



**CITY COUNCIL REGULAR AGENDA**  
**MONDAY, JUNE 05, 2023**  
**CITY HALL at 7:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADDITIONS OR CORRECTIONS TO AGENDA**
- 5. DISCUSSION FROM THE FLOOR**
- 6. CONSENT AGENDA**
  - [A.](#) Approval of Minutes - May 15, 2023 Council Meeting
  - [B.](#) Contractor's Licenses
  - [C.](#) Sign Permit
  - [D.](#) Business License
- 7. PUBLIC HEARING**
  - [A.](#) Rental License Revocation for Certain Property Located at 8431 Westwood Road NE
  - [B.](#) Rental License Revocation for Certain Property Located at 1870 County Highway 10
  - [C.](#) Rental License Revocation for Certain Property Located at 375 83rd Avenue NE
  - [D.](#) Rental License Revocation for Certain Property Located at 374 83rd Avenue NE
- 8. DEPARTMENT REPORTS**
  - A. Public Works Report
  - [B.](#) Code Enforcement Report
- 9. ORDINANCES AND/OR RESOLUTIONS**
  - [A.](#) Resolution 23-21, Ordering Preparation of Report on Improvement for 2024 Street Improvement Project
- 10. NEW BUSINESS**
  - [A.](#) Authorize Geotechnical & Pavement Design for 2024 Sanburnol Dr./Elm Reconstruction Project
  - [B.](#) Consideration of Personnel Policy Amendments
  - [C.](#) Schedule June Work Session
- 11. REPORTS**
  - A. Attorney's Report
  - [B.](#) Engineer's Report
  - C. Administrator's Report
- 12. OTHER**
  - [A.](#) Schedule Update due to Juneteenth Holiday
  - [B.](#) Correspondence
- 13. ADJOURN**

**SEE REVERSE SIDE FOR RULES FOR PUBLIC HEARINGS AND  
DISCUSSION FROM THE FLOOR**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 1301 81<sup>st</sup> Avenue NE, Spring Lake Park, MN 55432. Ph.763-784-6491 at least 48 hours in advance.

## **RULES FOR DISCUSSION FROM THE FLOOR AND PUBLIC HEARINGS**

### **DISCUSSION FROM THE FLOOR**

- Discussion from the floor is limited to three minutes per person. Longer presentations must be scheduled through the Administrator, Clerk/Treasurer's office.
- Individuals wishing to be heard must sign in with their name and address. Meetings are video recorded so individuals must approach the podium and speak clearly into the microphone.
- Council action or discussion should not be expected during "Discussion from the Floor." Council may direct staff to research the matter further or take the matter under advisement for action at the next regularly scheduled meeting.

### **PUBLIC HEARINGS**

The purpose of a public hearing is to allow the City Council to receive citizen input on a proposed project. This is not a time to debate the issue.

The following format will be used to conduct the hearing:

- The presenter will have a maximum of 10 minutes to explain the project as proposed.
- Councilmembers will have the opportunity to ask questions or comment on the proposal.
- Citizens will then have an opportunity to ask questions and/or comment on the project. Those wishing the comment are asked to limit their comments to 3 minutes.

In cases where there is a spokesperson representing a group wishing to have their collective opinions voiced, the spokesperson should identify the audience group he/she is representing and may have a maximum of 10 minutes to express the views of the group.

- People wishing to comment are asked to keep their comments succinct and specific.
- Following public input, Councilmembers will have a second opportunity to ask questions of the presenter and/or citizens.
- After everyone wishing to address the subject of the hearing has done so, the Mayor will close the public hearing.
- The City Council may choose to take official action on the proposal or defer action until the next regularly scheduled Council meeting. No further public input will be received at that time.

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council Regular was held on May 15, 2023 at the City Hall, at 7:00 PM.

### 1. CALL TO ORDER

Mayor Nelson called the meeting to order at 7:00 PM.

### 2. ROLL CALL

#### MEMBERS PRESENT

Mayor Robert Nelson

Councilmember Ken Wendling

Councilmember Barbara Goodboe-Bisschoff

Councilmember Lisa Dircks

Councilmember April Moran

#### STAFF PRESENT

Police Chief Josh Antoine, Recreation Director Kay Okey, City Attorney John Thames, Administrator Daniel Buchholtz

#### VISITORS

Assessor Ken Tolzmann

SBM Fire Chief Dan Retka

### 3. PLEDGE OF ALLEGIANCE

### 4. ADDITIONS OR CORRECTIONS TO AGENDA

### 5. DISCUSSION FROM THE FLOOR

#### A. Quarterly Fire Department Report – Dan Retka

Fire Chief Retka gave an update on the changes to the Fire Department that have occurred over the last six months. He stated that a Recruitment Retention Coordinator with marketing experience has been added to the staff. He discussed the Department transitioning to the duty crew model. The new model will result in 24 hour/7 days per week staffing at the station and allow the staff to pick their schedules. Chief Retka noted that current staffing levels have the department down a station and a half.

Chief Retka stated that the SBM Fire Department is the Chief for Centennial Fire. He noted that the cost of equipment has increased and it is taking at least a minimum of 3 years to receive a new piece of equipment.

Chief Retka said that calls are increasing and that most are medical. He said he is working on educating Dispatch on what calls the Fire Department should be called out on to assist.

## 6. CONSENT AGENDA

- A. Approval of Minutes – May 1, 2023 Council Meeting
- B. Approval of Claims – General Disbursement No 23-07 - \$302,196.93
- C. Mayor’s Proclamation – Public Works Week – May 21-27, 2023
- D. Mayor’s Proclamation – Memorial Day – May 29, 2023
- E. Contractor’s Payment #7 – DPG – Able Park Shelter Upgrades - \$29,930.43
- F. Contractor’s Request for Payment No. 3/Final – Visu-Sewer
- G. Resolution 2023-18, Amending Classification Plan
- H. Approve Second Amendment to Administrator’s Employment Agreement
- I. Resolution 2023-19, Accepting Monetary Donation
- J. Resolution 2023-20, Authorizing a Transfer from General Fund to Equipment Fund
- K. Contractor Licenses
- L. Sign Permits

Motion made by Councilmember Wendling to approve Consent Agenda.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Councilmember Moran, Mayor Nelson. Motion carried.

## 7. PRESENTATION

### A. Board of Equalization Meeting

Assessor Tolzmann provided a report on the 2023 Assessment for Taxes Payable 2024 and an overview of the assessment process.

Mr. Tolzmann reported that there were 108 qualified residential sales within the City during the sales period of October 1, 2022 through September 30, 2022, and after value adjustments made accordingly by zone, the result was an assessment that qualifies as “excellent” in the eyes of the Minnesota Department of Revenue with a median sales ratio of 94.33. He stated that there were three qualified commercial/industrial sales reflecting a sales ratio of 92.5 as well as two qualified apartment sales reflecting a median ratio of 93.8.

Mr. Tolzmann reported that the City’s total market value rose by 7.9% to \$896,742,200 for the 2023, pay 2024 assessment. He noted that included in this overall market value is \$6,121,600 in new construction.

Mr. Tolzmann reported that the median sales increased 11.8% in the City. He noted that the median home sale price, rose from of \$280,000 in 2021 to \$296,125 in 2022.

**8. DEPARTMENT REPORTS****A. Police Report**

Chief Antoine reported that the Police Department responded to 823 calls for service in April 2023 compared to 642 calls for service for the month of April 2022. He said that School Resource Officer Imig reported handling 8 calls for service in April, as well as handling 14 student contacts, 24 student escorts, and 3 follow-up investigations.

Chief Antoine said Investigator Bennek handled 76 cases for the month of April, 26 of which were felony in nature and 1 misdemeanor. He said Investigator is monitoring 5 active forfeiture cases.

Chief Antoine recognized the Records Technicians, Lisa Murphy and Kim Kiley for Administrative Professional's Day on April 26. He stated that the Police Department will be partnering with the Mounds View Police Department and the SBM Fire Department to host a Safety Camp for kids.

**B. Recreation Report**

Director Okey highlighted several program events. Director Okey said the focus by the Department at this time of year is summer programs and Tower Days. She noted that Tower Days activities is proceeding and that the next Tower Days Committee meeting will be May 30 at 6:30 pm.

Director Okey informed Council that staff attended Adaptive Programming meeting with Commissioner Julie Jeppson and attended Camp Counselor training at Wargo Nature Center.

**9. ORDINANCES AND/OR RESOLUTIONS - None****10. NEW BUSINESS****A. Adoption of Warning Sign Policy**

Administrator Buchholtz referred to the May 1, 2023 Council meeting on the request from a resident to place a warning sign near his home on Able Street for an autistic child. Councilmember Dircks inquired if there was a warning sign policy and requested, if there was none, that one be created for Council consideration.

Administrator Buchholtz determined that there is not a current warning sign policy. He stated that the following language be adopted to help govern the placement of warning signs:

**WARNING SIGNS**

Warning signs are used when it is deemed necessary to warn traffic of existing or potentially hazardous conditions on or adjacent to a highway or street. Warning signs require caution on the part of the vehicle operator and may call for a reduction in speed or a maneuver in the interest of safety for the

motorist or pedestrian. The use of warning signs should be kept to a minimum. Overuse of warning signs, especially for conditions which are apparent, tends to breed disrespect for signs in general, and they lose their effectiveness. At residential speeds (under 35 MPH) motorists using due care can respond to hazards or conditions presented in the roadway without the need for warning signs.

Guidelines:

1. The provisions of the Minnesota Manual on Uniform Traffic Control Devices (MUTCD) shall be followed.
2. Traffic analysis, engineering, and property use facts and data shall be reviewed when considering warning signs.
3. General warning signs that are not about a specific hazard will not be placed, as they do not indicate expected driver actions
4. Absent supporting facts and data, warning signs will not be erected on residential streets.
5. Warning sign appropriateness will be reviewed as part of any street reconstruction.
6. Any of the following conditions may warrant the installation of a warning sign:
  - a. Speed Advisory. Warning Sign in conjunction with another warning sign where geometrics or operating conditions warrant a reduced speed.
  - b. Curve or Turn Warning Sign. Installed in residential locations when inadequate sight lines warrant. Installed when a street or roadway turns at a right angle.
  - c. Park or Playground Warning Sign. Installed on the park property at the focal point or entrance to the park.
  - d. International Pedestrian Warning Sign. Installed on established pedestrian routes where 5 pedestrians per hour for two continuous hours are documented.
  - e. School, School Crossing, & School Bus Stop Warning Signs. Installation in accordance with Part VII of the Manual on Uniform Traffic Control Devices (MUTCD)
  - f. Stop Ahead, Yield Ahead, Signals Ahead Warning Signs. Installed on approaches where the traffic control sign is not continuously visible to the driver.
  - g. Dead End/No Outlet Warning Signs. Installed where a roadway terminates in a dead end or where a turn-about is necessary to return to a point of origin.
  - h. Disabled Person Warning Signs. Signs shall be black on yellow, standard warning colors
    - (1) Warning signs may be installed upon the request of a disabled person or by the representative of a disabled person.
    - (2) Requestors will be asked to notify the City to remove the sign when the disability no longer exists or the person moves.
    - (3) Disability status will be automatically reviewed after a five-year period.
    - (4) Signs available include: Deaf Child Area, Blind Child Area, Disabled Child/Person Area, Autistic Child Area.
7. Children at Play Warning Signs will not be installed within the City of Spring Lake Park.

Motion made by Councilmember Dircks to approve Adoption of Warning Sign Policy.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Councilmember Moran, Mayor Nelson. Motion carried.

**11. REPORTS**A. Attorney's Report

Attorney Thames stated he reviewed and approved the Sanitary Sewer Lining and the Seal Coat Crack Repair Contracts. He noted that the 8064 Garfield matter is progressing.

B. Engineer's Report

Report accepted as presented.

C. Administrator Report

Administrator Buchholtz noted that it was National Police Week and thanked the Police Department and its members for their service to the community. He stated that the open house was held on May 8 and that a video was produced for residents who were unable to attend. He gave an update on his meeting with Congresswoman Omar.

**12. OTHER**A. Correspondence - None**13. ADJOURN**

Motion made by Councilmember Wendling to adjourn.

Voting Aye: Councilmember Wendling, Councilmember Goodboe-Bisschoff, Councilmember Dircks, Councilmember Moran, Mayor Nelson. Motion carried.

The meeting was adjourned at 8:08 PM.

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Robert Nelson, Mayor

Attest:

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Daniel R. Buchholtz, Administrator, Clerk/Treasurer

City of Spring Lake Park  
1301 81st Avenue NE  
Spring Lake Park, MN 55432

## Contractor's Licenses

June 5, 2023

### Blacktopping Contractor

Asphalt Paving Solutions

### General Contractor

Exteriors Plus, LLC.

Montes of Spring Lake Park, Inc. dba Hi Stakes Café & Bar

### Mechanical Contractor

DAS Heating and Cooling, Inc.

Majestic Custom Construction

O'Boys Heating & Air

Riccar Heating & Air Conditioning

### Roofing Contractor

Associated Exteriors, Inc.

### Sign Contractor

Signco INK



City of Spring Lake Park  
1301 81st Avenue NE  
Spring Lake Park, MN 55432

Sign Permit

June 5, 2023

Sign Permit

Sit Means Sit Dog Training

8485 Plaza Blvd



**CITY OF SPRING LAKE PARK**  
1301 81<sup>st</sup> Avenue N E  
Spring Lake Park, MN 55432  
763-784-6491

**Sign Permit Application**

DATE: 5/29/2023  
NAME OF APPLICANT: Electro Signs - Marianne Johns  
ADDRESS OF APPLICANT: 9990 Goodhue St NE, Blaine, MN 55449  
TELEPHONE NUMBER OF APPLICANT: 763-785-7968  
**NAME OF BUSINESS AND LOCATION** of building structure, or lot to which or upon which the sign is to be attached or erected Sit Means Sit Dog Training, 8485 Plaza blvd

New Construction: \_\_\_\_\_ Remodel:  Word Change Only: \_\_\_\_\_

Attach a drawing or sketch showing the position of the sign in relation to the nearest building, structures, public streets, right-of-way and property lines. Said drawing to be prepared to scale.

Attach two (2) blueprints or ink drawings of the plans and specifications and method of construction or attachment to the building or in the ground, including all dimensions. Show location of all light sources, wattage, type and color of lights and details of light shields or shades.

Attach a copy of stress sheets and calculations showing the structure is designed for dead load and wind velocity in the amount required by this and all other Ordinances of the City, if requested by the Building Inspection Department.

Name of person, firm or corporation erecting the structure: Electro Signs

Address: 9990 Goodhue Street NE, Blaine, MN 55449

Is an Electrical Permit required? No

I, the undersigned applicant, do further make the following agreement with the City of Spring Lake Park Mn:

- 1) To authorize and direct the City of Spring Lake Park to remove and dispose of any signs and sign structures on which a Permit has been issued but which was not renewed, if the owner does not remove the same within thirty (30) days following the expiration of the Permit.
- 2) To authorize and direct the City of Spring Lake Park to remove said sign and sign structure, at the expense of the applicant, where maintenance is not furnished, but only after a hearing and after notice of sixty (60) days, specifying the maintenance required by the City.
- 3) To provide any other additional information which may be required by the Building Inspection Department.

*Marianne Johns*

**SIGNATURE OF APPLICANT**

FOR OFFICE USE ONLY:\*\*\*\*\*

FEE: \_\_\_\_\_ RECEIPT NUMBER: \_\_\_\_\_

DATE OF APPROVAL: \_\_\_\_\_ DATE OF ISSUE: \_\_\_\_\_

REASON FOR DENIAL: \_\_\_\_\_

**ADDITIONAL REQUIREMENTS FOR SIGN PERMIT:**

SQUARE FOOTAGE OF FRONT OF BUILDING: 5747

SQUARE FOOTAGE OF ALL EXISTING SIGNS: 828

SQUARE FOOTAGE OF PROPOSED SIGN OR SIGNS: 30x2 = 60 pylon

INCLUDE A DRAWING SHOWING LOCATION AND MESSAGE ON SIGN.

IF YOU ARE NOT THE OWNER OF THE PROPERTY, INCLUDE A SIGNED LETTER FROM THE OWNER GIVING PERMISSION TO ERECT THE SIGN.

NOTE: ALL APPLICATIONS ARE DUE BY NOON ON THE TUESDAY PRECEEDING THE COUNCIL MEETING.

**DRAWING:**

Existing  
Tattoo Asylum  
Building 36  
Pylon 20x2 = 40  
49x2 98

Proposed  
30x2 = 60

O'Reilly  
Building  
103x3 = 309

1724 - 30%  
828 - existing  
60 proposed  

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836 Remaining

Dick's  
Building 65  
40  
40  
Pylon 20x2 = 40  
80x2 = 160

**Front View Schematic**



**Design**



7.5

- PYLON PANEL**
- Pan Face Polycarbonate Panel
  - Back Sprayed Graphics
  - QTY 2

**Color Key:**  
 Digital CMYK

**PRODUCTION QUESTIONS? PLEASE CONTACT YOUR SALES REPRESENTATIVE**

**REVIEW CAREFULLY, THIS REFLECTS FINISHED PRODUCT**

Please Approve, sign and return by:  Sign off

If approval or missing information is not received by due date, the production schedule for your order may change which will affect your budget.

Client Approval Required

Approve

Changes

Color

Spelling

Size

**YOU MUST SIGN AND DATE BEFORE PRE-PRODUCTION RELEASES TO PRODUCTION**

**Prepared For:**  
Luneth Properties

**Project Name/#**  
Panels

**Sales Rep**  
Brian Kornuth

**Rendering #**  
2

**ELECTRO SIGNS**

763.785.7968  
 ElectroSignDesign.com

DESIGN • MANUFACTURE • INSTALL • REPAIR interior & exterior signage  
 9990 Goodhue St NE • Blaine, MN 55449 • (Office) 763.785.7968 • ElectroSignDesign.com

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30ft x 2 = 60ft

**City of Spring Lake Park  
1301 81<sup>st</sup> Avenue NE  
Spring Lake Park MN 55432**

**Business License – Food Sales  
June 5, 2023**

**Ice Cream Vendor  
Leovarda Pizarro & Yoshio Araiza-Reyes**

## City of Spring Lake Park

### **RESOLUTION NO. 23-**

#### **RESOLUTION APPROVING RENTAL LICENSE REVOCATION FOR CERTAIN PROPERTY LOCATED AT 8431 Westwood Road NE, PURSUANT TO SECTION 12.16.140 OF THE CITY OF SPRING LAKE PARK CODE**

**WHEREAS**, IAN Allcott Capitol LLC (Hereinafter "License Holder") is the legal owner of the real property at 8431 Westwood Road NE Spring Lake Park MN, 55432; and

**WHEREAS**, pursuant to City Code, 12.16.140 of the City of Spring Lake Park written notice setting forth the causes and reasons for the proposed council action contained herein and notice of a public hearing to be held on at 7:00 pm on June 5, 2023 was given to the license holder on May 3, 2023

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Spring Lake Park that, in accordance with the foregoing, and all ordinances and regulations of the City of Spring Lake Park, the City Council adopts the following.

#### **Findings of Fact**

1. That on or about March 30, 2023 Code Enforcement staff completed an initial rental housing inspection at the property of 8431 Westwood Road NE in the City of Spring Lake Park MN. The property failed its rental inspection.
2. That on or about May 2, 2023 Code Enforcement staff completed a follow up inspection at the property of 8431 Westwood Road NE in the City of Spring Lake Park MN. The property failed re-inspection.
3. That on or about May 3, 2023 the property owner IAN Allcott Capitol LLC and all tenants were notified of a public hearing
4. That based upon said records of the Code Enforcement, the following conditions and violations of the City Property Maintenance Code were found to exist, to-wit:
  - a. Failure to be present or have a representative present to complete the rental housing inspection on March 30, 2023 at 11:00 am.
  - b. Failure of rental housing inspection on May 2, 2023 at 1:30 pm.
5. That all parties, including the license holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code, Chapter 12 Article 16.140 of the City of Spring Lake Park.

#### **Order of Council**

1. The rental license belonging to the license holder described herein and identified as IAN Allcott Capital LLC is hereby revoked;
2. The City will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by license Holder;
3. All tenants shall remove themselves from the premises within 45 days from the first day of posting of this Order revoking the license as held by license Holder.

The foregoing resolution as moved for adoption by Councilmember.

Upon roll call, the following voted aye:

And the following voted nay:

Where the Mayor declared said resolution duly passed and adopted this the 5<sup>th</sup> day of  
June, 2023

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**Robert Nelson, Mayor**

**ATTEST:**

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**Daniel R. Buchholtz, Administrator**



Code Enforcement Division  
1301 81st Avenue NE  
Spring Lake Park, MN 55434  
www.slpmn.org

May 3, 2023

COUNTY OWNER ADDRESS:

Ian Allcott Capital LLC  
7801 E Bush Lake Road #430  
Minneapolis, MN 55439

**STATEMENT OF CAUSE AND NOTICE OF PUBLIC HEARING FOR REVOCATION OF A LICENSE**

PROPERTY:

8431 Westwood Road NE  
Spring Lake Park MN, 55432

Dear Property Owner/Manager:

As of May 2, 2023, you have not corrected the Housing Maintenance Code violations detailed below. Rental occupancies are required to comply with the provisions of the Property Maintenance Code. We have scheduled a revocation/abatement hearing with the Spring Lake Park City Council and a \$150 inspection fee shall be charged for each inspection performed by the city to bring the property into compliance.

Pursuant to Section 12.16 of the Spring Lake Park Code, a violation of any provisions of Chapter 12.16 or of state law, is sufficient cause for revocation, suspension, or other action restricting the privileges of a rental occupancy license by the City Council and correction of

**PLEASE BE ON NOTICE that on 6/05/2023 at 7:00 PM or as soon thereafter as the matter can be heard, the City Council of Spring Lake Park shall consider the revocation suspension and/or other disposition of the license to operate a rental dwelling(s) .**

**We have scheduled a final pre-council inspection for Monday, June 5, 2023 at 1:00 pm. There is a \$150 inspection fee for this inspection. If the licensee does not have all outstanding violations corrected for this inspection, we will present the license to the City Council for revocation.**

The reinstatement fee for a revoked license is five (5) times the annual fee. Please note that any person or owner who has had an interest in two (2) or more licenses revoked is ineligible to hold or have an interest in an occupancy license in the city for a period of five (5) years.

Reinstatement of a revoked license is made in the manner provided for obtaining an initial license.

Applicants must:

- (1) Complete and submit an approved renewal application and any required supplemental documents
- (2) Payment, in full, of all required fees to the Property Maintenance Enforcement Officer. This includes the reinstatement fee and any inspection fees incurred up to the point of license issue; and
- (3) Successfully complete a complete Property Maintenance Code inspection of the property.  
There is \$150 inspection fee charged for each inspection performed by the city to bring the property into compliance.

Thank you for your prompt attention to this matter,

*Spring Lake Park Code Enforcement*





Code Enforcement Division  
1301 81st Avenue NE  
Spring Lake Park, MN 55434  
www.slpmn.org

May 3, 2023

Tenant/Occupant  
8431 Westwood Road Ne  
Spring Lake Park, MN 55432

**STATEMENT OF CAUSE AND NOTICE OF PUBLIC HEARING FOR REVOCATION OF A LICENSE**

Dear Tenant/Occupant

Please be advised that the property above is in violation of the City of Spring Lake Park City Code. The property owner has failed to correct outstanding Housing Maintenance Code violations.

**A Public Hearing for consideration of revocation of the rental license  
Is scheduled for 06/05/2023 at 7:00 PM.**

This hearing could affect you and is for your information only. You have the right to be heard at this hearing. Public hearings are held in the City of Spring Lake Park City Council Chambers at City Hall, 1301 81<sup>st</sup> Ave NE, Spring Lake Park, MN 55432

**We have scheduled a pre-council inspection for Monday, June 5, 2023 at 1:00 PM.**

A copy of the violations is attached for your reference. If you have any questions, please call our office at 763-784-6491

Thank you for your prompt attention to this matter,

*Spring Lake Park Code Enforcement*

Cc: *Address file*

**City of Spring Lake Park**

**RESOLUTION NO. 23-**

**RESOLUTION APPROVING RENTAL LICENSE REVOCATION FOR CERTAIN PROPERTY LOCATED AT 1870 County Highway 10 NE, PURSUANT TO SECTION 12.16.140 OF THE CITY OF SPRING LAKE PARK CODE**

**WHEREAS**, Ryan & Jarah Seidi (Hereinafter “License Holder”) is the legal owner of the real property at 1870 County Highway 10 NE Spring Lake Park MN, 55432; and

**WHEREAS**, pursuant to City Code, 12.16.140 of the City of Spring Lake Park written notice setting forth the causes and reasons for the proposed council action contained herein and notice of a public hearing to be held on at 7:00 pm on June 5, 2023 was given to the license holder on May 12, 2023

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Spring Lake Park that, in accordance with the foregoing, and all ordinances and regulations of the City of Spring Lake Park, the City Council adopts the following.

**Findings of Fact**

1. That on or about March 27, 2023 Code Enforcement staff completed an initial rental housing inspection at the property of 1870 County Highway 10 NE in the City of Spring Lake Park MN. The property failed its rental inspection.
2. That on or about May 1, 2023 Code Enforcement staff completed a follow up inspection at the property of 1870 County Highway 10 NE in the City of Spring Lake Park MN. The property failed re-inspection.
3. That on or about May 12, 2023 the property owner Ryan & Jarah Seidi and all tenants were notified of a public hearing
4. That based upon said records of the Code Enforcement, the following conditions and violations of the City Property Maintenance Code were found to exist, to-wit:
  - a. Failure to be present or have a representative present to complete the rental housing inspection on March 27, 2023 at 11:00 am.
  - b. Failure of rental housing inspection on May 1, 2023 at 10:00 am.
5. That all parties, including the license holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code, Chapter 12 Article 16.140 of the City of Spring Lake Park.

**Order of Council**

1. The rental license belonging to the license holder described herein and identified as Ryan & Jarah Seidi is hereby revoked;
2. The City will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by license Holder;
3. All tenants shall remove themselves from the premises within 45 days from the first day of posting of this Order revoking the license as held by license Holder.

The foregoing resolution as moved for adoption by Councilmember.

Upon roll call, the following voted aye:

And the following voted nay:

Where the Mayor declared said resolution duly passed and adopted this the 5<sup>th</sup> day of  
June, 2023

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**Robert Nelson, Mayor**

**ATTEST:**

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**Daniel R. Buchholtz, Administrator**

## City of Spring Lake Park

### **RESOLUTION NO. 23-**

#### **RESOLUTION APPROVING RENTAL LICENSE REVOCATION FOR CERTAIN PROPERTY LOCATED AT 375 83<sup>rd</sup> Ave NE, PURSUANT TO SECTION 12.16.140 OF THE CITY OF SPRING LAKE PARK CODE**

**WHEREAS**, Halverson and Blaise (Hereinafter “License Holder”) is the legal owner of the real property at 375 83<sup>rd</sup> Ave NE Spring Lake Park MN, 55432; and

**WHEREAS**, pursuant to City Code, 12.16.140 of the City of Spring Lake Park written notice setting forth the causes and reasons for the proposed council action contained herein and notice of a public hearing to be held on at 7:00 pm on June 5, 2023 was given to the license holder on May 04, 2023

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Spring Lake Park that, in accordance with the foregoing, and all ordinances and regulations of the City of Spring Lake Park, the City Council adopts the following.

#### **Findings of Fact**

1. That on or about March 23, 2023 Code Enforcement staff completed an initial rental housing inspection at the property of 375 83<sup>rd</sup> Ave NE in the City of Spring Lake Park MN. The property failed its rental inspection.
2. That on or about May 11, 2023 Code Enforcement staff completed a follow up inspection at the property of 375 83<sup>rd</sup> Ave NE in the City of Spring Lake Park MN. The property failed re-inspection.
3. That on or about May 12, 2023 the property owner Halverson and Blaise and all tenants were notified of pre-council inspection scheduled to take place on June 5, 2023 at 9:30 am.
4. That on or about May 12, 2023 the property owner Halverson and Blaise and all tenants were notified of a public hearing at Spring Lake Park City Hall on June 5, 2023 at 7:00 pm.
5. That based upon said records of the Code Enforcement, the following conditions and violations of the City Property Maintenance Code were found to exist, to-wit:
  - a. Failure of rental housing inspection on March 23, 2023.
  - b. Failure of rental housing inspection on May 11, 2023.
6. That all parties, including the license holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code, Chapter 12 Article 16.140 of the City of Spring Lake Park.

#### **Order of Council**

1. The rental license belonging to the license holder described herein and identified as Halverson and Blaise is hereby revoked;
2. The City will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by license Holder;
3. All tenants shall remove themselves from the premises within 45 days from the first day of posting of this Order revoking the license as held by license Holder.

The foregoing resolution as moved for adoption by Councilmember.

