



City of Lake Geneva, 626 Geneva St, Lake Geneva, WI 53147- 262.248.3673- www.cityoflakegeneva.gov

CITY OF LAKE GENEVA FINANCE, LICENSING, AND REGULATION COMMITTEE

TUESDAY, MARCH 19, 2024 - 4:30 PM

LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)

Members:

Committee Members: Chairperson Ken Howell, Alderpersons: Joan Yunker, Mary Jo Fesenmaier, Cindy Yager, and Tim Dunn

CITY HALL WILL BE OPEN TO THE PUBLIC DURING ALL MEETINGS. THE CITY OF LAKE GENEVA IS HOLDING ALL MEETINGS VIRTUALLY AS WELL AS IN PERSON. IF YOU WISH TO LISTEN OR WATCH THE MEETING YOU MAY DO SO BY USING THE FOLLOWING:

1. Links to the City of Lake Geneva's live video stream can be found at <https://cityoflakegeneva.gov/319/City-Meetings-Video-Stream>
2. Television: Watch live broadcast of the meeting on Spectrum Cable Channel 25
3. Listen to audio via phone: (602) 333-2017 (Long distance rates may apply) (888) 204-5987 (Toll Free)
Access Code: 9746153

AGENDA

1. Call to Order by Chairperson Howell
2. Roll Call
3. Comments from the public limited to 5 minutes, limited to items on this agenda
4. Approval of the Finance, Licensing, & Regulation Committee minutes from March 5, 2024, as prepared and distributed
5. **Licenses & Permits**
 - a. Discussion/Recommendation regarding Temporary Operator License applications filed by William Briggs, Tom Bachmann, Angela Carlson, David McConnell, Karlee Pass, Emily Syring, and Roger Wolff for the event of Spring Wine Walk to take place on April 7, 2024, located at various downtown businesses
 - b. Discussion/Recommendation regarding a Tier 2 Event Permit application filed by the Lake Geneva Business Improvement District for the event of Murials in Motion, to take place in Flat Iron Park and various downtown businesses from May 15-19, 2024 with a rain date of June 5-9, 2024
 - c. Discussion/Recommendation regarding a Public Event Permit application filed by Lakeland Community Church for the event of Church in the Park to take place on July 7, 2024, from 7:00 am to 12:00 pm, located at Flat Iron Park
6. Discussion/Recommendation regarding **Resolution 24-R22**, a resolution adopting 2023 transfers

from the Lakefront Special Revenue Fund and the Parking Special Revenue Fund to the General Fund

7. Discussion/Recommendation regarding **Resolution 24-R23**, a resolution adopting a 2023 year-end budget amendment authorizing the re-allocation of fund in the 2023 budgets for certain revenues and expenditures exceeding their 2023 budgets
8. Discussion/Recommendation regarding **Ordinance 24-01**, an ordinance amending Section 49 (3), Personnel Committee, of Chapter 2, Administration, of the City of Lake Geneva Municipal Code, as it relates to periodic evaluations of department heads (*recommended by Personnel Committee on March 4, 2024*)
9. Discussion/Recommendation regarding updated City Policy Manual (*recommended by Personnel Committee on March 4, 2024*)
10. Discussion/Recommendation regarding a fuel pump replacement proposal from Walts Petroleum in an amount not to exceed \$30,360.69
11. Discussion/Recommendation regarding declaring Thursday, July 11, 2024, as "Lake Geneva Day" and that all City Resident Parking Permit Holders have free parking all day

12. Presentation of Accounts

- a. Pre-Paid Checks: \$61,216.84
- b. Regular Checks: \$394,518.58

13. Adjournment

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the City Clerk's office in advance so the appropriate accommodations can be made.

CITY OF LAKE GENEVA FINANCE, LICENSING, AND REGULATION COMMITTEE
TUESDAY, MARCH 5, 2024 - 4:30 PM
LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)

Members:

Committee Members: Chairperson Ken Howell, Alderpersons: Joan Yunker, Mary Jo Fesenmaier, Cindy Yager, and Tim Dunn

Call to Order by Chairperson Howell

Chairperson Howell called the meeting to order at 4:31 p.m.

Roll Call

Present: Howell, Dunn, Fesenmaier, Yager and Yunker

Absent:

Comments from the public limited to 5 minutes, limited to items on this agenda

None

Licenses & Permits

Discussion/Recommendation regarding a Public Event Permit application filed by J3 Events Inc, for the event of Studio Wine Run 5K, to take place on Monday, May 27, 2024, from 9:00am-10:30am, located along Sheridan Springs Rd & the Edwards Blvd bike trail
Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding a Public Event Permit application filed by the Lake Geneva Regional News for the event of 4th Annual Lake Geneva Bacon Fest to take place Thursday, May 30, 2024-Sunday, June 2, 2024, located at Flat Iron Park
Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding a Tier-1 Event Permit application filed by the Lake Geneva business Improvement District & Downtown Lake Geneva, Inc for the event of Downtown Lake Geneva Annual Spring Wine Walk, to take place on April 7, 2024, from 12:00pm-4:00pm, located at various downtown businesses
Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding a Temporary "Class B" wine license application filed by Downtown Lake Geneva, Inc, for the event of Downtown Lake Geneva Annual Spring Wine Walk, to take place on April 7, 2024, from 12:00pm-4:00pm, located at various downtown businesses

Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Temporary Operator License Applications filed by Elizabeth Berhinig, Sarah McConnell, and Sharon Smith, for the Event of Lake Geneva Annual Spring Wine Walk to take place on April 7, 2024

Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding a Temporary Class "B" fermented malt beverage license filed by St Francis de Sales Catholic Church for the event of Irish Trivia Night, to take place on March 16, 2024, from 5:30pm-8:30 pm, located at St Frances de Sales Catholic Church, 148 W Main St, Lake Geneva

Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding a Temporary Class "B" / "Class B" fermented malt beverage and wine license application filed by Geneva Lake Women's Association for the event of Diamonds are a Girl's Best Friend-Women's Weekend Kickoff Party to take place on April 26, 2024, from 7:00pm-10:00pm, located at the Riviera Ballroom, 812 Wrigley Dr, Lake Geneva

Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding an Agent Change for Aldi Inc D/B/A Aldi #56 to Briel Holmes

Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding an Original Class "B" Beer & "Class C" Wine license application filed by Lake Geneva Billiard Club Inc D/B/A Lake Geneva Billiards "High Rollers Suite," Kurt Jennison, agent, located at 772 W Main St Suite 302, Lake Geneva

Motion by Yunker to approve. Seconded by Yager. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Resolution 24-R12 a resolution approving the assigned fund balance for the Avian Committee donations account as of 12/31/2023

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Resolution 24-R13 a resolution approving the assigned fund balance for the Historic Preservation Commission donations account as of 12/31/2023

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Resolution 24-R14 a resolution approving the assigned fund balance for the Board of Park Commissioners donations account as of 12/31/2023

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Resolution 24-R15 a resolution approving the assigned fund balances for the Fire Department accounts as of 12/31/2023

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Resolution 24-R16 a resolution approving the assigned fund balance for the First Responders donations account as of 12/31/2023

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Resolution 24-R17 a resolution approving the assigned fund balance for the Fire Dues account as of 12/31/2023

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Resolution 24-R18 a resolution approving the assigned fund balances for the Police Department accounts as of 12/31/2023

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Resolution 24-R20 a resolution approving the assigned fund balance for the Never Say Never Playground donations account as of 12/31/2023

Motion by Yager to approve. Seconded by Yunker. Fesenmaier asked the Comptroller as to the source of the funds. The Comptroller advised that the funds were from the 2022 Gala Event at the Riviera Ballroom. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding Task Order #32 filed by Kapur & Associates, Inc for pedestrian improvements along South Street (recommended by the Public Works Committee on February 26, 2024)

Motion by Fesenmaier to forward to Council without recommendation. Seconded by Howell. After brief discussion, motion carried by unanimous voice vote.

Discussion/Recommendation regarding the replacement of #15 & #16 One-Ton Plows from the equipment replacement fund (recommended by the Public Works Committee on February 26, 2024)

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Discussion/Recommendation regarding approval of the annual TAPCO Preventative Maintenance Contract (recommended by the Public Works Committee on February 26, 2024)

Motion by Yager to approve. Seconded by Dunn. No discussion. Motion carried by unanimous voice vote.

Presentation of Accounts

Pre-Paid Checks: \$44,076.14

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

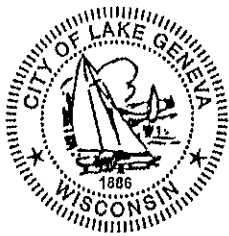
Regular Checks: \$275,171.38

Motion by Yager to approve. Seconded by Yunker. No discussion. Motion carried by unanimous voice vote.

Adjournment

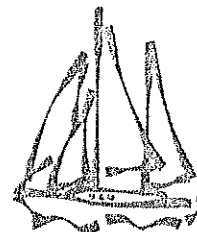
At 4:47 p.m. Yunker so moved to adjourn. Seconded by Yager. Motion carried by unanimous voice vote.

