of Administration.

## **Waiver**

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

The following actions are not grievable:

- While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
- Pay increases or lack thereof; and
- Merit pay awards.

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

## **EMPLOYEE EDUCATION & TRAINING**

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

## **Policy**

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

### **Job-Related Training & Conferences**

The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job-related.

CLE or similar courses taken by an employee to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the city.

The city council is responsible for determining job-relatedness and approving or disapproving training and conference attendance.

### **Job-Related Meetings**

Attendance at professional meetings costing \$50.00 or less and directly related to the performance of the employee's work responsibilities do not require the approval of the city council. Advance city clerk approval is required to ensure adequate department coverage.

### **Request for Participation in Training & Conferences**

The request for participation in a training session or conference must be presented to the city council. All requests must include an estimate of the total cost (training session, travel, meals, etc.) and a statement of how the education or training is related to the performance of the employee's work responsibilities with the city.

Requests totaling more than \$50.00 must be approved by the city council.

Payment information such as invoices, billing statements, etc., regarding the conference or training should be forwarded to the city clerk for prompt payment.

### **Out of State Travel**

Attendance at training or conferences out of state is approved only if the training or conference is not available locally. All requests for out of state travel are reviewed for approval/disapproval by the city council.

### **Not to Exceed Figure**

Payment of training and/or conference expenses must not exceed \$3,000.00 per employee per fiscal year, excluding travel and subsistence costs. Exceptions must receive approval by the City Council.

### **Compensation for Travel & Training Time**

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

Travel and other related training expenses will be reimbursed subject to the employee providing necessary receipts and appropriate documentation.

### **Memberships and Dues**



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

### **Travel & Meal Allowance**

If employees are required to travel outside of the area in performance of their duties as a city employee, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred. In no case will city funds be used to pay for, or reimburse, for events sponsored by or affiliated with political parties. The city will not reimburse employees for meals connected with training or meetings within city limits, unless the training or meeting is held as a breakfast, lunch or dinner meeting. The city will also not reimburse employees for the costs for travel of family members.

Employees who find it necessary to use their private automobiles for city travel and who do not receive a car allowance will be reimbursed at the allowable IRS rate.

Expenses for meals, including sales tax and gratuity, will be reimbursed according to this policy. No reimbursement will be made for alcoholic beverages. Meal expenses of \$50.00 per day will be allowed.

A full reimbursement, over the maximum defined, may be authorized if a lower cost meal is not available when attending banquets, training sessions, or meetings of professional organizations.

### **Clothing Allowance**

All employees will be allowed a \$250.00 per year allowance. The Public Works Department may purchase insulated clothing, boots, jeans, shirts. The Clerk/Treasurer may purchase clothing to include shirts or jackets with the city logo on.

## **OUTSIDE EMPLOYMENT**

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

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

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

- No employee will work for another employer, or for his/her own business, while using paid leave from the city for those same hours.
- Departments may establish more specific policies as appropriate, subject to the approval of the city council.

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

### **DRUG FREE WORKPLACE**

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

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

### **CITY DRIVING POLICY**

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

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

### **CELLULAR PHONE USE**

This policy is intended to define acceptable and unacceptable uses of city issued or personal cellular telephones. Its application is to insure cellular phone usage is consistent with the best interests of the city without unnecessary restriction of employees in the conduct of their duties. This policy will be implemented to prevent the improper use or abuse of cellular phones and to ensure that city employees exercise the highest standards of propriety in their use.

#### **General Policy**

Cellular telephones are intended for the use of city employees in the conduct of their work for the city. They will be compensated to use their personal phones.

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times. Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances and in accordance with Minnesota law, employees are required to use hands-free operations or pull off into a parking lot and safely stop the vehicle before placing or accepting a call. Employees are encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area. Hands-free equipment will be provided to facilitate the provisions of this policy.