Upon roll call, the following voted aye:

And the following voted nay:

Where the Mayor declared said resolution duly passed and adopted this the 5<sup>th</sup> day of  
June, 2023

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**Robert Nelson, Mayor**

**ATTEST:**

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**Daniel R. Buchholtz, Administrator**

## City of Spring Lake Park

### **RESOLUTION NO. 23-**

#### **RESOLUTION APPROVING RENTAL LICENSE REVOCATION FOR CERTAIN PROPERTY LOCATED AT 374 83<sup>rd</sup> Ave NE, PURSUANT TO SECTION 12.16.140 OF THE CITY OF SPRING LAKE PARK CODE**

**WHEREAS**, Halverson and Blaise (Hereinafter “License Holder”) is the legal owner of the real property at 374 83<sup>rd</sup> Ave NE Spring Lake Park MN, 55432; and

**WHEREAS**, pursuant to City Code, 12.16.140 of the City of Spring Lake Park written notice setting forth the causes and reasons for the proposed council action contained herein and notice of a public hearing to be held on at 7:00 pm on June 5, 2023 was given to the license holder on May 04, 2023

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Spring Lake Park that, in accordance with the foregoing, and all ordinances and regulations of the City of Spring Lake Park, the City Council adopts the following.

#### **Findings of Fact**

1. That on or about March 23, 2023 Code Enforcement staff completed an initial rental housing inspection at the property of 374 83<sup>rd</sup> Ave NE in the City of Spring Lake Park MN. The property failed its rental inspection.
2. That on or about May 11, 2023 Code Enforcement staff completed a follow up inspection at the property of 374 83<sup>rd</sup> Ave NE in the City of Spring Lake Park MN. The property failed re-inspection.
3. That on or about May 12, 2023 the property owner Halverson and Blaise and all tenants were notified of pre-council inspection scheduled to take place on June 5, 2023 at 9:00 am.
4. That on or about May 12, 2023 the property owner Halverson and Blaise and all tenants were notified of a public hearing at Spring Lake Park City Hall on June 5, 2023 at 7:00 pm.
5. That based upon said records of the Code Enforcement, the following conditions and violations of the City Property Maintenance Code were found to exist, to-wit:
  - a. Failure of rental housing inspection on March 23, 2023.
  - b. Failure of rental housing inspection on May 11, 2023.
6. That all parties, including the license holder and any occupants or tenants, have been given the appropriate notice of this hearing according to the provisions of the City Code, Chapter 12 Article 16.140 of the City of Spring Lake Park.

#### **Order of Council**

1. The rental license belonging to the license holder described herein and identified as Halverson and Blaise is hereby revoked;
2. The City will post for the purpose of preventing occupancy a copy of this order on the buildings covered by the license held by license Holder;
3. All tenants shall remove themselves from the premises within 45 days from the first day of posting of this Order revoking the license as held by license Holder.

The foregoing resolution as moved for adoption by Councilmember.

Upon roll call, the following voted aye:

And the following voted nay:

Where the Mayor declared said resolution duly passed and adopted this the 5<sup>th</sup> day of  
June, 2023

---

**Robert Nelson, Mayor**

**ATTEST:**

---

**Daniel R. Buchholtz, Administrator**



**City of Spring lake Park**  
**Code Enforcement Division**  
1301 Eighty First Avenue Northeast  
Spring Lake Park, Minnesota 55432  
(763) 783-6491 Fax: (763) 792-7257

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## REPORT

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**TO:** Spring Lake Park City Council  
**FROM:** Jeff Baker, Code Enforcement Director  
**RE:** Code Enforcement Monthly Report for May 2023  
**DATE:** June 1, 2023

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In May 2023, a total of 29 building, 3 Certificate of Occupancy, 8 zoning, 6 mechanical, 5 plumbing and 2 fire suppression for a total of 53 permits issued compared to a total of 43 in 2022. We conducted 140 inspections in the month of May including 55 building, 30 housing, 17 fire, 6 zoning and 32 nuisance inspections.

With the City of Spring Lake Park adopting No Mow May, we have seen a significant reduction in nuisance complaints. We will keep you posted on what June has in store

7 administrative offense tickets were issued in the month of May.

**Construction Update:**

Take 5 Carwash – 8301 University Ave – The framing final has been completed on the tunnel.

Tint Pros – 1313 Osborne Rd – Adding more service doors to the west side of the building and adding cedar accent facia to break up the visual length of the building.

In May of 2023, I also attended the following appointments:

- City Council meetings on May 1<sup>st</sup>.
- Department Head meeting on May 1<sup>st</sup>.
- BS&A Kickoff Meeting May 10<sup>th</sup>.

This concludes the Code Enforcement Department monthly report for May 2023. If anyone has any questions or concerns regarding my report, I would be happy to answer them at this time.



**RESOLUTION NO. 23-21**

**RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT FOR  
2024 STREET IMPROVEMENT PROJECT**

WHEREAS, it is proposed to improve Sanburnol Drive between the center line of University Avenue Service Drive to its terminus at Elm Drive NE and Elm Drive between the center line of Able Street to its terminus at Sanburnol Drive by rehabilitating said streets, along with any needed curb, sanitary sewer, storm water and water system repairs discovered during the project; and

WHEREAS, it is the City's intent to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Spring Lake Park that the proposed improvement, called "2024 Street Improvement Project", be referred to the City Engineer for study and that that person is instructed to report to the Council will all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

The foregoing resolution was moved for adoption by .

Upon roll call, the following voted aye:

And the following voted nay:

Whereupon the Mayor declared said resolution duly passed and adopted this 5th day of June, 2023.

---

Robert Nelson, Mayor

ATTEST:

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Daniel R. Buchholtz, Administrator

State of Minnesota )  
Counties of Anoka and Ramsey )ss  
City of Spring Lake Park )

I, Daniel R. Buchholtz, duly appointed and qualified City Administrator in and for the City of Spring Lake Park, Anoka and Ramsey Counties, Minnesota, do hereby certify that the foregoing is a true and correct copy of Resolution No. 23-21, A Resolution Ordering Preparation of Report on Improvement for 2024 Street Improvement Project, adopted by the Spring Lake Park City Council at their regular meeting on the 5<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Daniel R. Buchholtz, Administrator

(SEAL)

Dated: \_\_\_\_\_



May 30, 2022

Mr. Dan Buchholtz, Administrator  
City of Spring Lake Park  
1301 Eighty-First Avenue NE  
Spring Lake Park, MN 55432-2188

**Reference:** 2024 Sanburnol Dr. and Elm Dr. Reconstruction Project  
Authorize Preparation of Feasibility Report and Preliminary Engineering

Dear Dan:

Sanburnol Drive (SAP 183-103-001) and Elm Drive (SAP 183-104-001) were reconstructed in 1998. The city’s CIP includes a planned pavement replacement project for Sanburnol and Elm for 2024. The city intends to assess a portion of the project costs to the adjacent property owners. To keep the project on schedule, we should start working on the preliminary matters soon. **We request that the City Council order preparation of a Feasibility Report for the 2024 Sanburnol Dr. and Elm Dr. Reconstruction Project.**

Sanburnol Drive is a shared road between Spring Lake Park and Blaine. Spring Lake Park will be the lead agency, but it will be a cooperative project between Blaine and Spring Lake Park. We understand that you are working with Blaine to process a Joint Powers Agreement for the project.

The following schedule outlines the major project tasks necessary to complete the project.

Authorize Feasibility Report (and Geotechnical)	June 5, 2023
Accept Report and Call for Improvement Hearing	August 7, 2023
Authorize Preparation of Plans and Specifications	August 7, 2023
Neighborhood Open House	August 2023
Public Improvement Hearing	September 5, 2023
City Council Approve Plans and Specifications	November 20, 2023
MnDOT State Aid Approval	December 2023
Open Bids	January 2024
Declare Costs and Order Final Assessment Roll	February 5, 2024
Receive Assessment Roll & Order Assessment Hearing	February 20, 2024
Public Assessment Hearing	March 18, 2024
Award Contract (Award Bids)	March 18, 2024
Begin Construction	May 2024

An initial planning level estimate of the project costs at this time are as shown below.

Construction	\$ 670,000
Engineering	\$ 120,000
Legal, Geotech, Testing, and Admin.	\$ <u>80,000</u>
<b>Total Project</b>	<b>\$ 970,000</b>

Please feel free to contact us if you have any questions or require any additional information.

Sincerely,  
**Stantec**

Phil Gravel



May 30, 2022

Mr. Dan Buchholtz, Administrator  
City of Spring Lake Park  
1301 Eighty-First Avenue NE  
Spring Lake Park, MN 55432-2188

**Reference:** 2024 Sanburnol Dr. and Elm Dr. Reconstruction Project  
Authorize Geotechnical Work

Dear Dan:

An initial task for the 2024 Sanburnol Drive and Elm Drive Street Reconstruction Project will be to have a geotechnical engineer complete geotechnical borings and prepare a report with pavement design recommendations. The geotechnical report and pavement design are requirements of the MnDOT Municipal State Aid review Process.

We requested quotes from geotechnical companies for this work. The attached proposal from American Engineering Testing (AET) best meets the requirements for the work. They will complete 12 soil borings to a depth of 6-feet. The borings will be completed side-by-side on the east bound and westbound lanes to get a better understanding of the subsurface conditions on each side of the street.

AET has also recommended completing Ground Penetration Radar Testing (GPR) to aid in the pavement design. We concur with this recommendation.

The results of the soil borings and the GPR work will be included in a formal report.

**We recommend that the City accept the geotechnical proposal from American Engineering Testing in the amount of \$17,716 (includes Ground Penetration Radar Testing option).** I have discussed this proposal with the Blaine City Engineer, and he concurs with the recommendation to use AET.

The geotechnical work will be completed in late June or early July. If you have any questions or require any additional information, please feel free to contact us.

Sincerely,  
**Stantec**

A handwritten signature in black ink that reads "Phil Gravel".

Phil Gravel

May 12, 2023



City of Spring Lake Park  
5005 Minnetonka Boulevard  
St. Louis Park, Minnesota 55416

Attn: Mr. Terry Randall, Director of Public Works  
[trandall@slpmn.org](mailto:trandall@slpmn.org)

RE: Proposal for Geotechnical Exploration  
2024 Sanburnol Drive NE Improvements  
Spring Lake Park, Minnesota  
AET Proposal No. P-0022957

Dear Mr. Randall:

American Engineering Testing, Inc. (AET) is pleased to submit a proposal to the city of Spring Lake Park (the City) for this project. In this proposal, we present our understanding of the project, an outline of our scope of services, a fee schedule, and an estimate of charges for our services.

## PURPOSE

The purpose of these services is to explore pavement and subsurface conditions at the site. Based on our characterization of the data obtained from our field exploration, we will prepare a geotechnical engineering report presenting comments and recommendations to assist the project team in design and construction of the above referenced project.

## PROJECT DESCRIPTION

The City is proposing pavement improvements for the 2024 construction season along the following residential streets:

- Sanburnol Drive NE, from Frontage Road to Elm Drive NE
- Elm Drive NE from, Sanburnol Drive NW to Maple St NE

The proposed pavement improvements include either full bituminous removal and replacement (with subgrade correction where necessary) or full depth reclamation (FDR) with bituminous surfacing. There are currently no planned utility improvements or replacements, and the grade is anticipated to remain within ½ foot of the current grade. Both sides of the two road segments currently have curb and gutter.

We have obtained the Average Annual Daily Traffic (AADT) counts for these streets from MnDOT's Traffic Mapping Application:

**550 Cleveland Avenue North | Saint Paul, MN 55114**

**Phone (651) 659-9001 | (800) 972-6364 | Fax (651) 659-1379 | [teamAET.com](http://teamAET.com) | AA/EEO**

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- Sanburnol Drive NE: In 2020 the AADT ranged from from 1,400 to 2,400. Please note that these counts were taken during the COVID pandemic, so traffic levels were likely lower than normal. In 2016 the AADT ranged from 2,250 to 3,550.
- Elm Drive NE: In 2020 the AADT was 1,400 and in 2016 the AADT was 2,050.

## SCOPE OF SERVICES

### Field Exploration

- The City will mark the boring locations.
- Arrange clearance of underground public utilities.
- Obtain the necessary City permit for drilling within the right of way; we assume there will be no fee for the permit.
- Perform 12 Standard Penetration Test (SPT) soil borings to depths of 6 feet.
  - Obtain a pavement core at each boring location.
- Backfill the boreholes per Minnesota Department of Health (MDH) requirements.
- Patch the street surface with cold-mix bituminous.
- Document the final soil boring locations using a GPS unit with submeter accuracy. Boring elevations will be estimated from MnTOPO.

We will provide traffic control via a subcontractor in accordance with the Minnesota Manual of Uniform Traffic Control Devices (MN MUTCD). We anticipate Layout 16, a 2-flagger control operation will be used, with possibly a third flagger near intersections.

Before we drill, we will contact Gopher State One Call to locate public underground utilities. Gopher State One Call does not currently charge for this service, but they will not locate private underground utilities or structures. The marking of any private utilities must be arranged by the property owner prior to our drill crew mobilization. Please see our discussion regarding private underground utilities later in this proposal.

We will drill the borings using hollow stem augers or by rotary mud drilling, with sampling by the split-barrel method (ASTM D1586). Our crew will keep field logs noting the methods of drilling and sampling, the Standard Penetration Values (N-values, “blows per foot”), preliminary soil classification, and observed groundwater levels. We will collect samples continuously at 2-foot intervals to the planned termination depths. Representative portions of recovered samples will be sealed in jars or bags to prevent moisture loss and submitted to our laboratory for review, testing, and final classification.

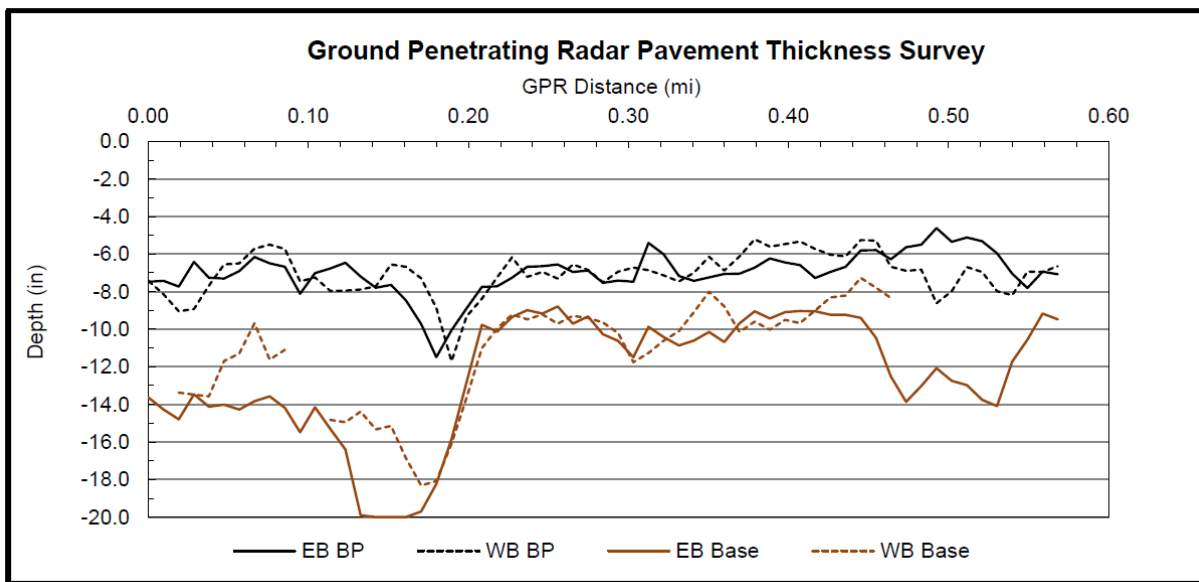
We will backfill the boreholes to comply with State requirements. Even after backfilling, some sloughing of the backfill may occur, resulting in a potential tripping hazard to pedestrians. We assume the City will backfill and repair any boreholes that may slough after our exploration is complete. AET cannot accept any liability associated with pedestrian injury. We assume the boring locations are readily accessible by our truck-mounted drill rig.

### Ground Penetrating Radar Testing (Optional Scope)

We are proposing the use of ground penetrating radar (GPR) as an optional scope item. We recommend that GPR testing is performed for full depth reclamation projects, as the thickness of the existing pavement is critical for a successful project.

We will perform a GPR survey in both drive lanes for both road segments (approximately 7,300 lane-feet). GPR will allow a more precise measurement of the pavement thickness. GPR is a non-destructive pavement testing method that scans the pavement up to 4 times per foot (3-inch intervals) using our GSSI Roadscan Equipment mounted to the back of a pick-up truck. Each scan produces the depth of the bituminous and aggregate base (if visible) at that location. The GPR data is correlated to the physical layer measurements of the pavement using pavement cores and aggregate base thickness obtained from borings.

The GPR scans are connected to a global positioning system (GPS) unit, and we will provide a table with bituminous thickness and aggregate base thickness (if visible). An example image of how the data can be presented is shown below.



We will initiate routine laboratory testing by reviewing each recovered soil sample to assess the major and minor soil components, while also noting the color, degree of saturation, and lenses or seams in the samples. We also propose to perform moisture content tests on cohesive soils, as well as percent passing the #200 sieve and sieve analyses.

On completion of testing, we will visually/manually classify the soils according to the USCS and AASHTO soil classification systems. We will then prepare the final subsurface boring logs.



## Report

Following the field and laboratory services, a final GPR analysis will be performed (if GPR is authorized) for the bituminous pavement thickness and possible aggregate base thickness (if visible), and a report will be prepared and submitted. The report will include subsurface boring logs of the soil borings, pavement core logs, the laboratory test results, summary statistics of the GPR data and maps (if GPR is authorized), a review of the engineering properties of the on-site soils and our geotechnical engineering opinions and recommendations regarding the following:

- A summary of the existing pavement, aggregate base, and subbase (if encountered) thickness encountered at the boring locations.
- A review of the soil and groundwater conditions encountered, as well as pertinent engineering properties of the soils.
- Discussion of recommended rehabilitation options including pavement replacement and FDR.
- Pavement section thickness designs based on an estimated R-value.
- Comments on other items which may affect final performance or constructability, such as frost heave, settlement, drainage, and dewatering considerations.

## SCHEDULE

Weather permitting and based on our current backlog, we anticipate the GPR field services can be completed within one to three weeks following authorization to proceed. The drilling can be completed within two to three weeks following authorization to proceed. Laboratory testing can be completed about one week after completion of the field services. The geotechnical report should be submitted within three weeks following the field exploration.

## FEES

The scope of services defined above will be performed on a time and materials basis in accordance with the attached Fee Estimate and the breakdown below.

1. Layout and Utility Clearance	\$ 1,220
2. Field Exploration	\$ 4,708
3. Traffic Control (Subcontractor)	\$ 5,000
4. Laboratory testing	\$ 2,098
5. Project Management and Reporting	<u>\$ 3,300</u>
<b>TOTAL ESTIMATE</b>	<b>\$16,326</b>
6. GPR (Optional Scope)	<u>\$ 1,390</u>
<b>TOTAL ESTIMATE WITH OPTIONAL SCOPE</b>	<b>\$17,716</b>

In the event the scope of our services needs to be revised, such as additional or deeper borings and additional field or laboratory testing, we will review such scope adjustments and the





associated fees with you and receive your approval before proceeding. Additional services will be charged in accordance with the attached fee schedule. Our fees will be in effect for thirty days following the date of this proposal, and fees for services authorized after this expiration date will be subject to review and possible escalation.

## UNDERGROUND UTILITIES

Prior to drilling, we will contact Gopher State One Call to locate public underground utilities; however, Gopher State One Call will not locate private underground utilities or structures. Examples of private utilities include, but are not limited to, propane lines, sewer laterals, sprinkler systems, site lighting, and electric and data lines between buildings. **Gopher State One Call states that the property owner is responsible for locating all private underground utilities and structures.** Please provide us with any maps, plans, and/or records showing the location of all private utilities and structures.

We can provide you with names and contact information for private utility locators. These companies usually charge a fee for their services. Also, please note that private locators cannot guarantee that all private utilities will be located. For the private locator to be accurate and effective, the property owner must provide maps, plans and records showing the location of all private utilities and structures. The property owner must also provide a knowledgeable site representative to meet with the private locator and AET personnel.

AET shall be entitled to rely upon the accuracy of all location information supplied by any source. We will not be responsible for any damages to underground utilities or structures not located or incorrectly identified by the property owner, any maps, plans or records, or public or private utility locator providers.

## ENVIRONMENTAL CONCERNS

This proposal is presented for engineering services to evaluate the structural properties of the soil at the specified site. This proposal does not cover an environmental assessment of the site or environmental testing of the soil or groundwater. If you wish to have us provide these additional services, please contact us.

## TERMS AND CONDITIONS

All AET Services are provided subject to the Terms and Conditions set forth in the enclosed "Environmental/Geotechnical Service Agreement—Terms and Conditions," which, upon acceptance of this proposal, are binding upon you as the Client requesting Services, and your successors, assignees, joint venturers and third-party beneficiaries. Please be advised that additional insured status is granted upon acceptance of the proposal.

## ACCEPTANCE

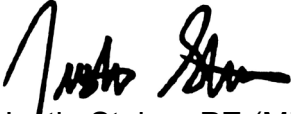
This proposal is presented in electronic (PDF) form; hard copies can be prepared and mailed to your office upon request. AET requests written acceptance of this proposal in the proposal




acceptance box below, but the following actions shall constitute your acceptance of this proposal together with the Terms and Conditions and Amendments: 1) issuing an authorizing purchase order for any of the Services described above, 2) authorizing AET’s presence on site, or 3) written or electronic notification for AET to proceed with any of the Services described in this proposal. Please indicate your acceptance of this proposal by signing below and returning a copy to us. When you accept this proposal, you represent that you are authorized to accept on behalf of the Client.

We have enclosed with this proposal a copy of the “Environmental/Geotechnical Service Agreement – Terms and Conditions.” The terms contained in the attached “Environmental/Geotechnical Service Agreement – Terms and Conditions” are incorporated herein and are an integral part of this contract for professional engineering services.

Sincerely,  
**American Engineering Testing, Inc.**

  
Justin Staker, PE (MN)  
Engineer II  
[jstaker@teamAET.com](mailto:jstaker@teamAET.com)  
Phone: (651) 523-1265

  
Thomas Evans, PE (MN)  
Senior Engineer  
[tevans@teamAET.com](mailto:tevans@teamAET.com)  
Phone: (701) 690-9732

Attachments: Fee Estimate  
Environmental/Geotechnical Service Agreement – Terms and Conditions

**ACCEPTANCE AND AUTHORIZATION: AET Proposal No. P-0022957**

SIGNATURE: \_\_\_\_\_  
PRINTED NAME: \_\_\_\_\_  
COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE NUMBER AND EMAIL: \_\_\_\_\_  
DATE: \_\_\_\_\_

**INVOICING INFORMATION (Provide Company AP Department Information, if present.)**

AP CONTACT NAME: \_\_\_\_\_  
BILLING/MAILING ADDRESS: \_\_\_\_\_  
AP PHONE NUMBER AND INVOICE EMAIL: \_\_\_\_\_  
P.O. NO./ PROJECT NO.: \_\_\_\_\_

**GEOTECHNICAL SERVICES FEE ESTIMATE  
2024 SANBURNOL DR NE IMPROVEMENTS  
SPRING LAKE PARK, MN  
AET PROPOSAL No. P-0022957**



SERVICE DESCRIPTION	PROJECT BUDGET		
	ESTIMATED UNITS	UNIT RATE	BUDGET AMOUNT
<b><i>Layout &amp; Utility Clearance</i></b>			
Drilling Technician	6 hours	\$120.00	\$720.00
Auxiliary Vehicle Rental	6 hours	\$35.00	\$210.00
Auxiliary Vehicle Mileage	60 miles	\$1.50	\$90.00
GPS Equipment	1 days	\$200.00	\$200.00
<b>Section Subtotal:</b>			<b>\$1,220.00</b>
<b><i>Geotechnical Field Services</i></b>			
<b>Hourly Drilling</b>			
Drilling Technician	22 hours	\$120.00	\$2,640.00
Auxiliary Vehicle with Coring Machine Rental	11 hours	\$60.00	\$660.00
Truck with Drill Rig Rental	11 hours	\$110.00	\$1,210.00
Auxiliary Vehicle with Coring Machine Mileage	60 miles	\$1.50	\$90.00
Truck with Drill Rig Mileage	60 miles	\$1.80	\$108.00
<b>Section Subtotal:</b>			<b>\$4,708.00</b>
<b><i>Traffic Control</i></b>			
Subcontractor	2 days	\$2,500.00	\$5,000.00
<b>Section Subtotal:</b>			<b>\$5,000.00</b>
<b><i>Laboratory</i></b>			
Classification	4 hours	\$130.00	\$520.00
Engineering Assistant for Core Thicknesses, Conditions, and Photos	3 hours	\$150.00	\$450.00
ASTM D6913 Sieve Analysis of Soils	6 tests	\$127.00	\$762.00
ASTM D1140 Material Finer than No. 200 Sieve in Soils	6 tests	\$61.00	\$366.00
<b>Section Subtotal:</b>			<b>\$2,098.00</b>
<b><i>Project Management &amp; Reporting</i></b>			
Project Administrator	3 hours	\$80.00	\$240.00
Engineer II	10 hours	\$180.00	\$1,800.00
Senior Engineer	6 hours	\$210.00	\$1,260.00
<b>Section Subtotal:</b>			<b>\$3,300.00</b>
<b>ESTIMATED BUDGET</b>			<b>\$16,326.00</b>
<b><i>Ground Penetrating Radar (Optional Scope)</i></b>			
Technician II	4 hours	\$110.00	\$440.00
GPR Vehicle Rental	0.5 day	\$850.00	\$425.00
GPR Vehicle Mileage	30 miles	\$1.50	\$45.00
Geologist I	3 hours	\$160.00	\$480.00
<b>Section Subtotal:</b>			<b>\$1,390.00</b>
<b>ESTIMATED BUDGET WITH OPTIONAL SCOPE</b>			<b>\$17,716.00</b>

**SECTION 1 - RESPONSIBILITIES**

**1.1** - This Service Agreement – Terms and Conditions (“terms and conditions”) is applicable to all services (“Services”) provided by American Engineering Testing, Inc. (AET). As used herein “Services” refers to the scope of services described in the proposal submitted by AET to Client. The proposal, these terms and conditions and any appendices attached hereto shall comprise the agreement (“Agreement”) between AET and Client for Services described in the proposal and are binding upon the Client, its successors, assignees, joint ventures and third-party beneficiaries.

**AET requests written acceptance of the Agreement, but the following actions shall also constitute Client’s acceptance of the Agreement: 1) issuing an authorizing purchase order, task order, service order, or any other documentation for any of the Services, 2) authorizing AET’s presence on site, or 3) written or electronic notification for AET to proceed with any of the Services.** Issuance of a purchase order, task order or service order by Client which contains separate terms and conditions will not take precedence or modify the terms and conditions contained in this Service Agreement AND THE TERMS AND CONDITIONS OF THIS SERVICE AGREEMENT AND ANY CORRESPONDING PROPOSAL ISSUED BY AET SHALL GOVERN UNLESS AUTHORIZED IN WRITING IN ADVANCE BY AET.

**1.2** – Prior to AET performing Services, Client will provide AET with all information that may affect the cost, progress, safety and performance of the Services. This includes, but is not limited to, information on proposed and existing construction, all pertinent sections of contracts between Client and their Client and/or Owner which contain flow-down provisions to AET, if they are provided, site safety plans or other documents which may control or affect AET’s Services. If new information becomes available during AET’s Services, Client will provide such information to AET in a timely manner. Failure of Client to timely notify AET of changes to the project including, but not limited to, location, elevation, loading, or configuration of the structure or improvement will constitute a release of any liability or indemnity obligations of AET for loss or damages related to such changes. Client will provide a representative for timely answers to project-related questions by AET.

**1.3** - AET is responsible only for performance of the Services. AET will not be held responsible for work or omissions by Client or any other party working on the project. The Services do not include construction management, general contracting or surveying services. AET will not be responsible for directing or supervising the work of other parties, unless specifically authorized and agreed to in writing.

**1.4** – Client acknowledges the limitations inherent in sampling to characterize buried subsurface conditions. Variations in soil conditions occur between and beyond sampled/tested locations. The passage of time, natural occurrences and direct or indirect human activities at the site or distant from it may alter the actual conditions. Client assumes all risks associated with such variations in soil and subsurface conditions.

**1.5** - AET is not responsible for interpretations or modifications of AET’s recommendations by other persons.

**1.6** - Should changed conditions be alleged, Client agrees to notify AET before evidence of alleged change is no longer accessible for evaluation.

**1.7** – Pricing in the proposal assumes use of these terms and conditions. AET reserves the right to amend pricing if Client requests modifications to the Agreement or use of Client’s alternate contract format. Any contract amendments made after Client has authorized the Services shall be applicable only to Services performed after the effective date of such amendment. The proposal and these terms and conditions, including terms of payment, shall apply to all Services performed prior to the effective date of such amendment.

**1.8** - The AET proposal accompanying these terms and conditions is valid for thirty (30) days after the proposal issuance date to the Client. Any attempt to authorize Services after the expiration date is subject to AET’s right to revise the proposal as necessary.

**SECTION 2 - SITE ACCESS AND RESTORATION**

**2.1** - Client will furnish AET safe and legal site access.

**2.2** Client acknowledges that in the normal course of its Services, AET may unavoidably alter existing site conditions or affect the environment in the area being studied. AET will take reasonable precautions to minimize alterations to the site or existing materials. Restoration of the site is the responsibility of the Client.

