

**City of Hills**

**Council Members**

Bruce Endris

Steve Harris

Merle Hill

Thom Kirkpatrick

Cathy Knebel

201 N 1<sup>st</sup> St P O Box 345

Hills, Iowa 52235-0345

Phone 319-679-3197

Fax 319-679-3097

[www.hills-ia.org](http://www.hills-ia.org)

**Mayor**

Tim Kemp

Clerk

Bonnie Hansen

Deputy Clerk

Leanne Sommers

Hills City Council

Regular Meeting

Hills Fire Department Meeting Room @ 7:00 PM

July 28, 2014

- **Consent Agenda:**
  - Minutes from meeting July 14 and July 22
  - Bills from July 11 - July 25
- **Public Discussion**
- **New Business**
  - Public Hearing on General Obligation Water Improvement Loan and Disbursement Agreement
  - Resolution 2014-16 taking additional action to enter into a General Obligation Water Improvement Loan and Disbursement
  - Resolution 2014-17 approving purchase of Stutsman's Inc well
  - Discussion of fact sheet regarding tax abatement and TIF
  - Discussion and possible action of wording of LOST ballot
  - Discussion and possible action of crack sealing bid with ILLowa
  - Discussion and possible action on easements for water utilities
- **Previous Business**
  - First Reading of water rate ordinance
  - Third Reading of Water Protection Ordinance
  - Discussion and Second Reading of City Administrator Ordinance
  - Discussion and possible action on Water utility
- **Council Action List, Comments, Concerns, Reports**
  - Mayor
  - Attorney
  - Maintenance
  - Fire Department
  - Sewer
  - Clerk
- **Adjournment**

Hills City Council  
Meeting  
July 14, 2014  
7:00 PM  
Hills Fire Station Meeting Room

The regular Hills City Council meeting was called to order at 7:00 PM on Monday, July 14, 2014 at the Hills Fire Station Meeting Room.

Mayor Tim Kemp called the meeting to order at 7:00 PM. Council members present were: Bruce Endris, Steve Harris, Merle Hill, and Cathy Knebel. Absent: Thom Kirkpatrick

A motion was made by Knebel and seconded by Hill to approve the consent agenda of the minutes and bills. Ayes: 4. Motion passed.

**Public Discussion:**

Roger Slaughter, and Tim Krumm, representing Stutsman's Inc, was present to discuss some new buildings that Stutsman's would like to build in the near future and tax abatement regarding these buildings. Attorney Sittig has talked to John Danos, of Dorsey and Whitney, regarding tax relief. Three possible scenarios are possible, five year tax abatement, ten year tax abatement, and TIF. Discussion of the different scenarios was held. The council asked for a pro/con fact sheet for each scenario to be prepared for the next council meeting on July 28.

**Council Meeting**

**New Business:**

Discussion was held regarding the population growth estimates done by Steve Troyer, Fox Engineering.

A motion was made by Hill and seconded by to set July 28 for a public hearing on a General Obligation Water Improvement Loan and Disbursement Agreement and borrow money in a principal amount not to exceed \$2,000,000. Roll Call was held. Ayes: 4 Resolution and public hearing set.

Discussion of the Stutsman's well purchase was made and this will be finalized in the next few weeks.

Discussion of an affidavit that the city attorney would like to file was discussed. The Council agreed to the wording of this document.

Discussion of the LOST (Local Option Sales Tax) possibility was held. The council decided to put this issue on the ballot this fall and use the money to pay for water, sewer improvements and to explore other wording for this issue. This discussion will continue at the next meeting.

A review of the water rate ordinance was done by the council. This is a rate ordinance to be set so that financing can continue. The first reading will be at the next meeting.

Discussion of the city administrator job was held. Interviews are ongoing. A special council meeting will be held on Monday, June 21 at 6:30 to discuss the city administrator ordinance and possible recommendation.

The second reading of the water protection ordinance was done. A motion was made by Knebel and seconded by Harris to accept this ordinance reading. Roll Call was held. Ayes: 4 Second reading passed.

**Reports:**

**Attorney:** Attorney Sittig discussed a meeting held with Stutsman's, Mayor Kemp and Attorney Sittig. Erik is working with John Danos on an urban renewal possibility for some improvements Stutsman's would like to make.

**Fire Chief:** reported everything from the events held at the fire station to the fireworks went well on the 4<sup>th</sup> of July. There were two fire calls and two EMS calls in the city in June. Truck 82 needs a large repair job done.

**Maintenance:** Ron got a bid for crack sealing. The new bike racks were delivered and built.

**Sewer:** Pump is running 23 hours a day with the flooding

**Mayor:** No report

**Clerk:** - No report

A motion was made by Knebel and seconded by Hill to adjourn the meeting at 8:15 PM. Ayes:  
4 Motion passed.

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Tim Kemp, Mayor

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Bonnie Hansen, Clerk

Hills City Council  
Special  
Meeting  
July 22, 2014  
Hills City Office

A Special Hills City Council meeting was called to order on Tuesday, July 22, 2014 at the Hills City Office.

Mayor Tim Kemp called the meeting to order. Council members present were: Bruce Endris, Steve Harris, Merle Hill, Cathy Knebel, and Thom Kirkpatrick

This meeting was held to discuss and have the first reading of the City Administrator Ordinance, setting up a position of a City Administrator. First Reading was held. A motion was made by Kirkpatrick and seconded by Endris to accept this first reading of the ordinance. Roll Call was held. Ayes: 5 First Reading passed.

Discussion was held regarding the recent interviews for a City Administrator. Mayor Kemp and council members Thom Kirkpatrick and Cathy Knebel were on a committee that interviewed five people, two member of the community, the others from the surrounding area. The committee wanted a face for the community, to attend functions to represent the City of Hills and to be able to work on grant writing. It was the committee's recommendation that the Council hire Cathy Fitzmaurice-Hill for this position. Included with this position is a salary of \$39,000, \$3,000 stipend for insurance, two weeks' vacation, one week sick leave, eight holidays and IPERS. A motion was made by Knebel and seconded by Endris to accept this recommendation. Ayes: Endris, Knebel, Kirkpatrick and Harris. Abstain: Hill (as spouse of recommended person).

Cathy Knebel left at 6:20. Discussion was held regarding future hires, what benefits would be considered for future positions, vacation carryover, PTO, and other items. It was decided that the employee hand book created in 2010 needs to be updated.

A motion was made by Harris and seconded by Hill to adjourn the meeting at 6:30.