- Reading/sending text messages, making or receiving phone calls, emailing, video calling, scrolling/typing, accessing a webpage, or using non-navigation applications while driving is strictly prohibited.
  - In accordance with State law, there is an exception to hands free cell phone operations to obtain emergency assistance to report a traffic accident, medical emergency or serious traffic hazard or prevent a crime from being committed. There is also a State law exception for authorized emergency vehicles while in the performance of official duties.
- Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. See above “City Driving Policy” for more information on reporting driver’s license restrictions”
- Regardless of who pays the bill, cell phone records about city business are subject to the Minnesota Government Data Practices Act. What this means is that if a request were received, the city would be under the obligation to determine what information is public data and what information is private data and would need access to the employee’s phone records and possibly the phone itself in order to provide the data that is being requested. Therefore, the best practice is to limit usage of personal cell phones for city business to that which is truly necessary or be prepared to produce your cell phone and the associated records if needed.

Use of public resources by city employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances. Incidental and occasional personal use may be permitted with the consent of the supervisor.

Personal calls will be made or received only when absolutely necessary. Such calls must not interfere with working operations and are to be completed as quickly as possible. In cases where the city does not regard accounting for personal calls to be unreasonable or administratively impractical.

### **Procedures**

It is the objective of the City of Milroy to prevent and correct any abuse or misuse of cellular telephones through the application of this policy. Employees who abuse or misuse such telephones may be subject to disciplinary action.

### **Responsibility**

The city council, or city clerk, will have primary responsibility for implementation and coordination of this policy. All supervisors will be responsible for enforcement within their departments.

## **SAFETY**

The health and safety of each employee of the city and the prevention of occupational injuries and illnesses are of primary importance to the city. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each

department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor.

### **Reporting Accidents and Illnesses**

Both Minnesota workers' compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's immediate supervisor is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

### **Safety Equipment/Gear**

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

### **Unsafe Behavior**

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

### **Access to Gender-Segregated Activities and Areas**

With respect to all restrooms, locker rooms or changing facilities, employees will have access to facilities that correspond to their affirmed gender identity, regardless of their sex at birth. The city maintains separate restroom and/or changing facilities for male and female employees and allows employees to access them based on their gender identity.

In any gender-segregated facility, any employee who is uncomfortable using a shared facility, regardless of the reason, will, upon the employee's request, be provided with an appropriate alternative. This may include, for example, addition of a privacy partition or curtain, provision to use a nearby private restroom or office, or a separate changing schedule. However, the city will not require a transgender or gender diverse employee to use a separate, nonintegrated space, unless requested by the transgender or gender diverse employee, because it may publicly identify or marginalize the employee as transgender.

Under no circumstances may employees be required to use sex-segregated facilities that are inconsistent with their gender identity.

## Health Insurance

From the Employee Handbook: The city will enroll eligible employees into the group health plan and make a competitive monthly contribution toward the group health benefit costs. The city will also contribute the deductible towards the policyholders VEBA plan.

The city currently has the health insurance policy through the SWWC Service Coop. This city has been a part of this pool since 2004 and has offered health insurance since 2002. Prior to 2002 there was a stipend to the employees to carry their own policy.

The city contributes 100% towards the single policy current (811.98) will increase by 2.3% 1/1/2025 (830.66). A determined amount towards the family policy current (1393.00), currently the clerk/treasurer is the only employee with a family policy. Two separate amounts were given to the clerk/treasurer as opposed to a raise. These amounts were equal to the percentage given to other employees for a wage increase. In 2020 3.7% or 118.00 a month more and 2021 2.4% or 75.00 a month more.

The city will also contribute the deductible towards the policyholders VEBA plan. Single (1200.00) Family (2400.00).

## From the SWWC website

### • **Offering an insurance pool with statewide power and local control**

Your Service Cooperative group health insurance pool spreads risk and reduces cost while providing you the freedom to select the doctor and health plan of your choice. You will be the decision maker to see any doctor, clinic, or hospital for your care. This freedom gives you greater satisfaction about your healthcare, which leads to perceived and actual improvements in your well-being. And it works!