David Nord
City Administrator



CITY OF LAKE GENEVA

TEMPORARY OPERATOR LICENSE

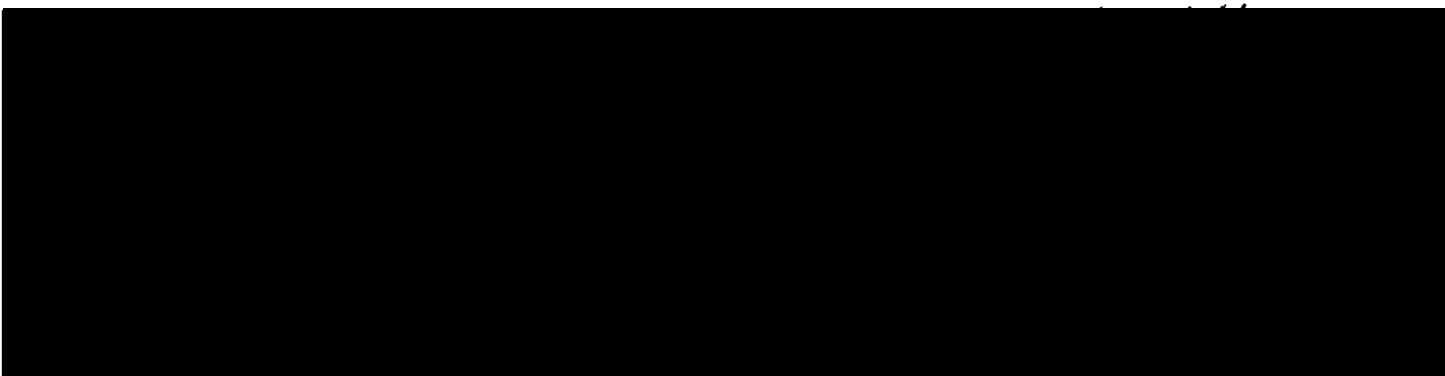


PLEASE FILL IN ALL BLANKS COMPLETELY, AS INCOMPLETE APPLICATIONS WILL BE REJECTED. FEE OF \$10.00 IS PAYABLE TO CITY OF LAKE GENEVA AND DUE UPON APPLICATION.

NOTE: This license shall be issued to persons under the terms of Wisconsin State Statutes 125.17 (4). License shall be issued only to operators employed by or donating their services to non-profit corporations. A maximum of two temporary operator licenses will be issued to any individual per year. This license shall be valid only for the period of time specified on the license, which time period shall not exceed fourteen (14) days.

APPLICANT INFORMATION

Name: Briggs William C.
Last First Middle



Is your Certificate of Completion of a Beverage Server Training Course Attached? ☒ YES ☐ NO ^{Submitted}
If No, will a Licensed Operator be serving or supervising the service of alcohol? YES ☐ NO ☒ ^{FALL '23}

ORGANIZATION WHERE SERVICES OF LICENSEE WILL BE EMPLOYED

Organization Name: Sterling Works
Address: 227 Broad St.
Name of Event where licensee will work: Wine Walk
Date of Event: Spring 2024 - April 7, 2024

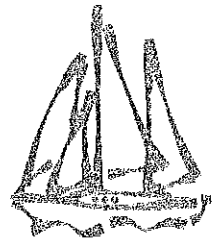
APPLICANT SIGNATURE

[Signature] DATE: 3-7-24



CITY OF LAKE GENEVA

TEMPORARY OPERATOR LICENSE

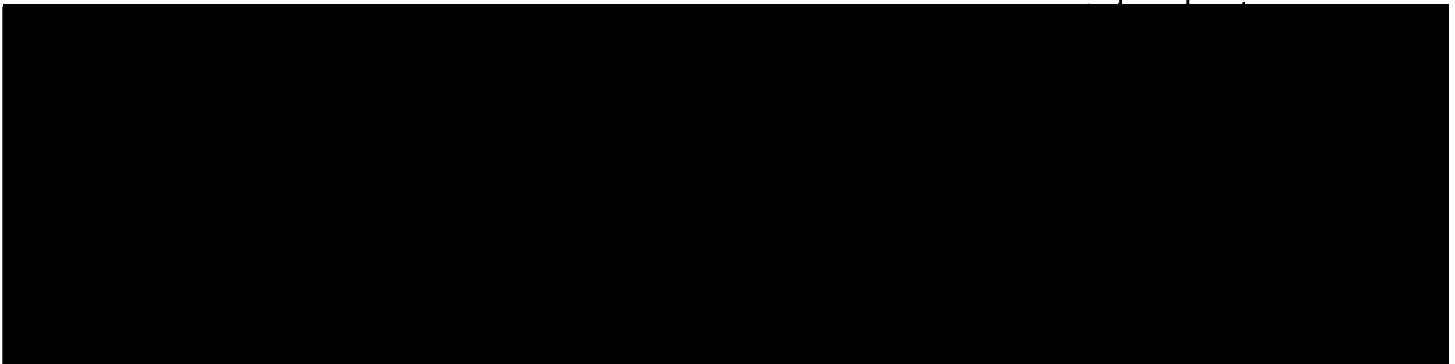


PLEASE FILL IN ALL BLANKS COMPLETELY, AS INCOMPLETE APPLICATIONS WILL BE REJECTED. FEE OF \$10.00 IS PAYABLE TO CITY OF LAKE GENEVA AND DUE UPON APPLICATION.

NOTE: This license shall be issued to persons under the terms of Wisconsin State Statutes 125.17 (4). License shall be issued only to operators employed by or donating their services to non-profit corporations. A maximum of two temporary operator licenses will be issued to any individual per year. This license shall be valid only for the period of time specified on the license, which time period shall not exceed fourteen (14) days.

APPLICANT INFORMATION

Name: Bachmann Tom
Last First Middle



Is your Certificate of Completion of a Beverage Server Training Course Attached? ☒ YES ☐ NO
If No, will a Licensed Operator be serving or supervising the service of alcohol? ☐ YES ☐ NO

ORGANIZATION WHERE SERVICES OF LICENSEE WILL BE EMPLOYED

Organization Name: Marigold Gift Shop
Address: 125 W main Street
Name of Event where licensee will work: Lake Geneva Wine Walk
Date of Event: April 7, 2024

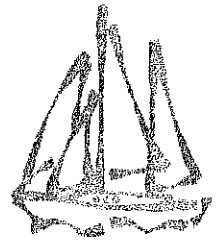
APPLICANT SIGNATURE

Tom Bachmann DATE: 2/29/24



CITY OF LAKE GENEVA

TEMPORARY OPERATOR LICENSE

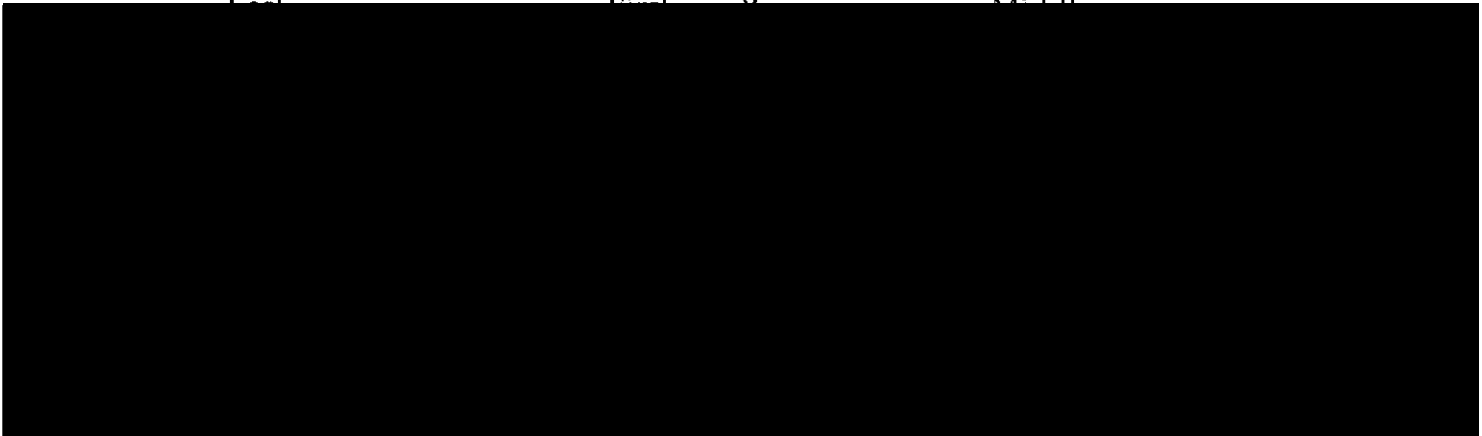


PLEASE FILL IN ALL BLANKS COMPLETELY, AS INCOMPLETE APPLICATIONS WILL BE REJECTED. FEE OF \$10.00 IS PAYABLE TO CITY OF LAKE GENEVA AND DUE UPON APPLICATION.

NOTE: This license shall be issued to persons under the terms of Wisconsin State Statutes 125.17 (4). License shall be issued only to operators employed by or donating their services to non-profit corporations. A maximum of two temporary operator licenses will be issued to any individual per year. This license shall be valid only for the period of time specified on the license, which time period shall not exceed fourteen (14) days.