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Tim Kemp, Mayor

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Bonnie Hansen, Clerk

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
HILLS BANK & TRUST GENERAL													
1139 ALLIANT UTILITIES													
JULY14	1	I	7/28/2014	7/28/2014	4916015906002	1/2	FIRE	95.53		95.53	001		1
	2	I			4916014001001		STREET LI	842.95		842.95	001		1
	3	I			4916015906002	1/2	FIRE	95.53		95.53	001		1
	6	I			4916015865001		MAINT BUI	257.95		257.95	001		1
	8	I			4916015019501		SIGN LIGH	18.00		18.00	001		1
	9	I			4916014882201		BALL PARK	287.89		287.89	001		1
	11	I			4916015907001		SIREN	26.72		26.72	001		1
					* INVOICE TOTALS			1624.57		1624.57			
					** VENDOR TOTALS *			1624.57		1624.57			
1355 BILL CLAUSEN													
269089	1	I	7/28/2014	7/28/2014	REIMBURSEMENT CROPS 201			3321.00		3321.00	001		1
					** VENDOR TOTALS *			3321.00		3321.00			
1046 GAZETTE COMMUNICATIONS													
2527978	1	I	7/28/2014	7/28/2014	PUBLICATIONS			44.02		44.02	001		1
2527979	1	I	7/28/2014	7/28/2014	PUBLICATION			41.08		41.08	001		1
2527980	1	I	7/28/2014	7/28/2014	PUBLICATIONS			18.59		18.59	001		1
2527981	1	I	7/28/2014	7/28/2014	PUBLICATIONS			13.21		13.21	001		1
2527982	1	I	7/28/2014	7/28/2014	PUBLICATIONS			15.16		15.16	001		1
					** VENDOR TOTALS *			132.06		132.06			
1068 I WIRELESS													
JULY14	1	I	7/28/2014	7/28/2014	CELL PHONE			52.15		52.15	001		1
					** VENDOR TOTALS *			52.15		52.15			
1088 IOWA ONE CALL													
162510	1	I	7/28/2014	7/28/2014	FAXES			10.80		10.80	001		1
					** VENDOR TOTALS *			10.80		10.80			
1349 IOWA OFFICE SUPPLY INC													
509736	1	I	7/28/2014	7/28/2014	COPIER			517.40		517.40	001		1
					** VENDOR TOTALS *			517.40		517.40			
1341 RANDY'S CARPET													
114336	1	I	7/28/2014	7/28/2014	COVE BASE			14.92		14.92	001		1
					** VENDOR TOTALS *			14.92		14.92			
1198 STAPLES													
JULY14	1	I	7/28/2014	7/28/2014	OFFICE SUPPLIES			92.72		92.72	001		1
					** VENDOR TOTALS *			92.72		92.72			
1144 STEVE HARRIS													
699221	1	I	7/28/2014	7/28/2014	FILTERS FOR COMM CENTER			64.89		64.89	001		1
	2	I			CAPS FOR BALL PARK			28.81		28.81	001		1
	3	I			LABOR FOR COMM CENTER			40.00		40.00	001		1
	4	I			LABOR FOR BALL PARK			40.00		40.00	001		1
					* INVOICE TOTALS			173.70		173.70			

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
** VENDOR TOTALS *					173.70		173.70		173.70				
1203 STUTSMAN INC													
165752	1 I	7/28/2014	7/28/2014	FIRE DEPARTMENT JUNE DI	213.08		213.08		213.08	001			1
** VENDOR TOTALS *					213.08		213.08		213.08				
GENERAL					6152.40		6152.40		6152.40				
ROAD USE TAX													
1203 STUTSMAN INC													
165753	1 I	7/28/2014	7/28/2014	JUNE CITY DIESEL	130.50		130.50		130.50	110			1
** VENDOR TOTALS *					130.50		130.50		130.50				
ROAD USE TAX					130.50		130.50		130.50				
WATER													
1139 ALLIANT UTILITIES													
JULY14	5 I	7/28/2014	7/28/2014	4916016300502 O PUMP HO	98.66		98.66		98.66	600			1
** VENDOR TOTALS *					98.66		98.66		98.66				
WATER					98.66		98.66		98.66				
SEWER													
1139 ALLIANT UTILITIES													
JULY14	4 I	7/28/2014	7/28/2014	4916016300702 O LIFT ST	56.50		56.50		56.50	610			1
	7 I			4916015217001 3RD ST LI	298.83		298.83		298.83	610			1
	10 I			4916014431501 LAGOON	1001.00		1001.00		1001.00	610			1
* INVOICE TOTALS					1356.33		1356.33		1356.33				
** VENDOR TOTALS *					1356.33		1356.33		1356.33				
1287 KEYSTONE LABORATORIES													
5673	1 I	7/28/2014	7/28/2014	TESTS	78.38		78.38		78.38	610			1
5954	1 I	7/28/2014	7/28/2014	TESTS	61.38		61.38		61.38	610			1
IX05767	1 I	7/28/2014	7/28/2014	TESTS	66.88		66.88		66.88	610			1
** VENDOR TOTALS *					206.64		206.64		206.64				
1218 VAN METER INDUSTRIAL INC													
80938141	1 I	7/28/2014	7/28/2014	SOUTHWIRE	208.18		208.18		208.18	610			1
** VENDOR TOTALS *					208.18		208.18		208.18				
SEWER					1771.15		1771.15		1771.15				
BANK TOTALS					8152.71		8152.71		8152.71				
TOTAL MANUAL CHECKS									.00				
TOTAL E-PAYMENTS									.00				
TOTAL PURCH CARDS									.00				
TOTAL OPEN PAYMENTS									8152.71				



Investment, Inc.  
ASPHALT AND PAVEMENT MAINTENANCE

6/26/2014

City of Hills  
90 North 1<sup>st</sup> Street  
P.O. Box 345  
Hills, IA. 52235

Attn: Ron Wolfe,

Thank you for the opportunity to submit this proposal for PCC & ACC Crack Sealing work to be done on your City Streets.

**Scope of Work**

Illowa Investment Inc. proposes to furnish all labor, materials, equipment and insurance necessary to accomplish the following:

**ACC Crack Sealing – Main Street**

The existing asphalt pavement cracks, 1/4 inch or wider, (approximately 850 lineal feet) will be blown clean, and sealed with hot rubberized crack sealant.

We propose to do the above work for the lump sum price of \$1,657.50.

**PCC Crack Sealing Random Cracks & Top Off Old Sealed Joints With Weeds**

The new random cracks will be sawed, sandblasted and sealed with hot rubberized crack sealant. The top off will be sandblasting out the weeds and re-sealing the joints. The joints will be squeegeed.

Old Oak Ridge Street: 40 feet of random cracks & 100 feet of top off joints.

Knoll Ridge Drive: 120 feet of top off joints.

Oak Ridge Ave: 60 feet of random cracks & 100 feet of top off.

Sierra Park Drive: 50 feet of top off.

Aspen Lane: 50 feet of random cracks & 100 feet of top off.

Williams Circle: 50 feet of random cracks & 150 feet of top off.

4<sup>th</sup> Street & Brady Street: 50 feet of random cracks & 360 of top off.

Also, 310 feet of new joints: saw, sandblast, rope and seal.

We propose to do the above work for the lump sum price of \$2,015.00.