### • **Features**

Statewide risk pool under [Minnesota Healthcare Consortium](#) (MHC)  
Rating methodology to provide stability  
Lower pooling limits for catastrophic claims  
Blending your claims with regional expectations to stabilize smaller groups  
Your choice of level of assistance for mandatory bids  
New networks and plan design options  
A selection of consumer tools and programs customizable to each member

### • **Advantages**

Regional pool discretion and reserves  
Group control of benefit design  
Dedicated Medica and Service Cooperative teams  
Discounted access to medical savings and spending accounts with Wex  
Customized wellness programs with grant funding available  
Education and resources available on best practices & mandates

**Our Vision:** MHC will be the public sector health and well-being solution.

**Our Mission:** We are dedicated to empowering and engaging our members in lifelong health and well-being.



## PROPOSED 2025 BUDGET

CITY OF MILROY							
SEWER FUND - 03							
REVENUES		2023 BUDGET	2023 ACTUAL	2024 BUDGET	THRU 9/30/2024	2025 BUDGET	
03-00-3012	SPECIAL ASSESSMENTS	0.00	167.24	0.00		0.00	
03-00-3110	CUSTOMER SEWER	15,000.00	11,014.96	15,000.00	10,285.70	13,000.00	
03-00-3200	IMPROVEMENT FEES	3,000.00	28,376.75	3,000.00	26,283.36	32,000.00	
<b>SEWER FUND REVENUES</b>		<b>18,000.00</b>	<b>39,558.95</b>	<b>18,000.00</b>	<b>36,569.06</b>	<b>45,000.00</b>	
EXPENDITURES							
03-00-4005	SALARIES	18,000.00	16,880.02	19,000.00	15,720.36	19,000.00	
03-00-4020	CITY SHARE PERA	1,350.00	1,268.24	1,400.00	1,179.00	1,450.00	
03-00-4025	CITY SHARE SS	1,120.00	1,048.42	1,200.00	974.66	1,200.00	
03-00-4030	CITY SHARE MEDICARE	300.00	245.22	300.00	227.97	300.00	
03-00-4050	EQUIPMENT PURCHASED	1,000.00	0.00	1,000.00	0.00	1,000.00	
03-00-4052	EQUIPMENT REPAIRS & MAINTENANCE	4,000.00	2,008.52	4,000.00	282.00	4,000.00	
03-00-4060	PHONE	175.00	159.96	175.00	133.30	175.00	
03-00-4070	CONFERENCE & TRAINING	300.00	370.63	300.00	593.32	600.00	
03-00-4095	UTILITIES & LP	3,000.00	3,464.37	3,000.00	3,087.73	3,000.00	
03-00-4106	TRANSFERS OUT TO WATER	0.00	19,000.00	0.00	0.00	0.00	
03-00-4116	POSTAGE/OFFICE SUPPLIES	600.00	628.50	600.00	679.00	600.00	
03-00-4125	PROPERTY TAXES	0.00	0.00	0.00	874.24	900.00	
03-00-4165	DUES/MEMBERSHIPS/PERMITS	400.00	345.00	400.00	345.00	400.00	
03-00-4200	SHOP SUPPLIES	300.00	81.14	300.00	95.35	300.00	
03-00-4205	CAPITAL IMPROVEMENTS	0.00	0.00	0.00	1,761.25	0.00	
03-00-4220	CHEMICALS & TESTING FEES	5,000.00	3,905.48	5,000.00	5,300.66	5,000.00	
03-00-4240	JETTER EXPENSES	1,000.00	0.00	1,000.00	3,062.50	1,000.00	
03-00-4245	DEPRECIATION	0.00	6,342.98	0.00	0.00	0.00	
03-00-4293	CLOTHING/UNIFORM ALLOWANCE	83.00	0.00	83.00	66.64	83.00	
<b>SEWER FUND EXPENDITURES</b>		<b>36,628.00</b>	<b>55,748.48</b>	<b>37,758.00</b>	<b>34,382.98</b>	<b>39,008.00</b>	
<b>SEWER</b>							

# City of Milroy

City Clerk/Treasurer  
410 Euclid Avenue, PO Box 9  
Milroy, MN 56263  
Phone:(507) 336-2495  
Email: [milroy@mnval.net](mailto:milroy@mnval.net)

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Water and Sewer funds are self-supporting; therefore, the revenues from the system need to cover all operation and maintenance costs and debt service expenses. The City must make the fund healthy enough to sustain itself and prepare for future replacements.