APPLICANT INFORMATION

Name: Carlson ~~Angela~~ M



Is your Certificate of Completion of a Beverage Server Training Course Attached? (YES) NO
If No, will a Licensed Operator be serving or supervising the service of alcohol? YES NO

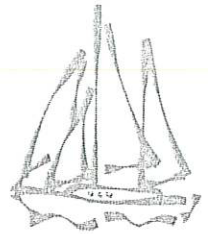
ORGANIZATION WHERE SERVICES OF LICENSEE WILL BE EMPLOYED

Organization Name: Edie Boutique
Address: 131 W Main Street
Name of Event where licensee will work: Lake Geneva Wine Walk
Date of Event: April 7, 2024

APPLICANT SIGNATURE Angela M Carlson DATE: 02/29/2024



CITY OF LAKE GENEVA TEMPORARY OPERATOR LICENSE



PLEASE FILL IN ALL BLANKS COMPLETELY, AS INCOMPLETE APPLICATIONS WILL BE REJECTED. FEE OF \$10.00 IS PAYABLE TO CITY OF LAKE GENEVA AND DUE UPON APPLICATION.

NOTE: This license shall be issued to persons under the terms of Wisconsin State Statutes 125.17 (4). License shall be issued only to operators employed by or donating their services to non-profit corporations. A maximum of two temporary operator licenses will be issued to any individual per year. This license shall be valid only for the period of time specified on the license, which time period shall not exceed fourteen (14) days.

APPLICANT INFORMATION

Name: Mc Connell David William
Last First Middle

Is your Certificate of Completion of a Beverage Server Training Course Attached? YES NO
If No, will a Licensed Operator be serving or supervising the service of alcohol? YES NO

ORGANIZATION WHERE SERVICES OF LICENSEE WILL BE EMPLOYED

Organization Name: Gallery 233
Address: 233 Broad St, Lake Geneva
Name of Event where licensee will work: Wine Walk
Date of Event: 4/7/2024

APPLICANT SIGNATURE

[Signature] DATE: 2/28/24



CITY OF LAKE GENEVA

TEMPORARY OPERATOR LICENSE

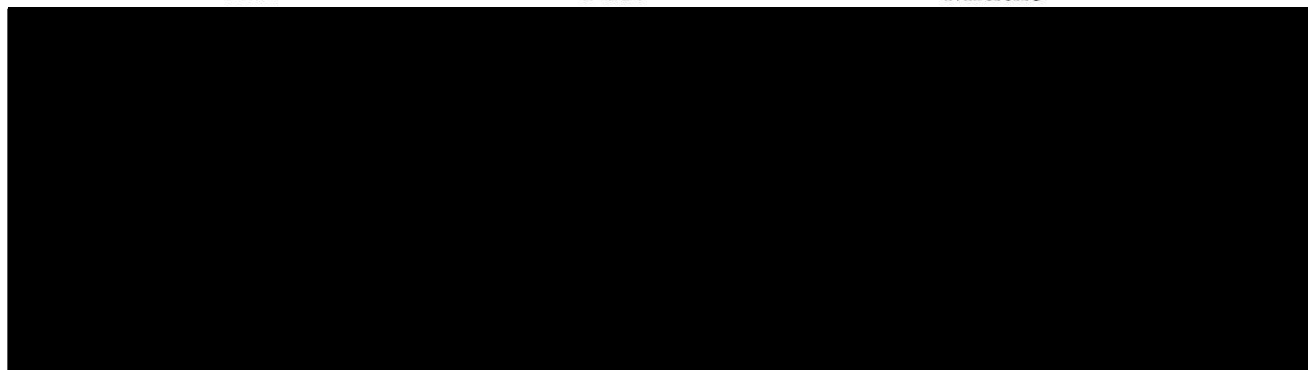


PLEASE FILL IN ALL BLANKS COMPLETELY, AS INCOMPLETE APPLICATIONS WILL BE REJECTED. **FEE OF \$10.00 IS PAYABLE TO CITY OF LAKE GENEVA AND DUE UPON APPLICATION.**

NOTE: This license shall be issued to persons under the terms of Wisconsin State Statutes 125.17 (4). License shall be issued only to operators employed by or donating their services to non-profit corporations. A maximum of two temporary operator licenses will be issued to any individual per year. This license shall be valid only for the period of time specified on the license, which time period shall not exceed fourteen (14) days.

APPLICANT INFORMATION

Name: Pass Karlee Gladys
Last First Middle



Is your Certificate of Completion of a Beverage Server Training Course Attached? YES NO
If No, will a Licensed Operator be serving or supervising the service of alcohol? YES NO

ORGANIZATION WHERE SERVICES OF LICENSEE WILL BE EMPLOYED

Organization Name: Lake Geneva Harley-Davidson

Address: 704 W MAIN ST, LAKE GENEVA, WI 53147

Name of Event where licensee will work: ^{BID} Visit Lake Geneva Wine Walk

Date of Event: April 7, 2024

APPLICANT SIGNATURE

Karlee Pass DATE: 2/23/2024



CITY OF LAKE GENEVA

TEMPORARY OPERATOR LICENSE



PLEASE FILL IN ALL BLANKS COMPLETELY, AS INCOMPLETE APPLICATIONS WILL BE REJECTED. FEE OF \$10.00 IS PAYABLE TO CITY OF LAKE GENEVA AND DUE UPON APPLICATION.

NOTE: This license shall be issued to persons under the terms of Wisconsin State Statutes 125.17 (4). License shall be issued only to operators employed by or donating their services to non-profit corporations. A maximum of two temporary operator licenses will be issued to any individual per year. This license shall be valid only for the period of time specified on the license, which time period shall not exceed fourteen (14) days.

APPLICANT INFORMATION

Name: Syring Emily ANNE
Last First Middle

Is your Certificate of Completion of a Beverage Server Training Course Attached? ☒ YES ☐ NO
If No, will a Licensed Operator be serving or supervising the service of alcohol? YES ☐ NO ☐

ORGANIZATION WHERE SERVICES OF LICENSEE WILL BE EMPLOYED

Organization Name: TRES BELLE BOUTIQUE
Address: 233 BROAD ST LAKE GENEVA
Name of Event where licensee will work: Wine Walk
Date of Event: Sunday April 7th

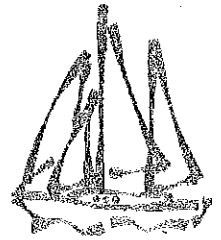
APPLICANT SIGNATURE

Emily Syring DATE: 3/15/24
Temporary Operator License Application Page 1 of 2

Revision Date: 01/2016



CITY OF LAKE GENEVA TEMPORARY OPERATOR LICENSE

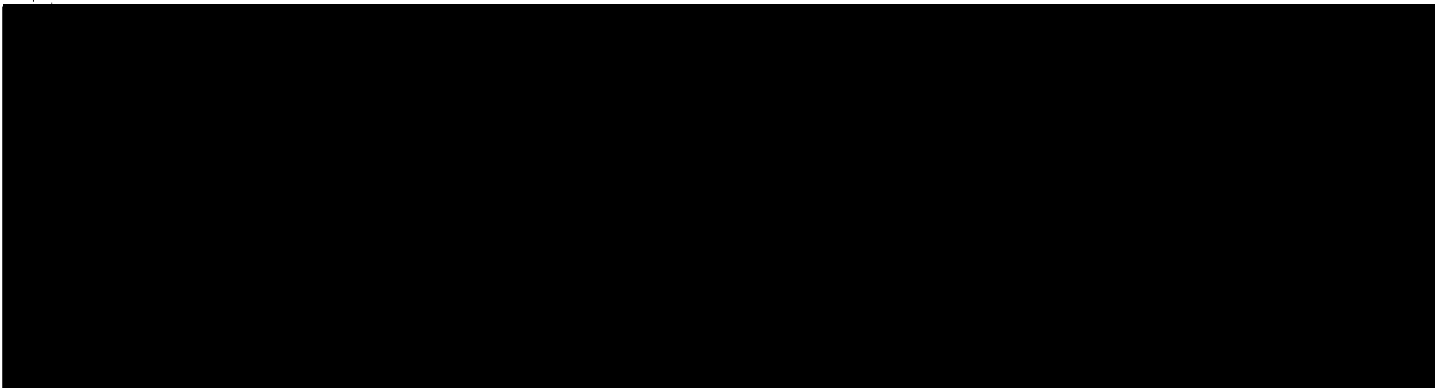


PLEASE FILL IN ALL BLANKS COMPLETELY, AS INCOMPLETE APPLICATIONS WILL BE REJECTED. FEE OF \$10.00 IS PAYABLE TO CITY OF LAKE GENEVA AND DUE UPON APPLICATION.

NOTE: This license shall be issued to persons under the terms of Wisconsin State Statutes 125.17 (4). License shall be issued only to operators employed by or donating their services to non-profit corporations. A maximum of two temporary operator licenses will be issued to any individual per year. This license shall be valid only for the period of time specified on the license, which time period shall not exceed fourteen (14) days.