Investment, Inc.  
ASPHALT AND PAVEMENT MAINTENANCE

This proposal is valid for 30 days. If this proposal is acceptable to you, please sign and return the original. We will enter this project into our work schedule once we receive an executed copy of the agreement.

If you have any questions regarding this proposal or if we may be of some assistance to you in the future, please do not hesitate to call.

Sincerely, *Larry Senger*

Larry Senger  
Estimator

ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_





Investment, Inc.

ASPHALT AND PAVEMENT MAINTENANCE

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Sincerely, *Larry Senger*

Larry Senger  
Estimator

ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



Investment, Inc.  
ASPHALT AND PAVEMENT MAINTENANCE

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If you have any questions regarding this proposal or if we may be of some assistance to you in the future, please do not hesitate to call.

Sincerely, *Larry Senger*

Larry Senger  
Estimator

ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

## Pros and Cons of Chapter 403 Urban Renewal (TIF) vs. Chapter 404 Urban Revitalization (Abatement)

**Initial comments:** The City can use either or both of these mechanisms to assist individuals or groups interested in developing property in Hills. Neither of them affects the tax collected on the current value of property; they only deal with the value added by the developer/owner. These can also be used in tandem so that as the tax abatement diminishes over time, the additional revenues are subject to TIF. Both provide the benefit of additional development and new revenue streams in the future.

### **Simple Overview of Each Method:**

**TIF** – Taxes collected on the added value of improvements in designated areas are used to fund projects within those same designated areas, often by repaying bonds that are issued to complete the projects before the funding stream begins.

**Abatement** – A certain portion of the taxes on the added value of improvements on property within the designated area (if the project adds value equal to at least 15% of current value) are simply not collected for a certain period of time.

### **TIF Pros and Cons**

#### Pros

- Taxes are collected and may be returned to developer, if the City chooses
- Any revenue collected and not returned to the developer can be used for projects within the TIF district
- Extremely flexible in how the revenue can be used
- Each project is separate and agreements can be set up differently
- City has more leverage to negotiate terms of agreements (# of jobs or value to be added, etc.)
- Benefit can flow to City as well as end user of improvements
- Some school levies are exempt from TIF

#### Cons

- Every project has to be specifically approved
- Can only use revenue in designated TIF district
- Bonds issued and paid with TIF funds count against City's debt capacity

### **Abatement Pros and Cons**

#### Pros

- Once set up, doesn't require much attention
- Developer/owner knows what they will get:
  - Abatement Schedule = 80, 70, 60, 50, 40, 40, 30, 30, 20, 20
- No borrowing involved

#### Cons

- No bargaining power for City once in place
- Aimed solely at lowering property taxes
- Benefits only entity or individual paying the property tax (aside from benefit of additional value and future revenue)
- City only has discretion over what areas and property types are included
- More procedurally oppressive than TIF to set up
- Applies to all levies, including those exempted by TIF
- One size fits all approach

**TIF Procedure:**

- Determine area to be covered
- Pass resolution designating area
- Create urban renewal plan (Must identify property covered, any zoning changes necessary, existing and future land uses, local objectives related to future land uses, and need for improved infrastructure within the area.)
- Planning and Zoning reviews plan
- Schedule public hearing
- Mail plan to affected taxing entities and notify them of consultation to be held before the public hearing
- Hold consultation with affected taxing entities
- Hold public hearing
- Pass resolution approving plan
- Plan is in effect immediately upon passage
- Negotiate/execute and approve any agreements with developers
- Issue any necessary bonds after appropriate public hearings

**Abatement Procedure:**

- Determine area to be covered
- Enact ordinance designating area
- Create urban revitalization plan (Must include legal description of property covered, existing assessed valuation of property, names and addresses of owners of property within area, existing zoning classifications and proposed land uses, proposals for improving or expanding city services within the area, statement as to what class of property is included, tax exemption schedule to be used in lieu of that set out in Code, percentage of improvements to trigger abatement if different than set out in Code, any grants or loans to be used for development of residential property.)
- Schedule public hearing
- Notify all owners of property within area of public hearing
- Hold public hearing
- Schedule and hold additional public hearing if 10% of owners in area request it within 30 days of first public hearing
- Adopt plan by resolution

Stutsman  
Well

**RESOLUTION NO. 2014-\_\_\_\_\_**  
**RESOLUTION APPROVING THE PURCHASE OF PROPERTY, EASEMENTS,**  
**AND A WATER SUPPLY WELL FROM ELDON C. STUTSMAN, INC.**

WHEREAS, the voters of the City of Hills approved the establishment of a new water utility in November 2012, and

WHEREAS, the City Council of the City of Hills has chosen to establish and move forward with the construction of said water system, and

WHEREAS, in order to construct the water system, the City requires easements for the construction and maintenance of water mains across certain parcels of land, water supply wells, and a site for a water tower and water treatment plant, and

WHEREAS, the City Council has previously approved an agreement with Eldon C. Stutsman, Inc., for the purchase of a water supply well and the transfer by Eldon C. Stutsman, Inc., of real property for a water tower and water treatment plant and certain water main easements, and

WHEREAS, the agreement required that the cost of the purchase of the well would be later determined based upon the cost of the installation of the well to Eldon C. Stutsman, Inc., and

WHEREAS, Eldon C. Stutsman, Inc., has now provided the required information to determine the purchase price, which shall be \$120,566.18, and

WHEREAS, the parties now wish to close the transaction.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF HILLS, IOWA, that the City Council approves an addendum to the purchase agreement with Eldon C. Stutsman, Inc., to provide that the purchase price for the water supply well shall be \$120,566.18; and

BE IT FURTHER RESOLVED that the City Council approves the payment of \$120,566.18 to Eldon C. Stutsman, Inc., for the purchase of a water supply well and for the transfer of certain real property and water main easements; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to issue a check for \$120,566.18 for the purchase and the Mayor and City staff are hereby directed to complete the above-described transaction.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve  
Resolution # 2014-\_\_\_\_\_.

YES:

NO:

ABSTAIN:

ABSENT:

Resolution # 2014-\_\_\_\_\_ Passed and Approved on July 28, 2014.

ATTEST:

\_\_\_\_\_  
Tim Kemp  
Mayor  
REVIEWED BY:

\_\_\_\_\_  
Bonnie Hansen  
City Clerk

\_\_\_\_\_  
Erek P. Sittig  
City Attorney

LOST  
Ballot  
Lang

Summary: To authorize imposition of a local sales and services tax in the City of Hills at the rate of one percent (1%) to be effective from \_\_\_\_\_, 201\_\_, until \_\_\_\_\_, 20\_\_.

A local sales and services tax shall be imposed in the city of Hills at a rate of one percent (1%) to be effective from \_\_\_\_\_, 201\_\_, until \_\_\_\_\_, 20\_\_.

Revenue from the sales and services tax shall be allocated as follows:

0% for direct property tax relief.