**SECTION 3 - UNDERGROUND UTILITIES AND STRUCTURES (FACILITIES)**

**3.1** - AET’s sole responsibility under this section will be to contact the state “call before you dig” notification center (e.g. Gopher State One Call in Minnesota), if such an entity exists, for location information of public utilities only. AET shall have no obligation to proceed with the work until Client has fully complied with all the requirements of this Section 3.

**3.2** - Client will mark or cause to be marked the location of all other Facilities that service or are located on the site. AET shall be entitled to rely upon the accuracy of all location information supplied by any source.

**3.3** - Client acknowledges that location data may be incorrect or that some Facilities may not be capable of location and Client fully accepts this risk and waives any claims against AET for incorrect locations or Facilities incapable of location.

**3.4** - Client shall hold harmless, indemnify and defend AET from all claims, damages, losses, fines, penalties and expenses (including attorney’s fees) arising out of or related to the following: a) Facilities that are not shown or vary from the locations shown on any plans or drawings, b) Facilities that are not located by or vary from the locations marked by Client, governmental or quasi-governmental locator programs, or private utility locating services, or c) any other Facilities that are not disclosed or vary from locations provided by the Client. The obligation to defend AET shall be independent of the obligation to indemnify and hold harmless AET and shall be with independent counsel acceptable to AET.

**SECTION 4 - CONTAMINATION**

**4.1** - Client acknowledges and accepts all contamination risks which may be associated with the Services. Risks include, but are not limited to, cross contamination created by linking contaminated zones to uncontaminated zones during the drilling process; containment and proper disposal of known or suspected hazardous materials, drill cuttings and drill fluids; and decontamination of equipment and disposal and replacement of contaminated consumables. Discovery of actual or suspected hazardous materials shall entitle AET to take immediate measures it deems necessary in its sole discretion, including regulatory notification, to protect human health and safety, and/or the environment. Further, discovery of such materials constitutes a changed condition for which Client agrees to pay associated additional cost.

**4.2** - Client shall indemnify and hold AET harmless from all liability, damages, claims or costs resulting from contaminants on the site.

**SECTION 5 - SAFETY**

**5.1** - Client shall inform AET of any known or suspected hazardous materials or unsafe conditions at the site. If, during the course of AET's Services, such materials or conditions are discovered, AET reserves the right to take measures to protect AET personnel and equipment or to immediately terminate Services. Client shall be responsible for payment of such additional protection costs.

**5.2** - AET shall only be responsible for safety of AET employees at the site; the safety of all others shall be Client's or other persons' responsibility.

**SECTION 6 – SAMPLES**

**6.1** - Client shall inform AET of any known or suspected hazardous materials prior to submittal to AET. All samples obtained by or submitted to AET remain the property of the Client during and after the Services. Any known or suspected hazardous material samples will be returned to the Client at AET's discretion.

**6.2** - Non-hazardous samples will be held for thirty (30) days and then discarded unless, within thirty (30) days of the report date, the Client requests in writing that AET store or ship the samples. Storage and shipping costs shall be borne solely by Client.

**SECTION 7 - PROJECT RECORDS**

The original project records prepared by AET will remain the property of AET. AET shall retain these original records for a minimum of three years following submission of the report, during which period the project records can be made available to Client at AET's office at reasonable times.

**SECTION 8 - STANDARD OF CARE**

AET performs its Services consistent with the level of care and skill normally performed by other firms in the profession at the time of this service and in this geographic area, under similar budgetary constraints.

**SECTION 9 - INSURANCE**

AET maintains insurance with coverage and minimum limits shown below. AET will furnish certificates of insurance to Client upon request.

**9.1 –**

Workers' Compensation Employer's Liability	Statutory Limits \$100,000 each accident \$500,000 disease policy limit \$100,000 disease each employee
Commercial General Liability	\$1,000,000 each occurrence \$1,000,000 aggregate
Automobile Liability	\$1,000,000 each accident
Professional/Pollution Liability Insurance	\$1,000,000 per claim \$1,000,000 aggregate

**9.2** - Commercial General Liability insurance will include coverage for Products/Completed Operations extending one (1) year after completion of AET's Services as outlined in our proposal, Property Damage, Personal Injury, and Contractual Liability coverage applicable to AET's indemnity obligations under this Agreement.

**9.3** - Automobile Liability insurance shall include coverage for all owned, hired and non-owned automobiles.

**9.4** - Professional/Pollution Liability Insurance is written on a claims-made basis and coverage will be maintained for one (1) year after completion of AET's Services as outlined in our proposal. Renewal policies during this period shall maintain the same retroactive date.

**9.5** - **To the extent permitted by applicable state law, and upon Client's signing of the proposal, which includes these Terms and Conditions, and return of the same to AET, or Client provided forms of acceptance as defined in Section 1.1; Client and Owner shall be named an "additional insured" on AET's Commercial General Liability Policy (Form CG D4 14, which includes blanket coverage for the Additional Insured on a Primary and Non-Contributory basis). Client and Owner shall also be named an "additional insured" on a Primary and Non-contributory basis on AET's Automobile Liability Policy (Form CA T4 74). Any other endorsement, coverage or policy requirement may result in additional charges.**

**9.6** - AET will maintain insurance coverage required by this Agreement at its sole expense, provided such insurance is reasonably available, with insurance carriers licensed to do business in the state in which the project is located and having a current A.M. Best rating of no less than A minus (A-). Such insurance shall provide for thirty (30) days prior written notice to Client for notice of cancellation or material limitations for the policy or ten (10) days' notice for non-payment of premium.

**9.7** - AET reserves the right to charge Client for AET's costs for additional coverage requirements unknown on the date of the proposal, e.g., coverage limits or policy modification including waiver of subrogation, additional insured endorsements and other project specific requirements.

**SECTION 10 - DELAYS**

If delays to AET's Services are caused by Client or Owner, other parties, strikes, natural causes, pandemic, weather, or other items beyond AET's control, a reasonable time extension for performance of the Services shall be granted, and AET shall receive an equitable fee adjustment.

**SECTION 11 - PAYMENT, INTEREST, AND BREACH**

**11.1** - Invoices are due net thirty (30) days from the date of receipt of an undisputed invoice. Invoices will be paid without reductions for bond or retention. Client will inform AET of invoice questions or disagreements within fifteen (15) days of invoice date; unless so informed, invoices are deemed correct.

**11.2** – Invoices remaining unpaid for sixty (60) days shall constitute a material breach of this Agreement, permitting AET, in its sole discretion and without limiting any other legal or equitable remedies for such breach, to terminate performance of this Agreement and be relieved of any associated duties to the Client or other persons. Further, AET may withhold from Client data and reports in AET's possession. If Client fails to cure such breach, all reports associated with the unpaid invoices shall immediately upon demand be returned to AET and Client may neither use nor rely upon such reports or the Services.

**11.3** – AET reserves the right to pursue any unpaid invoice utilizing available remedies at law. AET explicitly reserves its Mechanic Lien or Bond Claim rights for nonpayment of an undisputed invoice. Client is responsible for paying AET expenses and attorney fees related to collection of past due invoices.

**11.4** – AET reserves the right to charge a 2.5% fee on any payment made using a credit card or debit card.

**SECTION 12 - CHANGE ORDERS**

AET's proposal associated with this project may provide an estimated cost for the work. If the proposal amount is a time and material estimate, or if changes occur affecting the project scope, estimated quantities, project schedule or other unforeseen conditions, AET will communicate with Client request a change order. However, nothing in this agreement shall be construed in any way as a waiver of payment by Client to AET for Services authorized under this agreement. Approval of a change order may be in writing, by electronic communication, or any directive for additional Services.

**SECTION 13 - MEDIATION**

**13.1** - Except for enforcement of AET's rights to payment for Services rendered or to assert and/or enforce its lien rights, including without limitation assertion and enforcement of mechanic's lien rights and foreclosure of the same, Client and AET agree that any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to arbitration or the institution of legal or equitable proceedings by either party; provided however that if either party fails to respond to a request for mediation within sixty (60) days, the party requesting mediation may without further notice, proceed to arbitration or the institution of legal or equitable proceedings.

**13.2** - Mediation shall be in accordance with the Construction Industry Mediation Rules of the American Arbitration Association. Request for mediation shall be in writing and the parties shall share the mediator's fee and any filing fees equally and each party shall pay their own legal fees. The mediator shall be acceptable to both parties and shall have experience in commercial construction matters.

**SECTION 14 - LITIGATION REIMBURSEMENT**

Except for matters relating to non-payment of fees, which is governed by Section 11 hereof, payment of attorney's fees and costs associated with lawsuits or arbitration of disputes between AET and Client, which are dismissed or are judged substantially in either party's favor, shall be paid by the non-prevailing party. Applicable costs include, but are not limited to, attorney and expert witness fees, court costs, and other direct costs.

**SECTION 15 - MUTUAL INDEMNIFICATION**

**15.1** - Subject to the limitations contained in Sections 15 and 18, AET agrees to indemnify Client from and against damages and costs to the extent caused by AET's negligent performance of the Services.

**15.2** - Client agrees to indemnify AET from and against damages and costs to the extent caused by the intentional acts or negligence of the Client, Owner, Client's contractors and subcontractors or other third parties.

**15.3** - If Client has an indemnity agreement with other persons or entities relating to the project for which AET's Services are performed, the Client shall include AET as an additional Insured.

**15.4** - AET's indemnification to the Client, including any indemnity required or implied by law, is limited solely to losses or damages caused by its failure to meet the standard of care and only to the extent of its negligence.

**SECTION 16 - NON-SOLICITATION**

Each party to this Agreement (a "Party") agrees that it will not encourage, induce, or actively solicit any employee of the other party to leave their employment for any reason, provided that neither Party is precluded from (a) hiring any such employee who has been terminated by a Party or its subsidiaries prior to commencement of employment discussions between a Party and such employee, or (b) soliciting any such employee by means of a general advertisement or through an employment agency that does not specifically pursue the employee, or (c) hiring employees or former employees of the other Party who contact the Party on its own accord. This Non-Solicitation provision shall be effective and enforceable for six (6) months following termination of this Agreement.

**SECTION 17 - MUTUAL WAIVER OF CONSEQUENTIAL DAMAGES**

Except as specifically set forth herein and to the extent permitted by applicable law, Client and AET waive against each other, and each other's officers, directors, members, subcontractor, agents, assigns, successors, partners, and employees any and all claims for or entitlement to special, incidental, indirect, punitive, or consequential damages arising out of, resulting from, or in any way related to the Services provided by AET under this Agreement. This mutual waiver of consequential damages includes, but is not limited to, the following: loss of profits; loss of revenue; rental costs/expenses incurred; loss of income; loss of use of property, equipment, materials or services; loss of opportunity; loss of rent; loss of good will; loss of financing; loss of credit; diminution of value; loss of business and reputation; loss of management or employee productivity or the services of such persons; increased financing costs; cost of substitute facilities; cost of substitute goods/property/equipment; cost of substitute services; and/or cost of capital.

This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination of this Agreement in accordance with the provisions of the Agreement and related documents and shall survive any such termination.

#### **SECTION 18 - LIMITATION OF LIABILITY**

To the fullest extent permitted by applicable law, the total aggregate liability of AET and its officers, directors, partners, employees, subcontractors, agents, and sub-consultants, to Client and/or Client's employees, officers, directors, members, agents, assigns, successors, or partners, or anyone claiming through Client, for any and all injuries, damages, claims, losses, or expenses (including attorney's fees and costs) arising out of, resulting from or in any way related to Services provided by AET from any cause or causes, including, but not limited to, its negligence, professional errors and omissions, strict liability, breach of contract, or breach of warranty, shall not exceed the total compensation in excess of costs received by AET for Services or \$50,000, whichever is greater. The limitation of liability set forth herein does not apply to claims arising solely out of or related to the willful or intentional acts of AET.

#### **SECTION 19 - POSTING OF NOTICES ON EMPLOYEE RIGHTS**

Effective June 21, 2010, prime contracts with a value of \$100,000 or more and signed by federal contractors on projects with any agency of the United States government must comply with 29 CFR Part 471, which requires physical posting of a notice to employees of their rights under Federal labor laws. The required notice may be found at *29 Code of Federal Regulations Part 471, Appendix A to Subpart A*. The regulation also has a "flow-down" requirement for subcontractors under the prime agreement for subcontracts with a value of \$10,000 or more. AET requires strict compliance of its subcontractors working on federal contracts subject to this regulation. The regulation has specific requirements for location of posting and language(s) for the poster.

#### **SECTION 20 - TERMINATION**

After 7 days' written notice, either party may elect to terminate this Agreement for justifiable reasons. In this event, the Client shall pay AET for all work performed, including demobilization and reporting costs to complete the Services.

#### **SECTION 21 - SEVERABILITY**

Any provisions of this Agreement later held to violate a law or regulation shall be deemed void, and all remaining provisions shall continue in force. However, Client and AET will in good faith attempt to replace an invalid or unenforceable provision with one that is valid and enforceable, and which comes as close as possible to expressing the intent of the original provision.

#### **SECTION 22 - GOVERNING LAW**

This Agreement shall be construed in accordance with the Laws of the State of Minnesota without regard to its conflicts of law provisions.

#### **SECTION 23 - ENTIRE AGREEMENT**

This Agreement, including these terms and conditions and attached proposal and appendices, is the entire agreement between AET and Client. Regardless of method of acceptance of this Agreement by the Client, this Agreement supersedes any written or oral agreements, including purchase/work orders or other Client agreements submitted to AET after the start of our Services. Any modifications to this Agreement must be mutually acceptable to both parties and accepted in writing. No considerations will be given to revisions to AET's terms and conditions or alternate contract format submitted by the Client as a condition for payment of AET's accrued Services.

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>AMERICAN ENGINEERING TESTING, INC.</b>	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.	
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input checked="" type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.	
	<input type="checkbox"/> Other (see instructions) ▶ _____	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) See instructions. <b>550 CLEVELAND AVE. N..</b>		
6 City, state, and ZIP code <b>ST. PAUL, MN 55114</b>		
7 List account number(s) here (optional)		
Requester's name and address (optional)		

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>									
<b>or</b>									
<b>Employer identification number</b>									
4	1		0	9	7	7	5	2	1

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ 1/1/23
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**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*





AMERCON-12

KREYNOLDS1

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/8/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

Table with 2 main columns: PRODUCER (License # 20443386, Hub International Great Plains) and CONTACT NAME (Ann Ross, (651) 288-5137, ann.ross@hubinternational.com). Includes a table of INSURERS A-F with their respective NAIC numbers.

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER: THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Main table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSD, SUBR WVD, POLICY NUMBER, POLICY EFF, POLICY EXP, LIMITS. Rows include Commercial General Liability, Automobile Liability, Umbrella Liability, Workers Compensation, and Prof/Poll Liability.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RENEWALS: contracts@teamAET.com

Table with 2 columns: CERTIFICATE HOLDER (ILLUSTRATION CERTIFICATE) and CANCELLATION (SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE signature).



# Memorandum

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**To:** Mayor Nelson and Members of the City Council

**From:** Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

**Date:** May 31, 2023

**Subject:** Personnel Policy Amendments

Staff is proposing three amendments to the Personnel Policy; two of which reflect changes in State Law and the third clarifies the training reimbursement policy.

The first change is to Section 9.04, updating the list of holidays to include Juneteenth.

The second change is to Sections 1.03 and 1.06 in include provisions of the CROWN (Creating a Respectful and Open World for Natural Hair) Act. This act expands the definition of race in the Minnesota Human Rights Act to be “inclusive of traits associated with race, including but not limited to hair texture and hair styles such as braids, locs and twists.”

The third change amends Section 16.08 to add language as follows:

- The City will not pay for, or reimburse, for events sponsored by or affiliated with political parties.
- The City will not reimburse employees for the costs of travel for family members.

This has not been an issue with our employees, but the language was included with the most recent version of the LMC’s model personnel policy.

Staff recommends approval of the proposed changes.

Additional changes will be forthcoming due to legislation adopted by the 2023 Legislature.

If you have any questions, please do not hesitate to contact me at 763-784-6491.

# *City of Spring Lake Park*



## *Personnel Policy*

Approved by the City Council on July 18, 2016  
Amended by the City Council on July 15, 2019  
Amended by the City Council on December 16, 2021  
Amended by the City Council on June 5, 2023

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# 1. INTRODUCTION

## Section 1.01 Purpose

The purpose of these policies is to establish a uniform and equitable system of personnel administration for the employees of the City of Spring Lake Park. Their provisions do not establish terms and shall not be construed as contractual provisions. They are not intended to be all-inclusive or to cover every situation that may arise. These policies may be amended at any time at the sole discretion of the City and they will supersede all previous personnel policies. Revisions and amendments shall become effective upon approval by the City Council.

The City of Spring Lake Park retains the full and unrestricted right to operate and manage all personnel facilities and equipment; to establish functions and programs; to set and amend budgets; to determine the utilization of technology; to establish and modify its organizational structure; to select, direct and determine the number of personnel; to establish work schedules and to perform any inherent managerial function not specifically limited by current collective bargaining agreements, this policy and City Council resolutions. The City further reserves the right to make reasonable variations from this policy where it is determined that a strict and literal application of the policy would cause an undue hardship on the City, its employees or an individual employee.

Except as otherwise prohibited by law, the City of Spring Lake Park 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.

## Section 1.02 Scope

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

- Elected Officials
- Members of City Boards, Commissions and Committees
- Consultants and Contractors
- Volunteers

If any specific provisions of the personnel policies conflict with any current union agreement, the union agreement will prevail. Any policy, or portion thereof, that does not conflict with a labor agreement, will remain in full force and effect and will continue to govern the actions of all covered employees. 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 Department Head 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 Department Head.

### Section 1.03 EEO Policy Statement

The City of Spring Lake Park is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation and selection for training. The City of Spring Lake Park will not discriminate against any employee or job applicant on the basis of race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), color, creed, religion, national origin, ancestry, sex, sexual orientation, disability, age, marital status, gender identity, gender expression, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission.

### Section 1.04 Data Practices Advisory

Employee records are maintained in a location designated by the City Administrator. 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.

### Section 1.05 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 Administrator 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 that is 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 Administrator 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 Administrator. 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 Administrator. When/if the City Administrator 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 5 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 Lakeside Park this weekend and really enjoyed the new picnic 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 the data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

## Section 1.06 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 or commenting on issues that implicate their city employment. As City representatives, employees share in the responsibility of earning and preserving the public’s trust in the city. An employee’s own personal communications, such as on social media, can have a significant impact on the public’s belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race, sex/gender, religion, national origin, disability, sexual orientation or other protected categories. Nonpersonal communications (performed within one’s

job duties) to members of the public must be professional at all times. 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:

- Do not share any private or confidential information you have access to as a result of your city position.
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city's operation, including by negatively affecting morale. Put another way, such public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (e.g. sharing/retweeting) a social media post of another individual or entity. The City can act on a personal communication that violates this policy without waiting for the actual disruption.
- Remember that what you write or post is public, and will be so for a long time. It may also be spread to a larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos that you would not want your boss or other employees to read, or that 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 Spring Lake Park expects its employees to be fair, courteous, and respectful to Department Heads, co-workers, citizens, customers, and other persons associated with the City. Avoid using statements, photographs, video or audio that reasonably 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 (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), 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 and there is liable to be confusion whether you are speaking on behalf of the city, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the City of Spring Lake Park."
- 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 (e.g., "SLPCop").

## 2. CITYWIDE WORK RULES AND CODE OF CONDUCT

### Section 2.01 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 Spring Lake Park. 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 Department Head.

Honesty is an important organizational attribute to our city. Therefore, any intentional misrepresentation of facts or falsification of records, including without limitation personnel records, medical records, leaves of absence documentation or the like, will not be tolerated. Further, dishonesty in city positions may preclude workers from effectively performing their essential job duties. As just one example, a police officer with a credibility issue under a Brady/Giglio designation may be excluded from providing testimony for court cases, thereby creating an employment strain where an employee cannot effectively perform the essential functions of the job. Any violations will result in corrective action, up to and including termination.

The following are job requirements for every position at the City of Spring Lake Park. 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 their Department Head.
- Maintain good attendance while meeting the goals set by your Department Head.

### Section 2.02 Attendance & Absence

The operations and standards of service in the City of Spring Lake Park 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 that is required to be on the job. Attendance is an essential function of every City position.

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

- If the Department Head 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 Department Head.
- Failure to use the established reporting process will be grounds for disciplinary action.
- The employee must call the Department Head on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the Department Head.
- 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 Department Head.

### Section 2.03 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 Department Head.

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.

### Section 2.04 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 Department Head. 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.

## Section 2.05 Conflicts 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.

## Section 2.06 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.

## Section 2.07 Personal Telephone Calls

Personal telephone calls and texts 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. Please refer to the cell phone policy for information on use of cellular phones.

## Section 2.08 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.

## Section 2.09 Smoking

The City of Spring Lake Park 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 21 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

### 3. DEFINITIONS

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

**Section 3.01 Appointing Authority.** The City Council.

**Section 3.02 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 Department Head.

**Section 3.03 Benefits.** Privileges granted to qualified employees in the form of paid leave and/or insurance coverage.

**Section 3.04 Benefit-Earning Employees.** Employees who work, year round, at least 40 hours per week on a regular basis.

**Section 3.05 Compensatory Time.** For exempt employees, the same amount of time off work as the employee has overtime hours worked. For non-exempt employees, time of work at one-and-one-half times the number of overtime hours worked.

**Section 3.06 Core Hours.** The hours that all employees (exempt and non-exempt) are expected to work are from 9:00am to 3:30pm, Monday through Friday. Police and public works employees do not have core hours and work the schedules established by their Department Head.

**Section 3.07 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.

**Section 3.08 Department.** A branch of the City's operations with responsibility for one or several assigned functions.

**Section 3.09 Department Head.** The supervisor of a department.

**Section 3.10 Direct Deposit.** As permitted by State law, all City employees are required to participate in direct deposit.

**Section 3.11 Employee.** An individual who has successfully completed all stages of the selection process, including the training period.

**Section 3.12 Exempt Employee.** Employees who are not covered by the overtime provisions of the federal or state Fair Labor Standards Act.

**Section 3.13 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% for Social Security and 1.45% for Medicare. The City contributes a matching 7.65% 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.

**Section 3.14 Fiscal Year.** The period from January 1 through December 31.

**Section 3.15 Full-Time Employee.** Employees who are required to work forty (40) or more hours per week year-round in an ongoing position.

**Section 3.16 Hours of Operation.** The City's regular hours of operation are Monday through Friday, from 8:00am to 4:30pm.

**Section 3.17 Job Classification.** A group of positions sufficiently alike in duties, qualifications, authority and responsibility to warrant the same job title, grade and pay schedule for all positions in the group.

**Section 3.18 Job Description.** The written description of a job containing a title, a statement of duties, authority and responsibilities of the job, and the qualifications deemed necessary and/or desirable for the satisfactory performance of the duties of the job.

**Section 3.19 Non-exempt Employee.** Employees who are covered by the federal or state Fair Labor Standards Act. Such employees are normally eligible for overtime at one and one half times their regularly hourly wage for all hours worked over forty (40) in any given workweek.

**Section 3.20 Overtime.** Time worked in excess of forty (40) hours per week or in excess of the employee's normal work schedule as established by the employer.

**Section 3.21 Part-time Employee.** An employee whose position requires less than forty (40) hours per week or two thousand eighty (2,080) hours per year in an ongoing position.

**Section 3.22 Pay Period.** A fourteen (14) day period beginning at 12:00am (midnight) on Sunday through 11:59pm on Saturday, fourteen (14) days later.

**Section 3.23 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.

**Section 3.24 Promotion.** Movement of an employee from one job class to another within the City, where the classification/grade and maximum salary for the new position is higher than that of the employee's former position.

**Section 3.25 Reclassify.** Movement to a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

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**Section 3.26 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.

**Section 3.27 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.

**Section 3.28 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.

**Section 3.29 Training/Probationary Period.** A twelve 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 time worked, and the probationary period will be extended by the length of time taken.

**Section 3.30 Transfer.** Movement of an employee from one City position to another of equivalent pay.

**Section 3.31 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.

**Section 3.32 Workweek.** A workweek is seven consecutive 24-hour periods. For most employees the workweek will run from Sunday through the following Saturday. With the approval of the City Administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g., police department recreation department).

## 4. EMPLOYEE RECRUITMENT AND SELECTION

### Section 4.01 Scope

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

### Section 4.02 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 on application forms provided by the City. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the City Administrator or designee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position.

The deadline for application may be extended by the City Administrator or designee. 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.

### Section 4.03 Testing and Examination

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 recreation 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 Department Head. To be eligible to participate in the selection process, a candidate must meet the minimum qualifications. If you have any questions about whether your qualifications might meet the established minimums, contact the City Administrator to ask. In some cases the City will consider alternative experience if it is substantially equivalent to the qualification being required.

#### Section 4.04 Pre-Employment Drug Testing

Every job applicant offered employment with the City receives the offer contingent upon successful completion of a drug test, among other conditions. The drug testing will be conducted pursuant to the Minnesota Drug and Alcohol Testing and Drug Free Workplace Act for Non-Commercial Drivers.

#### Section 4.05 Pre-Employment Medical Exams

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

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

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

#### Section 4.06 Selection Process

The selection process will be a cooperative effort between the City Administrator or designee and the Department Head, 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 Department Head with each hire subject to final City Council approval. Except where prohibited

by law, seasonal and temporary employees may be terminated by the Department Head 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 the City of Spring Lake Park's needs.

#### Section 4.07 Background Checks

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

#### Section 4.08 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. Unless otherwise specified in a union contract, training periods are twelve months in duration, but may be extended by, for example, an unpaid leave of absence.

## 5. ORGANIZATION

#### Section 5.01 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, Department Head'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.

Assignment of job titles, establishment or minimum qualifications and the maintenance of job descriptions and related records is the responsibility of the City Administrator.

Prior to posting a vacant position, the existing job description will be reviewed by the City Administrator or designee and the Department Head to ensure the job description is an accurate

reflection of the position and that the stated job qualifications do not present artificial barriers to employment.

A current job description is provided to each new employee. Department Heads 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 Administrator.

### Section 5.02 Assigning and Scheduling Work

Assignment of work duties and scheduling work is the responsibility of the Department Head, subject to the approval of the City Administrator.

### Section 5.03 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.

## 6. HOURS OF WORK

### Section 6.01 Work Hours

Works schedules will be established by Department Heads with the approval of the City Administrator. The regular workweek for employees is five eight-hour days in addition to a lunch period, Monday through Friday, except as otherwise approved by the City Administrator in accordance with the customs and needs of the individual departments.

### Section 6.02 Meal Breaks and Rest Periods

A paid fifteen (15) minute break is allowed within each four (4) consecutive hours of work. An unpaid thirty (30) minute lunch period is provided when an employee works eight (8) or more consecutive hours. 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, unless previously authorized by the Department Head.

Employees working in City buildings will normally take their break at the place provided for that purpose in each building. Employees working out-of-doors will normally take their break at the location of their work. Employees whose duties involve traveling throughout the City may stop along the assigned route at a restaurant or other public accommodation for their fifteen (15)

minute break or thirty (30) minute lunch period. Exceptions must be approved by the Department Head or City Administrator.

Departments with unique job or coverage requirements may have additional rules, issued by the Department Head and subject to approval of the City Administrator, on the use of meal breaks and rest periods.

## Section 6.04 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 are required to use accrued vacation time or compensatory time, or with Department Head approval, may modify the work schedule or make other reasonable schedule adjustments.

Sworn police officers and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective Department Head or the City Administrator.

# 7. COMPENSATION

## Section 7.01 General Provisions

Full time employees of the City will be compensated every two weeks according to schedules adopted by the City Council. Unless approved by the City 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.

A pay range for seasonal and temporary employees will be set by the City Council on an annual basis, through the budget approval process. Department Heads are allowed to determine compensation within that range for each season or temporary employee based on their experience and suitability for the position.

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.

### Section 7.02 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 in changes in address, phone number, names of beneficiaries, marital status, etc.

### Section 7.03 Improper Deduction and Overpayment Policy

If an employee believes that an improper deduction or overpayment, or another type of error, has been made, he/she should immediately contact his/her Department Head. If the City determines it has made an improper deduction from a paycheck, it will reimburse the employee for the improper amount deducted and take good faith measures to prevent improper deductions from being made in the future.

In cases of improper overpayments, employees are required to promptly repay the City in the amount of the overpayment. The employee can write a personal check or authorize a reduction in pay to cover the repayment. The city will not reduce an employee's pay without written authorization by the employee. Once the overpayment has been recovered in full, the employee's year to date earnings and taxes will be adjusted (so that the year's Form W-2 is correct) and the paying department will receive the corresponding credit. When an overpayment occurs, the repayment must be made within the same tax year.

In the exceptional situation where the overpayment occurs in one tax year and is not discovered until the next year, the overpayment must be repaid in the year it is discovered, but there will be additional steps and paperwork required. Any overpayments not repaid in full within the calendar year of the overpayment are considered "prior year overpayments" and the employee must repay not only for the net amount of the overpayment, but also the federal and state taxes the City has paid on their behalf. The city is able to recover the overpaid Social Security and Medicare taxes. Accordingly, the city will not require the employee to repay those taxes provided the employee provides a written statement that he/she will not request a refund of the taxes. The overpayment amount will remain taxable in the year of the overpayment since the employee had access to the funds. The employee is not entitled to file an amended tax return for the year of the overpayment which deducts the overpayment amount, but may be entitled to a deduction or credit with respect



to the repayment in the year of repayment. Employees should contact their tax advisors for additional information.