APPLICANT INFORMATION

Name: WOLFF Roger A
Last First Middle



Is your Certificate of Completion of a Beverage Server Training Course Attached? ☒ YES ☐ NO
If No, will a Licensed Operator be serving or supervising the service of alcohol? ☐ YES ☐ NO

ORGANIZATION WHERE SERVICES OF LICENSEE WILL BE EMPLOYED

Organization Name: JAYNE Boutique
Address: 771 W MAIN ST
Name of Event where licensee will work: BID WINE WALK
Date of Event: 4/7/24

APPLICANT SIGNATURE

[Signature] DATE: 3/1/24



CITY OF LAKE GENEVA EVENT PERMIT APPLICATION

Please fill in all blanks completely, as incomplete applications will be rejected.

Applications must be submitted

AT LEAST 4 WEEKS prior to the proposed event date for approval.

Section I- APPLICANT INFORMATION

Name of Applicant: Lake Geneva Business Improvement District

Name of Event Organizer/Producer: Alexandria Binanti

Production Company/Organization: Lake Geneva BID

FEIN #

Street Address: PO Box 910

City: Lake Geneva

State: WI

Zip code: 53147

Are you a ☐ For-Profit OR ☒ Non-Profit Organization 501(c)_____

EIN # (Tax Exempt Number): _____

*All non-profits must present a copy of their current Tax ID- EIN#

Section II- EVENT INFORMATION- Check the proper category

☐ **Public Assembly Permit- *Non-Profit: No Charge; Otherwise: \$60.00 per day Fee**

(Meet one or more criteria) Single day event use of City of Lake Geneva facilities with NO street, parking or intersection closures, attendance under 500, NO serving of alcohol in public space.

☐ **Block Parties or use of Gazebo for 1 Hour Photo Ops: * Non-profit: No Charge; Otherwise: \$75.00 Fee**

Small event limited to one street with 4 barricades in a neighborhood or gazebo in Flat Iron Park.

☐ **Tier 1 Events: *Non-Profit: No Charge; Otherwise: \$250.00 Fee for an event up to seven days; additional \$50.00 per day thereafter**

(Meet one or more criteria) Rolling closure of streets, public walkway, limited parking stalls or intersection closures that do not impact public use, attendance of 501 to 3,000, four (4) hours or less of alcohol sales or serving, majority use of a city park(s), or other municipal facility.

☒ **Tier 2 Events: *Non-Profit: No Charge; Otherwise: \$500.00 Fee for an event up to seven days; additional \$100.00 per day thereafter**

(Meets one or more criteria) Non-profit or not-for-profit organization offering multiple-day events, attendance of more than 3,000+, more than four (4) hours of alcohol sales or serving, and/or exclusive use of City park(s), street(s), limited parking stalls, or other municipal facility.

Note: Seminary (includes the use of the Shelter) and Flat Iron Park (includes the use of Brunk Pavilion) have 3 available picnic tables and 10 benches which you can select as part of your event permit. Any additional picnic tables, benches, or barricades needed should be directed to a rental company.

1. Title of Event: Downtown Lake Geneva's Murals in Motion
2. Date(s) of Event: May 15-19; with June 5-9th as rain date
3. Location(s) of Event: Downtown Lake Geneva Businesses and Flat Iron Park
4. Hours: See Attached Event Plan. Variable Times.

Note: Start Time & End Time

5. Event Chair/Contact Person: Alexandria Binanti Phone: [REDACTED]
6. Day of Event Contact Name: Alexandria Binanti Phone: [REDACTED]
7. Is the event open to the public? Yes ☒
8. Will you charge an admission fee? No
9. Estimated Attendance Number: 5000
10. Basis for estimate: Comparative Analysis from similar events in Wisconsin
11. Will you be setting up a tent? Yes ☒

If yes, list the location, size, Rental Company, and proof of completion of locates.
10x10 in Flat Iron Park for material storage.

12. Will there be any animals? No
If yes, what type and how many: _____

13. **Attach a detailed description of proposed event with map of the exact location of the event and/or route.**

14. Description of plan for handling refuse collection and after-event clean-up:

N/A

15. Description of plan for providing event security (if applicable):
N/A in downtown. Private security will be purchased for materials from art secured in Flat Iron Park.

16. Will there be fireworks or pyrotechnics at your event? No
If yes, please attach a fireworks display permit or application.

17. Will your event include the sale of beer and/or wine? No
If yes, please attach a completed Temporary Alcohol License & Temporary Operator License Application.

18. Will you or any other vendors be selling food or merchandise? No
If yes, please attach list of proposed vendors, including business name and type of food/merchandise sold.

19. Do you intend to use the available picnic tables and benches in the location? No

Continue to next page...

Section III- STREET USE

☒ Check if this section does not apply

Required for any event using a public street. Per Sec. 62-243 of the municipal code, this application must include the following attachments:

- ☐ Certificate of Comprehensive General Liability Insurance with the City, its employees and agents as additional insured with coverage for contractual liability with minimum limits of \$500,000 per occurrence for bodily injury and property damage limits of \$250,000 per occurrence.
- ☐ Petition signed by more than half of the residential dwelling units and/or commercial units residing along that portion of the street designated for the proposed use or whose property is denied access by virtue of the granting of the permit.

1. Description of portion(s) of road(s) to be used:

Road closures must include rental of barricades; must be coordinated with the City of Lake Geneva Department of Public Works

N/A

2. Will any parking stalls be used or blocked during the event? Yes ☒

Parking Stall daily fees or bagging of Parking Stall fees are not included with the event permit fee; arrangements must be made with the City of Lake Geneva Parking Manager

Dates of Use: May 15-19, 2024

Total Number of Parking Stalls being Requested: 6

Parking Stall Number(s) and Location: See Attached Event Plan for Locations

3. Description of Signage to be used during event: Yard stakes for mural locations, banner at Flat Iron Park

**The use of City Street Banner poles will require a separate, complete Street Banner Display Application*

4. Anticipated Services

Please indicate below any additional services you are requesting for your event. Estimated Fees or Deposits for these services may be required prior to issuance of permit(s)

☐ **Electricity;** Explain: Some accessibility to power from light poles on Main, Broad, and Center Streets for low powered music speakers; locations to be determined with public works

☒ **Water;** Explain: Potential use for bucket filling for paint supplies clean up

☐ **Traffic Control;** Explain: _____

☐ **Police Services;** Explain: _____

☐ **Fire/EMS Services;** Explain: _____

☐ **Other;** Explain: _____

***Please note:** The City of Lake Geneva, the Police Department and/or Fire Department have the right to cancel an event due to inclement weather or any safety risk.

***All Parks and Public Spaces must be left the way they were originally found. A credit card is required to be placed on file with the City Clerk's office should the park or public space incur any damage or has not been cleaned up. Any charges will be communicated to the card holder prior to credit card processing.**



The applicant for her/himself and for other persons, organizations, firms and corporations, if any listed in this application, being of sound mind and body, do hereby freely, voluntarily and knowingly, now and for all times, fully save and hold harmless and defend, the CITY OF LAKE GENEVA, a Wisconsin Municipal Corporation located in the Walworth County, and each and every of its elected and appointed officials, employees, representatives, agents, heirs, and assigns, jointly and severally from and against any and all claims, causes of action, actions, liabilities, demands, losses, damages, and/or expenses of whatsoever kind and nature including counsel or attorneys' fees, which I have or may, at any time, incur or sustain arising from, resulting from, incurred in consequence of, or pertaining to, any and all intentional and negligent acts, omissions, incidents, activities and transactions, of whatever kind and nature, direct or indirect, of mine own and those of or by the CITY OF LAKE GENEVA, and each and every of its elected and appointed officials, employees, representatives, and agents, regardless of when or where, occurring or arising from this event.

Applicant Signature: Alexandria Binanti **Date:** 2/14/2024



PO BOX 910, Lake Geneva WI 53147 | 262.220.8916 | www.downtownlakegeneva.org



Downtown Lake Geneva Murals in Motion Event Plan

Date: May 15-19th with considered rain date of June 5-9th

Time: Painting starts at 8am Wednesday continuously through Sunday at 9pm (some paint prep may be required May 13-14th determined by artists and building inspector. Event component with outdoor sales and plein air around downtown would be between the hours of 10am until 6pm. Alleyway dinners would be Friday/Saturday from 5-9pm.

Intended Attendance: Approximately 5,000-8,000 based on comparative community analysis.

Event Overview:

This first ever event is designed to bring in visitors to the downtown business improvement district to enjoy local shopping, entertainment, and lodging while seeing art come alive. Partnering with several organizations in the community and the school district, we are hosting a paint in for 5 murals to be installed in various locations pending plan commission approval. While the artists are painting, Downtown will feature live music on the streets, sidewalk sales and a plein air of local artists painting outdoors and selling their art throughout the day. Businesses are also encouraged to sign up for a temporary indoor art comes to life installation from sets designed with the help of Badger School. An alleyway dinner in a proposed painting location will be featured on Friday and Saturday evenings from a local restaurant with some proceeds going to fundraise for future art installations downtown.

The downtown BID will also be featuring two or three additional muralists painting in Flat Iron Park on panels for artwork that will be installed at a future date when the appropriate walls become available. Attendance would be free to the public with a healthy marketing budget encouraging overnight stays and other opportunities of recreation in Lake Geneva.

Receiving financial support from the State Tourism Department and other local organizations, as well as having mural submissions and interest world-wide, we believe this event will be a highly visible event for tourism revenue in a time where business is traditionally a bit slower than “in-season” while also setting a precedence of stimulating the creative economy.