The specific purpose for which the revenues shall otherwise be expended is:

100% for the improvement of streets, sidewalks, storm sewers, sanitary sewer systems, public potable water systems, and parks.

**RESOLUTION NO. 2014-18**  
**RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR**  
**TO SIGN CERTAIN WATER MAIN EASEMENT AGREEMENTS**

WHEREAS, the voters of the City of Hills approved the establishment of a new water utility in November 2012, and

WHEREAS, the City Council of the City of Hills has chosen to establish and move forward with the construction of said water system, and

WHEREAS, in order to construct the water system, the City requires easements for the construction and maintenance of water mains across certain parcels of land, as identified by the City's engineers, and

WHEREAS, the City has received the agreement of certain property owners to construct and maintain water mains on their respective properties.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF HILLS, IOWA, that the City Council approves and the Mayor is authorized to sign an agreement with The Clausen Farm Corporation over a part of Section 15, Township 78 North, Range 6 West of the 5<sup>th</sup> P.M. in Hills, Johnson County, Iowa; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed issue a check for \$3,000 to the The Clausen Farm Corporation for the easement granted.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve Resolution # 2014-\_\_\_\_\_.

YES:

NO:

ABSTAIN:

ABSENT:

Resolution # 2014-\_\_\_\_\_ Passed and Approved on July 28, 2014.

\_\_\_\_\_  
Tim Kemp  
Mayor



ATTEST:

REVIEWED BY:

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Bonnie Hansen  
City Clerk

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Erek P. Sittig  
City Attorney

Prepared by and Return to: Erek P. Sittig, PO Box 1607, Iowa City, Iowa 52246, 319-337-3167

### WATER MAIN EASEMENT AGREEMENT

THIS AGREEMENT is made by and between The Clausen Farm Corporation, an Iowa Corporation, hereinafter referred to as "Owner," and the City of Hills, Iowa, a municipal corporation, hereinafter referred to as "the City."

#### IT IS AGREED AS FOLLOWS:

For the sum of One Dollar (\$1.00) and other valuable consideration as set forth herein, receipt of which is hereby acknowledged, and, in consideration of the mutual covenants and promises hereinafter set forth, Owner hereby grants and conveys a permanent easement to the City for the purposes of constructing, operating, replacing, maintaining, and using a public water main. Said permanent easement shall be located on, below, over and across real property owned by Owner, situated in Hills, Johnson County, Iowa, as more particularly described on the attached Easement Exhibits.

Owner and the City further agree as follows:

1. The City shall have the right of access to and use of the easement area and shall have all rights reasonably necessary for the use and enjoyment of the easement area as herein described, including, but not limited to, the right to remove any unauthorized obstructions or structures placed or erected on the easement area.

2. The City may, from time to time and as the City determines necessary, trim, cut, or remove any trees, brush, shrubs, saplings, or other vegetation within the above-described easement area that may be hazardous to the City's installed facilities or that may interfere with the exercise of the City's rights hereunder in any manner.

3. The City shall have sole power to determine what facilities shall be placed within the easement area and how and when such facilities shall be installed, constructed, operated, replaced, maintained, and used.

4. The City may not grant access to this easement to any other person, group, or entity for the installation of other public utilities or for any other purpose.

5. The City shall be responsible for all costs associated with its construction, operation, repair, maintenance, and use of the facilities installed.

6. The City shall take necessary and reasonable steps to return the easement area to its original state after conducting any work within the easement area.

7. Owner shall place no permanent buildings or trees, shall not drill or operate any wells, and shall not excavate, move, or grade dirt within the easement area.

8. The City's easement shall not be exclusive and shall not impair in any way the easement for telecommunications purposes that was granted to Sharon Telephone Company as shown in the "RIGHT-OF-WAY EASEMENT" recorded with the Johnson County Recorder's Office in Book 2619, Page 144.

9. The City will attempt to complete initial work in the easement area prior to seed being planted or after crops are harvested. Should the City's work in the easement area at any time damage any crops, the City shall reimburse Owner using the following formula, unless the parties otherwise agree:

**(Average yield per acre of crops from undamaged portion of parcel – Average Yield per acre of area damaged by the City's work) x Number of acres damaged by the City's work x Chicago Board of Trade closing price for the crop damaged on October 31 of the crop year in which the crop is damaged**

10. Owner hereby covenants with the City that it is lawfully seized and possessed of the above-described real estate and that it has the sole legal right to convey it or any part thereof.

11. The rights granted herein shall inure to and bind the parties and their successors and assigns, and all provisions and covenants shall apply and run with the land.

IN WITNESS WHEREOF, the parties have executed this Agreement on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

OWNER

By: \_\_\_\_\_  
William Clausen, President

By: \_\_\_\_\_  
Shirley A. Clausen, Secretary/Treasurer

CITY OF HILLS, IOWA

By: \_\_\_\_\_  
Tim Kemp, Mayor

ATTEST: \_\_\_\_\_  
Bonnie Hansen, City Clerk

STATE OF IOWA            )  
  ) ss:  
JOHNSON COUNTY        )

This instrument was acknowledged before me on \_\_\_\_\_, 2014, by William Clausen and Shirley A. Clausen, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary/Treasurer, respectively, of The Clausen Farm Corporation, an Iowa corporation, and that William Clausen and Shirley A. Clausen acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

STATE OF IOWA            )  
  ) ss:  
JOHNSON COUNTY        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Tim Kemp and Bonnie Hansen, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Hills, Iowa, a municipal corporation; that the instrument was signed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. \_\_\_\_\_ of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2014; and that Tim Kemp and Bonnie Hansen acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

Water  
Rate  
Ordinance

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF  
THE CITY OF HILLS, IOWA, BY ADDING AND AMENDING PROVISIONS  
RELATED TO THE CITY'S PUBLIC WATER SYSTEM

Be it enacted by the City Council of the City of Hills, Iowa:

SECTION 1. Section 92.02 of the Hills Municipal Code of Ordinances is hereby repealed and replaced with the following:

92.02 RATES FOR SERVICE.

1. Until such time as the City's water system, including water treatment plant, is complete and operational, water service within the City shall be furnished at the monthly rate of \$35.00.

2. Upon the completion of the City's water system, including water treatment plant, water service in the City shall be furnished as follows:

Gallons Used Per Month	Rate
First 4,000 gallons	\$44.44 (minimum bill)
Excess above 4,000 gallons	\$5.00 per 1,000 gallons

3. In addition to the rates stated in subsection 2, each customer shall be assessed a monthly infrastructure fee of \$10. This provision shall not apply in the case of rates pursuant to subsection 1.

(Code of Iowa, Sec. 384.84)

SECTION 4. SAVINGS CLAUSE. Each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on the 28 day of July, 2014.