### Section 7.04 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 timecard may be cause for immediate termination.

### Section 7.05 Overtime/Compensatory Time

The City of Spring Lake Park has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator will determine whether each employee is designated as “exempt” or “non-exempt” from earning overtime. In general, employees in executive, administrative and professional job classes are exempt; all others are non-exempt.

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

Seasonal and temporary employees shall be paid overtime after 40 hours worked in a workweek.

### Section 7.06 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.” Compensation will take the form of either time-and-one-half pay or compensatory time. Compensatory time is paid time off at the rate of one and one half hours off for each hour of overtime worked.

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

The employee’s Department Head 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. However, the employee may indicate on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment. In this case, all compensatory time

earned during a year will be paid to the employee by the end of the year at the hourly pay rate the employee is earning at that time.

Each Department Head will be responsible for establishing a policy relating to the maximum compensatory time accumulation for employees within his/her department based on the needs of his/her department. Once an employee has earned the maximum compensatory time allowed in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Accountant will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves City employment at the hourly rate the employee is earning at that time.

### Section 7.07 Exempt (Non-Overtime Eligible) Employees

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their Department Head or City Administrator. Generally, to meet these expectations, and for reasons of public accountancy, 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 Spring Lake Park 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 Spring Lake Park 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 Spring Lake Park 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. If the employee thinks that a wage deduction was made in error, please contact the City Administrator promptly.

## Section 7.08 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 4:30 p.m., plus evening meetings as necessary.

Exempt employees are required to use paid leave or compensatory time when on personal business away from the office. Exempt employees must communicate their absence to the City Administrator or his/her designee.

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.

If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the City. Additional notification and approval requirements may be adopted by the City Administrator for specific situations as determined necessary.

All exempt positions may require work beyond 40 hours per week, including evening and weekend hours. These employees are entitled to earn compensatory time at a rate of one hour for each hour worked over 40 hours per week. No payment of compensatory time will be made when an exempt employee leaves employment with the City.

## 8. PERFORMANCE REVIEWS

An objective performance review system will be established by the City Administrator or designee 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 Department Head and the employee. Conducting these informal performance meetings provides both the Department Head 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 Department Head and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

## 9. BENEFITS

### Section 9.01 Health, Dental, Life Insurance

The City will contribute a monthly amount toward group health, dental and life insurance benefits for each eligible employee and his/her dependents. The amount to be contributed and the type of coverage will be determined annually by the City Council.

For information about coverage and eligibility requirements, employees should refer to the summary plan description or contact the City Accountant.

### Section 9.02 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 information about PERA eligibility and contribution requirements, contact the City Accountant.

### Section 9.03 Tuition Reimbursement

To be considered for tuition reimbursement, the employee must be a full-time employee in good standing and have been employed by the City for at least a year. All requests for tuition reimbursement will be considered on a case-by-case basis by the City Administrator, with final approval/disapproval provided by the City Council.

Courses taken for credit at an approved educational institution must meet the following criteria to be approved for reimbursement:

- Courses must be directly related to the employee’s present position (whether required for a degree program or not); OR
- Courses must be directly related to a reasonable promotional opportunity in the same field of work as present position (whether part of a degree program or not).

The City will pay the cost of tuition upon successful completion (C grade or better or “pass” in a pass/fail course). The City will not reimburse the employee for expenses reimbursed under some other education system or program, e.g. G.I. Bill. Employees must reimburse the City if they voluntarily leave employment within twelve months of receiving tuition reimbursement from the City.

Tuition reimbursement for an individual employee will not exceed Five Hundred Dollars (\$500.00) per year.

### Section 9.04 Holidays

The City observes the following 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	Friday after Thanksgiving
Juneteenth	Christmas Day
Independence Day	Christmas Eve Day
Floating Holiday	

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continues for 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 1.5 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.

## 10. LEAVES OF ABSENCE

### Section 10.01 Overview

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 programs, 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.

### Section 10.02 Sick Leave

Sick leave is authorized absence from work with pay, granted to qualified full-time and part-time employees. Sick leave is a privilege, not a right. Employees are to use this paid leave only when they are unable to work for medical reasons and under the conditions explained below. Sick leave does not accrue during an unpaid leave of absence.

- Full-time employees will accumulate sick leave at a rate of one (1) day per month.
- Part-time employees regularly scheduled to work at least 20 hours per week will accrue sick leave on a pro-rated basis of the full-time employee schedule.
- Part time employees regularly scheduled to work fewer than 20 hours per week will not earn or accrue sick leave.
- Temporary and seasonal employees will not earn or accrue sick leave.
- Sick leave may be used only for days when the employee would otherwise have been at work. It cannot be used for scheduled days off.

**Sick leave may be used as follows:**

- When an employee is unable to perform work duties due to illness or disability (including pregnancy).
- For medical, dental or other care provider appointments.
- When an employee has been exposed to a contagious disease of such a nature that his/her presence at the work place could endanger the health of others.
- To care for the employee's injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee's attendance with the child may be necessary.
- To take children, or other family members to a medical, dental or other care provider appointment.
- To care for an ill spouse, father, father-in-law, mother, mother-in-law, stepparent, grandparent, grandchild, sister or brother.

Pursuant to Minn. Stat. §181.9413, eligible employees may use up to 160 hours of sick leave in any 12-month period for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, grandparent, stepparent, parent-in-law (mother-in-law and father-in-law), and grandchild (includes step-grandchild, biological, adopted, or foster grandchild).

- Safety leave. Employees are authorized to use sick leave for reasonable absences for themselves or relatives (employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) who are providing or receiving assistance because they, or a relative, is a victim of sexual assault, domestic abuse, or stalking. Safety leave for those listed, other than the employee and the employee's child, is limited to 160 hours in any 12-month period. The 12-month period is calculated by measuring 12 months backward from the start date of the employee's last safety leave.

After accrued sick leave has been exhausted, vacation leave may be used upon approval of the City Administrator, to the extent the employee is entitled to such leave.

**To be eligible for sick leave pay, the employee will:**

- Communicate with his/her Department Head, as soon as possible after the scheduled start of the work day, for each and every day absent;
- Keep his/her Department Head informed of the status of the illness/injury or the condition of the ill family member;
- Submit a physician's statement upon request.

After an 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 is required by the City.

Any employee who makes a false claim for sick leave will be subject to discipline up to and including termination.

Employees must normally use sick leave prior to using paid vacation, or compensatory time and prior to an unpaid leave of absence during a medical leave.

Sick leave will normally not be approved after an employee gives notice that he or she will be terminating employment. Exceptions must be approved by the City Administrator.

Sick leave cannot be transferred from one employee to another. The maximum accrual allowed for sick leave is 90 days (equal to 720 hours).

### Section 10.03 Vacation Leave

The City believes that vacation is important to the health and well-being of our employees, and as such, provides paid vacation for eligible employees for rest and recuperation.

The vacation leave schedule for all full-time employees is as follows:

Years of Service	Annual Accrual
1 Year	10 Days
5 Years	15 Days
10 Years	20 Days
16 Years	21 Days
17 Years	22 Days
18 Years	23 Days
19 Years	24 Days
20 Years	26 Days

Full-time employees will earn vacation leave in accordance with the above schedule. Part-time employees who work at least 20 hours per week on a regular basis will accrue vacation leave on a prorated basis of the full-time employee schedule. Part-time employees who work less than 20 hours per week on a regular basis, temporary and seasonal employees will not earn or accrue vacation leave.

For the purpose of determining an employee's vacation accrual rate, years of service will include all continuous time that the employee has worked at the City (including authorized unpaid



leave). Employees who are rehired after terminating City employment will not receive credit for their prior service unless specifically negotiated at the time of hire.

After six months of service, vacation leave may be used as it is earned, subject to approval by the employee's supervisor. Unless approved by the City Administrator, vacation leave will not be earned during an unpaid leave of absence.

Requests for vacation must be received at least 48 hours in advance of the requested time off. This notice may be waived at the discretion of the Department Head and City Administrator.

Vacation can be requested in increments as small as one hour up to the total amount of the accrued leave balance unless the Department Head has established a differing policy to ensure appropriate shift coverage.

Vacation leave is to be used only by the employee who accumulated it. It cannot be transferred to another employee.

If an employee does not use all of his/her earned vacation days during the current anniversary year, a maximum of 10 days of earned unused vacation may be carried from the current anniversary year into the next anniversary year. Vacation days may be carried from the current year to the next year only and cannot be carried into any future anniversary years, unless approved by the City Administrator. Any unused vacation days not carried over pursuant to this policy shall be lost and the employee shall receive no compensation therefore.

Employees are allowed to take their vacation in accordance with their position on the seniority list according to classification. When a holiday falls during a vacation period, the employee shall be paid for the holiday.

On December 1 on every year, vacation leave may be converted into a cash payment up to a maximum of 40 hours. Exempt employees, with the approval of the City Administrator, may convert up to a maximum of 80 hours of vacation leave into a cash payment.

#### Section 10.04 Banked Sick and Vacation Leave

Upon reaching the maximum sick leave accrual of 90 days, full-time employees will continue to accumulate 1 day of leave per month. This leave will be designated and accounted for as follows:

- 4 hours per month as banked sick leave
- 4 hours per month as banked vacation leave

Banked sick leave cannot be used unless all regular sick leave has been exhausted.

Banked sick leave will not be used in calculating severance pay except as specified in the Post Retirement Health Care Savings Plan negotiated and/or established for each employee group.

Banked vacation leave will be used in calculating severance pay.

The City will convert into cash 6 days per year from the employee's banked sick leave account and deposit it into their Post Retirement Health Care Savings Plan in December of each year on the condition that the employee has accrued 90 days of regular sick leave.

On December 1<sup>st</sup> of every year, an employee, upon reaching the maximum sick leave accumulation of 90 days, will have the option to cash in their banked vacation accumulation as pay once per year up to the maximum days accrued.

### Section 10.05 Severance Pay

Severance pay will be paid in accordance with each employee group's union contract and/or Post Retirement Health Care Savings Plan.

### Section 10.06 Bereavement (Funeral) Leave

Employees belonging to a union will be entitled to bereavement leave as outlined in their respective contracts.

Employees who do not belong to a union will be permitted to use up to 3 consecutive working days, with pay, as funeral leave upon the death of an immediate family member defined as: spouse, son, daughter, stepchild, and the brother, sister, mother, father, grandparents, grandchildren of the employee and his/her spouse. Bereavement leave of 5 days shall be granted due to the death of an employee's spouse, child or stepchild.

This paid leave will not be deducted from the employee's vacation or sick leave balance.

### Section 10.07 Military Leave

#### *Military Leave for Employees*

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. City compensation is in addition to the military's pay for these 15 days, as per MN Attorney General's Opinion (AG Opinion 310h-1(a)).

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. A training notice, signed orders or battle assembly schedule are examples of typical written notification to share with the City. 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.

#### *Military Leave for Family Members*

The City will not discharge from employment or take adverse employment action against an employee because an immediate family member is in the military forces of the United States or Minnesota. Nor will the City discharge from employment or take adverse employment action against an employee because they attend departure or homecoming ceremonies for deploying or returning personnel, family training or readiness events or events held as part of official military reintegration programs. Employees may substitute paid leave if they choose to do so.

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.

#### *Military Leave for Family Member Injured or Killed in Active Service*

Employees will be granted up to ten working days of unpaid leave whose immediate family member (defined as a person's parent, child, grandparent, siblings or spouse) 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.

#### *Civil Air Patrol*

The City will grant employees an unpaid leave of absence for time spent serving as a member of the Civil Air Patrol upon request and authority of the State or any of its political subdivisions, unless the absence would unduly disrupt the operations of the City. Employees may choose to use vacation or PTO leave while on Civil Air Patrol Leave, but are not required to do so.

### **Section 10.08 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 Department Head 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.

### Section 10.09 Court Appearances

Unless otherwise specified in a union contract, 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.

### Section 10.10 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, to attend criminal proceedings related to the victim's case. Additionally, a victim of a violent crime, as well as the victim's spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) may have reasonable time off from work to attend criminal proceedings related to the victim's case. An employee must give 48 hours advance notice to the City of their need to be absent unless it is impracticable, or an emergency prevents them from doing so. The City may request verification that supports the employee's reason for being absent from the workplace.

### Section 10.11 Job Related Injury or Illness

All employees are required to report any job-related illnesses or injuries to their Department Head immediately (no matter how minor). If a Department Head 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 Department Head 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 Department Head 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.

### Section 10.12 Pregnancy and Parenting Leave

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 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.

### Section 10.13 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 Administrator with the approval of the City Council.

### Section 10.14 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.

### Section 10.15 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 unduly disrupt the operations of the City. Employees may choose to use vacation leave hours for this absence, but are not required to do so.

### Section 10.16 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. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

### Section 10.17 Elections/Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off with pay for purposes of serving as an election judge, provided that the employee gives the City at least twenty (20) days written notice, including a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The City may reduce the wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment. Thus, employees will be paid the difference between their pay as an election judge and their regular rate of pay for their normal workday. The City reserves the right to restrict the number of employees absent from work for the purpose of serving as an election judge to no more than 20 percent of the total workforce at any single worksite.

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 Department Heads to avoid coverage issues.

### Section 10.18 Delegates to Party Conventions

An employee may be absent from work to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee. The employee may attend any convention of a major political party delegates, including meetings of official convention committees if the employee is a delegate or an alternate delegate to that convention.

Per the statutory requirement, the employee must give at least ten days written notice of their planned absence to attend committee meetings or conventions. Time away from work for this purpose will be considered unpaid unless the employee chooses to use vacation/ PTO leave during their absence.

### Section 10.19 Regular Leave without Pay

The City Administrator 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. 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 based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued vacation leave and compensatory 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.

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.

## Section 10.20 Reasonable Unpaid Work Time for Nursing Mothers

Nursing mothers will be provided reasonable unpaid break time for nursing mothers to express milk for her infant child during the twelve months following child's birth, unless it would cause undue business disruption. The paid break time times must, if possible, run concurrently with any break time times already provided. 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.

## Section 10.21 Family and Medical Leave Act

### A. General

In accordance with the Family and Medical Leave Act (FMLA), unpaid job protected leave will be granted to all eligible employees (male and female) for up to twelve (12) weeks per twelve (12) month period for any of the following reasons:

- Birth or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child or parent who has a serious health condition;
- A serious health condition that makes the employee unable to perform the essential functions of the position.
- A covered military member's active duty or call to duty or to care for a covered military member.

In accordance with the law, the following definitions apply:

- "Caring" for someone includes psychological as well as physical care. It also includes acquiring care and sharing care duties.
- An eligible "child" is defined as a person under 18 years of age (or a person incapable of self-care because of a physical or mental disability) who is a biological, adopted, foster or stepchild, a ward of the employee, or a person with whom the employee is charged with a parent's rights, duties and responsibilities.
- An eligible "parent" includes a biological parent or a person who was charged with a parent's rights, duties and responsibilities over the employee when the employee was under the legal age, but doesn't include in-laws.
- "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:
  - Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
  - Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or childbirth;
  - Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider.



- Chronic Conditions Requiring Treatments: An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity;
- Permanent/Long-Term Conditions Requiring Supervision
- Multiple Treatments: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.

## B. Eligibility

An eligible employee is one who has worked for the City for a cumulative period of 12 months and at least 1,250 hours during the twelve month period prior to requesting the leave.

## C. Length of Leave

The length of FMLA leave is not to exceed 12 weeks in any 12 month period. The entitlement to FMLA leave for the birth or placement of a child expires 12 months after the birth or placement of that child.

## D. Leave Year

The 12 month period is calculated by measuring 12 months backward from the start date of the employee's last FMLA leave.

## E. Notice

The employee is to give verbal or written notice to his/her Department Head at last thirty (30) days prior to the date on which leave is to begin or, if thirty (30) days notice cannot be given, as much notice as practical.

If an employee fails to give thirty (30) days' notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice. To the extent possible, planned medical treatment should be scheduled so that it will not unduly disrupt the City's operations.

## F. Medical Certification

The employee may be required to provide medical certification to support a request for leave because of the serious health condition of a child, spouse, parent or the employee. A "Certification of Physician or Practitioner" form can be obtained from the City Administrator. The form is to be completed by the attending physician or practitioner and submitted to the City Administrator within ten (10) days after requested, or as soon as is reasonably practicable. The City may request a second or third opinion at the City's expense. If required, the City will select a health care provider not regularly associated with the City.

## G. Recertification

Recertification may be required if the employee requests an extension of the original length approved by the City or if the employee's circumstances change. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

## H. Intermittent Leave

Leave requested because of a serious health condition of either a family member or the employee may be taken intermittently or on a reduced schedule if medically necessary. All requests for intermittent leave will be evaluated on a case-by-case basis.

## I. Fitness for Duty Certification

The City may require a medical certificate attesting to the employee's fitness for duty prior to return to work. The fitness for duty report must be based on the particular health condition(s) for which the leave was approved and must address whether the employee can perform the essential functions of his/her regular job.

The City Administrator may consult with a physician or other expert to determine reasonable accommodations for any employee who is a "qualified disabled" employee under the ADA (Americans with Disabilities Act). If a fitness for duty certification is required, the City may deny reinstatement until it is provided.

## J. Job Protection

Employees returning from Family and Medical Leave will be reinstated in their former position or a position equivalent in pay, benefits and other terms and conditions of employment. An employee's reinstatement rights are the same as they would have been had the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.

## K. Effect on Benefits

An employee granted leave under this policy will continue to be covered under the City's group health and dental insurance plan under the same conditions and at the same level of City contribution as would have been provided had they been continuously employed during the leave period. If there are changes in the City's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job. The employee will be required to continue payment of the employee portion of group insurance coverage. Arrangements for payment of the employee's portion of premiums must be made by the employee with the City. If an employee's contribution is more than thirty (30) days late, the City may terminate the employee's insurance coverage (subject to COBRA requirements).

## L. Seniority

Seniority does not accrue during any period of unpaid FMLA except as allowed when the leave is covered by worker's compensation). However, seniority accrued prior to commencement of FMLA leave will not be lost.

## M. Use of Accrued Paid Leave or Compensatory Time During Family and Medical Leave

During the Family and Medical Leave, employees must use accrued sick leave, vacation leave and compensatory time prior to taking an unpaid leave unless their medical condition/injury is covered by worker's compensation or the absence qualifies under the state Parental Leave law (see Parental Leave Policy).

FMLA leave counts as continued service for purposes of retirement and/or pension plans.

## N. Failure to Return from FMLA Leave

Employees who cannot return from an approved FMLA leave at the end of the approved leave period may request an extension (up to a maximum of twelve (12) weeks allowed under FMLA). If the twelve (12) FMLA weeks have already been used, the employee can request to go on a regular unpaid leave of absence. If approved, before unpaid leave begins, the employee must use any accrued sick leave, vacation time or compensatory time that remains. If the leave is approved and unpaid, the employee will be required to pay the full cost of all group insurance, as provided under COBRA, in order to continue coverage.

If the unpaid leave of absence is not approved, or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the City Council's approval.

If an employee fails to return from an FMLA leave and is determined to have voluntarily quit as described above, the City may seek reimbursement from the employee for the portion of the insurance premiums paid by the City on behalf of that employee during the period of leave.

## O. FMLA – Qualified Exigency and Military Caregiver Leave

### *Qualified Exigency*

Eligible employees (described above) whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following: (1) short-notice deployment; (2) military events and activities; (3) childcare and school activities; (3) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; (8) parental care; or (9) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

### *Military Caregiver Leave*

An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, parent, or next of kin of a covered servicemember may take up to 26 weeks in a single 12-month period to care for that servicemember.

The family member must be a current member of the Armed Forces (including a member of the National Guard or Reserves), who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise is on outpatient status or on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, or members on the permanent disability retired list.

### *Definitions*

- A “son or daughter of a covered servicemember” means the covered servicemember’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- A “parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”
- The “next of kin of a covered servicemember” is the nearest blood relative, other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin.
- “Covered active duty” means:
  - “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.

- “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of Title 10 of the United States Code.
- “Covered servicemember” means:
  - An Armed Forces member (including the National Guard or Reserves) undergoing medical treatment, recuperation, or therapy or otherwise in outpatient status or on the temporary disability retired list, for a serious injury or illness”; or
  - A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
- “Serious injury or illness” means:
  - In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
  - In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

#### *Amount of Leave – Qualified Exigency*

An eligible employee can take up to twelve (12) weeks of leave for a qualified exigency.

#### *Amount of Leave – Military Caregiver*

An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a “single 12-month period.” The “single 12-month period” begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Leave taken for any FMLA reason counts towards the 26-week entitlement. If an employee does not take all 26 workweeks of leave to care for a covered servicemember during this “single 12-month period,” the remaining part of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited. 29 C.F.R. § 825.127(e)(1) (2017).

### *Certification of Qualifying Exigency for Military Family Leave*

The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

### *Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave*

The City will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

All other provisions of the FMLA policy, including Use of Paid Leave, Employee Status and Benefits During Leave, Procedure for Requesting Leave, and Benefits During Leave and Reinstatement, are outlined above in the FMLA policy.

## **Section 10.22 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 Administrator 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 Department Head 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 Department Head 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 Department Head and City Administrator to determine whether or not light duty work is available and the duration of that assignment.

If the City offers a light duty assignment to an employee who is out on worker's 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.

### Section 10.23 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.
- Other reasonable accommodations for health conditions related to pregnancy or childbirth, upon request backed by a licensed health care provider or certified doula, unless the City demonstrates that the accommodation would impose an undue hardship on the business operations of the City.

### Section 10.24 Athletic Leave of Absence

An employee who qualifies as a member of the United State team for athletic competition on the world championship, Pan American, or Olympic team in a sport sanctioned by the International Olympic Committee, shall be granted a leave of absence without loss of pay or other benefits for the purpose of preparing for and engaging in the competition. In no event shall the paid leave exceed the period of official training camp and competition combined, or 90 calendar days a year, whichever is less. The employee shall provide documentation establishing their participation on said team and in said event.

## 11. RESPECTFUL WORKPLACE

### Section 11.01 Intent

The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace and other city-sponsored events. The City acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some employees can be exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

## Section 11.02 Applicability

Maintaining a respectful work environment is a shared responsibility. This policy is intended to express to all City employees, volunteers, members of boards and commissions, applicants, contractors/vendors, City Council members and members of the public the expectations by the City of Spring Lake Park for respectful workplace conduct both in the workplace and other city-sponsored social events.

## Section 11.03 Abusive Customer Behavior

While the City has a strong commitment to customer service, the City does not expect that employees accept verbal abuse from any customer. An employee may request that a Department Head intervene when a customer is abusive, or they may defuse the situation themselves, including professionally ending the contact.

If there is a concern over the possibility of violence, the employee should use his/her discretion to call 911, and, as soon as feasible, a Department Head. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their Department Head about the incident as soon as possible.

## Section 11.04 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, gender, pregnancy, 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 Department Head 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 Department Head 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 or by pronouns that correspond to the employee's gender identity. A court-ordered name or gender change is not required.

## Section 11.05 Employee Response to Disrespectful Workplace Behavior

All employees should feel comfortable calling their Department Head or another employee to request assistance should they not feel comfortable with a situation. If situations involve violent behavior, call the police, ask the individual to leave the area, and/or take other reasonable action.

If employees see or overhear what they believe is a violation of this policy, employees should advise a Department Head, the City Administrator or the City Attorney promptly.

Employees who believe that 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, a Department Head. In the event the disrespectful behavior occurring involves the employee's Department Head, the employee should contact the City Administrator or the City Attorney.

Step 1(a). Politely, 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 Department Head 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, such as with an offender from the public, it is preferable to avoid one on one interactions. Talk to your Department Head 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 Department Head, City Administrator, or City Attorney promptly of your concerns.. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it to a Department Head, the City Administrator, or the City Attorney.

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 Administrator or the City Attorney.

## Section 11.06 Department Head'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 Department Head must report the allegations promptly to the City Administrator, who will determine whether an investigation is warranted. A Department Head must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, Department Heads will use the following guidelines when an allegation is reported:

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

Step 1b. Department Heads, when talking with the reporting employee, will be encouraged to ask him/her what he/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 Government Data Practices Act and/or any other applicable laws.

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. Formal investigations will be prompt, impartial and thorough. The person being interviewed may have someone of his/her own choosing present during the interview. 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.

To facilitate fostering a respectful work environment, all employees are encouraged to respond to questions or to otherwise participate in investigations regarding alleged harassment.

Step 3. The Department Head must notify the City Administrator about the allegations (assuming the allegations do not involve the City Administrator). For more information about what to do when allegations involve the City Administrator, the Mayor or a Councilmember, see “Special Reporting Requirements” below.

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. 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..

Step 7. The City will take reasonable and timely action, depending on the circumstances of the situation.

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.

## Section 11.07 Special Reporting Requirements

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

If the City Administrator 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. In cases such as these, it is common for the City Council to authorize an investigation by an independent investigator (consultant). The independent investigator will report his/her findings to the City Council. The City will take reasonable and timely action, depending on the circumstances of the situation.

Pending completion of the investigation, the City Administrator 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. councilmember or commission member) is the victim of disrespectful workplace behavior, the City Attorney will be consulted as to the appropriate course of action.

### Section 11.08 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).

### Section 11.09 Retaliation

Retaliation is strictly prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Individuals who report harassing conduct, participate in investigations, or take any other actions protected under federal or state employment discrimination laws will not be subject to retaliation.

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. Your supervisor's manager
3. City Administrator;
4. Mayor or City Councilmember
5. 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.

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.

## 12. 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.

## 13. SEPARATION FROM SERVICE

### Section 13.01 Resignations

Employees wishing to leave the City service in good standing must provide a written resignation notice to their Department Head at least 10 working days before leaving. Exempt employees must give 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 workdays may be considered as resignation without proper notice.

Failure to comply with this procedure may be cause for denying any future employment with the City.

## 14. DISCIPLINE

### Section 14.01 General Policy

Department Heads 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 Spring Lake Park. 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 Department Head and/or the City Administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

### Section 14.02 No Contract Language Established

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

### Section 14.03 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 Department Head have not resolved the matter. All Department Heads 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 Department Head 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 Department Head with prior approval from the City Administrator.

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 Administrator 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 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 Administrator 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 Administrator, with the approval of 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, the appropriate hearing notice will be provided and all rights will be afforded the veteran in accordance with Minnesota law.

## 15. 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 facts on which it is based, the provision or provisions of the personnel policies allegedly violated and the remedy requested, to the proper Department Head within twenty-one (21) days after the alleged violation or dispute has occurred. The Department Head 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 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 Department Head'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.

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.

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

## 16. EMPLOYEE EDUCATION AND 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.

### Section 16.01 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.

### Section 16.02 Job-Related Training and 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 in order 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 conditional of employment with the City.

The Department Head and the City Administrator are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

### Section 16.03 Job-Related Meetings

Attendance at professional meeting directly related to the performance of the employee's work responsibilities do not require the approval of the City Administrator, up to a maximum of \$100.00. Advance Department Head approval is required to ensure adequate department coverage.

## Section 16.04 Request for Participation in Training and Conferences

The request for participation in a training session or conference must be submitted in writing to the employee's Department Head on the appropriate form. 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. Document approving conference or training attendance will be provided to the employee.

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

## Section 16.05 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 Administrator.

## Section 16.06 Compensation for Travel and 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.

## Section 16.07 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 Administrator, is allowed, providing funds are available.

Upon separation of employment, individual memberships remain with the City and are transferred to another employee by the Department Head.

## Section 16.08 Travel and 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 reasonable 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. However, 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 of travel for 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 prevailing mileage rate as established by the City Council, not to exceed 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.

## 17. OUTSIDE EMPLOYMENT

The potential for conflicts of interest is lessened when individuals employed by the City of Spring Lake Park regard the City as their primary employment responsibility. All outside employment is to be reported to the employee's immediate Department Head. If a potential conflict exists based on this policy or any other consideration, the Department Head will consult with the City Administrator. Any City employee accepting employment in an outside position that is determined by the City Administrator 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 sick leave from the City for those same hours.
- Departments may establish more specific policies as appropriate, subject to the approval of the City Administrator.

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.

## 18. DRUG FREE WORKPLACE

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

- 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.
- 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.
- 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.
- 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.

## 19. 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 Department Head on the first work day after any temporary, pending or permanent action is taken on their license and to keep their Department Head informed of any changes thereafter.

The City will determine appropriate action on a case-by-case basis.

## 20. CELLULAR PHONE USE

This policy is intended to define acceptable and unacceptable uses of City issued 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.

## Section 20.01 General Policy

Cellular telephones are intended for the use of City employees in the conduct of their work for the City. Department Heads are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in the policy will limit Department Head discretion to allow reasonable and prudent personal use of such telephone or equipment provided that:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained or outside employment is served.
- 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 with City-issued phones 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”

A Department Head may authorize an employee to use his/her own personal phone for City business and be reimbursed by the City for those calls. An employee will not be reimbursed for business-related calls without prior authorization from his/her Department Head. Department Heads may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

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 Department Head.

All personal calls made by employees on a City-provided cellular phone which exceed the minimum monthly charge for that phone must be paid for by the employee through reimbursement to the City based on actual cost listed on the City's phone bill.

### Section 20.02 Procedures

It is the objective of the City of Spring Lake Park 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.