Attached is a map indicating the proposed wall locations and alleyway closure. After meeting with various city departments, we came to the agreement that we would need 6 parking stalls over the course of the event for material and equipment loading/unloading, would need 2 Class III barricades for the alleyway closure, and cones indicating right away at 3 locations. Listed proposed mural locations are below:

101 Broad St (Geneva Towers Parking Garage) – with proposed community paint component. (would need cones; would need two parking stalls)

120 Broad St (Alleyway between Sterling Works South and Bob's Beach Shack) – with proposed paneled art installed after painting in Flat Iron Park. (would need cones, need two parking stalls)

234 Broad St (Alleyway between Avant and Geneva Stage) – with proposed paneled art previously mounted before painting; with require some ladders but no height equipment.

233 Center St (Side of Melges Real Estate Facing Starbucks) – with proposed painting from local artist, will require scaffolding and potentially scissor lift. (Would need two parking stalls)

858 W Main St (Side of Christine's facing Candle Mercantile & @ properties) – proposed painting over concrete exterior, will require scissor lift (possibly need cones for side walk right of way).

Flat Iron Park Component: Would have 3 muralists in the park with large tarps and supply tent. Additional security will be provided to protect the materials.

All locations may have spotlights on generators at locations pending the muralists timeline to work in the evenings. We will also be using a vehicle to drop off supplies and fresh water for cleaning.

Alleyway dinners would be hosted and catered by Magpie's as a pre-ticketed event from their business. The plein air component of sales is hosted by Gallery 223 artists. All other merchandise is directly considered a sidewalk sale from downtown businesses.

We hope to continue this event for the next three years before we shift towards other public art opportunities.



Green: Proposed Mural Locations
Red: Proposed Alleyway with Closure

Flat Iron Park Use

For Office Use Only

Date Filed with Clerk: 2/14/24 Payment Amount: \$ N/A

Receipt #: N/A

City Clerk/Administrator Signature: [Signature] Date: 2/14/24

☒ Approve ☐ Denied Notes: _____

Police Chief Signature: E. [Signature] Date: 02/23/2024

☒ Approve ☐ Denied Notes: _____

Fire Chief Signature: [Signature] Date: 2/23/24

☒ Approve ☐ Denied Notes: _____

DPW Signature: [Signature] Date: 2-28-24

☒ Approve ☐ Denied Notes: _____

Parking Signature: [Signature] Date: 2/29/24

☒ Approve ☐ Denied Notes: REQUESTING 6 STALLS FOR 2 days @ \$20 = \$240
AND 6 STALLS FOR 3 days @ \$40 = \$720 = \$960 TOTAL

Harbormaster Signature: _____ Date: _____

☐ Approve ☐ Denied Notes: _____

Porter's Signature: [Signature] date: 2-23-24
☒ Approve ☐ Denied

Tier I & Tier II Events Only:

FLR Meeting Date: _____

Council Meeting Date: _____



CITY OF LAKE GENEVA EVENT PERMIT APPLICATION

Please fill in all blanks completely, as incomplete applications will be rejected. Applications for Public Events must be submitted AT LEAST 45 DAYS prior to the proposed event date for consideration.

Section I- APPLICANT INFORMATION

Name of Applicant: Lakeland Community Church
Name of Event Organizer/Producer: Richard Holt
Production Company/Organization: Lakeland Community Church FEIN # [REDACTED]
Street Address: N3181 State Road 67
City: Lake Geneva State: WI Zip code: 53147
E-mail Address: [REDACTED]
Daytime Phone: [REDACTED] Cell Phone: [REDACTED]
Are you a ☐ Business/Individual OR ☒ Non-Profit Organization 501(c) 3
EIN # (Tax Exempt Number): [REDACTED]
*All non-profits must present a copy of their current Tax ID- EIN#

Section II- EVENT INFORMATION- Select all that apply

☐ **Private Event/Shelter Reservation-** Use of City of Lake Geneva Park and or Park Shelter for private use or event not that is not open to the public. Examples: family reunion, birthday party, club meeting, team practice. *Local non-profits exempt from fees

- ☐ Flat Iron Park Brunk Pavilion \$250/day
- ☐ Gazebo-Flat Iron Park \$125/day
- ☐ Seminary Park Shelter \$75/day
- ☐ Cobb Park Shelter \$75/day
- ☐ Park Use (no shelter) \$75/day

Location: _____

☐ **Street Use/Closure** \$75/day
Describe in Section III on page 3 of application

☒ **Public Event-**Event open to the public, including ticketed or open admission. Examples: festival, art/ware sale/market, concert, community activity, parade. *Non-profits exempt from fees

Application fee: \$100- submitted at least 60 days prior
\$300- submitted at least 45 days but fewer than 60 days prior

Select parks/facilities used during event, fees applied from list above:

- Parks
- ☒ Flat Iron Park
 - ☐ Seminary Park
 - ☐ Cobb Park
 - ☐ Library Park
 - ☐ Other:

- Shelters
- ☒ Brunk Pavilion
 - ☐ Seminary Park Shelter
 - ☐ Cobb Park Shelter
 - ☐ Gazebo

1. Title of Event: Church in the Park
2. Date(s) of Event: July 7, 2024
3. Location(s) of Event: Flat Iron Park
4. Hours: 7:00 am - 12:00 pm
Note: Start Time & End Time
5. Event Chair/Contact Person: Richard Holt Phone: 
6. Day of Event Contact Name: Josh Stecker Phone: 
7. Is the event open to the public? ☒ Yes ☐ No
8. Will you charge an admission fee? ☐ Yes ☒ No
9. Estimated Attendance Number: 750
10. Basis for estimate: past events at Flat Iron Park
11. Will you be setting up a tent? ☐ Yes ☒ No

If yes, list the location, size, Rental Company, and proof of completion of locates.

12. Will there be any animals? ☐ Yes ☒ No

If yes, what type and how many: _____

13. Attach a detailed description of proposed event with map of the exact location of the event and/or route.

14. Description of plan for handling refuse collection and after-event clean-up:

Volunteers will collect all trash and
dispose of properly.

15. Description of plan for providing event security (if applicable):
-
-

16. Will there be fireworks or pyrotechnics at your event? ☐ Yes ☒ No
If yes, please attach a fireworks display permit or application.

17. Will your event include the sale of beer and/or wine? ☐ Yes ☒ No
If yes, please attach a completed Temporary Alcohol License & Temporary Operator License Application.

18. Will you or any other vendors be selling food or merchandise? ☐ Yes ☒ No
If yes, please attach list of proposed vendors, including business name and type of food/merchandise sold.

19. Do you intend to use the available picnic tables and benches in the location? ☒ Yes ☐ No

Continue to next page...

Section III- STREET USE

☒ Check if this section does not apply

Required for any event using a public street. Per Sec. 62-243 of the municipal code, this application must include the following attachments:

- ☐ Certificate of Comprehensive General Liability Insurance with the City, its employees and agents as additional insured with coverage for contractual liability with minimum limits of \$500,000 per occurrence for bodily injury and property damage limits of \$250,000 per occurrence.
- ☐ Petition signed by more than half of the residential dwelling units and/or commercial units residing along that portion of the street designated for the proposed use or whose property is denied access by virtue of the granting of the permit.

1. Description of portion(s) of road(s) to be used:

Road closures must include rental of barricades; must be coordinated with the City of Lake Geneva Department of Public Works

2. Will any parking stalls be used or blocked during the event?

☐ Yes ☒ No

Parking Stall daily fees or bagging of Parking Stall fees are not included with the event permit fee; arrangements must be made with the City of Lake Geneva Parking Manager

Dates of Use: _____

Total Number of Parking Stalls being Requested: _____

Parking Stall Number(s) and Location: _____

3. Description of Signage to be used during event: _____

**The use of City Street Banner poles will require a separate, complete Street Banner Display Application*

4. Anticipated Services

Please indicate below any additional services you are requesting for your event. Estimated Fees or Deposits for these services may be required prior to issuance of permit(s)

☒ **Electricity;** Explain: for sound system at pavillion

☐ **Water;** Explain: _____

☐ **Traffic Control;** Explain: _____

☐ **Police Services;** Explain: _____

☐ **Fire/EMS Services;** Explain: _____

☐ **Other;** Explain: _____

***Please note:** The City of Lake Geneva, the Police Department and/or Fire Department have the right to cancel an event due to inclement weather or any safety risk.

***All Parks and Public Spaces must be left the way they were originally found. A credit card is required to be placed on file with the City Clerk's office should the park or public space incur any damage or has not been cleaned up. Any charges will be communicated to the card holder prior to credit card processing.**

The applicant for her/himself and for other persons, organizations, firms and corporations, if any listed in this application, being of sound mind and body, do hereby freely, voluntarily and knowingly, now and for all times, fully save and hold harmless and defend, the CITY OF LAKE GENEVA, a Wisconsin Municipal Corporation located in the Walworth County, and each and every of its elected and appointed officials, employees, representatives, agents, heirs, and assigns, jointly and severally from and against any and all claims, causes of action, actions, liabilities, demands, losses, damages, and/or expenses of whatsoever kind and nature including counsel or attorneys' fees, which I have or may, at any time, incur or sustain arising from, resulting from, incurred in consequence of, or pertaining to, any and all intentional and negligent acts, omissions, incidents, activities and transactions, of whatever kind and nature, direct or indirect, of mine own and those of or by the CITY OF LAKE GENEVA, and each and every of its elected and appointed officials, employees, representatives, and agents, regardless of when or where, occurring or arising from this event.