## Current W/S/G Rates

Water – 10.05 per 1000

Water Base Fee (WBF) – 27.50

Sewer – 2.32 per 1000

Sewer Base Fee (SBF) – 16.50

Garbage

35 – 12.00

65 – 15.00

95 – 18.00

## Rate History

2015 Base fees for both water and sewer increased from \$6.00 to \$15.00

2018 Garbage increased 35 gallon \$10.00 to \$11.00

65 gallon \$13.50 to \$14.00

95 gallon \$16.00 to \$17.00

2019 WBF increased from \$15.00 to \$25.00

Water per 1000 gallon increased from \$7.25 to \$9.14

Sewer cost changed to be charged off the gallons of water used at \$2.11 per 1000 gallon

Garbage increased 35 gallon \$10.00 to \$15.00

65 gallon \$13.50 to

2024 WBF increased from \$25.00 to \$27.50

Water per 1000 gallon increased from \$9.14 to 10.05

SBF increased from \$15.00 to \$16.50

Sewer per 1000 gallons increased from \$2.11 to \$2.32

Garbage increased 35 gallon \$11.00 to \$12.00

65 gallon \$14.00 to \$15.00

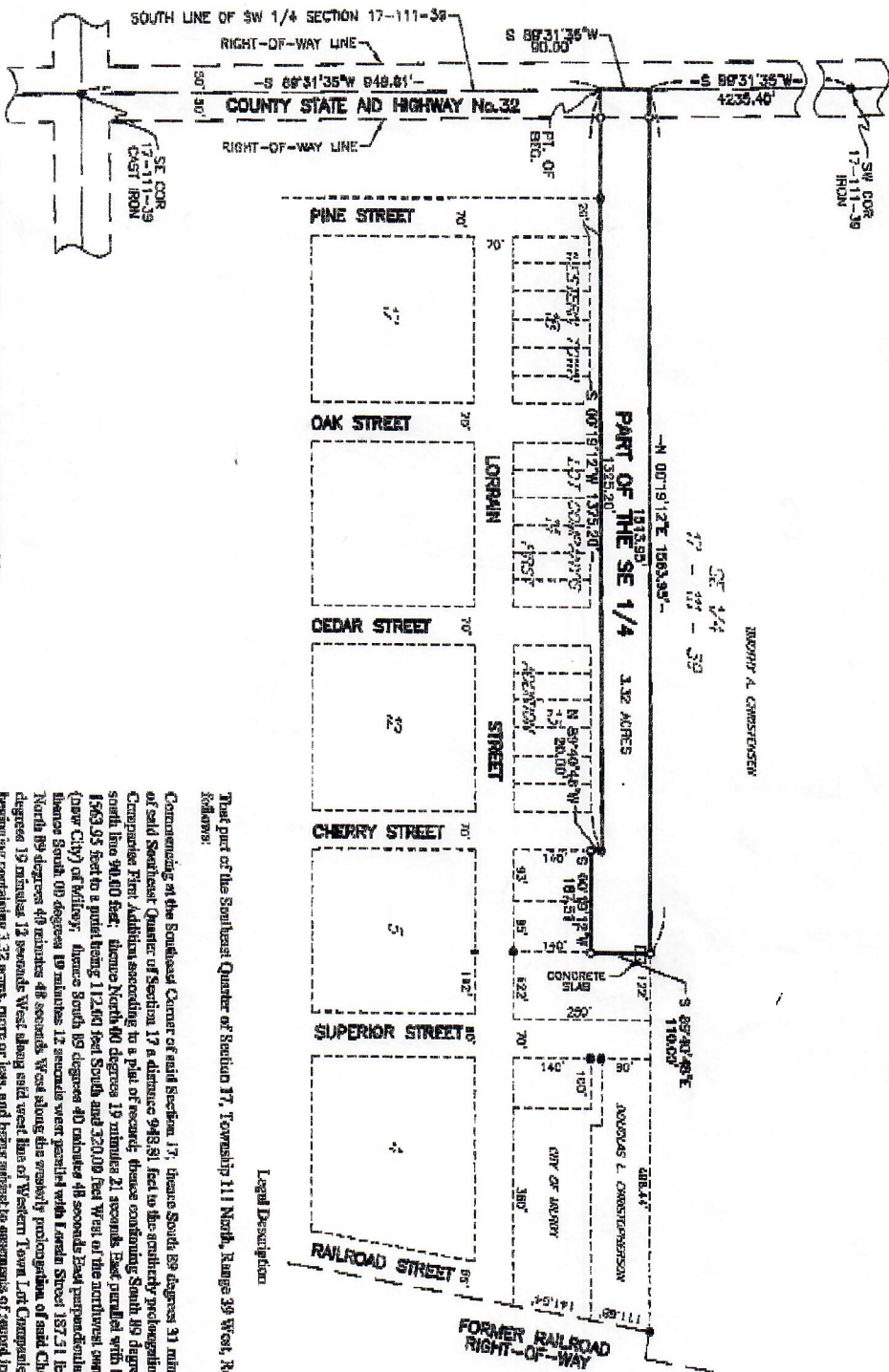
95 gallon \$17.00 to \$18.00



<b>Administrative Fees</b>		
Copies	0.25	Per Page
Return Check Fee	35.00	One Time Per Check Fee
Copy of City Audit	40.00	
Copy of City Budget	15.00	
Copy of City Ordinance	2.00	Per Ordinance Page
Copy of City Ordinance Book	100.00	One Time
Scan/Email	2.00	Per Page
Election Candidate Filing Fee	2.00	
<b>Fitness Center</b>		
Single Membership	35.00	1 Month
	180.00	6 Months
	335.00	1 Year
Student Membership – Ages 15-24	30.00	1 Month
Couple Membership – 2 People	60.00	1 Month
	330.00	6 Months