### Section 20.03 Responsibility

The City Administrator, or designee, will have primary responsibility for implementation and coordination of this policy. All Department Heads will be responsible for enforcement within their departments.

## 21. COMPUTER USE POLICY

### Section 21.01 Purpose

This policy serves to protect the security and integrity of the City's electronic communication and information systems by educating employees about appropriate and safe use of available technology resources.

Computers and related equipment used by City employees are property of the City. The City reserves the right to inspect, without notice, all data, emails, files, settings, or any other aspect of a City-owned computer or related system, including personal information created or maintained by an employee. The City may conduct inspections on an as-needed basis as determined by the City Administrator.

Beyond this policy, the City Administrator, or his/her designee, may distribute information regarding precautions and actions needed to protect City system; all employees are responsible for reading and following the guidance and directives in these communications.

## Section 21.02 Personal Use

The City recognizes that some personal use of City-owned computers and related equipment has and will continue to occur. Some controls are necessary, however, to protect the City's equipment and computer network and to prevent abuse of this privilege.

Reasonable, incidental personal use of City computers and software (e.g., word processing, spreadsheets, email, Internet, etc.) is allowed but should never preempt or interfere with work. All use of City computers and software, including personal use, must adhere to provisions in this policy, including the following:

- Employees shall not connect personal peripheral tools or equipment (such as printers, digital cameras, disks, USB drives, or flash cards) to City-owned systems, without prior approval from the City Administrator or his/her designee. If permission to connect these tools/peripherals is granted, the employee must follow provided directions for protecting the City's computer network.
- Personal files should not be stored on City computer equipment. This also applies to personal media files, including but not limited to mp3 files, wav files, movie files, iTunes files, or any other file created by copying a music CD, DVD, or files from the Internet. The City Administrator or his/her designee will delete these types of files if found on the network, computers, or other City-owned equipment. Exceptions would be recordings for which the City has created, owns, purchased, or has a license.
- City equipment or technology shall not be used for personal business interests, for-profit ventures, political activities, or other uses deemed by the City Administrator to be inconsistent with City activities. If there is any question about whether a use is appropriate, it should be forwarded to your Department Head or the City Administrator for a determination.

## Section 21.03 Hardware

In general, the City will provide the hardware required for an employee to perform his or her job duties. Requests for new or different equipment should be made to your Department Head, who will forward the request to the City Administrator.

The City will not supply laptop computers based solely on the desire of employees to work offsite. A laptop request form will be required for each laptop deployment, and must be signed off by the employee's Department Head. Laptops will only be issued to employees who: travel frequently and require the use of a full computer while traveling; regularly use their laptop offsite; require a laptop for access to special software or systems; and/or have a documented business need for a laptop.

Only City staff may use City computer equipment. Use of City equipment by family members, friends, or others is prohibited.

Employees are responsible for the proper use and care of City-owned computer equipment. City computer equipment must be secured while off City premises; do not leave computer equipment in an unlocked vehicle or unattended at any offsite facility. Computer equipment should not be

exposed to extreme temperature or humidity. If a computer is exposed to extreme heat, cold, or humidity, it should be allowed to achieve normal room temperature and humidity before being turned on.

## Section 21.04 Software

In general, the City will provide the software required for an employee to perform his or her job duties. Requests for new or different software should be made to your Department Head, who will forward the request to the City Administrator.

Employees shall not download or install any software on their computer without the prior approval of the City Administrator. Exceptions to this include updates to software approved by Information Technology such as Microsoft updates, Adobe Reader, and Adobe Flash. The City Administrator or his/her designee may, without notice, remove any unauthorized programs or software, equipment, downloads, or other resources.

Electronic mail. The City provides employees with an email address for work-related use. Some personal use of the City email system by employees is allowed, provided it does not interfere with an employee's work and is consistent with all City policies.

Employee emails (including those that are personal in nature) may be considered public data for both e-discovery and information requests and may not be protected by privacy laws. Email may also be monitored as directed by the City authorized staff and without notice to the employee.

Employees must adhere to these email guidelines:

- Never transmit an email that you would not want your Department Head, other employees, members, City officials, or the media to read or publish (e.g., avoid gossip, personal information, swearing, etc.).
- Use caution or avoid corresponding by email on confidential communications (e.g., letters of reprimand, correspondence with attorneys, medical information).
- Do not open email attachments or links from an unknown sender. Delete junk or "spam" email without opening it if possible. Do not respond to unknown senders.
- Do not use harassing language (including sexually harassing language) or any other remarks, including insensitive language or derogatory, offensive, or insulting comments or jokes.

Electronic calendars. All employees are required to keep their electronic calendar up to date and, at a minimum, must grant all staff the ability to view their calendar.

Instant messaging. Due to data retention concerns, the City does not provide employees with resources or tools to communicate by instant messaging (IM) when conducting City business. Employees are not allowed to use IM as a mechanism for personal communication through the City's computer network or when using City equipment, and are not allowed to download or install any IM software on their City computer.



Personal devices. Employees may choose to use their own equipment to read or compose email or other City data as governed in this policy. Employees understand that by connecting their personal equipment to the City's email server, their personal devices could be searched during an e-discovery or other court-ordered scenarios, and agree to grant access to their personal devices should such a situation arise.

## Section 21.05 Security

Passwords. Employees are responsible for maintaining computer/network passwords and must adhere to these guidelines:

- Passwords must be at least eight characters long and include at least three of the following: lowercase character; uppercase character; and a number or non-alpha-numeric character (e.g., \*, &, %, etc.). (Example: J0yfu1ly!) Password requirements may be changed as necessary, as determined by the City Administrator or his/her designee.
- Passwords should not be shared or told to other staff. If it is necessary to access an employee's computer when he or she is absent, contact your Department Head or the City Administrator; the City's IT consultant will not provide access to staff accounts without approval of the City Administrator.
- Passwords should not be stored in any location on or near the computer, or stored electronically such as in a cell phone or other mobile device.
- Employees must change passwords every 60 days when prompted, or on another schedule as determined by the City Administrator or his/her designee.

Network Access. Non-City-owned computer equipment used in the City's building should only use the wireless connection to the Internet. Under no circumstances should any non-City-owned equipment be connected to the City's computer network via a network cable. Exceptions may be granted by the City Administrator.

Personal computer equipment may not be connected to the City's network without prior approval of the City Administrator. Personal equipment may be subject to password requirements or other electronic security measures as determined by the City Administrator.

Remote Access to the Network. Examples of remote access include, but are not limited to: Outlook Web Access (web mail), virtual private network (VPN), Windows Remote Desktop, and Windows Terminal Server connections. While connected to City computer resources remotely, all aspects of the City's Computer Use Policy will apply, including the following:

- With the exception of Outlook Web Access, remote access to the City's network requires a request from a Department Head and approval from the City Administrator. Remote access privileges may be revoked at any time by your Department Head or City Administrator.
- If remote access is from a non-City-owned computer, updated anti-virus software must be installed and operational on the computer equipment, and all critical operating system updates must be installed prior to connecting to the City network remotely. Failure to comply could result in the termination of remote access privileges.

- Recreational use of remote connections to the City’s network is strictly forbidden. An example of this would be a family member utilizing the City’s cellular connection to visit websites.
- Private or confidential data should not be transmitted over an unsecured wireless connection. Wireless connections are not secure and could pose a security risk if used to transmit City passwords or private data while connecting to City resources. Wireless connections include those over cellular networks and wireless access points, regardless of the technology used to connect.

## Section 21.06 Internet

The following considerations apply to all uses of the Internet:

- Information found on the Internet and used for City work must be verified to be accurate and factually correct.
- Reasonable personal use of the Internet is permitted. Employees may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races, or religions. If you are unsure whether a site may include inappropriate information, you should not visit it.
- If an employee’s use of the Internet is compromising the integrity of the City’s network, the City’s I.T. consultant may temporarily restrict that employee’s access to the Internet. If the City’s I.T. consultant does restrict access, they will notify the employee, Department Head, and the City Administrator as soon as possible, and work with the employee and Department Head to rectify the situation.
- The City may monitor or restrict any employee’s use of the Internet without prior notice, as deemed appropriate by the employee’s Department Head and/or the City Administrator.

## Section 21.07 Data Retention

Electronic data should be stored and retained in accordance with the City’s records retention schedule.

Storing and transferring files. If you are unsure whether an email or other file is a government record for purposes of records retention laws or whether it is considered protected or private, check with your Department Head. If you are unsure how to create an appropriate file structure for saving and storing electronic information, contact the City Administrator or his/her designee.

Employees must adhere to these guidelines when transferring and storing electronic files:

- All electronic files must be stored on network drives. The City will not back up documents stored on local computer hard drives, and holds no responsibility for recovery of documents on local computer hard drives should they fail. Files may be temporarily stored on a laptop hard drive when an employee is traveling/offsite; however, the files should be copied to network as soon as possible.
- Electronic files, including emails and business-related materials created on an employee’s home or personal computer for City business, must be transferred to and stored on the

City's network. City-related files should not be stored on an employee's personal computer, unless otherwise defined in this policy.

- All removable storage media (e.g., CD-ROM, flash or USB drive, or other storage media) must be verified to be virus-free before being connected to City equipment.
- Email that constitutes an official record of City business must be kept in accordance with all records retention requirements for the department and should be copied to the network for storage.
- Email that is simple correspondence and not an official record of City business should be deleted (from both the "Inbox" and the "Deleted" box) as soon as possible and should not be retained by employees for more than three months. The City will not retain emails longer than one year on the network or in network back-ups.
- Electronic files or emails that may be classified as protected or private information should be stored in a location on the City's network that is properly secured.
- Any files considered private or confidential should not be stored anywhere other than the City's network. If there is a need to take confidential information offsite, it must be stored on encrypted media.

## 22. LEGAL SERVICES

The City will defend an employee and/or his/her estate against any claim or demand, whether groundless or otherwise, arise out of an alleged act or omission occurring in the performance and scope of the employee's duties. The City will review any judgment resulting from such claim or demand and make a determination as to the propriety of paying all or part of said judgment. In reviewing said judgment, the City will consider and make findings as follows:

- That the claim or action arose out of the performance of the employee's duty and that there was no malfeasance in office or willful or wanton neglect of duty;
- Whether it is fitting and proper to pay the judgment; and
- The determination of whether it is fitting and proper to pay the judgment must be based on the best interest of the municipality and the public after considering all of the facts and circumstances.

## 23. SAFETY

### Section 23.01 Purpose

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 Department Head.

## Section 23.02 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 Department Head. The employee's Department Head 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.

## Section 23.03 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.

## Section 23.04 Unsafe Behavior

Department Heads 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.

## Section 23.05 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.

EMPLOYEE RECEIPT OF CITY OF SPRING LAKE PARK PERSONNEL POLICY

I hereby acknowledge receipt of the City of Spring Lake Park's Personnel Policy. I understand that I am responsible for being informed on the policies, procedures and information contained in the Personnel Policy. If I have any questions or problems related to the information received, it is my responsibility to bring it to the attention of my Department Head.

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Employee Name (please print)

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Signature

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Date



# Memorandum

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**To:** Mayor Nelson and Members of the City Council

**From:** Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

**Date:** May 31, 2023

**Subject:** June Work Session

Staff is proposing a work session for Monday, June 20 at 5:30pm. We will have it at the Able Park Building.

Topics for the work session include:

- Clean-Up Discussion (Goodboe-Bisschoff)
- Review Performance Measures Results
- City Hall Update
- Reports
  - Councilmember Reports
  - Administrator Report

If you have any other topics you would like to discuss, please do not hesitate to contact me. Deadline is no later than the June 12 Council Meeting so staff has time to prepare agenda materials.

If you have any questions, please do not hesitate to contact me at 763-784-6491.



City of Spring Lake Park  
Engineer's Project Status Report

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To: Council Members and Staff  
From: Phil Gravel

Re: **Status Report for 06.05.23 Meeting**  
File No.: R-18GEN

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**Note:** Updated information is shown in *italics*.

**2023 MS4 Permit and SWPPP Update (193805251).** *Annual Report is due by June 30<sup>th</sup>. The Annual Public Meeting can be held in June. Pond, structural BMP, and outfall inspections due by July 31<sup>st</sup>. Program analysis and annual training is due in December. Per 5-15-23 message: MPCA has put their requested review/audit of the city's 2022 information on hold until further notice.*

**2023 Sewer Lining Project (193805871).** This project includes lining the remaining sanitary sewers in the city that have not been lined (approximately 35,710-feet). Terry Randall will watch this project. The Contractor is Visu-Sewer Inc with a low bid amount of \$1,047,746. *Construction Contracts have been signed and sent to the contractor (Visu-Sewer Inc.)*

**2023 Seal Coat and Crack Repair Project (193806041).** This project includes routine street maintenance on the streets in the area north of 81<sup>st</sup> Avenue and east of Able Street. Plans and specs were ordered on 12-19-22. The Contractor is Allied Blacktop with a bid amount of \$97,770. *Construction Contracts have been signed and sent to the Contractor.*

**City Hall Building (193806049).** The Design Phase for the city hall remodel project started in January 2023. The schedule calls for obtaining construction bids in late 2023. Meetings with staff continue (Dept. Heads meeting on 5-1). Council updated at recent workshops. Public Open House was held on May 8<sup>th</sup>.

**Geographic Information System (GIS) and Mapping (19380----).** The city has a need to update the mapping and records system for public works documents. Staff has been discussing implementing an online AcrGIS system maintain documents and mapping of infrastructure.

**Suite Living Spring Lake Park (Hampton Cos. project at 525 Osborne).** *A site work and landscaping inspection needs to be completed in 2023. The remaining financial surety will be held until a final inspection (including landscaping) and CCWD sign off in 2023.*

**2024 Sanburnol Drive and Elm Drive NE (19380\_\_\_\_\_).** Sanburnol Drive (SAP 183-103-001) and Elm Drive (SAP 183-104-001) were reconstructed in 1998. Sanburnol Drive is a shared road between the cities of Spring Lake Park and Blaine. Spring Lake Park will be the lead agency on this project, but it will be a cooperative project between Blaine and Spring Lake Park. *See separate letters.*

**2023 Anoka County Paving Project.** The County will have a paving project this year on Osborne Road east of Central Avenue. County will provide schedule information when they have one.

Please contact Phil Carlson, Peter Allen, Bruce Paulson, or me if you have questions or require additional information.



# Memorandum

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**To:** Mayor Nelson and Members of the City Council

**From:** Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

**Date:** May 22, 2023

**Subject:** Juneteenth

With the adoption of the State Government Omnibus bill, the effective date of the Juneteenth holiday is the day after enactment. This means we will commemorate Juneteenth as an official state holiday for the first time this year.

This year, Juneteenth is on Monday, June 19. As Juneteenth is now an official state holiday, City Hall will be closed that Monday. The regularly scheduled City Council meeting will be held on Tuesday, June 20, in accordance with State Law and City Code.

Juneteenth commemorates the emancipation of enslaved African Americans in the United States. Its recognition as a state holiday reflects the importance of this historic event and acknowledges the ongoing struggle for racial equality.

Please make a note of this change in your calendars. We will post notice of this change on the City's website and Facebook page.

If you have any questions regarding this change, please do not hesitate to contact me at 763-784-6491.



# **CORRESPONDENCE**



May 25, 2023

Daniel Buchholtz, City Administrator  
City of Spring Lake Park  
1301 81st Ave NE  
Spring Lake Park, MN 55432-2188

Dear Mr. Buchholtz:

The Metropolitan Council has prepared preliminary population and household estimates for your community as of April 1, 2022. This is an annual process governed by *Minnesota Statutes 473.24*.

**As of April 1, 2022, the City of Spring Lake Park had 3,222 housing units, 3,088 households, and 7,430 people (of whom 24 lived in group quarters facilities). Household size averaged 2.398 persons per household.**

**How was this estimate calculated?**

We estimate households and population with a housing stock-based method, which involves three questions:

1. *How many housing units did each community have?*
2. *How many households occupied these housing units?*
3. *How many people lived in these occupied housing units?*

This letter includes an overview of our estimation method along with a report showing the data inputs and calculations used to develop the preliminary estimates for your community. For more information, visit <https://www.metrocouncil.org/populationestimates>, or contact me at 651-602-1513.

**How can local governments provide feedback on this estimate?**

We welcome discussion of the preliminary estimates and invite you to review and comment on them. Please send any comments or questions to [Matt.Schroeder@metc.state.mn.us](mailto:Matt.Schroeder@metc.state.mn.us) (preferred) or to Matt Schroeder, Community Development Research, 390 Robert St N, Saint Paul, MN 55101. *Under Minnesota Statutes 473.24, we must receive your comments or specific objections, in writing, by June 24, 2023.*

**What happens after local governments provide feedback?**

The Council will certify final estimates by July 15, 2023 for state government use in allocating certain funds.

**New 2020 Census data**

On a related note, the Census Bureau recently released new data from the 2020 Census, with more detailed information on age, homeownership rates, and household type – all including breakdowns by race. Please visit <https://www.metrocouncil.org/census2020> for more information.

Sincerely,



Matt Schroeder  
Principal Researcher

# Spring Lake Park city, Anoka County

## 2022 Annual Population Estimate

Published May 25, 2023 (preliminary; distributed for local government review)



	Housing units	Occupancy rate	Households	Persons per household	Population in households	Population in group quarters	Total population
2022 Estimate	3,142	95.80%	3,010	2.3937	7,205	24	7,229
2020 Census	2,946	97.66%	2,877	2.4164	6,952	31	6,983

The Metropolitan Council estimates population using the housing unit method, which answers three main questions for each jurisdiction as of April 1, 2022.

### First, how many housing units did the community have?

- We start with housing units measured by the 2020 Census. We broke down the total number of housing units in the 2020 Census into different housing types using county parcel data and other data sources.
- We then add units built between April 1, 2020 and April 1, 2022, based on permits reported to us by communities. Permit data is [available on our website](#).
  - We assume that 90% of single-family detached units and 85% of townhome/duplex/triplex/quadplex units permitted in 2021 were completed and occupiable by April 1, 2022.
  - Multifamily units permitted in and after 2020 are assumed to be completed if they received a certificate of occupancy by April 1, 2022. Multifamily units permitted before 2020 that were not open at the time of the 2020 Census are also included.
  - Manufactured home data comes from our annual surveys of manufactured home park operators and local governments.
  - Data on other housing (boats, RVs, etc. used as housing) comes from the [most recent American Community Survey data](#); this housing is included in the estimates only if occupied.
- We also examine other housing stock changes reported by jurisdictions. These include demolitions, building conversions (units added or lost), boundary changes (units annexed in or out), and other changes.

	Housing stock April 1, 2020	Permitted and built since 2020	Other changes since 2020	Housing stock April 1, 2022
<i>Single-family detached</i>	1,841	8	-2	1,847
<i>Townhome (Single-family attached)</i>	265	0	0	265
<i>Duplex/triplex/quadplex</i>	107	0	0	107
<i>Multifamily (5 or more units)</i>	625	0	194	819
<i>Accessory dwelling units (ADUs)</i>	0	0	0	0
<i>Manufactured homes</i>	108			104
<i>Other units</i>	0			0
<b>Total</b>	<b>2,946</b>			<b>3,142</b>

## Second, how many of these housing units were occupied by households?

- Each housing type has an estimated occupancy rate. These data come from the most recent American Community Survey estimates for **housing units** and **households, decennial census data** from the U.S. Census Bureau, and the **U.S. Postal Service**. To estimate multifamily occupancy rates, we also use **CoStar**, a proprietary data source covering the apartment market.
- Multiplying the number of housing units of each type by the occupancy rate yields the number of households (occupied housing units).

## Third, how many people lived in these occupied housing units?

- Each housing type has an estimated average household size. These data come from the most recent American Community Survey estimates of **households** and **population in households** as well as decennial census data from the U.S. Census Bureau.
- Multiplying the number of households in each housing type by the average household size yields the population in households.

	Housing stock April 1, 2022	Occupancy rate	Households (Occupied housing units)	Persons per household	Population in households
<i>Single-family detached</i>	1,847	98.70%	1,823	2.7281	4,973
<i>Townhome (Single-family attached)</i>	265	100.00%	265	2.7281	723
<i>Duplex/triplex/quadplex</i>	107	98.64%	106	1.9795	210
<i>Multifamily (5 or more units)</i>	819	86.95%	712	1.4847	1,057
<i>Accessory dwelling units (ADUs)</i>	0	95.14%	0	1.4021	0
<i>Manufactured homes</i>	104	99.92%	104	2.3242	242
<i>Other units</i>	0	100.00%	0	1.7588	0
<b>Total</b>	<b>3,142</b>	<b>95.80%</b>	<b>3,010</b>	<b>2.3937</b>	<b>7,205</b>

To obtain the total population, we also add the number of residents in group quarters facilities.

These are residences that are not part of the standard housing market, such as college dormitories, nursing homes, prisons and jails, and group homes. Data come from the Metropolitan Council's annual survey. A list of facilities in each community can be found at <https://www.metrocouncil.org/populationestimates>.

Population in households	Population in group quarters	Total population April 1, 2022
7,205	24	7,229

Due to rounding, not all estimates can be reproduced exactly from the above inputs.

For more information, see our methodology document, available from <https://www.metrocouncil.org/populationestimates>.

# Spring Lake Park city, Ramsey County

## 2022 Annual Population Estimate

Published May 25, 2023 (preliminary; distributed for local government review)



	Housing units	Occupancy rate	Households	Persons per household	Population in households	Population in group quarters	Total population
2022 Estimate	80	97.50%	78	2.5769	201	0	201
2020 Census	80	98.75%	79	2.5949	205	0	205

The Metropolitan Council estimates population using the housing unit method, which answers three main questions for each jurisdiction as of April 1, 2022.

### First, how many housing units did the community have?

- We start with housing units measured by the 2020 Census. We broke down the total number of housing units in the 2020 Census into different housing types using county parcel data and other data sources.
- We then add units built between April 1, 2020 and April 1, 2022, based on permits reported to us by communities. Permit data is [available on our website](#).
  - We assume that 90% of single-family detached units and 85% of townhome/duplex/triplex/quadplex units permitted in 2021 were completed and occupiable by April 1, 2022.
  - Multifamily units permitted in and after 2020 are assumed to be completed if they received a certificate of occupancy by April 1, 2022. Multifamily units permitted before 2020 that were not open at the time of the 2020 Census are also included.
  - Manufactured home data comes from our annual surveys of manufactured home park operators and local governments.
  - Data on other housing (boats, RVs, etc. used as housing) comes from the [most recent American Community Survey data](#); this housing is included in the estimates only if occupied.
- We also examine other housing stock changes reported by jurisdictions. These include demolitions, building conversions (units added or lost), boundary changes (units annexed in or out), and other changes.

	Housing stock April 1, 2020	Permitted and built since 2020	Other changes since 2020	Housing stock April 1, 2022
<i>Single-family detached</i>	30	0	0	30
<i>Townhome (Single-family attached)</i>	39	0	0	39
<i>Duplex/triplex/quadplex</i>	0	0	0	0
<i>Multifamily (5 or more units)</i>	11	0	0	11
<i>Accessory dwelling units (ADUs)</i>	0	0	0	0
<i>Manufactured homes</i>	0			0
<i>Other units</i>	0			0
<b>Total</b>	<b>80</b>			<b>80</b>

**Second, how many of these housing units were occupied by households?**

- Each housing type has an estimated occupancy rate. These data come from the most recent American Community Survey estimates for **housing units** and **households, decennial census data** from the U.S. Census Bureau, and the **U.S. Postal Service**. To estimate multifamily occupancy rates, we also use **CoStar**, a proprietary data source covering the apartment market.
- Multiplying the number of housing units of each type by the occupancy rate yields the number of households (occupied housing units).

**Third, how many people lived in these occupied housing units?**

- Each housing type has an estimated average household size. These data come from the most recent American Community Survey estimates of **households** and **population in households** as well as decennial census data from the U.S. Census Bureau.
- Multiplying the number of households in each housing type by the average household size yields the population in households.

	Housing stock April 1, 2022	Occupancy rate	Households (Occupied housing units)	Persons per household	Population in households
<i>Single-family detached</i>	30	98.18%	29	2.5776	75
<i>Townhome (Single-family attached)</i>	39	96.61%	38	2.5776	98
<i>Duplex/triplex/quadplex</i>	0	88.36%	0	2.5587	0
<i>Multifamily (5 or more units)</i>	11	96.64%	11	2.5130	28
<i>Accessory dwelling units (ADUs)</i>	0	95.14%	0	1.8048	0
<i>Manufactured homes</i>	0	98.76%	0	2.6861	0
<i>Other units</i>	0	100.00%	0	1.9697	0
<b>Total</b>	<b>80</b>	<b>97.50%</b>	<b>78</b>	<b>2.5769</b>	<b>201</b>

To obtain the total population, we also add the number of residents in group quarters facilities.

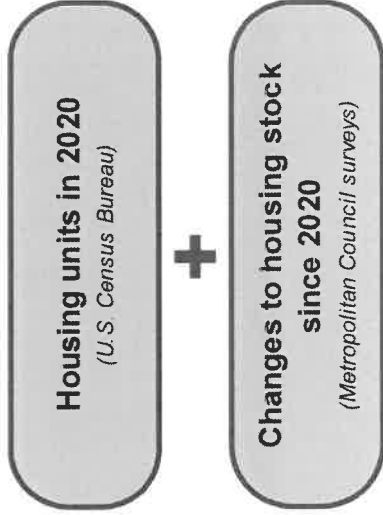
These are residences that are not part of the standard housing market, such as college dormitories, nursing homes, prisons and jails, and group homes. Data come from the Metropolitan Council’s annual survey. A list of facilities in each community can be found at <https://www.metrocouncil.org/populationestimates>.

Population in households	Population in group quarters	Total population April 1, 2022
201	0	201

Due to rounding, not all estimates can be reproduced exactly from the above inputs.

For more information, see our methodology document, available from <https://www.metrocouncil.org/populationestimates>.

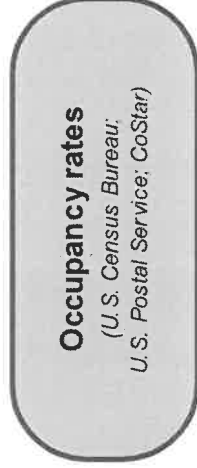
**HOW MANY HOUSING UNITS ARE IN THE COMMUNITY?**



We start with the housing units from the 2020 Census, then we add units identified in our annual surveys of residential construction (building permits and other housing stock changes) and manufactured housing parks.

This results in the estimated number of housing units in each community, broken down by the type of housing.

**HOW MANY HOUSEHOLDS OCCUPY THESE HOUSING UNITS?**

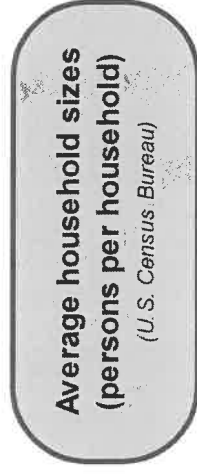


Not all of these housing units are occupied; some are vacant.

To estimate the number of households, we examine occupancy rates in the community for different types of housing. These data come from the U.S. Census Bureau's American Community Survey and Decennial Census as well as the U.S. Postal Service and CoStar.

This results in the estimated number of households in each community, again broken down by the type of housing.

**HOW MANY PEOPLE LIVE IN THESE OCCUPIED HOUSING UNITS?**



Finally, we examine the average household sizes in the community for different types of housing. These data come from the U.S. Census Bureau's American Community Survey and Decennial Census.

To arrive at the total population, we add in residents of "group quarters" (places like correctional facilities, college dormitories, emergency housing shelters, and nursing homes), measured by our annual survey of such facilities.





Notice of Annual Public Information Meeting

Storm Water Pollution Prevention Program

MS4 (Municipal Separate Storm Sewer System)

NOTICE IS HEREBY GIVEN that the Annual Public Information Meeting on the District's Storm Water Pollution Prevention Program (SWPPP) will be held on Wednesday, June 28, 2023 during the Rice Creek Watershed District Board of Managers regular meeting at 9:00 AM in the City of Shoreview, 4600 North Victoria Street, Shoreview, Minnesota. Public participation using interactive technology will also be possible using Zoom. Please find the zoom instructions below. In addition, by a declaration under Minnesota Open Meeting Law Section 13D.021, all meetings of the RCWD Board of Managers are in person and public while recognizing that a Manager may, based on advice from a health care professional, have a legitimate reason for not attending a meeting in a public place in person, such as COVID-19 exposure or infection, and in such circumstances may participate in the meeting remotely. The purpose of this meeting is to present the District's 2022 MS4 Annual Report and receive comments and respond to questions regarding the District's SWPPP. Interested parties will have an opportunity to provide oral or written input on the Best Management Practices (BMPs) being utilized by the District, please contact Will Roach at [wroach@ricecreek.org](mailto:wroach@ricecreek.org) with any questions or comments regarding the SWPPP. The District's SWPPP can be reviewed on the District's website [www.ricecreek.org](http://www.ricecreek.org) or a copy is available for review at the District office, 4325 Pheasant Ridge Drive NE, Suite 611, Blaine, MN 55449. 763-398-3070.