Applicant Signature: _____

Date: _____



For Office Use Only

Date Filed with Clerk: 2/29/24 Payment Amount: \$ _____

Receipt #: _____

City Clerk/Administrator Signature: [Signature] Date: _____

☒ Approve ☐ Denied Notes: _____

Police Chief Signature: [Signature] Date: 03/11/2024

☒ Approve ☐ Denied Notes: _____

Fire Chief Signature: [Signature] Date: 3/15/24

☒ Approve ☐ Denied Notes: _____

DPW Signature: [Signature] Date: 3/14/24

☒ Approve ☐ Denied Notes: _____

Parking Signature: [Signature] Date: 3/14/24

☒ Approve ☐ Denied Notes: _____

Harbormaster Signature: [Signature] Date: 3/14/24

☒ Approve ☐ Denied Notes: _____

Parks & Rec Signature: [Signature] Date: 3-4-24

☒ Approve ☐ Denied Notes: _____

Public Events:

FLR Meeting Date: _____

Council Meeting Date: _____

RESOLUTION OF THE COMMON COUNCIL			
Resolution adopting 2023 transfers from the Lakefront Special Revenue Fund and the Parking Special Revenue Fund to the General Fund.			
Committee:	Finance considered on March 19, 2024		
Fiscal Impact:	N/A		
File Number:	24-R22	Date:	March 25, 2024

Whereas, the Lake Geneva Common Council approved the 2023 Amended Operating Budget for the General Fund which includes revenue from transfers from the Lakefront Fund of \$644,200 and the Parking Fund of \$3,383,120, and

Whereas, it was previously approved that all but \$75,000 of revenues over expenditures from each of these Special Revenue Funds be transferred to the General Fund,

Whereas, it is still desirable to have a fund balance remaining in each of these Special Revenue Funds and the level that would be most appropriate is \$914,866.55 for the Lakefront Fund and \$1,081,465 for the Parking Fund and that the excess could be transferred to the General Fund for the year end 2023,

Now Therefore be it Resolved that the Lake Geneva Common Council adopt a resolution to transfer to the General Fund, at year end 2023, an amount of \$983,495.35 from the Lakefront Special Revenue Fund and an amount of \$2,886,242.16 from the Parking Special Revenue Fund which will adjust the fund balances to year-end balances.

Granted by action of the Common Council of the City of Lake Geneva this 25th day of March, 2024.

Council Action: ☐ Adopted ☐ Failed **Vote** _____

Mayoral Action: ☐ Accept ☐ Veto

Charlene Klein, Mayor

Date

Attest:

Lana Kropf, City Clerk

CITY OF LAKE GENEVA

Lakefront and Parking Transfers Summary

12/31/23

LAKEFRONT FUND

Assigned Fund Balance (West Pier Replacement) 12/31/22	\$306,237.35
Assigned Fund Balance-12/31/22	533,629.20
Amount Retained by Fund on an Annual Basis	<u>75,000.00</u>
Assigned Fund Balance 12/31/23	914,866.55
 Transfer to General Fund (11-00-00-49300)	 \$983,495.35

PARKING FUND

Assigned Fund Balance 12/31/22	\$1,006,465.00
Amount Retained by Fund on an Annual Basis	<u>75,000.00</u>
Assigned Fund Balance 12/31/23	1,081,465.00
 Transfer to General Fund (11-00-00-49500)	 \$2,886,242.16

RESOLUTION OF THE COMMON COUNCIL			
Resolution adopting a 2023 year-end budget amendment authorizing the re-allocation of funds in the 2023 budgets for certain revenues and expenditures exceeding their 2023 budgets.			
Committee:	Finance considered on March 19, 2024		
Fiscal Impact:	N/A		
File Number:	24-R23	Date:	March 25, 2024

Whereas, the Lake Geneva Common Council approved the 2023 General Fund Operating Budget for the City of Lake Geneva, and

Whereas, certain revenues and expenditures exceeded their 2023 General Fund Operating Budget amounts and re-allocation of those funds would be appropriate, and

Whereas, the Finance, Licensing and Regulation Committee reviewed the proposed budget amendments and found it is in the best interest of the City, and recommends that the City of Lake Geneva Common Council approve the amendment as found in attached Schedule “A”, as follows:

General Fund	\$463,950
Lakefront Fund	\$ 46,250
Parking Fund	\$ 83,600

Now Therefore be it Resolved that the Lake Geneva Common Council adopt a budget amendment allowing for the re-allocation of funds.

Granted by action of the Common Council of the City of Lake Geneva this 25th day of March 2024.

Council Action: ☐ Adopted ☐ Failed **Vote** _____

Mayoral Action: ☐ Accept ☐ Veto

Charlene Klein, Mayor

Date

Attest:

Lana Kropf, City Clerk

CITY OF LAKE GENEVA
PROPOSED BUDGET AMENDMENTS - 2023
SCHEDULE "A"

ACCOUNT NAME	ACCOUNT NUMBER	DEBIT	CREDIT
<u>GENERAL REVENUES</u>			
Interest Income	11-00-00-48110		320,000.00
<u>GENERAL GOVERNMENT</u>			
Unemployment Compensation	11-10-00-51540	1,750.00	
Personal Property Write-offs	11-10-00-57400	3,500.00	
Boiler & Machinery Ins.	11-10-10-55130	600.00	
Workers Compensation	11-10-10-55160	25,500.00	
Difference Card Claims	11-10-20-51335	37,000.00	
<u>MUNICIPAL COURT</u>			
Municipal Court Judge Wages	11-12-00-51140		8,000.00
Municipal Court Wages-PT	11-12-00-51220	8,000.00	
Municipal Court Wages-Clerk	11-12-00-51200		3,500.00
Municipal CT Overtime	11-12-00-51250	3,100.00	
Care of Prisoners	11-12-00-52900	1,200.00	
Municipal Court Operations	11-12-00-53810		1,250.00
<u>ACCOUNTING & DATA PROCESSING</u>			
Accounting Wages	11-15-10-51200	48,000.00	
Acctg Health Insurance	11-15-10-51345		14,500.00
Acctg Dental Insurance	11-15-1051350		2,000.00
Acctg Retirement Exp.	11-15-1051360		
Acctg. Social Security	11-15-10-51520	3,150.00	
Acctg Office Supplies	11-15-10-53100		5,000.00
Computer IT Svc & Equipment	11-15-10-54500	18,000.00	
<u>CITY HALL BUILDING</u>			
City Hall Maint. Wages	11-16-10-51200	13,500.00	
City Hall Telephone	11-16-10-52210	2,050.00	
City Hall Electricity	11-16-10-52220		4,500.00
City Hall Gas	11-16-10-52240		3,250.00
City Hall Building Repairs	11-16-10-52400	12,000.00	
City Hall Bld Maint Supplies	11-16-10-53500	700.00	
City Hall Maint Service Cost	11-16-10-53600		1,000.00
City Office Equipment Contracts	11-16-10-55310	3,000.00	
CH Postage Meter Rental & Exp	11-16-10-55320	750.00	

CITY OF LAKE GENEVA
PROPOSED BUDGET AMENDMENTS - 2023
SCHEDULE "A"

ACCOUNT NAME	ACCOUNT NUMBER	DEBIT	CREDIT
<u>BUILDING AND ZONING</u>			
Building Inspection Wages	11-24-00-51200		15,000.00
Bldg. Inspector Health Ins.	11-24-00-51345	9,050.00	
Bldg. Inspector Dental Ins.	11-24-00-51350	325.00	
Contract Building Inspector	11-24-00-52190	9,950.00	
Computer IT Svc & Equipment	11-24-00-54500	600.00	
<u>DPW</u>			
City Engineering Fees	11-30-00-52160	42,000.00	
Surveying	11-30-00-52170		15,000.00
Public Works Const Permit	11-32-10-44350		4,350.00
St Dept Wages	11-32-10-51200	45,500.00	
St Dept Overtime Wages	11-32-10-51250	7,500.00	
St Dept. Seasonal Labor	11-32-10-51260	20,000.00	
St. Dental Ins.	11-32-10-51350	1,900.00	
St. Dept Retirement Fund	11-32-10-51360	6,700.00	
St. Dept Uniform Allow	11-32-10-51380	1,200.00	
St. Dept Social Security	11-32-10-51520	6,800.00	
St. Dept Telephone Expense	11-32-10-52210	2,850.00	
St Dept Bldg. Gas Heat	11-32-10-52240	2,750.00	
St Dept Bldg.-Water & Sewer	11-32-10-52260	650.00	
Conference/Dues	11-32-10-53320	875.00	
Vehicle/Equipment Maintenance	11-32-10-53510	1,875.00	
First Aid Safety Supplies	11-32-10-53900	1,700.00	
St Dept Bldg. Maint Serv Costs	11-32-10-53600		1,700.00
Bldg. Maint Supplies STR Dept	11-32-10-53500		2,700.00
St Dept Miscellaneous Exp.	11-32-10-53990		1,200.00
Snow & Ice Control Wages	11-32-12-51200		22,000.00
Snow & Ice Control Overtime	11-32-12-51250	30,000.00	
Snow & Ice Health Insurance	11-32-12-51345		8,500.00
Snow & Ice Retirement Fund	11-32-12-51360	700.00	
Equip Main Suppl-Snow & Ice	11-32-12-53510	2,500.00	
Tree & Brush Wages	11-32-13-51200	19,000.00	
Tree & Brush Overtime	11-32-13-51250		5,300.00
Tree & Brush Health Insurance	11-32-13-51345	17,000.00	
Tree & Brush Retirement Fund	11-32-13-51360	1,975.00	
Tree & Brush Social security	11-32-13-51520	1,800.00	
Purchase of Trees	11-32-13-53460	2,525.00	
Forestry Services	11-32-13-52200		2,000.00
Tree & Brush Oper Supplies	11-32-13-54300		7,500.00