Second reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Third and final passage on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
TIM KEMP, MAYOR

ATTEST:

\_\_\_\_\_  
BONNIE HANSEN, CITY CLERK

I certify that the forgoing was published in accordance with the laws and ordinances of the State of Iowa and the City of Hills the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
BONNIE HANSEN, CITY CLERK

Drafted and approved as to form by City Attorney

\_\_\_\_\_  
EREK P. SITTING, CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF  
THE CITY OF HILLS, IOWA, BY ADDING AND AMENDING PROVISIONS  
RELATED TO PROTECTION OF THE CITY'S PUBLIC WATER SUPPLY AND  
REGULATING THE USE OF WATER WELLS WITHIN CITY LIMITS

Be it enacted by the City Council of the City of Hills, Iowa:

SECTION 1. There is hereby adopted the following Chapter 93 entitled "Private Wells and Public Water Supply Protection":

93.01 PRIVATE WELLS.

1. No person shall construct a well within the city limits of the City of Hills for the production of water when the property to be served is within 100 feet of a municipal water main, unless such construction is approved by the City Council. The City Council may approve a request to construct a well for non-potable water use upon the terms and conditions the City Council deems appropriate.
2. Any private well in existence upon a property at the time an active municipal water main is placed within 100 feet of the property may be maintained by the owner. Any such well may not be connected to the potable water supply plumbing of any building located on the property.

93.02 CONTAMINATION PREVENTION.

1. In order to prevent contamination of the City's potable water supply, the Superintendent may require any user of the City's public water system to install a backflow prevention device on the building service line where such line enters the building, or at another point designated by the Superintendent.
2. At no time may any private well or other non-City water source or any other possible source of contamination be connected directly to the City's public water system or to the potable water plumbing system of a building served by the City's public water system. The Superintendent or his designee shall have the authority to enter any property to ensure such cross-connections do not exist.

93.03 SEPARATION DISTANCES FROM WELLS. The separation distances contained in Iowa Administrative Code Section 567, Chapter 43, TABLE A, are hereby adopted and incorporated herein. These separation distances shall apply to any existing City water supply wells and any new water supply wells as may be constructed or otherwise connected to the system.

93.04 ENFORCEMENT.

1. Any violation of the provisions of this ordinance shall be a municipal infraction and may be prosecuted as such pursuant to Chapter 5 of the Hills Municipal Code of Ordinances.
2. Should the City determine that a violation of this ordinance has resulted in any

contamination of the City's water system, the person or entity responsible for the violation shall be required to pay damages in an amount sufficient to decontaminate the water system and return it to acceptable operating status, as required by the Iowa Department of Natural Resources or the Environmental Protection Agency, including all City staff time attending to the contamination.

3. The enforcement provisions of this ordinance are not mutually exclusive.

SECTION 2. SEVERABILITY CLAUSE. Each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on the 23 day of June, 2014.

Second reading on the 14 day of July, 2014.

Third and final passage on the 28 day of July, 2014.

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TIM KEMP, MAYOR

ATTEST:

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BONNIE HANSEN, CITY CLERK

I certify that the forgoing was published in accordance with the laws and ordinances of the State of Iowa and the City of Hills the \_\_\_\_ day of \_\_\_\_\_, 2014.

---

BONNIE HANSEN, CITY CLERK

Drafted and approved as to form by City Attorney

---

EREK P. SITTING, CITY ATTORNEY



City  
Administrator

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF  
THE CITY OF HILLS, IOWA, BY ADOPTING A NEW CHAPTER  
CREATING THE POSITION OF CITY ADMINISTRATOR/CLERK

Be it enacted by the City Council of the City of Hills, Iowa:

SECTION 1. There is hereby adopted the following Chapter 89 entitled "City Administrator/Clerk":

"89.01 APPOINTMENT AND COMPENSATION. The Council shall appoint by majority vote a City Administrator/Clerk to serve at the discretion of the Council. The Administrator/Clerk shall receive such compensation as established by resolution of the Council.

(Code of Iowa, Sec. 372.13[3])

"89.02 POWERS AND DUTIES: GENERAL. The City Administrator/Clerk or, in the City Administrator/Clerk's absence or inability to act, the Mayor or Mayor's designee has the powers and duties as provided in this chapter, this Code of Ordinances and the law.

"89.03 POWERS AND DUTIES AS CITY ADMINISTRATOR. The powers and duties of the City Administrator/Clerk shall include all of the following:

1. Serve as administrator of City programs, policies, ordinances and directives as established by the Council.
2. Act as the City's chief accounting officer, which includes preparation of the City's annual operating budget.
3. Coordinate delivery of municipal services through the various City departments.
4. Supervise business affairs of the City, including bookkeeping and accounting procedures.
5. Advise the Council of the financial and other conditions of the City and its future needs.
6. Keep the Council informed on the progress of its programs and status of its policies.
7. Represent the City in any employment issues and/or negotiations with the City employees.
8. Act as the City Zoning Administrator and supervise enforcement of the zoning

ordinance and flood plain management ordinance of the City.

9. Supervise the purchases of all supplies, materials and equipment, with the authority to make such purchases without prior approval of the Council if the purchase price does not exceed \$500.00; provided, however, the price limitation shall not apply in the case of emergency repairs to buildings or equipment which must be performed before Council approval is obtained.

10. Issue or revoke licenses and permits when authorized by this Code of Ordinances, and keep a record of licenses and permits issued which shall show date of issuance, license or permit number, official receipt number, name of person to whom issued, term of license or permit, and purpose for which issued.

11. Encourage and oversee economic and community development efforts within the City.

12. Secure special or professional services not available to the City, upon order of the Council.

13. Respond to questions, complaints and other concerns of the public.

14. Represent the City to the media and community groups; prepare news releases, conduct press conferences, and give interviews.

15. Be directly responsible to the Council for the administration of municipal affairs as directed by that body. All departmental activity requiring the attention of the Council shall be brought before the Council by the City Administrator/Clerk and all Council involvement in administration initiated by the Council shall be coordinated through the City Administrator/Clerk.

16. Supervise and give direction to all City department heads concerning departmental functions; examine all department functions and records and call for special reports from department heads at any time.

17. Have the power to employ, discharge or reclassify department heads and regular employees only with the approval of the Council. Department heads are the parks superintendent and the street superintendent.

18. Provide that the duties of an absentee officer are carried on during the officer's absence.

19. Perform such other administrative duties as directed by the Council.

“89.04 PUBLICATION OF MINUTES. The City Administrator/Clerk shall attend all regular and special Council meetings and within fifteen (15) days following a regular or special meeting shall cause the minutes of the proceedings thereof to be published. Such

publication shall include a list of all claims allowed and a summary of all receipts and shall show the gross amount of the claim.

(Code of Iowa, Sec. 372.13[6])

“89.05 RECORDING MEASURES. The City Administrator/Clerk shall promptly record each measure considered by the Council and record a statement with the measure, where applicable, indicating whether the Mayor signed, vetoed or took no action on the measure, and whether the measure was repassed after the Mayor’s veto.