To Join Zoom Meeting:

<https://us06web.zoom.us/j/88655786726?pwd=anRUUGdOSnIFTTc4NnRTRzdQaitlQT09>

Meeting ID: 886 5578 6726

Passcode: 692951

Dial by your location +1 312 626 6799 US (Chicago)

Meeting ID: 886 5578 6726

Passcode: 692951



# 2023 LMC Legislative Recap

**LMC Intergovernmental Relations Team**

**June 1, 2023**



Emergency Management  
Pensions and Retirement  
Public Safety  
State Bonding  
Transportation  
Workers' Compensation

## Anne Finn

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IGR Director

 [afinn@lmc.org](mailto:afinn@lmc.org)

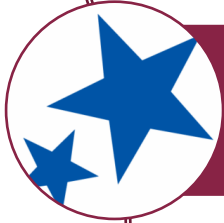
 (651) 281-1263

 [@annemfinn](https://twitter.com/annemfinn)

# Agenda



General Session Update



Issue Updates



Invitation to Join Policy Committees



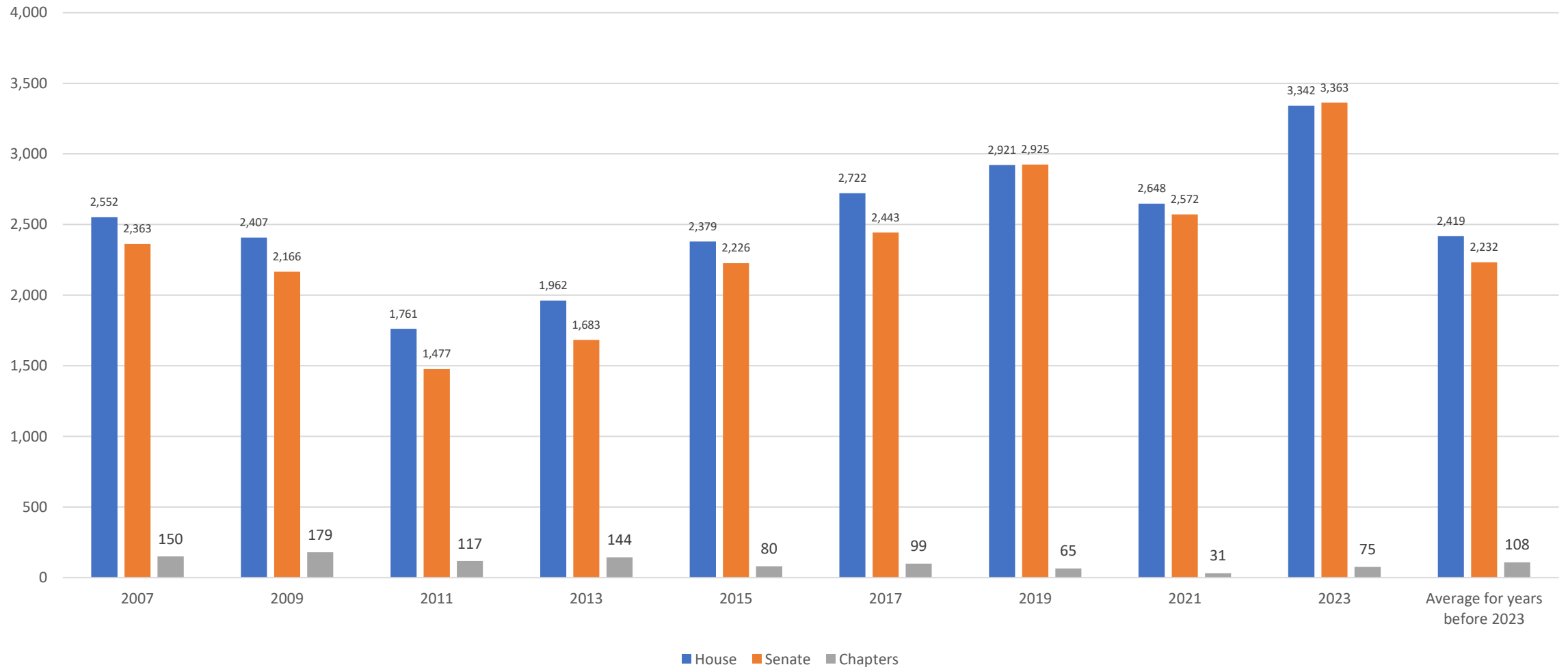
Questions?

# 2023 Session at a Glance

- Single party control
- Many new faces
- Most diverse legislature in Minnesota's history
- Massive budget surplus (\$17.5B)
- No bonding bill since 2020
- Important nuances:
  - Most of surplus was one-time
  - Very thin majorities

# 2023 Session Bill Intros and Chapters

Bill Introductions and Chapters approved through the end of each first year of the biennium



# Our Plan

- High level webinar today
- 2023 Law Summaries posted by end of June
- FAQs and additional webinars on more complex outcomes for cities throughout summer and fall
  - Public safety duty disability bill
  - Adult use cannabis
  - Paid family and medical leave
  - Others
- Focus on New Laws Cities Bulletin series
- Ask for your patience



Cannabis Regulation  
Elections  
Employment and Human Resources  
Regulated Industries

## Alex Hassel

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IGR Representative



[ahassel@lmc.org](mailto:ahassel@lmc.org)



(651) 281-1261



[@alexhassel](https://twitter.com/alexhassel)



# Paid Family and Medical Leave (ch. 59)

- Creates a state-administered **paid family and medical leave insurance program, effective January 1, 2026.**
- All employers pay into an insurance program established under DEED.
- 0.7% payroll tax for all employees, half can be charged back to employees.
- Employees apply to DEED for leave and would be eligible for up to 20 weeks of leave annually.
- Wage reporting requirements begin July 1, 2024.



Read the League's FAQ on PFML at <http://www.lmc.org/PFML>



ahassel@lmc.org



(651) 281-1261



@alexhassel

# Employment & Labor (ch. 53)

**Earned Sick and Safe Time. Effective Jan. 1, 2024**

**Public Employment Labor Relations Act Changes. Effective July 1, 2023**

**Juneteenth (ch. 5/ch. 62). Effective May 25, 2023**

- Requires that employers provide employees with one hour of paid sick and safe time for every 30 hours worked, up to 48 hours a year, and 80 ongoing.
- Staffing ratios subject to collective bargaining.
- Access rights for exclusive representatives for meetings with new hires, email system, certain employee data, and building and facility usage.
- Makes Juneteenth (June 19) a holiday in which public business cannot be conducted.

# Early Voting (ch. 62)

- Early voting will replace current absentee "direct balloting" process with true early voting for the **18 days leading up to an election**.
- Only impacts cities that administer absentee balloting.
- Expanded early voting hours during general elections:
  - Until 7 p.m. on the Tuesday before the election.
  - From 9 a.m. to 3 p.m. on the two Saturdays before the election.
  - From 9 a.m. to 3 p.m. on the Sunday immediately before the election.
  - Until 5 p.m. on the day before the election.
- **Will be in effect for the 2024 general election.**



# Other Elections Changes

- Restoration of Felon Voting Rights (ch. 12)
- Automatic Voter Registration (ch. 34).
- Elections omnibus (ch. 62):
  - Ongoing annual funding to cities/counties for administration.
  - Prohibit intimidation and interference related to duties performed by an election official.
  - Allows cities to require a candidate file a written request to have their write-in votes counted.
  - Voting by mail allowed for any city w/ 400 voters or less.
  - Updates sample ballot publication requirement.
  - Secretary of State voting study.

# Legalization of Adult-Use Cannabis



- Chapter 63 legalizes adult-use cannabis and creates a statewide regulatory framework.
- Legalization of possession and home growth, decriminalization effective August 1, 2024.
  - Can possess 2 oz in public, 2 pounds at home, can grow 8 plants at home (4 mature)
- Legal sales expected to begin by January 2025.
- Cities may place an interim ordinance prohibiting cannabis businesses until January 1, 2025.
- License limits – one for every 12,500
- Authorizes municipal dispensaries.

# Adult-Use Cannabis Regulatory Structure

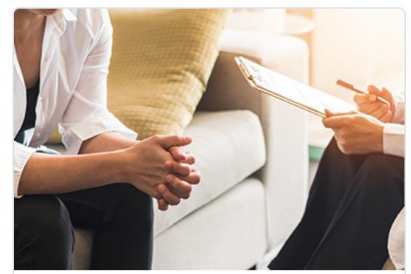


## Minnesota Office of Cannabis Management

Minnesota has become the 23rd state in the nation to legalize cannabis use for people 21 and older. Learn more [about the legislation](#).



For Adult Consumers

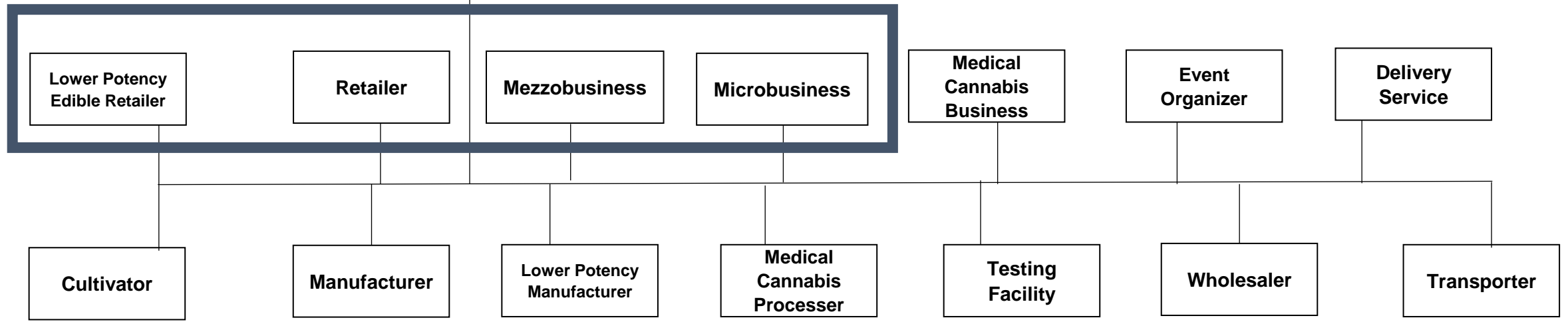


For Medical Cannabis Patients

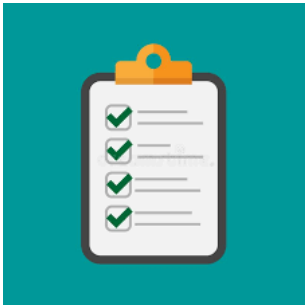


For People Interested in Starting a Business

**Cannabis Advisory Council** comprised 50 appointed or designated individuals, including a **representative from the League of Minnesota Cities**.  
More info: [cannabis.mn.gov](http://cannabis.mn.gov)



# City Role in Regulation



A cannabis business applies for a license through the Office of Cannabis Management.



OCM consults city for zoning approval and feedback.



Cities issue registrations to certain cannabis businesses once they receive a license.



Cities conduct compliance checks and may suspend registrations if needed.



Cities may collect registration fees and are provided 10% of tax revenue.



Aid to Cities  
Local Government Aid (LGA)  
Pensions and Retirement  
Public Finance  
Taxes

# Gary N. Carlson

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*IGR Advisor*



[gcarlson@lmc.org](mailto:gcarlson@lmc.org)



(651) 281-1255



[@garyncarlson](https://twitter.com/garyncarlson)





# Compensation Cap Repeal

- The local government compensation cap and the waiver process (Minn. Stat. § 43A.17, subd. 9) which has been in effect since 1983 was fully repealed in Chapter 62.
- The repeal was effective 5/25/2023.





Aid to cities  
Local government aid (LGA)  
Public finance  
Taxes  
Tax increment financing (TIF)

## Nathan Jesson

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IGR Representative



[njesson@lmc.org](mailto:njesson@lmc.org)



(651) 281-1262



[@nathanfjesson](https://twitter.com/nathanfjesson)

# Aid to Cities and Property Tax Refunds

- New law will update the LGA formula, increase the appropriation by \$80M,
- One-time public safety aid which includes \$210M in aid to all cities based on population
- Ongoing increase to the homestead credit refund for those currently eligible
- One time increases to the homestead credit refund, renters credit, and targeted property tax refund



# Taxes and Tax Increment Financing

- Homestead Market Value Exclusion increased from \$417,000 value homes to \$517,000 value homes
- Reduction in 4d low-income rental housing property tax classification rate and two-year aid to help with transition for cities most impacted by the shift
- State Auditor bill on Tax Increment Financing to clarify ambiguous rules and procedures governing TIF law
- Reenactment of the Historic Structure Rehabilitation Credit



# Local Sales Taxes

- 31 cities had local sales taxes approved though some were changed from their original introduction
- Two-year moratorium agreed to by the House and Senate tax chairs, they will not be considering local sales tax requests in 2024
- Task force also put into place to examine best paths forward in determining how local sales tax requests will be evaluated and what types of projects should be allowed.





Broadband  
Cable/Franchising  
Economic Development  
Federal Relations and Advocacy  
Housing  
State bonding  
Telecommunications  
Information technology,  
Wireless Infrastructure

## Daniel Lightfoot

---

IGR Representative



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[@dflightfoot](https://twitter.com/dflightfoot)

# Housing

- Historic \$1 billion housing omnibus bill contains significant increases in one-time funding for both existing and new programs including:
  - \$200M for Housing Infrastructure Cash
  - \$95M increase to Challenge Fund
  - \$35M increase to Workforce Housing Development Program
  - \$50M for public housing rehabilitation
  - \$20M increase to Workforce Homeownership Program
  - \$4.8M for Local Housing Trust Fund Matching Grants
- **NEW**
  - \$5M for Greater MN Housing Infrastructure (+\$3M GO)
  - \$90M for NOAH Community Stabilization
  - \$40M for Workforce and Affordable Homeownership Acct.
  - .25% Metro Sales Tax distributed to metro cities +10,000
  - \$4.5M formula housing aid distribution to greater MN cities



**Housing is local**



**LMC** LEAGUE of MINNESOTA CITIES



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# Broadband

- \$100M for Border-to-Border Broadband Grant Program
  - \$50M for FY 24 and FY 25 grant rounds
    - \$30M earmarked for general Border-to-Border Broadband Infrastructure Grant Program
    - \$20M earmarked for Lower Population Density Program
- Project funding cap increased to \$10M per project
- FY 24 grant round likely opening late summer/early fall





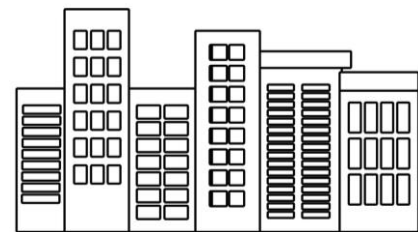
# IJA/IRA Match and Support

- Infrastructure Resilience Advisory Task Force
- Federal Funds Coordinator
- IJA Discretionary Match Funds – Transportation
- State Competitiveness Fund – Energy
- Required state matching to access federal resources
  - Roads and Bridges, Transit, Water, Cybersecurity, Energy, Transportation



# Land Use and Zoning

- "Legalizing Affordable Housing Act" included concerning provisions around residential zoning and land use preemption
  - NOT passed or included in omnibus bill but aspects have bipartisan support and will be a part of 2024 legislative discussions
- Authorization for religious institutions to site "Sacred Settlements" of micro units on religious property
  - Beginning 1/1/24 cities must allow micro units on religious property as permitted use or conditional use to house residents who are chronically homeless, extremely low income, and volunteers
  - Micro units and settlements must comply with long list of statutory requirements and minimum standards






Emergency Management  
Pensions and Retirement  
Public Safety  
State Bonding  
Transportation  
Workers' Compensation

## Anne Finn

---

IGR Director

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# Transportation

- Ongoing funding for the Small Cities Assistance Account and establishes and funds the Larger Cities Assistance Account
- \$18M for the Local Road Improvement Program and \$18M for the Local Bridge Replacement Program
- Increases license tab fees, the motor vehicle sales tax and the gas tax (indexed for inflation)
- Increases metropolitan area sales tax by  $\frac{3}{4}$  percent for transit and county roads.



# Public Safety

- Catalytic converter theft law signed in March
  - Penalties for possession
  - New rules for scrap metal dealers
- Omnibus Judiciary and Public Safety
  - More coming in 2023 Law Summaries
  - Themes: youth intervention, carjacking, body camera footage release, police accountability, recruitment to law enforcement
- Public safety aid in omnibus tax bill



# Public Safety

- Public safety PTSD duty disability bill enacted
  - Separate webinar coming in July
  - Full state funding for continued health insurance benefit
  - Mental injury prevention training required pre-service and in-service
  - No duty disability benefits through the Public Employees Retirement Association (PERA) unless up to 24 weeks of treatment is completed
  - State pays for time off and some expenses for mental injury treatment
  - Reemployment offsets in PERA
  - One-time funding of \$104M





Data Practices  
Open Meeting Law  
Land Use and Zoning  
Building Codes  
Civil Liability  
Procurement

## Brooke Bordson

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IGR Representative



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# Open Meeting Law

## State & Local Government Omnibus Bill - Ch. 62

Authorizes officials to participate via interactive technology from a nonpublic location up to three times in a year for personal or family medical reasons. Removes language that states this exception applies only when a state of emergency has been declared.



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@brookebordson



# Data Practices, Civil Law, Procurement

## **Jobs & Labor Omnibus Bill** - Ch. 53

- Funds the Public Employment Relations Board to hear Unfair Labor Practices (ULP) allegations; establishes applicable Data Practices Act and Open Meeting Law provisions.
- "Duty to defend" added to unenforceable indemnification contracts
- Construction worker wage protection provisions extend liability to general contractors and, in some cases, project owners

## **State & Local Government Omnibus Bill** - Ch. 62

- Authorizes "construction manager at risk" contracts as an alternative procurement method in the Uniform Municipal Contracting Law for contracts over \$175,000.



# Pensions and Retirement

## Pension Finance Bill (Chapter 45)

- Reduction in assumed rate of return for invested assets to 7% from 7.5%
- One-time COLA increase to 2.5% (General Plan) and 4% (Police & Fire Plan)
- \$170M in direct aid to the PERA General Plan
- \$19M in direct aid to the PERA Police and Fire Plan
- PERA General Plan full vesting period changed from 5 to 3 years
- \$5M for a new incentive account for volunteer firefighter relief associations to join the PERA Statewide Volunteer Firefighter Plan






Energy  
Environment  
Land Use and Annexation  
Local/Tribal Relations  
State Bonding  
Sustainable Development  
Water

## Craig Johnson

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IGR Representative

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# Environment

- Per- and polyfluoralkyl substances (PFAS): focus on source reduction; new MPCA and Dept. of Health standards.
- Water appropriation permit enforcement: DNR will have substantial new powers to enforce administrative penalty orders.
- Lead service lines: \$240M; bills amended to work within existing PFA and MDH programs and state/federal lead line replacement plans.
- Emerald ash borer: \$15M for Releaf urban forestry program; more in bonding.
- Natural landscaping: All cities required to allow "managed natural landscape" on all parcels. Other weeds and grasses must not exceed 8 inches in height or go to seed.
- Recycling grants: SCORE grant increase of approx. \$7M per year (to about \$25.5M per year); non-metro recycling and composting grants (\$1M per year).



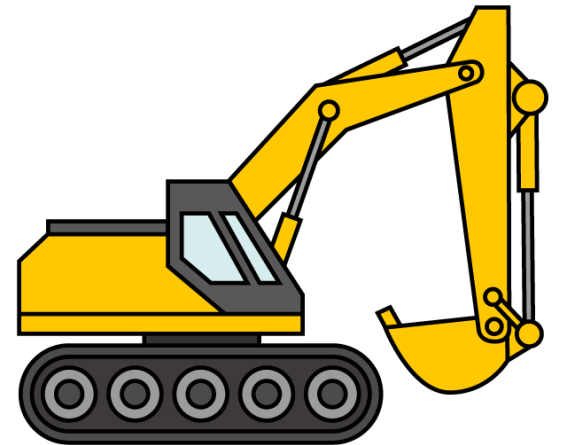
# Energy

- City climate resiliency: \$3M for plans; \$100M for grants to implement plans.
- Energy codes: large commercial and multi-floor residential energy codes tied to latest ASHRAE 90.1 or more efficient standard.
- Solar on Public Buildings: program created, but not funded.
- Clean Energy Resource Teams: annual base funding raised from \$500,000 up to \$1M; provide technical assistance to cities for energy efficiency and other energy projects and planning.



# Bonding

- Chapters 71 & 72 - \$1.5B bonding/\$850M cash
  - Transportation: \$402M
  - Environment: \$10M local tree planting; \$49.7M flood hazard mitigation
  - Water/Wastewater: \$513.5M to PFA
  - Economic Development: \$443M to DEED
  - Housing: \$76M to MHFA





General  
Member Relations  
Policy Committees

# Ted Bengtson

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IGR Administrative Coordinator



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# Weekly Update Live Update



Issue 10 March 23, 2020

### Families First Coronavirus Response Act: New Requirements for Time Off During Health Emergencies

The new federal law, which applies to cities and other employers, expands the Family and Medical Leave Act and provides emergency paid sick leave.

#### In Other News

[Register Now: Daily COVID-19 Webinars Start Today at Noon](#)  
Emergency response during a pandemic can leave you with lots of questions. Take part to find answers!

[Get City-Specific Coronavirus Information From League's News and Resources Page](#)  
The League has compiled a variety of resources related to the COVID-19 pandemic and city operations.

[Join LMC in Encouraging Congress to Provide Funding to Cities Responding to COVID-19](#)  
NLC and LMC are urging Congress members to support federal proposals that provide assistance to local governments responding to COVID-19.

[League's Intergovernmental Relations Team Modifies Advocacy Efforts During Pandemic](#)  
While the Legislature is in recess, League lobbyists are

#### Featured Events

[#WeGotThis: A Free Webinar Series on Pandemic Response](#)  
March 23-27 - 12-12:30 p.m.

[2020 Annual Conference](#)  
June 24-26 - St. Paul

[2020 Clerks' Orientation Conference](#)  
June 24-26 - St. Paul

#### Quick Links

[City Jobs](#)

[Jobs with LMC](#)

[Wanted/For Sale/RFP Announcements in the LMC Marketplace](#)

[Weekly 4M Fund Rates \(Minnesota Municipal Money Market Fund\)](#)

Contact



**Gary N. Carlson** @garyncarlson · Apr 25  
Senate Tax Committee convenes to take testimony and mark-up SF5, the Senate version of the omnibus tax bill. Committee intends to complete work without recess. #mnleg #lmcleg

**Daniel Lightfoot** @DFLightfoot · Apr 24  
After almost 16 hours of debate, the Minnesota House passes the Omnibus Jobs, Energy, and Telecom Bill (HF 2208) as amended. Bill includes \$70 million for broadband funding as well as funding for MIF and JCF. #lmcleg #mnleg

**Daniel Lightfoot** @DFLightfoot · Apr 24  
Senate Finance Committee approves Omnibus Jobs Bill (SF 2611) as amended and advances it to the floor. Includes funding for Minnesota Investment Fund and Job Creation Fund. #lmcleg


**Gary N. Carlson** @garyncarlson · Apr 24  
Senate Tax Committee has now posted the SF5 omnibus tax bill delete-all amendment, amendment summary and fiscal spreadsheet on the committee web site. [senate.mn/committees/com...](#) #mnleg #lmcleg

-  @garyncarlson
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<http://www.lmc.org/bulletin>

#lmcleg

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# 2023 Policy Committees

- **Sign up now!** Over 140 city officials from all over the state discuss issues impacting cities and shape the League's legislative platform.
- **When?**
- *July, August and September*
- **What?**
- **Service Delivery Committee**
  - Elections Task Force
- **Local Economies Committee**
  - Telecommunications Task Force
  - Housing Task Force
- **Human Resources & Data Practices Committee**
  - Data Practices Task Force
- **Fiscal Futures Committee**
- **Interested? Talk to any LMC staff or email: [advocacy@lmc.org](mailto:advocacy@lmc.org)**



Questions?





**LEAGUE of  
MINNESOTA  
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MinnesotaCities  
#MnCities

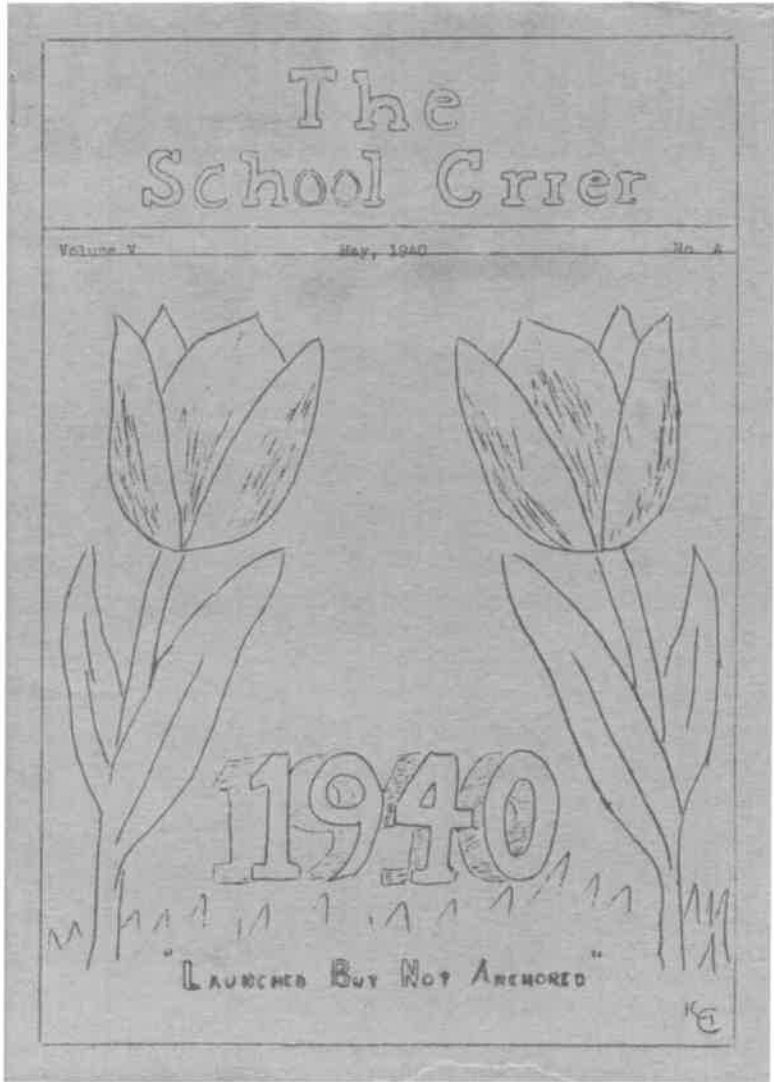


MinnesotaCities



Anoka County  
Historical Society

# HISTORY 21



Volume 53 No.2 March/April 2023  
AnokaCountyHistory.org

*History 21 (in honor of the 21 cities in Anoka County) is published by the Anoka County Historical Society six times yearly as a member benefit. The ACHS is a 501(c)(3) nonprofit organization. Contributions are tax-deductible within the allowable limits of the law.*



# Annual Meeting

Join us for our annual membership meeting!  
Following a short business meeting to approve the 2022 financial report and install new officers, you can experience a taste of the new cemetery tours. Look for your ballot in the mail soon.

**When:** Sunday, May 21, 2 p.m.

**Where:** T.B.D.

Can't make it in person? Join us digitally. Zoom link will be available at [AnokaCountyHistory.org](https://AnokaCountyHistory.org)

*Front Cover:* The School Crier—published by the students of the Commercial Department of St. Francis High School. May 1940 issue. Object ID: 2016.1418.197

ANOKA COUNTY HISTORICAL SOCIETY



Take your place in

**HISTORY**

**2022**

**ANNUAL REPORT**

## EXECUTIVE DIRECTOR'S LETTER

I consider it a great honor to lead an organization focused on the future, while honoring the past. Our board of directors made a conscious choice in 2022 and 2023 to bring the wages of staff closer to a professional margin. This choice meant budgeting for a shortfall while ACHS creates a fundraising plan to make this commitment sustainable in years to come. It meant investing in us as a staff—and we appreciate the implicit trust that conveyed.



Thank you to our members, donors, sponsors, and friends who have not only donated time and effort to local history, but also money. In 10 years we will celebrate our centennial. If those original humans, gathered together for coffee and storytelling, could see their dream now, I think they would feel pride. 2022 added another year of success, challenges, and opportunities to the story of ACHS. I'm excited to share those with you in this report and at our Annual Meeting, May 21.

A handwritten signature in black ink, appearing to read 'Rebecca Ebnet-Desens'.

Rebecca Ebnet-Desens  
ACHS Executive Director



## PRESIDENT'S LETTER

Another fascinating year and even more intriguing stories! As a board, we continue to make our way through a Covid world. We held an in-person meeting in Linwood and another at the Fridley History Center. Our committees are working to fulfill our mission to gather, preserve and share the stories of all the people and communities in Anoka County.

We are blessed with a great staff who have pushed through tough times during the recent pandemic. While many local historical societies struggled, ACHS increased our outreach and digital programming. The board recognized the need to increase our staff wage to make our historical society one of the best in the state. Although we still have work to do in this area of fundraising, we're committed to doing the right thing by our staff. Our mission and vision have not changed and we must keep the lights on and pay the bills to operate.

Thank you to the many donors and volunteers for keeping us moving forward to provide you with your Anoka County history! Your contribution to our organization is greatly appreciated in ways we cannot even tell you. Please consider donating again to our historical society. Let's keep ACHS moving forward with programming history preservation. You can go to our website to donate, buy a gift membership, or adopt an artifact to help us protect history for future generations.