CITY OF LAKE GENEVA
PROPOSED BUDGET AMENDMENTS - 2023
SCHEDULE "A"

ACCOUNT NAME	ACCOUNT NUMBER	DEBIT	CREDIT
Storm Sewer Wages Dig HOT	11-32-15-51230	2,650.00	
Storm Sewer Health Ins.	11-32-15-51345		2,500.00
Storm Sewer Maintenance	11-32-15-54500	4,350.00	
Street Lights Electricity	11-34-10-52230	7,850.00	
Repairs-Traffic Signals Etc.	11-34-10-52600		4,200.00
Street Lights Repair	11-34-10-52610	8,025.00	
Car Towing	11-34-10-52900	900.00	
Marking Paint	11-34-10-53700	3,250.00	
<u>PARKS</u>			
Park Use Fees	11-52-00-46750		2,400.00
Parks Gas Heat	11-52-00-52240	1,475.00	
Parks Water & Sewer Exp.	11-52-00-52260		1,700.00
Parks Operating Supplies	11-52-00-53400	4,450.00	
Bldg. Maint & Repairs Parks	11-52-00-52410		2,900.00
Vets Parks Overtime	11-52-01-51250	1,325.00	
Vets Parks Electricity	11-52-01-52220	1,150.00	
Vets Park Water & Sewer	11-52-01-52260	1,000.00	
Vets Park Operating Supplies	11-52-01-53400		2,000.00
Grounds Maintenance Supplies	11-52-01-59520	8,000.00	
		463,950.00	463,950.00
<u>LAKEFRONT FUND</u>			
Interest Income	40-00-00-48110		46,250.00
Liability & Property Insurance	40-52-10-53140	2,250.00	
Beach Mtce Overtime Wages	40-54-10-51250	2,870.00	
Beach Seasonal Wages	40-54-10-51260	12,250.00	
Beach Mtce Retirement Fund	40-54-10-51360	950.00	
Beach Social Security	40-54-10-51520	2,500.00	
Riviera Mtce Overtime	40-55-10-51250	6,500.00	
Riviera Mtce Dental Insurance	40-55-10-51350	250.00	
Riviera Mtce Retirement Fund	40-55-10-51360	680.00	
Upper Riviera Maintenance	40-55-10-53600	1,575.00	
Riviera Elevator Phone Exp.	40-55-20-52210	1,725.00	
Lower Riviera Repairs	40-55-20-52260	4,200.00	
Pier Electric	40-55-30-52220	10,500.00	
		46,250.00	46,250.00

CITY OF LAKE GENEVA
PROPOSED BUDGET AMENDMENTS - 2023
SCHEDULE "A"

ACCOUNT NAME	ACCOUNT NUMBER	DEBIT	CREDIT
PARKING			
Parking Tickets-Coll Agency	42-34-50-46350		17,575.00
Parking Stickers-Walco, Over 4	42-34-50-46360		3,600.00
Parking Lot Permits	42-34-50-46370		5,600.00
Reserved Parking Permits/Bags	42-34-50-46400		10,675.00
Parking APP Net Collections	42-34-50-46410		24,000.00
Parking Wages-Clerk/Dispatch	42-34-50-51160	23,750.00	
Parking PT Wages	42-34-50-51200	21,825.00	
Parking Health Insurance	42-34-50-51345		3,000.00
Parking Retirement Fund	42-34-50-51360	2,200.00	
Parking Uniforms	42-34-50-51380	1,175.00	
Postage Expenses	42-34-50-53120	1,125.00	
Liability & Property Ins.	42-34-50-53140		1,150.00
Operating Supplies-Enforcement	42-34-50-53400	2,200.00	
Parking Misc. Expenses	42-34-50-53990	3,800.00	
Support Contracts	42-34-50-54500		18,000.00
Parking Lot Rev Share	42-34-50-58500	12,250.00	
Equipment Body Cameras	42-34-50-58600	15,275.00	
Outlay-Parking	42-34-50-58700		45,000.00
		83,600.00	83,600.00

ORDINANCE OF THE COMMON COUNCIL			
An ordinance amending Section 49 (3), Personnel Committee, of Chapter 2, Administration, of the City of Lake Geneva Municipal Code, as it relates to periodic evaluations of department heads.			
Committee	Personnel Committee recommended approval on March 4, 2024, Finance, Licensing, & Regulation Committee to consider on March 19, 2024		
Fiscal Impact:	N/A		
File Number:	24-01	First Reading : Second Reading :	March 25, 2024 April 8, 2024

The Common Council of the City of Lake Geneva, Wisconsin, does hereby ordain as follows:

Section 2-49 (3)

Personnel Committee.

a.

The Committee shall be responsible for negotiating all employment contracts or agreements between the City of Lake Geneva and its employees, excepting only those employees who are specifically governed by another City committee or commission.

b.

The Committee shall make a recommendation to the City Council to accept or reject employee contract or agreement offers. The City Council shall have the sole power to accept or reject employee contracts or agreements by a majority vote.

c.

The Committee shall be responsible for ensuring that the City Administrator undertakes periodic evaluations, semiannual and/or annual, of all City department heads except those governed by another City commission, committee, or official.

d.

The Committee shall be responsible for all disciplinary matters involving grievances, prohibitive practice complaints, work rule violations, contract violations, and other matters including discharge or separation for employment.

e.

The Committee shall be responsible for creating and recommending to the City Council job descriptions for all City employees (except police and fire), and such job descriptions shall be utilized when advertising for and evaluating potential new and current employees.

f.

The Committee will interview all prospective exempt employees and all appointed officials of the City that are appointed by the City Council as set forth in Section 2-3 of the Municipal Code of the City of Lake Geneva. City department heads are those individuals responsible for the oversight of particular functions and employees of the City. City department

heads shall be given the authority to hire and terminate employees within their department, provided that any hiring is done without violating budgetary constraints placed on their departments and any terminating is done within the guidelines established by the City of Lake Geneva Employee Handbook.

[Added 5-24-2010 by Ord. No. 10-05; amended 11-28-2011 by Ord. No. 11-32; 9-22-2014 by Ord. No. 14-05]

Approved by the City of Lake Geneva Common Council on this 8th day of April, 2024.

Council Action: ☐ **Adopted** ☐ **Failed** **Vote** _____

Mayoral Action: ☐ **Accept** ☐ **Veto**

Charlene Klein, Mayor

Date

Attest:

Vanessa Jahns, Deputy City Clerk

Date

City of Lake Geneva

Government Manual

DESCRIPTION OF THE CITY OF LAKE GENEVA

The City of Lake Geneva is incorporated under the general statutes of the State of Wisconsin. The citizens of the City elect a mayor and eight Council members, who together make up the governing body of the City of Lake Geneva. The Mayor and four council members are elected in even-numbered years and the remaining council members in odd numbered years. The Mayor and Council establish policies, ordinances, set the operating budget, establish wages and salaries and conditions of employment.

The administrative operation of the City is under the direction of the City Administrator, who is hired by the Mayor and Council. The Administrator is responsible for the overall day-to-day operation of the City, supervision of all employees, the administration of the budget as approved by the Council, and the coordination of the activities of all departments. The Staff is responsible to the Administrator for their activities. The Administrator is responsible to the Mayor and Common Council.

MISSION STATEMENT AND GOALS

Mission Statement

The City of Lake Geneva seeks to preserve its small city atmosphere, reasonable cost of living and high quality of life by carefully controlling land use and development, and delivering quality programs and services in a fiscally responsible manner.

Goals

It is the policy of the City of Lake Geneva to provide quality services to its citizens and visitors. City Staff will work to provide these services in the most professional, ethical, courteous, cost efficient and effective manner.