	610.00	1 Year
Family Membership – W/Kids Age 12-17	80.00	1 Month
	430.00	6 Months
	830.00	1 Year
Replacement Card	10.00	Per card
<b>Adult Business License</b>		
Adult Entertainment License	5,000.00	
<b>Planning &amp; Zoning</b>		
Special Assessment Search	35.00	
Variance Request	300.00	
Conditional Use Request	300.00	
Zoning Amendment	200.00	
Street Vacating	225.00	
Structure Penalty – Without secured permit Plus, 2X the Permit Fee	100.00	Application Incompliance
Structure is Closer/too close to the Property Line Plus 10.00 per day that it is not in compliance	200.00	Application Incompliance
Addition to Existing Structure – Residential	150.00	
Addition to Existing Structure – Commercial	150.00	
Deck/Patio/Fence/Concrete	40.00	
New Structure – Residential	500.00	
New Structure – Commercial	500.00	
Step Replacement	40.00	36 Sq. Ft. or Larger
Utility Shed	40.00	320 Sq. Ft. or Smaller
Accessory Structure	100.00	
Accessory Shed	100.00	321 Sq. Ft. or Larger
<b>Water</b>		
Water Hook-Up Fee	1,000.00	One Time Charge
Water Meter Connection Fee	150.00	One Time Charge/No Return
Usage – Base Fee	27.50	Per Month
Usage – Consumption Rate Residential/Commercial	10.05	Per 1000 Gallons
Water Meter Installation	50.00	Per Hour
Usage – Late Fee	10%	Of monthly amount owed
Disconnect Fee – Resident Request	50.00	
Reconnect Fee – Resident Request	50.00	
Reconnect Fee – Non-Payment	50.00	During Business Hours
Reconnect Fee – Non-Payment	100.00	After Business Hours