A handwritten signature in black ink, appearing to read 'Richard Oxley'.

Richard Oxley, ACHS President

# THE 2022 ACHS BOARD OF DIRECTORS

Al Pearson, *District #1 Representative*  
Wes Volkenant, *District #2 Representative*  
Orville Lindquist, *District #3 Representative (Treasurer)*  
Lotus Hubbard, *District #4 Representative*  
Richard Oxley, *District #5 Representative (President)*  
Open, *District #6 Representative*  
Dee Ann Christiansen, *District #7 Representative*

Allison Schmitt, *At-Large A*  
Dennis Berg, *At-Large B*  
Daryl Lawrence, *At-Large C (Secretary)*  
Maddison McNamara, *At-Large D*  
Scott Nolan, *At-Large E*  
Paul Pierce III, *At-Large F*  
Steve Florman *At-Large G (Vice-President)*  
Brad LeTourneau, *At-Large H*

Mike Gamache, *Anoka County Commissioner Liaison*

## ACHS STAFF

Rebecca Ebnet-Desens, *Executive Director*  
Sara Given, *Volunteer Coordinator*  
Erin McBrien/Kassandra Mckenthun, *Archivist & Collections Manager*  
Don Johnson, *Digitization*  
Karen Johnson, *Office Staff*  
Cindy McKinney, *Front Desk*  
Jan Bergstrom, *Transcription*

Andover, Anoka, Bethel, Blaine, Centerville, Circle Pines, Columbia Heights, Columbus,

Coon Rapids, East Bethel, Fridley, Ham Lake, Hilltop, Lexington, Lino Lakes, Linwood, Nowthen, Oak Grove, Ramsey, St. Francis, Spring Lake Park



# January



**January 12-13: Civil War Program** *Head into AMSA 6th grade classes—600 students!*

**January 18: Storytelling 101** *A three-month series of interactive guidance to add color to biographical facts*

**April 24-26: MALHM Conference** *A chance to connect with museums around the state. Presented "When all the Spaghetti Sticks"*

**May 22: Annual Meeting**



**June 18: Federal Cartridge centennial celebration**

**June 24: Jell-O Races at Blaine Festival**

**July 9 : Anoka Riverfest, Federal Cartridge exhibit opening, & Yard Sale**

**July 25–31: Anoka County Fair**

**August 17: Willys Overland Knight Registry Upper Mississippi Valley Chapter Group Day**

**August 19-21: Nowthen Threshing Show**

**August 22: Arfstrom fundraising Event**

**August 28: Conocer los Parques, Fridley Latinx event and festival**

# June

# September



**September 1: Ghost Tours** *Two months of presenting the history and mystery of Anoka for ACHS's largest fundraising effort of the year*

**September 13: Wargo Nature Center Heritage Lab** *Six weeks of presenting history lessons to students*

**September 22: Flora Aldrich Program** at the Coon Rapids Senior Center

**September 27: Mini Family Archive Program** at the library

# Take your place in **HISTORY**

The billboard advertisement we ran in partnership with the Discover Anoka businesses on highway 169 said it all: Take your place in history.

Stories are central to history. It's right there in the word. Without them, the past would merely feel like dates and names strung together with no meaning.

Stories are the glue holding communities together, creating shared experiences we can use as a foundation.

Stories introduce new ideas and thoughts, give us characters and lessons, and create a common ground for understanding each other as people.

What is your story? Your place in history? How will ACHS programs and archive reflect your life 75 years from now?

## A STORYTELLING FOCUS

Beginning with 2022, ACHS has committed to telling the story of storytelling:

- Received a Legacy Grant to digitize the Olson Family Collection from East Bethel
- Hosted a program with Mary Jo Pehl on how to write a memoir using nontraditional resources
- Gave a storytelling workshop that asked people to use all five senses when remembering their past
- Planned for an exhibit featuring methods of storytelling people can apply to their own legacy stories
- Created the Adopt An Artifact Program to connect people with the stories in our collection
- Translated the Story Gathering Form into Spanish and added both to the gift shop



*Andi Sherek at Wargo Nature Center*

# 2021 vs 2022

37K

Visitors

25k

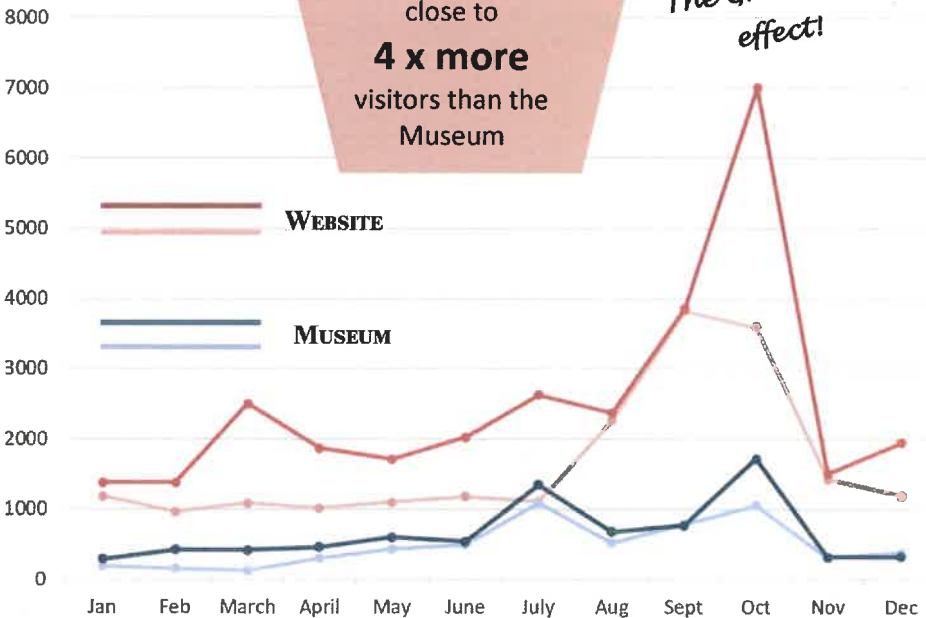
## VISITING ACHS

When we decided to remake the website four years ago, we never dreamed we would see the impact we have. Not only is it a place to post our latest events, most recent podcasts, and the donation button, but **AnokaCountyHistory.org** has become a portal open 24-7 where researchers can access a portion of the collection, watch digital programming, and see online exhibits. One of our goals for 2024 is to create 21 pages—one for each city—with maps, images, and history for you to enjoy.

DID YOU KNOW?

The Website gets close to **4 x more** visitors than the Museum

*The Ghost Tour effect!*



## SOCIAL MEDIA

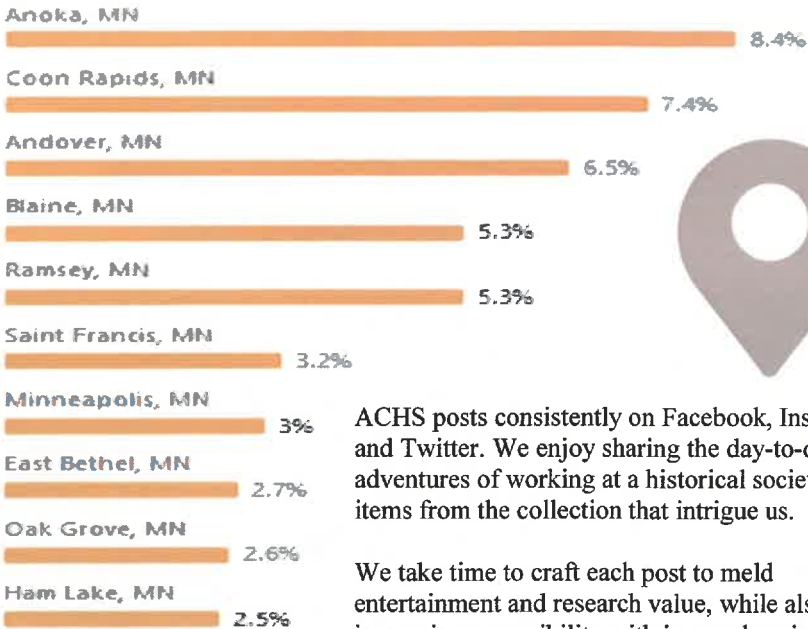
You know those parts of your day when you want something fun to read but nothing heavy enough to make you think too hard? Our social media continues growing with small, bite-sized tidbits of county history, personal interest stories--and photos! We love sharing those.

## FOLLOWERS



### Top cities

## WHO DO WE REACH?



ACHS posts consistently on Facebook, Instagram, and Twitter. We enjoy sharing the day-to-day adventures of working at a historical society and items from the collection that intrigue us.

We take time to craft each post to meld entertainment and research value, while also increasing accessibility with image descriptions and closed captions.

\* Graph and stats from FB



As I head into my 10th year (TEN?!?!?) at ACHS, it's been amazing to see how we have grown. Sharing Anoka County History, and our quirky love of it, to literally thousands of people each year blows my mind.

Sara Given, Volunteer Coordinator

# RESEARCH REQUESTS

One of the most exciting parts of ACHS comes in the form of questions we receive. What did my house look like back in the day? Where did Grandma come from? Why did that business move locations? We field these inquiries daily from patrons who walk in, email, call, or tag us on social media.

One of our goals for 2023 is to track these interactions more closely to see just how many curious people come to us in a year. For now, we can report 65 requests via email to the Collections Manager inbox and 536 in-person requests—we're excited to know how many more we're helping.



Contrary to the photo evidence, this specific shade of blue is not a requirement for researching at ACHS.



**Left:** Woman researching family in Centerville in a handwritten ledger.

**Middle:** HVAC workers figuring out how the museum's air system works from an original blueprint of the building.

**Right:** Jeremiah Ellis, a McWatt fellow for the Ramsey County Historical Society, looking at Twin Cities Ordnance Plant documents donated as part of the Federal Collection.

## FACILITY UPDATES

A significant portion of our budget each year is allocated to preserving the integrity of our building. Like any home, minor repairs add up over time, and those big ones? They hit hard. Fortunately, we haven't had issues lately with the walls and roof envelope elements.

In 2022, the boilers required a significant amount of maintenance effort. All four small units need serious attention to descale and change a few parts. We also completed some work on the AC unit to reduce the humidity in the summer—the collection

can't be stored in either too high or too low moisture. One of the most cumbersome jobs became changing light bulbs—one doesn't realize how high the ceilings are! (Thanks, Larry!)

Preserving the collection also means maintaining our digital needs. In 2022 we added several terabytes of space to our server, allowing us to continue backing up our day-to-day operational details and our ever-growing collection of artifact scans and pictures. Big thanks to Jane, Wayne, and Wes for their donations of computers to keep our researchers moving at the speed of the modern world!

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## HISTORY 21: THE VAULT

In its second year, The Vault membership has increased 63% in revenue, becoming a true source of income for ACHS. For 2023, look for special conversations between Sara and Rebecca regarding sensitive collection items and fun videos from Kassy as she discovers something unique in the stacks. If you're not a subscriber, join the fun at [AnokaCountyHistory.org/history-21-the-vault-1](https://AnokaCountyHistory.org/history-21-the-vault-1).





## SEASON 2

1. Flora Aldrich's "The One Man"
2. Dennis Berg
3. Reading Corps
4. Erin's 1st Anniversary
5. Hazel Hartman
6. Ben Mchie-McWatt Fellow
7. Big Stoop Orchestra
8. Adem Ojulu-McWatt Fellow
9. Fridley Tornado
10. Lindsay Christiansen - Development Hire
11. Bruce Cameron— WWII
12. Bone Watch Fob
13. Federal "On the Street"
14. Federal Oral History
15. Daryl Lawrence, local author
16. Linda Rodgers— Cedar memories
17. BWH-AMBI Ghost Stories
18. Anoka State Hospital oral history
19. Mary Jo Pehl— MST3K
20. Liz McFarland— Halloween Parade
21. VEERAC engines
22. Forgotten Star Brewery
23. Sam Hermanstorfer
24. Jim Kordiak



# HISTORY 21 THE PODCAST!



**50** EPISODES

**2.1K** PLAYS

We hoped our podcast would increase our audience reach, document modern history, and feature members of the community in a different way. We've achieved that, plus some.

During it's second year, we were able to move beyond the technical questions we had in year one. We had conquered posting and RSS feeds, sharing to podcast catchers and embedding the widget on our website. Now we turned our attention to the smaller details like incorporating recordings from WCCO made the night of the Fridley tornado or a family member reading Dr. Giddings' letters, which added dimension.

A big thank you to those who shared the production on social media, including the Minnesota Historical Society, and our Minnesota History Award from MALHM.

Podcasts



History 21: The Podcast!  
Anoka County Historica.

Sharing the stories and audio journeys from Anoka County's past and...

▶ Latest Episode

## THE INTERN CREW

The Anoka County Historical Society has a number of internships available on an ongoing basis and this year our interns worked on a variety of projects tailored to their backgrounds and goals.



Lani was an intern for this summer who had a background in art and was in the art program in Moorhead, so she worked on the Arfstrom collection. She wrapped all the newly accessioned Arfstrom sketches in mylar and organized them into archival boxes. Lani also took inventory and condition reports of the existing works of Arfstrom art. Her hard work poised this portion of the collection to be some of the most well-documented objects.



Maggie was another summer intern who worked with the collection. As a pre-law student, she worked exclusively on processing the Pratt Files, mainly consisting of documents from court cases in the late nineteenth to early twentieth centuries. Maggie focused most of her efforts on organizing them into a more manageable system within the boxes so that they were all set up for a volunteer to work on in CollectiveAccess over the winter.



Throughout her 10-month internship, **Emily** received hands-on experience with the archiving processes at ACHS. During this time, she learned how to follow the archival processing technique from start to finish correctly, create archival records, use and navigate online databases, and properly accession, label, and store various historical objects and documentation.

*Thank you for all your help!*



# VOLUNTEER



The year goes so quickly



with their help!



*Clockwise: Peyton serving pickles at the threshing show; Jan and Erin at our Riverfest Booth, Orville playing with old maps at the County Fair; Rich grabbing the fair box for a festival.*

## NATIONAL HONOR SOCIETY STUDENTS

At the end of January we reached out to all the National Honor Societies in our county's high schools. **Twenty two students worked 104 hours** scanning photographs—that translates into hundreds of images that will now be accessible to researchers in our online database.

# GHOSTS OF ANOKA WALKING TOUR

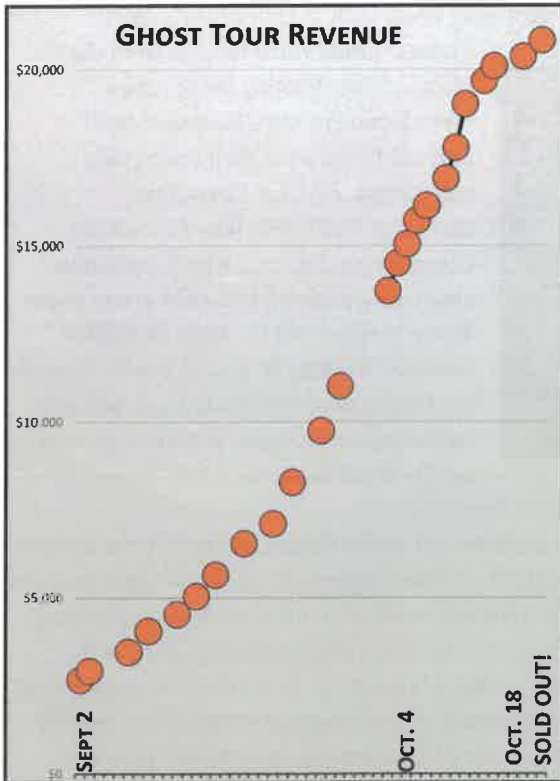
This year marked the 18th Annual Ghosts of Anoka Walking Tour event, and becoming an official adult didn't slow us down.

The tours are a staple of Halloween fun in Anoka and a must-do experience for people visiting from around the county, the state, and even the country and world. One human came from Sweden (and laughed when they learned their country's crown prince visited Anoka), a couple living in LA was in town to "meet the parents," as well as visitors from Maine and New Mexico.



The in-person tours sold out by the middle of October, with no active advertisement beyond social media posts mentioning that tickets officially went on sale. Our exceptional, dedicated, and fun volunteer Ghost Tour Guides

led over 1,500 people on tours, raising over \$21,000 for the museum. That's a big help! The program as a whole raised \$25,000.



\*Reflects public tour ticket sales only

The ongoing success of this event means there is room for growth as we head into our 19th year. The answer is clear—we need to add more tours. But to offer more tours, we must add more guides. Each guide receives a ghost tour script but is encouraged to put their personality and flair into sharing the stories and history.



You may know someone who loves Halloween and would be interested in joining the exclusive ranks of our Ghost Tour Guides—send them over!

# THE FEDERAL COLLECTION CULMINATION



Federal Cartridge Company of Anoka celebrated its much-anticipated centennial anniversary in 2022. In preparation, ACHS spent much of 2020 and 2021 cataloging 75,000 artifacts, documents, and photos donated by Federal into the collection. Many of these items are available online at [MNCollections.org](http://MNCollections.org) or through our website for research.



Staff worked with journalists across the country to produce feature pieces on the anniversary using this new collection. As our research progressed, ACHS developed and opened a physical exhibit at Riverfest in June featuring items such as Bob Ehlen's safety



glasses, 1960s video footage from the plant, a Nerf shooting range, and a reproduction of the Clubhouse. Staff also published an exhibit companion piece titled, *Federal First Class: Stories of the People Who Primed the Company for Success*, which highlights employees pictured in a 1925 group photo. These profiles told the story of Anoka residents working at a local factory through the Depression, two world wars, and many technological changes. A portion of this exhibit is available at



[AnokaCountyHistory.org](http://AnokaCountyHistory.org).

The massive event hosted on the Federal campus in the summer gave staff at ACHS another opportunity to meet employees past and present. People who worked in the greenhouse cultivating the carnations worn by Charles Horn, architects behind the signature in the corner of blueprints, and those who understood the nuance of the machinery all stopped to tell a tale. We still welcome tidbits and tall tales into the collection—jot some notes, make a recording, or send in some pictures.

# THE COLLECTION BY NUMBERS

Part of our mission is to gather and preserve Anoka County History, which means that the ACHS collection is constantly growing. The final step of processing an item is finding a physical space in the building. Unfortunately, our area is finite. In working towards accepting new items with deep connections to the County, the staff looks at de-accessioning (removing) items that do not have a story or relationship.

152  
Items  
Deaccessioned



33  
Accessions  
719  
Objects

**Museum term:**  
An “accession” is the museum term for a group of items one person has donated. Sometimes an accession is one item, while other times it is hundreds of items.



## ADOPT-AN-ARTIFACT KICK-OFF

In the final month of 2022, ACHS started a new program to help sustain and showcase the ACHS collection beyond its first box or folder.

**Ham Lake Anytime Fitness** became the first adopter in this program as a Caretaker of the Charles Atlas exercise materials. Atlas distributed the program himself in the 1950s and 1960s. This program was divided into 12 installments on how to build muscle in targeted areas of the body, with himself as the ideal.

ACHS strives to align the artifacts proposed for adoption with the values and passions of the person or business to make the connection more personal. Learn more about the program via the QR code [right] and visit the museum to see what items have already been adopted.



# Collections report



ACHS used this year as a transition period because our previous collections manager, Erin, accepted a new position, and Kassandra stepped in as interim archivist over the summer on a part-time basis. After the summer, she had to complete her master's degree in

history before beginning full-time employment as the new collections manager in January of 2023. Although the collections department experienced a slowdown in processing donations this year, the collections management branch of the museum did extensive public programming and exhibit installation compared to years past.

Since spring 2022, Kassandra has focused most of her energy on exhibit installation and outreach programs. Fortunately, this allowed her to become more familiar with the collection and the community. She has cultivated community relationships that will continue to blossom and create more meaningful connections to the ACHS collection.

*Above: Kassy installs a temporary exhibit at the Centerville City Hall featuring local veterans.*



*Right: Among our library displays this year was a feature of Jon Arfstom's work.*



Thankful to be back! Only a couple of years ago, I was an intern for ACHS, helping process the Federal collection for what I discovered was an incredibly welcoming community.

Now, I am overjoyed to be able to serve this community once again. 2022 has been a busy year for me, full of learning and laughter here at the museum. Thank you for allowing me to learn and grow as your new collections manager.

**Kassandra Mackenthun, Collections Manager**

## Collections Outreach



### Northtown Library Arfstrom Art Exhibition (July-August)

We continue our relationship with the Arfstrom family to install prints of Jon's art along the walls of the Northtown Library in Blaine. It was a great success that will assuredly lead to future collaborative opportunities. It gave the Arfstrom items of ACHS's collection and the general collection more exposure to the Anoka county community.

### Northtown Library Halloween Exhibit (October)

This exhibit is a library favorite, so we included items from the collection that are rarely displayed. This allowed for different objects in our collection to experience public exposure, while the appeal of Halloween would entice them to Adopt an Artifact from our Halloween collection.



### Centerville Veterans Exhibit (November)

The Veterans exhibit was significant to Centerville since its installation coincided with the celebration of Veterans Day. Although our collection lacked viable 3-D objects, the few we found and the information we gathered from the research library and online records created a well-organized display for the community.



### Northtown Library Blaine Exhibit (November)

ACHS strives to collaborate with local historical societies to benefit the communities. The Blaine Historical Society created an excellent display featuring their city and incorporated a few pieces from ACHS. These traveling exhibits provide an opportunity to

showcase the smaller portions of our collections best displayed in conjunction with other items. We would enjoy discovering new locations for these pop-up displays!



## THANK YOU!

### ANOKA COUNTY

Partnerships that survive the test of time speak to the level of mutual trust and respect between the parties. The staff and board members of ACHS continue to feel gratitude to the County of Anoka for not only saying local history is critical to maintaining the legacy of their residents, but also showing their support to our nonprofit with essential operating funds. Thank you for investing in the preservation of so many stories for our future generations.

### CITY OF ANOKA

We thank the City of Anoka for their continued support and advocacy of local history through their generous in-kind donation of rent for the library building ACHS occupies. Valued at \$80,000 annually, this donation allows ACHS to focus our energy on collecting and preserving the stories of the county.

## COLLECTION BEHIND THE SCENES



We made some space on our shelves for the largest donation of Arfstrom sketchbooks and artwork. The donation has total of 473 items processed in 2022.



### Spanish Story Gathering Form

In 2021, ACHS unveiled a Story Gathering Form to help families through the process of recording their stories. Now, you'll find the same form translated into Spanish to help even more families document their legacy.

While we would love the content to come live in the museum archive for future generations, the critical thing is that Anoka County residents keep their stories alive within their families, organizations, or clubs. Please help us promote this tool through 2023!



## MALHM AWARD, PODCAST

ACHS received a Minnesota History Award from the Minnesota Alliance of Local History Museums (MALHM) for *History 21: The Podcast*. One committee member said, “This is a great example of a historical society taking risks and using the technologies available to them to accomplish their core mission of educating and interpreting history.” The podcast completed its second full year in 2022, featuring the Fridley tornado (complete with WCCO recordings), oral histories from the collection, and the Big Stoop Orchestra.



## LWV AWARD

The League of Women Voters, Anoka, Blaine, and Coon Rapids, presented ACHS with a Friend of the League Award. Given in appreciation of our partnership to celebrate their 100th anniversary, the award represents how relationships strengthen through a shared, mutual goal. ACHS curated the League’s research into an exhibition and companion publication, as well as an online exhibit, still available at [AnokaCountyHistory.org](http://AnokaCountyHistory.org)

## MCWATT FELLOWSHIP GRANT

ACHS teamed up with comrades at the history centers of Ramsey, Hennepin, and Dakota Counties for a partnership grant funded through the Minnesota Arts and Cultural Heritage Fund to offer the McWatt Fellowship. Each organization received two fellows who created ways for ACHS to preserve the story of African Americans in the county. Adem Ojulu recorded conversations with African immigrants speaking in their tribal language and cooking a traditional meal. Ben Mchie constructed a curriculum based on food traditions to guide community elders and students in a recorded conversation and story share called Street Teams.





## KEY TO THE ACHS BOARD OF DIRECTORS

Each member of the ACHS Board sits on one committee, and focuses on improving that aspect of the society. But what are they?

**GATHER COMMITTEE**—Committee members work directly with the Collections Manager to determine the content of the museum archive, direction of the exhibits, and future preservation needs.

**ENGAGE COMMITTEE**—These volunteers work with ACHS staff to plan events, programming, and outreach. Often these are the faces you'll see at festivals!

**MANAGEMENT COMMITTEE**—Every organization needs the “nuts and bolts” people. This group develops the investment strategy, fulfills human resources needs, maintains the facility, and oversees the budget details.

**DEFINE IDENTITY**—Staying relevant and innovative takes effort, as does creating branding, mission, and developing new board members. This group works to professionalize our approach to the world and encourage questions.

### THE BOARD ON THE ROAD

The ACHS board of directors left their ZOOM meetings twice to spend time with other historical societies in the county this year.

Their visit to Linwood began with the sounds of historic machinery coming to life, followed by a tour of the Grange building. The Fridley Historical Society talked about their collection and newly installed Embers booth.



*ACHS and Linwood Historical Society board members by the Grange building.*

At both locations, board members exchanged ideas and compared processes needed to run their organizations smoothly. While we differ in size and budget, the passion and dedication of volunteers to maintain a repository for local history is equal. The Board would enjoy visiting other groups in 2023—any suggestions?



# What will 2023 Bring?



## NEW EXHIBITS


The time has come to take down Federal Cartridge and install new stories of our local residents. Our Storytelling exhibit will feature the research and preservation experiences of several families as examples of how you can organize our own heritage tale. Look for commonalities and differences as well as helpful tips!

## CEMETERY TOURS

Tickets will go on sale for the new and improved Cemetery Tours in Anoka, Ham Lake, and Centerville this May and June. After a decade of rest, these programs will tell the non-spooky tales of people, the meaning of their headstone symbolism, and some community history for context.

## FESTIVALS

Although we try, we can't be everywhere at once! Enter our new rotating city festival schedule, allowing us to see everyone once every three years.

- 
- Continued digitization of the ACHS collection
  - Creating additional interactive content for *History 21: The Vault* users
  - Maintaining the production value of *History 21: The Podcast*
  - Increasing participation from under-served geographical parts of the county
  - Converting social media followers into members, donors, and volunteers
  - Producing a Spanish language version of the *Ghosts of Anoka Walking Tour*
  - Increasing capacity for guests to participate in the *Ghosts of Anoka Walking Tour*
  - Teaching middle school Creative Writing students how to use primary resources
  - Creating a collections storage solution for our space limitations
  - Implementing a more formal recruitment process for board members
  - Continuing to expand the online exhibits available on our website
  - Producing an interactive, engaging Storytelling exhibit

# 2022 FINANCIAL STATEMENT

## Anoka County Historical Society

Budget vs. Actuals: budget FY2022 - FY22 P&L

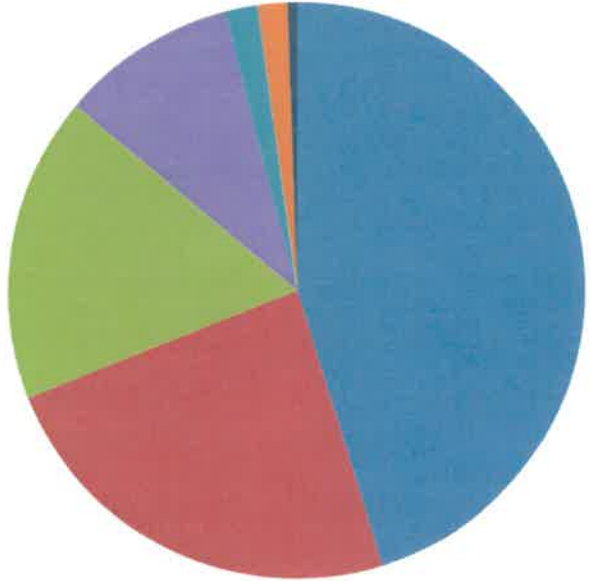
January - December 2022

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Revenue</b>				
Inkind Revenue	85,546.39	88,085.04	-2,538.65	97.12 %
Sales	215.01	200.00	15.01	107.51 %
Sales of Product Revenue	693.34		693.34	
<b>TOTAL SUPPORT</b>				
Anoka County	162,823.00	162,823.00	0.00	100.00 %
Donations	57,884.11	71,100.00	-13,215.89	81.41 %
Interest Income	7.62	300.00	-292.38	2.54 %
Membership Dues	6,135.50	4,800.00	1,335.50	127.82 %
Other Income	688.90		688.90	
Programs and Events	33,255.01	25,850.00	7,405.01	129.85 %
Sales	1,082.58	1,884.10	-801.52	84.28 %
<b>Total TOTAL SUPPORT</b>	251,858.72	258,157.10	-6,298.38	98.34 %
Uncategorized Revenue		520.75	-520.75	
<b>Total Revenue</b>	\$338,111.46	\$344,982.89	\$ -6,871.43	98.01 %
Cost of Goods Sold	\$0.00	\$42.64	\$ -42.64	0.00 %
<b>GROSS PROFIT</b>	\$338,111.46	\$344,920.35	\$ -6,808.89	98.03 %
<b>Expenditures</b>				
Advertising	797.20	658.00	139.20	121.16 %
Auto Expense		154.00	-154.00	
Bank Service Charges	336.59	2,200.00	-1,863.41	15.30 %
Building Expenses	42,520.28	37,194.55	5,325.71	114.32 %
Computer/Software Expense	11,046.48	10,000.00	1,046.48	110.46 %
Dues and Subscriptions	3,319.09	2,800.00	519.09	118.54 %
Food	267.23	200.00	67.23	133.62 %
Furniture & Other Equipment	737.67	200.00	537.67	368.84 %
Gifts	115.80	200.00	-84.20	57.90 %
Human Resources Expense	884.85	2,230.00	-1,345.15	39.68 %
Inkind Rent	80,000.04	80,000.04	0.00	100.00 %
Insurance	6,823.89	5,339.29	1,284.60	124.08 %
Museum Exhibit Expense	4,248.98	2,000.00	2,248.98	212.45 %
Networking	100.00	200.00	-100.00	50.00 %
Office Supplies	5,465.28	7,200.00	-1,734.72	75.91 %
<b>PAYROLL</b>	190,491.93	208,724.00	-18,232.07	91.28 %
Postage and Delivery	1,541.97	2,800.00	-1,258.03	55.07 %
Preservation Supplies	2,280.90	4,000.00	-1,719.10	57.02 %
Printing and Reproduction	8,643.97	2,800.00	5,843.97	308.71 %
Professional Fees	18,207.16	9,450.00	8,757.16	192.67 %
Program Expense	1,387.11	8,000.00	-6,612.89	17.09 %
Purchases	635.58	200.00	435.58	317.79 %
QuickBooks Payments Fees	29.71	23.89	5.82	124.36 %
Reconciliation Discrepancies	0.20		0.20	
refund	-50.00	-6.00	-44.00	833.33 %
Repair/Maintenance-Non-Building	89.83		89.83	
Sales Tax Expense	137.00	400.00	-263.00	34.25 %
Travel Expense	1,182.24	1,000.00	182.24	118.22 %
Uncategorized Expenditure	65.99		65.99	
<b>Total Expenditures</b>	\$361,086.94	\$367,867.77	\$ -6,880.83	98.29 %
<b>NET OPERATING REVENUE</b>	\$ -42,975.48	\$ -49,047.42	\$ 771.94	99.83 %
<b>Other Revenue</b>				
Investment Revenue	-57,885.86	33,271.55	-91,157.41	-173.98 %
<b>Total Other Revenue</b>	\$ -57,885.86	\$ 33,271.55	\$ -91,157.41	-173.98 %
Other Expenditures	\$0.00	\$25,000.00	\$ -25,000.00	0.00%
<b>NET OTHER REVENUE</b>	\$ -57,885.86	\$ 8,271.55	\$ -66,157.41	-669.82 %
<b>NET REVENUE</b>	\$ -100,861.34	\$ -34,775.87	\$ -66,085.47	290.03 %

Notes: While significantly short of zero, the net operating revenue came in nearly perfect compared to the amount the board of directors budgeted for 2022. The ACHS investments felt a loss, which negates the gain made in 2020. "Professional Fees" includes payments to accountants for the compilation and form 990 and grant costs for the Federal Cartridge Oral History Project. "Building Expenses" includes utility payments, repairs, janitorial services, pest control, and security monitoring.