(Code of Iowa, Sec. 380. 7[1 & 2])

“89.06 PUBLICATION. The City Administrator/Clerk shall cause to be published all ordinances, enactments, proceedings and official notices requiring publication as follows:

1. Time. If notice of an election, hearing, or other official action is required by this Code of Ordinances or law, the notice must be published at least once, not less than four (4) nor more than twenty (20) days before the date of the election, hearing or other action, unless otherwise provided by law.

(Code of Iowa, Sec. 362.3[1])

2. Manner of Publication. A publication required by this Code of Ordinances or law must be in a newspaper published at least once weekly and having general circulation in the City.

(Code of Iowa, Sec. 362.3[2])

“89.07 AUTHENTICATION. The City Administrator/Clerk shall authenticate all measures except motions with his or her signature, certifying the time and manner of publication when required.

(Code of Iowa, Sec. 380.7[4])

“89.08 CERTIFY MEASURES. The City Administrator/Clerk shall certify all measures establishing any zoning district, building lines, or fire limits and a plat showing the district, lines, or limits to the recorder of the County containing the affected parts of the City.

(Code of Iowa, Sec. 380.11)

“89.09 RECORDS. The City Administrator/Clerk shall maintain the specified City records in the following manner:

1. Ordinances and Codes. Maintain copies of all effective City ordinances and codes for public use.

(Code of Iowa, Sec. 380. 7[5])

2. Custody. Have custody and be responsible for the safekeeping of all writings or documents in which the City is a party in interest unless otherwise specifically directed by law or ordinance.

(Code of Iowa, Sec. 372.13[4])

3. Maintenance. Maintain all City records and documents, or accurate reproductions, for at least five (5) years except that ordinances, resolutions, Council proceedings, records and documents, or accurate reproductions, relating to the issuance, cancellation, transfer, redemption or replacement of public bonds or obligations shall be kept for at least eleven (11) years following the final maturity of the bonds or obligations. Ordinances, resolutions, Council proceedings, records and documents, or accurate reproductions, relating to real property transactions shall be maintained permanently.

(Code of Iowa, Sec. 372.13[3 & 5])

4. Provide Copy. Furnish upon request to any municipal officer a copy of any record, paper or public document under the City Administrator/Clerk's control when it may be necessary to such officer in the discharge of such officer's duty; furnish a copy to any citizen when requested upon payment of the fee set by Council resolution; under the direction of the Mayor or other authorized officer, affix the seal of the City to those public documents or instruments which by ordinance and Code of Ordinances are required to be attested by the affixing of the seal.

(Code of Iowa, Sec. 372.13[4 & 5] and 380.7[5])

5. Filing of Communications. Keep and file all communications and petitions directed to the Council or to the City generally. The City Administrator/Clerk shall endorse thereon the action of the Council taken upon matters considered in such communications and petitions.

(Code of Iowa, Sec. 372.13[4])

"89.10 ATTENDANCE AT MEETINGS. At the direction of the Council, the City Administrator/Clerk shall attend meetings of committees, boards and commissions. The City Administrator/Clerk shall record and preserve a correct record of the proceedings of such meetings.

(Code of Iowa, Sec. 372.13[4])

"89.11 NOTIFY APPOINTEES. The City Administrator/Clerk shall inform all persons appointed by the Mayor or Council to offices in the City government of their positions and the time at which they shall assume the duties of their offices.

(Code of Iowa, Sec. 372.13[4])

"89.12 ELECTIONS. The City Administrator/Clerk shall perform the following duties relating to elections and nominations:

1. Certify to the County Commissioner of Elections the type of nomination process to be used by the City no later than ninety (90) days before the date of the regular City election.

(Code of Iowa, Sec. 376. 6)

2. Accept the nomination petition of a candidate for a City office for filing if on its face it appears to have the requisite number of signatures and is timely filed.

(Code of Iowa, Sec. 376.4)

3. Designate other employees or officials of the City Who are ordinarily available to accept nomination papers if the City Administrator/Clerk is not readily available during normal Working hours.

(Code of Iowa, Sec. 376.4)

4. Note upon each petition and affidavit accepted for filing the date and time that the petition was filed.

(Code of Iowa, Sec. 376.4)

5. Deliver all nomination petitions, together with the text of any public measure being submitted by the Council to the electorate, to the County Commissioner of Elections not later than 5:00 p.m. on the day following the last day on which nomination petitions can be filed.

(Code of Iowa, Sec. 376.4)"

SECTION 2. SAVINGS CLAUSE. Each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect beginning July 1, 2014.

First reading on the 22 day of July 2014.

Second reading on the \_\_\_\_ day of \_\_\_\_\_, 2014.

Third and final passage on the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
TIM KEMP, MAYOR

ATTEST:

\_\_\_\_\_  
BONNIE HANSEN, CITY CLERK

I certify that the forgoing was published in accordance with the laws and ordinances of the State of Iowa and the City of Hills the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
BONNIE HANSEN, CITY CLERK

Drafted and approved as to form by City Attorney

EREK P. SITTING, CITY ATTORNEY

# **CITY OF HILLS**

## **Employee Handbook**

Complete revision: Effective 10/26/2009

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## INTRODUCTION

The contents of this handbook are presented as a matter of information only and do not address all circumstances and situations which may arise. The plans, policies and procedures described are not conditions of employment. The City of Hills reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies or procedures, in whole or in part, at any time with or without notice. The language, which appears in this booklet, is not intended to create nor is it to be construed to constitute a contract between the City and any one or all of its employees.

## EMPLOYEE AT WILL STATUS

Each and every employee of the City of Hills shall be deemed an employee at will. The existence of this handbook and any rights contained in the handbook shall not cause any employee to have any other employee status or contractual time period other than that as an employee at will.

## EQUAL EMPLOYMENT OPPORTUNITY

It is the City's policy that all employment decisions shall be based on merit, qualifications, and competence. Employment practices shall not be influenced or affected by virtue of an applicant's or employee's race, color, religion, sex, national origin, age, mental or physical handicap (if otherwise qualified) unrelated to ability to do the job or any other characteristic protected by law. This policy governs all aspects of employment, promotion, assignment, compensation, discharge, and all other terms and conditions of employment.

## SEXUAL AND OTHER FORMS OF HARASSMENT

The City is committed to providing a work environment that is free of harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated.

If the employee have reason to believe that the employee have been the victim of any type of harassment, the employee should **immediately** report the facts of the incident to the Mayor or City Council. A prompt and thorough investigation will be conducted, and appropriate corrective action will be taken where it is warranted.

Any employee engaging in any improper harassment will be subject to disciplinary action, up to and including discharge.