Service Connection Fee	.81	Per Month
<b>Sewer</b>		
Sewer Hook-Up	1,000.00	One Time Charge
Usage – Base Fee	16.50	Per Month
Usage – Residential/Commercial	2.32	Per 100 based on water usage
<b>Garbage</b>		
35 Gallon Cart	12.00	Per Month
65 Gallon Cart	15.00	Per Month
95 Gallon Cart	18.00	Per Month
<b>Fire</b>		
Fire Service Call (Any Service Used)	750.00	Per occurrence
Fire Service Call (Services Not Used)	375.00	Per occurrence
Fire Service Call (Dispatch Error)	0.00	Per occurrence
External Services (Company/Contractor)	Cost Paid by Owner	Per occurrence
Accident Calls	750.00	Per occurrence
Jaws of Life Use	750.00	Per occurrence
Recreational Fire Permit	10.00	Per Year
<b>Alcohol</b>		
Administration Fee/Background Check Fee	25.00	Per Permit/Request
On-Sale License Fee	200.00	Per Calendar Year
On-Sale 3.2 Fee	50.00	Per Calendar Year
Off Sale Fee	100.00	Per Calendar Year
Sunday Fee	200.00	Per Calendar Year
1 – 4 Day Temporary	50.00	Per License
Wine & Strong Beer	100.00	Per License
<b>City Park</b>		
Milroy City Park	50.00	Reservation/Deposit Fee
<b>Domestic Animals</b>		
Dog/Cat Lifetime License	50.00	Per Animal
Care of Impounded Animal Cost + Administrative Fee	Actual	
<b>EDA Fees</b>		
Apartment w/animal	475.00	Per Month
Apartment w/o animal	450.00	Per Month

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I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a Licensed Land Surveyor under the laws of the State of Minnesota.

*David J. Bolton*  
 Bolton & Menk, Inc. December 15, 2002  
 By Larry L. Zieg, L.S.  
 L.S. No. 19791

SCALE 1" = 200'  
 DENOTES MONUMENT FOUND  
 DENOTES 1/2" IRON PIPE  
 MONUMENT SET AND MARKED  
 WITH REF. NAIL 19791

Legal Description

That part of the Southeast Quarter of Section 17, Township 111 North, Range 39 West, Redwood County, Minnesota, described as follows:

Commencing at the Southeast Corner of said Section 17, thence South 89 degrees 31 minutes 35 seconds West, along the south line of said Southeast Quarter of Section 17 a distance 948.81 feet to the southerly prolongation of the west line of Visitation Town Lot 1; thence North 89 degrees 31 minutes 35 seconds East, parallel with the east line of Visitation Town Lot 1 a distance of 112.00 feet to a point being 112.00 feet South and 320.00 feet West of the northwest corner of Block 5 of the original plat of the town (now City) of Wilroy; thence South 89 degrees 31 minutes 35 seconds East, parallel with the east line of Visitation Town Lot 1 a distance of 112.00 feet to the north line of Cherry Street; thence North 89 degrees 31 minutes 35 seconds West, along the westerly prolongation of said Cherry Street, 20.00 feet; thence South 89 degrees 31 minutes 12 seconds West, along the west line of Western Town Lot 1, a distance of 1125.20 feet to the point of beginning, containing 3.32 acres, more or less, and being subject to easements of record in said county and state.

<b>CERTIFICATE OF SURVEY</b> WESTLINE TOWNSHIP, REDWOOD COUNTY, MINNESOTA	
<b>BOLTON &amp; MENK, INC.</b> Consulting Engineers & Surveyors 140 FIRST AVENUE NORTH, SLEEPY EYE, MN 56085 (507) 794-5544 AVE. IN BURNSVILLE, MN 56005 JERRY M. JANKKO, MN LICENSED SURVEYOR FIELD BOOK: M110789 P.19 GRAPH BY: RK	
PART OF THE SE 1/4 SECTION 17-111-39 REDWOOD COUNTY MINNESOTA	FOR CITY OF MILROD, MINNESOTA

REDUCED  
Not To Scale