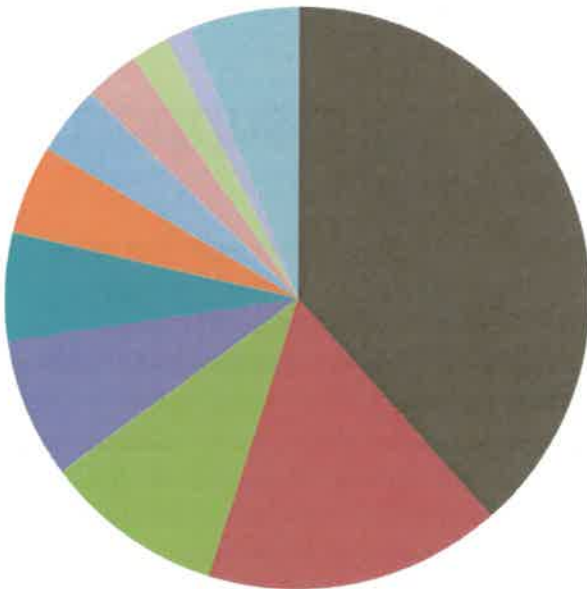
## REVENUE

- Anoka County
- Anoka, City In-kind Rent
- Donations
- Programs & Events
- Membership Dues
- In-Kind, other
- Sales



## EXPENDITURES

- Building Expenses
- Professional Fees
- Computer/Software
- Printing & Reproduction
- Insurance
- Office Supplies
- Museum Exhibit Expense
- Dues & Subscriptions
- Preservation Supplies
- Postage & Delivery
- Other



\* Excludes Payroll

## THANK YOU TO OUR SUPPORTERS

All lists reflect Dec. 30, 2022 to March 2, 2023

### General Donations

Anoka County  
Ralph Ballinger  
Dennis & Darlene Berg  
Mike & Mary Clark  
James & Pamela Deal  
Ed & Marg Faherty  
Mark & Laura Hilse  
Lotus & Richard  
Hubbard  
Debbie LeVasseur  
Alan Nedohon  
Al Paulson  
William Perkins  
Allison Schmitt  
Dawn Siber  
Corie Stadick  
Chuck Zielen

### New Members

Angela Marie Armstrong  
Bee Memorable  
Marketing

James & Pamela Deal  
Debbie LeVasseur  
Alan Nedohon  
William Perkins  
Corie Stadick  
Ed Wehling

### Adopt-An-Artifact

Benedictine Living  
Community Anoka  
Mad Hatter Restaurant,  
Liz & Tim Koch  
Merrie Ann Glowaski  
Kelly McKernan  
Dirk & Tammy Schmitz

### ACHS Sustaining Members

Troy & Karen Brown  
Ginny Bites LLC  
Lotus & Richard  
Hubbard  
Veronica Johnson

Bradley J. LeTourneau-  
Blackbird  
Scott Nolan  
Northeast Bank  
Lynne & Terry Rickert  
Allison & Brian Schmitt  
Wes & Cheryl Volkenant  
Rita Warpeha

### ACHS Business Members

Bee Memorable  
Marketing  
Billy's Bar & Grill  
Fifth Avenue Dental  
KU-MA-IN  
Nowthen Historical  
Power Association  
Peterson Shoes  
Pierce Refrigeration

*And especially*

# Thank you for your support!

Thank you to our partners • Ambi Wine Bar • Anoka American Legion Post 102 • Anoka Chamber of Commerce • Discover Anoka • Anoka County Genealogical Society • Anoka County Fair Board • Anoka Hennepin School District • Anoka *UnionHerald* • Anoka County Libraries • Arfstrom Family • Blaine Festival • Connexus Energy • CTN • Federal Cartridge Company • Fridley Historical Society • Jim and Pam Deal • Italian American Club Foundation • League of Women Voters—ABC • Linwood Historical Society • MetroNorth Chamber of Commerce • MN Digital Library • Nowthen Threshing Show • Nowthen Heritage Festival • Philolectian Society • QCTV • RSVP • TCART • Vietnam Veterans chapter 470 • Wargo Nature Center

### History Center Hours—Spring Hours begin April 1

Closed Saturday, Sunday, Monday

Tuesday 1-7 p.m., Wednesday-Friday 10-4 p.m.

Call us for a research reservation or to schedule shenanigans!

### ACHS Board Meetings

Second Thursday of each month. 6:30 p.m. via Zoom

Open to membership and the public. Find the link to attend digitally at [AnokaCountyHistory.org](http://AnokaCountyHistory.org) on the calendar.

### ANOKA COUNTY GENEALOGICAL SOCIETY MEETING

**When:** March 16, 6:30 p.m.

**Where:** Anoka County History Center

"After a short business meeting to introduce Kristen Woizeschke, the Adult Services Librarian at the Rum River branch of the Anoka County Library System to exploring partnerships for co-hosting future genealogy classes and programing, our spring program will be a discussion from all of you about something or someone you were surprised to find when doing your genealogy research. Be ready to share this unexpected discovery with the group."

**CEMETERY TOURS! - SAVE THE DATE.** Tickets will be available April 1.

Glen Carey Cemetery, Ham Lake. May 6, June 3

St. Genevieve Cemetery, Ceneterville. Tentative May 20, June 10.

Forest Hill Cemetery, Anoka. June 17, June 24

**Keep up with the**

**Fun at ACHS!**



Anoka County  
Historical Society



AnokaCoHistory



Anoka County  
Historical Society  
2135 Third Avenue North  
Anoka, MN 55303  
(763) 421-0600  
AnokaCountyHistory.org

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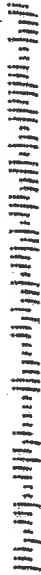
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Spring Lake Park, MN 55432-2188

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Kare + SLP Park & Rec,

Thank you for being a  
great partner w/ SLPITS. We  
so appreciate the City + Park & Rec  
sharing the Able Track softball fields.  
Your assistance allows us to create  
a great experience for our student-  
athletes. Thanks again for all you  
do for SLPITS + our community.

Will Wainman





NEWS AND INFORMATION

FOR PUBLIC WATER SUPPLIERS IN MINNESOTA

## Gunilla Montgomery Dies



For many years Gunilla Montgomery was the face (and voice) of training for water operators, conducted by the Minnesota Department of Health (MDH) and the North Central/Minnesota Section of American Water Works Association.

Gunilla ran a tight ship and made sure operators were back in the classrooms on time, ringing a bell to emphasize that break time was over. Some practical jokers once glued the clapper of the bell to the inside, leaving it ringless. Undeterred, Gunilla used other means to get people back into the rooms.

Gunilla was born in Örnköldsvik, Sweden, in 1930. She came to the United States to attend the Yale School of Medicine. Gunilla began her career at the Wisconsin Department of Natural Resources in 1973 and four years later came to MDH, where she worked until 2002, taking a two-year leave to work on water issues in Sri Lanka for the World Health Organization.

Even though it's been more than 20 years since Gunilla retired, the mention of her name brings a smile to the old-timers who remember her.

## Free Virtual Workshops Coming Up

In conjunction with the Minnesota Department of Health (MDH), Minnesota Department of Natural Resources, and Minnesota Rural Water Association, the U. S. Environmental Protection Agency is presenting two virtual half-day workshops on drought preparedness and water loss for utilities.

Drought Preparedness will be held on Zoom from 8:30 to noon Central Time on Tuesday, June 6. Water Loss for Utilities will be at the same time on Wednesday, June 8.

The June 7 workshop will include a Minnesota drought system overview, information on federal funding for drought resilience, and strategies and solutions related to water conservation and efficiency.

June 8 will have an introduction to water loss and leak detection, case studies, and a look at the American Water Works Association (AWWA) water audit software. This software can be downloaded at <https://tinyurl.com/3k95kx7>.

The workshops are for drinking water and wastewater utility operators and managers, technical assistance providers, and local, state, and federal government agencies.

Minnesota water operators will earn 3.5 direct hours for each day of the workshop.

To register, go to <https://tinyurl.com/yxtu3633>.

## Quote of the Quarter

**"It pays to agitate."**

—From an article, "The Birth of a Nation," in *The Appeal* (a St. Paul African American newspaper), October 30, 1915, page 3 (reprinted in "White Supremacy on Parade: The Fight to Stop Birth of a Nation in the Twin Cities," by Drew M. Ross, *Minnesota History*, Spring 2023, pages 170-180).

## Anoka Water Keeps Up with City's Growth

For decades Anoka was a free-standing city about 25 miles northwest of Minneapolis. The confluence of the Rum and Mississippi rivers brought pine logs, sawmills, and people to create a robust lumber industry, leading to the incorporation of Anoka in 1878.

Now part of the Twin Cities metropolitan area—partly by its own growth but more by the development of swelling suburbs between the cities—Anoka has a population of just over 17,000. It is known for tornadoes (the nickname of the city's high school) and pumpkins (as the self-proclaimed Halloween capital of the world) as well as being the hometown of luminaries ranging from Briana Scurry to Garrison Keillor.

Anoka retains an independent nature distinct from its neighboring communities. "The unique thing is, it's like being in a small town," says Mark Anderson, Anoka's director of public services. "Everybody knows everybody, but it's still connected to the metro."

Independent and self-sufficient, Anoka has had a public water system for more than a century, first using the Rum River as a source. A disease outbreak prompted the city to drill two wells and construct a building to house both water and electric operations. Remnants of the structure and wells still exist although Anoka has moved on to have four water treatment facilities to serve six wells. Ranging in depth from 274 to 657 feet and drawing from the Mt. Simon and Mt. Simon-Hinckley aquifers, the wells are in close proximity to the plants, which are spread out around the city.

All of the water plants contain pressure filters, consisting of silica and anthracite, to remove iron and manganese as well as radium. Three of the wells have radium issues, and the city operated under a compliance agreement with the Minnesota Department of Health for a few years.

The radium in the water was reduced through co-precipitation with the addition of hydrous manganese oxide (HMO). "Radium is actually really easy to remove," said John Thom of SEH, Inc., which has worked with the city on the issue. "Raise the manganese level in the effluent in the wells to the point that the radium will attach to the manganese. Then take that out."



Marcus Mihelich, Donny Roseth, and Pete Klingenberg in front of the filters in the existing plant.

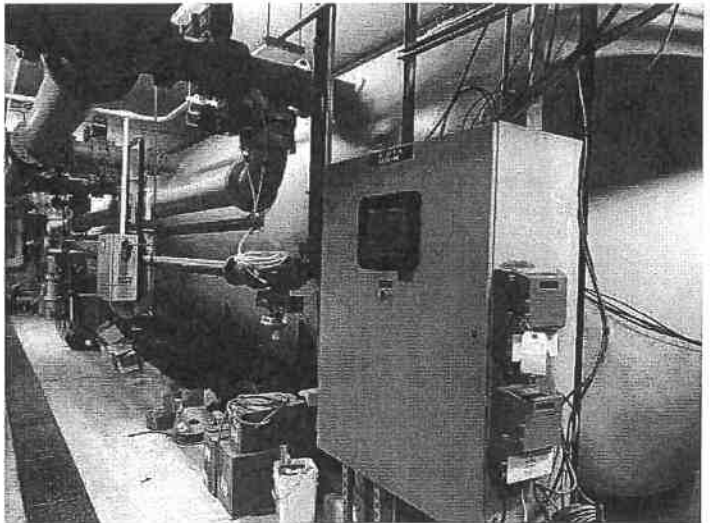


Aerial photo shows the increased height and footprint of the addition to the water treatment plant. Below is an interior look of the addition.



Blending is also used as a treatment technique, including at wells 6 and 8, which are within or near a treatment plant that is being expanded on the north side of the city, adjacent to Anoka High School and the municipal ice arena. In 2022, construction began for an expansion of this plant.

The project will entail two more pressure filters, doubling the plant's capacity, as well as a laboratory, chemical-feed room, office, and a restroom (precluding the need for employees to make frequent visits to a nearby Casey's store). In addition, the utility is switching from gas to liquid chlorine. "With the high school next door, it makes sense for safety reasons," said water superintendent Pete Klingenberg.



Little space exists above the filters in the current plant.

## Anoka—Continued from page 2

While the number of filters is doubling, the structure size will be many times that. The footprint of the expansion is much larger than that of the existing plant, and the ceiling height will be greater. “That will make for easier maintenance,” said Donny Roseth, the facility’s main operator. “It’s pretty tight now. Not much extra room.”

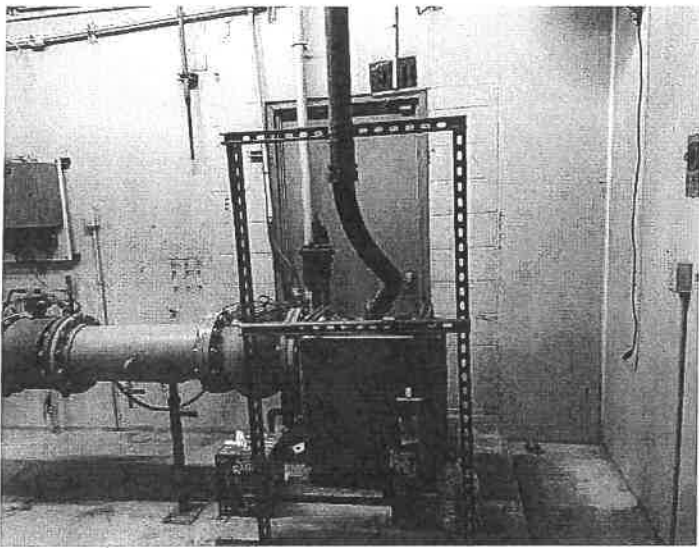
“They should be commended for being pro-active and planning for the future,” said Minnesota Department of Health district engineer Brian Noma.

Financed through bonding, the \$6.9 million expansion will feature other changes, including a change from pneumatic

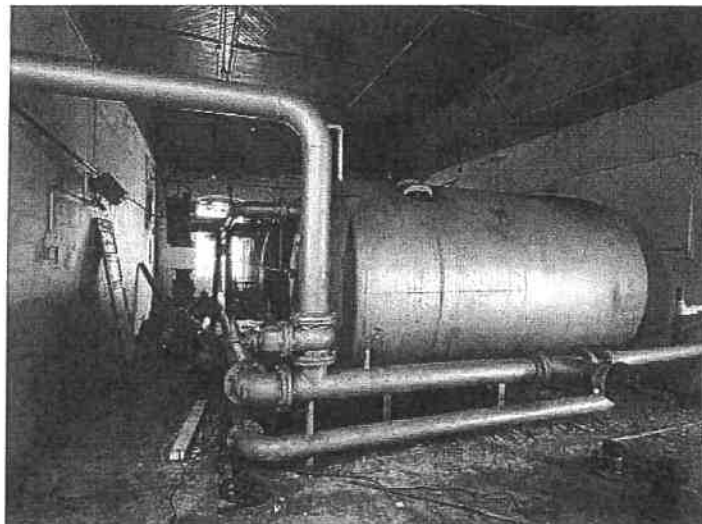
to electric valves, pumps, and a change from the effluent traveling down and out, under the building. “Now it will go up and out,” said Thom. “which makes it easier to tie in with the new filters.”

The new filters were installed in the spring of 2023 with completion expected by the end of the year.

“We’re going to increase our ability to treat water and meet all the growth that the city will see in the next 10 years,” said Anderson. “This will be our main plant. We still have a number of other wells, but this will do our heavy lifting.”



Well 5 inside the existing plant.



Pressure filters and the original well inside the now-idle plant.



The original water treatment facility, opened in 1889, is now idle on the banks of the Rum River.



## Lead and Drinking Water Testing Program for School and Child Care Programs

There is no safe level of lead. It is a neurotoxin that can cause permanent damage, with children being the most vulnerable. MDH offers a program for testing lead in drinking water in public schools, Head Start programs, and child care programs. This free program provides participants with sample kits, certified laboratory analysis, and technical assistance.

Public water systems can share information about this program with schools and child cares in their service area using the information and flyers.

More information: <https://tinyurl.com/32sxcf63>

## Lots of New Folks in Drinking Water Protection at MDH

**Caroline Olstad** has joined the Minnesota Department of Health Drinking Water Protection Section (DWP) in the newly created position of lead in drinking water specialist. As part of the WIIN (Water Infrastructure Improvements for the Nation) Act grant from the U. S. Environmental Protection Agency to serve small and disadvantaged communities, Caroline will be providing outreach, education, and support with water testing and remediation activities primarily for schools and childcare centers.



Caroline grew up in Farmington but lived outside the state for six years while attending college and graduate school in Tacoma and St. Louis. She has previously worked in both blood and disaster services for the Epilepsy Foundation of Minnesota and the American Red Cross.

She loves to travel (the photo of her is in front of a glacier in Alaska) and has been to all seven continents.

Caroline now lives in Minneapolis with her fiancé, Jordan, and their Doberman-mix dog, Arlo. She welcomes contact ([caroline.olsstad@state.mn.us](mailto:caroline.olsstad@state.mn.us), 651-201-5317) from anyone with connections to schools, childcare providers, or Head Start programs that are interested in testing their facility's drinking water for lead (at no cost).

**Sabrina Sutter** has joined the administrative/infrastructure program as the lead service line contract coordinator.

She has worked for large and small agencies for the state for 16 years, the last four-and-a-half with MDH in financial management.

Born in Pennsylvania, Sabrina moved with her family from Tampa to Minnesota in the fall of 1991, just in time for the Halloween blizzard. Despite that, she fell in love with all the beauty in Minnesota and never left.

Sabrina and her fishing fanatic fiancé, Ben, live in Lakeville with their three dogs—Rocky, Macy and Petey. In her spare time she loves to garden, cheer on the Wild, spoil the pups rotten, join Ben in the quest for walleyes and big muskies, and visit her brother and his family in Wichita, Kansas.

### ***Did You Know . . .***

The 10 most common lake names in Minnesota are:

Mud	Horseshoe
Long	Twin
Rice	Island
Bass	Johnson
Round	Spring

Source: Minnesota Department of Natural Resources, <https://www.dnr.state.mn.us/faq/mnfacts/water.html>



**Valerie Collins** is a management analyst in the Administrative Unit of the MDH Drinking Water Protection Section. She grew up in Eagle River, Alaska, just north of Anchorage, and got her master's degree in library science from Dalhousie University in Halifax, Nova Scotia.

Valerie has worked for the American Institute of Architects and spent the last seven years at the University of Minnesota Libraries, where she focused on research data management. Valerie enjoys reading and spending time outdoors. "I'm always out on a walk," she says, "rain or shine."



**Above: Sabrina, Ben, and a couple of unidentified walleyes. Below: Rocky, Macy, and Petey.**



**More new folks on next page**

Sara Zentner is a communications fellow working on projects in source water protection. Her parents live in Madison, Wisconsin, with the family dog although since moving to Minnesota, Sara's only pets are more house plants than she can count.

She moved to Minneapolis last fall to pursue a master's degree in public health in environmental health with a focus on toxicology and risk assessment. She got her bachelor's degree in environmental biology with a certificate in environ-



mental studies at the University of Wisconsin, Madison. While there, she worked at the School of Veterinary Medicine and as a research assistant with the U. S. Department of Agriculture.

Sara says, "Overall, I have a passion for the health of the natural world, including our ecosystems, animals, and making a difference in the lives of people. While pursuing my degree, I've gained a strong appreciation for Public Health and Environmental Justice relating to chemical exposures."



Jack Smude is an engineer aide, working on watermain plan review. He graduated from Dunwoody Institute of Technology with an engineering drafting degree.

Jack grew up in Eagan and has two parents, Bob and Elise, one sister, Anne, one dog, Kona, and one cat, Ricky.

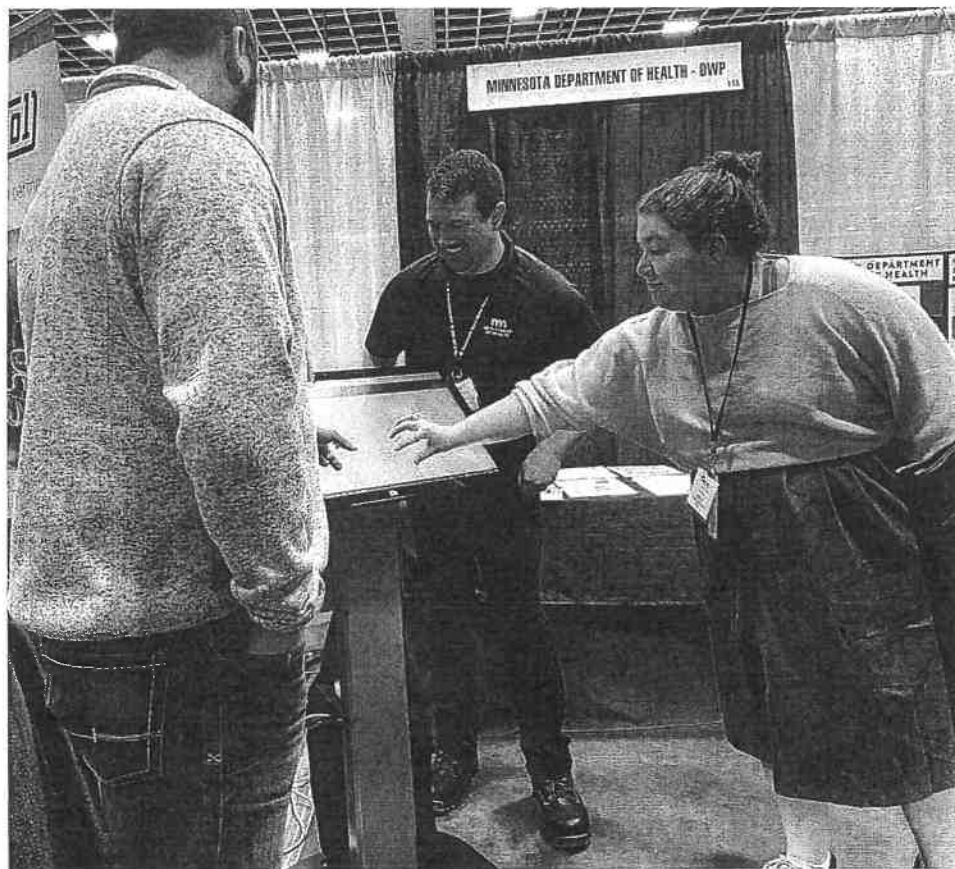
Jack works on weekends in the fall with the Minnesota Cycling Association, helping to set up the courses for high school bike races. His other hobbies are mountain biking, cross-country skiing, snowshoeing, fishing, and hunting. He hopes to get into fly fishing, winter camping, and any other outdoor activities and would really like to try ice climbing.

### *Baseball Wisdom*

Mickey Mantle: "If I'd known I was going to live this long, I would have taken better care of myself."

Casey Stengel on a 20-year-old prospect: "In 10 years, he has a chance to be 30."

## MDH Kiosk Debuts at MRWA Technical Conference



MDH had a kiosk at the Minnesota Rural Water Association conference in St. Cloud with an inventory mapping tool that allows utilities to view their lead service line inventories. MDH's David Weum and Anna "A. J." Schliep help an attendee navigate the tool.

The kiosk will also be available at the Minnesota Section of American Water Works Association conference in Duluth this fall from September 20 to 22. The Minnesota AWWA conference has been in Duluth since 2005 after rotating around the state in such hot spots as Moorhead, Detroit Lakes, St. Paul, and Mankato.



## Lead Service Line Inventories Due October 16, 2024

As mandated by the federal Safe Drinking Water Act, all community and nontransient noncommunity water systems must prepare an inventory of all service lines (including those not in use) that are connected to water mains. These inventories, which are due to the Minnesota Department of Health by October 16, 2024, must include a location identifier and the material of the service line.

The first step in a process to remove lead service lines, the inventories will be regularly updated as additional information becomes available and as lead service lines are removed and replaced.

More information is on the MDH web site at <https://www.health.state.mn.us/communities/environment/water/docs/refleadservline.pdf> (<https://tinyurl.com/5yujytp2>).

## CALENDAR

*For an up-to-date list of events, see the training calendar on the MDH web site:*

[https://www.health.state.mn.us/communities/environment/water/wateroperator/wat\\_op\\_sched.html](https://www.health.state.mn.us/communities/environment/water/wateroperator/wat_op_sched.html)

### Minnesota Section, American Water Works Association

\*August 16, Southwest Water Operators School, Mankato.  
Contact Brady Powers, [bpowers@fairmont.org](mailto:bpowers@fairmont.org).

October 18, Central Water Operators School, St. John's University, Collegeville, Contact Kevin Young, [kbyoung@seh.inc](mailto:kbyoung@seh.inc).

\*October 20, Southeast Water Operators School, Owatonna. Contact Keven Maxa, [kevenm@austinutilities.com](mailto:kevenm@austinutilities.com).

\*October 24-26, Northwest Water Operators School, Holiday Inn Lakefront, Detroit Lakes. Contact Dean Sletten, [dean.sletten@apexenggroup.com](mailto:dean.sletten@apexenggroup.com).

**\*Includes a water operator certification exam.**

Information for all district schools, including agendas:

<https://www.health.state.mn.us/communities/environment/water/wateroperator/schoolagendas.html>

Registration information is available at [https://www.mnawwa.org/events/event\\_list.asp](https://www.mnawwa.org/events/event_list.asp)

### Minnesota Rural Water Association (MRWA)

Contact Bob Klug, 800-367-6792

\*Water Operations and Maintenance, June 28, Wahkon

\*Water Operations and Maintenance, July 19, Rushford

\*Certification Refresher, October 10-12, St. Cloud

\*Water Operations and Maintenance, November 1, Clarks Grove

*Note:* Only the MRWA workshops with water operator certification exams are listed to the left.

For more workshops, go to:

<https://www.mrwa.com/training/trainingcalendar>

## Reminder to All Water Operators

When submitting water samples for analyses, remember to do the following:

- Take coliform samples on the distribution system, not at the wells or entry points.
- Write the Date Collected, Time Collected, and Collector's Name on the laboratory request form.
- Attach the label to each bottle (do not attach labels to the lab form).
- Include laboratory request forms with submitted samples.
- Use something other than a rollerball or gel pen (the ink may run).
- Consult your monitoring plan(s) prior to collecting required compliance samples.

Notify your Minnesota Department of Health district engineer of any changes to your system.

If you have questions, call the Minnesota Department of Health contact on the back of all sample instruction forms.