## FUNCTIONS OF THE CITY COUNCIL

It shall be the responsibility of the Hills City Council to establish standard pay practices and procedures covering all employees of the Municipal Government. These procedures are to become effective after October 1, 2009, and continue in force until there are amendments, deletions, or additions by a majority of the elected City Council Members. If any procedure is in conflict with a State or Federal Law, the State or Federal law shall take precedence.

It shall be the sole responsibility of the City Council to:

1. Manage the business affairs of the City of Hills
2. Determine the basis for selection, retention and promotion of all employees following recommendations by his or her supervisor.
3. Make reasonable rules and regulations for the purpose of efficiency, safe practices and discipline.
4. Bear responsibility for the fire, sewer, and street departments
5. Appoint the office of City Clerk, sewer, maintenance, city attorney, and fire chief.

## EMPLOYMENT POLICIES AND PRACTICES

### EMPLOYMENT CATEGORIES

Each employee of the City of Hills belongs to one of the employment categories described below: REGULAR FULL-TIME EMPLOYEES are regularly scheduled to work at least 40 hours per week. Regular Full-Time Employees are entitled to all legally mandated benefits and for all benefits offered by the City, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME EMPLOYEES are regularly scheduled to work less than 32 hours or less per week. Their hours may vary widely from week to week, depending upon the needs of the City at the time. They are not eligible to receive any of the City's benefits. Regular Part-Time Employees are expected to abide by the provisions of this handbook, the same as Regular Full Time Employees.

TEMPORARY EMPLOYEES are hired to work for a specified period of time or for a specific task such as during a particularly busy period or for the summer. Hours may vary widely from week to week, depending on the needs of the City at the time. They are not eligible to receive any of the City's benefits. Temporary Employees are expected to abide by the provisions of this handbook, the same as regular Full Time and Part Time employees.

## **WORK ASSIGNMENTS**

The City retains the right to make work assignments and alter employee job duties when it is deemed necessary or desirable to do so. At times, it may also be necessary to alter employee work scheduled.

## **ATTENDANCE AND PUNCTUALITY**

The City depends on the regular attendance of each of our employees. Everyone has an important job and the City needs the employee to be reliable and punctual in reporting for scheduled work.

## **CONFLICTS OF INTEREST**

It is the City's policy to conduct business ethically and to avoid conflicts of interest or even the appearance of such conflicts. Our employees have an equal obligation to avoid conflicts of interest and are expected to comply with all Iowa laws concerning conflicts of interest, ethics and gifts.

We expect our employees to report conflicts of interest to the Mayor or City Attorney immediately upon discovery or suspicion of a conflict. The City will review each situation on its merits and notify the employee of decisions made or actions to be taken concerning the conflict.

## **CONFIDENTIALITY**

Even though employees of the City of Hills are expected to comply with Iowa open records laws, certain records the City maintains are confidential, such as an employee's personnel record. Also, during the course of an employee's duties other information may arise that should be considered private or confidential.

Any employee who discloses confidential information or uses private information learned in the course of their job duties will be subject to disciplinary action, which can include discharge, and legal action.

## **PERSONAL DATA CHANGES**

It is each employee's responsibility to promptly notify the City Clerk of any changes in personal information, such as home mailing address, telephone number, number and names of dependents, individuals to be contacted in the event of emergency, beneficiary changes, or other such status reports. Please don't assume that we "just know" when these changes occur.

## JURY DUTY LEAVE

In the event it is necessary for Regular Full Time Employees to serve on jury duty, the City will pay the difference between the employees's regular rate of pay and the payment the employee receive from the courts for the time spent on jury duty (excluding mileage/meals). Part time employees will be paid only for his or her normal working hours. The employee is expected to report for work whenever the court schedule permits.

## WORKERS' COMPENSATION INSURANCE

The City of Hills provides a comprehensive workers' compensation insurance program as required by state law. This program covers any injury or illness sustained in the course of the employee's employment. If the employee sustains a work-related injury or illness, the employee **must** inform the Mayor or City Clerk **immediately**, no matter how minor an on-the-job injury may appear. A first report of injury must be completed for any work-related injury or illness requiring more than first aid and may also be required at other times.

## TRAVEL REGULATIONS

The Council shall approve all out-of-county travel by employees and the incurring of expenses in advance of departure. Approval must be contingent on the fact that the cost of the travel is within the proper budget line items. Travel within the Johnson County area or within 50 miles the State of Iowa requires only Mayor/Mayor Pro Tem approval.

An employee will receive wage compensation for an eight (8) hour day. Time spent on the road or attendance at meeting beyond the eight hours will be not negotiable or compensated.

The use of the employee's personal auto may be authorized by the City Council. The allowance for such use shall be the amount allowable as published each year by the Resolution of City Council for per mile round trip reimbursement (generally same as the IRS guidelines). The route shall be the most direct route possible. In approving the use of a personal car in long distance travel, travel time, cost and convenience of the employee will be taken into account. In no case shall the reimbursement for the use of a personal car exceed the amount of a round-trip airfare at coach or tourist rate, if available.

Use of a City owned vehicle may be authorized when it appears to be the appropriate means of travel.

Travel expenses that will be reimbursed are confined to those necessary to the approved travel. Requests for reimbursement of travel expenses must be reviewed and approved by the City Clerk for processing.

All travel claims and reimbursement requests will be processed through the City Clerk. Reimbursement for expenses of budget travel and of a routine nature and amount will be approved by the City Council and expenses of an unusual nature or amount will require approval of the Mayor for payment.

If the spouse of an employee accompanies the employee on approved travel, the employee must pay for all additional costs of transportation, meals, registration, and any lodging cost over and above the single rate. The employee will pay for all personal telephone calls.

Employees must provide receipts for all expenditures to be eligible for reimbursement.

It is policy that an employee will not be reimbursed for any funds spent on alcoholic beverages or acquired services.

#### **TIMEKEEPING AND PAYROLL**

Federal and state laws require that we keep an accurate record of time worked by hourly employees in order to calculate pay and benefits. Time worked is all the time the employee actually spends on the job performing assigned duties.

Timesheets, which are provided by the City, must be signed and show all hours worked, including accumulated hours over forty (40) per week. These time statements are intended to provide records for the following:

- 1) Records covering labor costs
- 2) Review of overtime costs
- 3) Budgeting of tax dollars

Time statements will be kept on file with the City Clerk for a period of at least five (5) years.

#### **PAY DAYS**

Payroll checks are distributed weekly on Thursday. Monthly payroll checks will be mailed the last working day of the month. If payday falls on a holiday or unavoidable emergency in which City Hall is closed, the employee will be paid on the day preceding the holiday.

Most payrolls related adjustments or errors will be corrected on the following paycheck. See the City Clerk if there is a problem with the employee paycheck.

#### **WORK SCHEDULES**

The normal work schedule for Regular Full Time employees is eight hours a day, five days a week. This will usually be Monday through Friday 8:00 AM to 5:00 PM with one hour off (unpaid) for lunch from 12 noon to 1 P.M. These times are subject to change as required for a specific function or as designated.

All department heads are required to attend at least one City Council Meeting in a month.

In order for the City to be responsive to citizen's demands, it may be necessary to alter employee work schedules on a temporary or regular basis. This includes starting and ending times as well as the total number of hours that may be scheduled each day and week.

## **PAYROLL DEDUCTIONS AND SETOFFS**

The City of Hills is required by law to make certain deductions from every employee's paycheck. Among these are federal and state income taxes, social security and Medicare tax, and IPERS contributions. These are automatically deducted from the employee paycheck. The amount of income tax withheld is determined by the W-4's the employee completes at the beginning of the employee employment. These can be changed at the employee's discretion by completing another W-4 Form and filing it with the City Clerk.

Pay setoffs involve deductions taken from an employee's paycheck by the City as directed by garnishment papers served on the City, court-ordered child support withholding deductions, or other deductions the City is legally obligated to make.

## **CREDIT CARD POLICY**

The Credit Cards will only be used for the following purposes unless otherwise approved by the City Council.

- Purchases requiring immediate payment where City is unable to issue a check for the purchase.
- Purchases require prior approval for non-budgeted items.
- Gas expenses when on City business.
- Emergency vehicle maintenance.

All receipts must be brought into the City Clerk's office upon charging any item. If receipts are not turned in, the City will not be responsible for those charges on the cards issued.

Misuse of City Credit Cards, failure to secure or failure to report stolen or missing Credit Cards immediately upon discovering, could result in disciplinary action toward employee and possible employment termination. Employees may be held responsible for any unauthorized purchases on their card while the card is in their possession. Employees would not be held responsible for any charges to the credit card after it has been reported missing or stolen. The City may revoke the credit card privileges of any employee at any time.

## **EMPLOYEE CONDUCT**

### **EMPLOYEE CONDUCT AND WORK RULES**

To assure orderly operations and provide the best possible work environment, the City expects its employees to follow rules of conduct that will protect the rights, interests and safety of all employees and citizens. It is not possible to list all the forms of behavior that are considered

unacceptable in the work place, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

Discourteous conduct toward citizens or poor customer service.

Theft or inappropriate removal or possession of City property.

Falsification of timekeeping records.

Working under the influence of alcohol or illegal drugs.

Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the work place, while on duty, or while operating employer-owned or leased vehicles or equipment.

Fighting or threatening violence in the work place.

Boisterous or disruptive activity in the work place.

Negligence or improper conduct leading to damage of city-owned or citizen-owned property.

Insubordination or other disrespectful conduct.

Violation of safety or health rules.

Sexual or other forms of harassment.

Possession of dangerous or unauthorized materials, such as explosives, or firearms, in the work place. Police who are authorized to carry firearms are exempt from this rule.

Excessive absenteeism or tardiness.

Smoking is prohibited on city owned premises or vehicles.

Violation of personnel policies.

Unsatisfactory work performance or conduct.

Loss of Driver's License will be handled on a case by case basis and may involve termination if license is a required element of the employee's employment.

All information pertinent to employee disciplinary actions, including records or copies of written or verbal warnings and notices will be placed in the employee's personnel file.

## **MISCELLANEOUS**

### **EMPLOYMENT TERMINATION**

Employment with the City of Hills is based on mutual consent. Both the employee and the City have the right to terminate the employment relationship at will, with or without cause, at any time.

If the employee chooses to leave the City voluntarily, we request that the employee give us at least two-week notice – more if possible.

Federal law requires that some employee insurance benefits (notably health insurance) may be continued after termination of employment at the employee's expense, if the employee so choose. The employee will be notified of the benefits the employee can continue and of the terms, conditions, limitations and costs associated with each. Contact the City Clerk if the employee has any questions.

Any City property in the employee's possession at termination must be returned to the City no later than the employee's last day of work. This includes keys, manuals, credit cards, maps, etc.

**If the employee is terminating due to a change of address, we need to have a forwarding address so we can send a W-2 Form at year-end.**

### **SMOKING**

Smoking is prohibited at/in any and all public places and City owned building or grounds or city owned vehicles as regulated per the Smokefree Air Act of 2008.

### **DRUG AND ALCOHOL USE**

No employee may be under the influence of any illegal drug or alcohol, nor may they possess, consume, distribute, transfer, purchase or sell alcohol or illegal drugs while on duty (includes lunch hour). Employees also shall not be alcohol or drug impaired while operating a vehicle or equipment owned or leased by the City. Any such activity will lead to disciplinary action, including suspension and discharge. The City has zero tolerance for drug usage. If any employee is in violation while on duty or while driving a city vehicle, the matter will be addressed under applicable drug and alcohol policy.

### **SAFETY**

The establishment and maintenance of a safe work environment is the shared responsibility of the City and its employees. The City of Hills will attempt to do everything within its control to assure a safe environment and to comply with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all work activities. The employee is asked to immediately report any unsafe conditions to the Mayor and/or City Council. Every employee is expected to report and/or correct unsafe conditions as promptly as possible. All employees must attend a conducted safety meeting at least once per year.



All accidents that result in injury must be reported **immediately** regardless of how insignificant the injury may appear. These reports are necessary in order to comply with laws and initiate insurance and worker's compensation procedures.

### **USE OF EQUIPMENT AND VEHICLES**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using City property, the employee is expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

As an employee, the employee is a representative of the City and when driving on City business, the employee is expected to observe area traffic laws. Tickets that result from an infraction of traffic laws or parking violations are the employee's own responsibility. Anyone authorized by the City Council may drive a City owned vehicle if they have a valid driver's license and chauffeurs license (Commercial Drivers License CDL) when required. City owned vehicles shall not be operated by persons who are not employees except in emergency situations which authorization must be given by an employee as an agent for the City to the person driving the City owned vehicle.

City owned vehicles are not be used for unauthorized purposes.

Notify the Mayor or City Clerk if any equipment, machines tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of these situations could prevent deterioration of equipment and possible injury to employees or others. .

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles can result in disciplinary action, including discharge.

### **PERSONNEL FILES**

The Employee personnel records will contain what is required, pursuant to Iowa Code.

Employee personnel records are confidential, pursuant to Iowa Code 22.7(11). The City Clerk shall maintain personnel records. It is the policy of the City that each employee should be free to examine their own personnel files, subject to Iowa Code 91B.1 and the following provision:

1. The Mayor and employee shall agree on the time the employee may have access to the employee's personnel file, and a representative of the City may be present.

2. The City will charge a reasonable fee for each copy made by an employee of an item in the employee's personnel file.

#### **GREIVANCES**

All grievances should be carried through the chain of responsibility to the City Council.

#### **MAJOR PURCHASES**

All Major purchases over \$200 that are not already budgeted shall first be authorized by the City Clerk and Mayor.

Distribution List 10/1/09

Ron Wolfe

Bruce Endris

Bonnie Hansen

City Council

Mayor

File