GUIDE TO EMPLOYMENT

Table of Contents

Description of the City of Lake Geneva	1
Mission Statement and Goals	2
Guide to Employment	3
Chapter 1 - Role and Authority	6
100 - Policy Manual	7
101 - Standards of Conduct for Elected Officials	10
102 - Standards of Conduct for All Employees	13
Chapter 2 - Organization and Administration	19
200 - Electronic Mail	20
201 - Information Technology Use	21
202 - Local Government Use of Social Media	24
203 - Subpoenas and Court Appearances	27
204 - Limited English Proficiency Services	29
205 - ADA Compliance	32
206 - Emergency Management Plan	42
207 - Volunteers	44
208 - Purchasing Policy	51
Chapter 3 - Facilities	53
300 - Key and Electronic Access Device Controls	54
301 - Use of Public Facilities	56
302 - Holiday Displays	59
303 - Memorials on Public Property	61
304 - Flags	65
Chapter 4 - Equipment	67
400 - Local Government-Owned and Personal Property	68
401 - Personal Communication Devices	70
402 - Vehicle Maintenance	74
403 - Vehicle Use	76
404 - Vehicle Safety Restraints/Safety Belts	81
405 - Personal Protective Equipment	83
406 - Physical Asset Management	85
Chapter 5 - Records and Documents	88
500 - Records Maintenance and Release	89
501 - Protected Information	93
502 - Personnel Records	95
Chapter 6 - Personnel	98

City of Lake Geneva

Government Manual

600 - Recruitment and Selection	99
601 - Discriminatory Harassment	102
602 - Grievances	107
603 - Anti-Retaliation	109
604 - Drug-and Alcohol- Free Workplace	112
605 - Communicable Diseases	116
606 - Smoking and Tobacco Use	120
607 - Meal Periods and Breaks	122
608 - Lactation Breaks	123
609 - Payroll Records	125
610 - Overtime Compensation	126
611 - Work-Related Illness and Injury Reporting	128
612 - Temporary Modified- Duty Assignments	130
613 - Speech, Expression, and Social Networking	133
614 - Illness and Injury Prevention	136
615 - Workplace Violence	141
616 - Outside Employment	144
617 - Personal Appearance Standards	148
618 - Dress Code	150
619 - Family and Medical Leave	152
620 - Sick Leave	159
621 - Conflict of Interest	161
622 - Travel Reimbursement Policy	163
623 - Petty Cash Management	166
Attachments	

Chapter 1 - Role and Authority

Policy Manual

100.1 PURPOSE AND SCOPE

The manual of the City is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules, and guidelines of this city. All employees are to conform to the provisions of this manual.

All prior and existing manuals, orders, and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders, and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

Departments have their own Standard Operating Guidelines (SOG)'s. The Guide does not constitute an expressed or implied employment contract.

100.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to employees of this city under the circumstances reasonably available at the time.

100.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the City and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials, or its employees. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training, or discipline. The City reserves the right to revise any policy content, in whole or in part.

100.3 AUTHORITY

The City Administrator or authorized designee shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state, and local laws, rules, and ordinances. The City Administrator or the authorized designee is authorized to issue directives, which shall modify those provisions of the manual to which they pertain. Directives from the City Administrator or the authorized designee shall remain in effect until such time as they may be permanently incorporated into the manual.

100.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Policy Manual

Elected official - Any individual who serves in the City government based upon selection by a public vote, as well as any individual who is appointed or otherwise selected to fill such a position that has been vacated prior to the conclusion of the elected individual's term.

Employee - Any person employed by the City, including:

- Full,- part-time and seasonal employees.
- Appointed personnel. This does not include persons appointed to fill an elected official vacancy.

Manual - The City Policy Manual.

May - Indicates a permissive, discretionary, or conditional action.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other city employees, directing the work of other employees, or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

100.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all employees on the city's Mipay website for viewing and printing.

Each employee shall acknowledge having access to and having the opportunity to review the Policy Manual and any directives issued by the City Administrator or the authorized designee. Employees shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

100.6 PERIODIC REVIEW OF THE POLICY MANUAL

The City Administrator will ensure that the Policy Manual is periodically reviewed and updated as necessary.

100.7 REVISIONS

All revisions to the Policy Manual will be provided to each employee on or before the date the policy becomes effective. Each employee will be required to acknowledge having reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Employees are responsible for keeping abreast of all Policy Manual revisions.

City of Lake Geneva

Government Manual

Policy Manual

All city employees suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors, who will consider the recommendations and forward them to the City Administrator as appropriate.

Standards of Conduct for Elected Officials

101.1 PURPOSE AND SCOPE

This policy establishes standards of conduct expected of all elected officials. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct.

101.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived, or potential conflict in which it reasonably appears that an elected official's action, inaction, or decisions are or may be influenced by a personal or business relationship. It includes conflicts defined and prohibited by state law.

101.2 POLICY

Elected officials of the City are expected to conduct themselves with the utmost professional integrity and objectivity. The service of every elected official of the City shall be based on conduct that reasonably conforms to the guidelines in this policy.

All newly elected and returning City officials are provided with an orientation packet which includes information generated by the League of Wisconsin Municipalities as well as a Council Member Orientation publication created and distributed by the Lake Geneva City Clerk's Office. These materials are provided to assist elected officials in carrying out their responsibilities in a professional, efficient and legal manner. To further ensure the conduct of the elected officials are in line with City, State, and Federal law, the attached policies will serve to preserve and protect the appropriate relationship between the City's elected officials and City staff.

101.3 UNLAWFUL DIRECTIVES

Elected officials should not knowingly direct action or inaction that, if carried out, would result in a violation of any law or city policy.

101.4 GENERAL STANDARDS

Elected officials should conduct themselves in accordance with the federal and state constitutions and all applicable laws, ordinances, and rules.

Elected officials should familiarize themselves with policies and procedures applicable to their conduct.

101.5 ETHICS

Elected officials should avoid engaging in the following conduct:

- (a) Using one's status as an elected official of the City in any way that could reasonably be perceived as an attempt to gain influence or authority for non-city business or activity.

Standards of Conduct for Elected Officials

- (b) The wrong or unlawful exercise of authority for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) Acceptance of fees, gifts, money, tangible or intangible personal property, or any service, gratuity, favor, entertainment, hospitality, loan, promise, or any other thing of value from any person, business, or organization that is doing business with, or seeking to do business with, the City, or contrary to the rules of this city and/or laws of the state.
- (d) Offer or acceptance of a bribe or gratuity.
- (e) Misappropriation or misuse of public funds, property, personnel, or services.
- (f) Any other failure to abide by the standards of ethical conduct.

101.6 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Elected officials should not discriminate against, oppress, or provide favoritism to any person based on a classification or status protected by law.

101.7 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

Elected officials should not:

- (a) Release of confidential or protected information, materials, data, forms, or reports obtained as a result of the elected official's position with this city.
- (b) Use any information, photograph, video, or other recording obtained or accessed as a result of the elected official's position with this city for personal or financial gain.
- (c) Using city resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.
- (d) Loan, sell, or allow unauthorized use, give away, or appropriate any city badge, uniform, identification card, or property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Use city resources for campaign or other political purposes.

101.8 CONFLICTS OF INTEREST

Elected officials shall follow all laws regarding actual and perceived conflicts of interest and should avoid the appearance of actual or perceived conflicts of interest.

Elected officials should recuse themselves from participating avoid in decisions regarding promotions, performance evaluations, or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

101.9 ETHICAL COMPLIANCE DOCUMENTATION

Elected officials have a legal and moral obligation to report any potential ethical violations in a timely manner along with required documentation or any other matter related to conduct are timely completed and submitted to the appropriate authorities.

City of Lake Geneva

Government Manual

Standards of Conduct for Elected Officials

Standards of Conduct for All Employees

102.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the City and are expected of all employees. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, employees are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this city or an employee's supervisor.

102.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived, or potential conflict in which it reasonably appears that an employee's action, inaction, or decisions are or may be influenced by a personal or business relationship. It includes conflicts defined and prohibited by state law.

102.2 POLICY

The continued employment or appointment of every employee of the City shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether during work hours or non-work hours, may be cause for disciplinary action.

102.3 GENERAL STANDARDS

Employees shall conduct themselves in accordance with the federal and state constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Employees shall familiarize themselves with policies and procedures and are responsible for compliance with each. Employees should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

102.4 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, or ethics, and specific action or inaction that is detrimental to the city's ability to effectively serve the public.

Standards of Conduct for All Employees

102.4.1 LAWS, RULES, AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive, or requirement, or failure to follow instructions contained in city manuals.
- (b) Disobedience of any lawful direction or order.
- (c) Violation of federal, state, local, or administrative laws, rules, or regulations.

102.4.2 ETHICS

- (a) Using or disclosing one's status as an employee of the City in any way that could reasonably be perceived as an attempt to gain influence or authority for non-city business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the employee's work with the City.
- (d) Acceptance of fees, gifts, or money contrary to the rules of this city and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Any other failure to abide by the standards of ethical conduct.

102.4.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

102.4.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship during work hours or through the use of one's official capacity.
- (b) Engaging in sexual activity during work hours, including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship as a direct result of any official business.
- (d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the employee knows or reasonably should know of the criminal nature of the organization.

Standards of Conduct for All Employees

102.4.5 ATTENDANCE

- (a) Leaving the job to which the employee is assigned during work hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to work without reasonable excuse.

102.4.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the employee's position with this city.
- (b) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this city for personal or financial gain or without the express authorization of the City Administrator or the authorized designee.
- (c) Loaning, selling, allowing unauthorized use, giving away, or appropriating any city badge, uniform, identification card, or property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (d) Using city resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

102.4.7 EFFICIENCY

- (a)
- (b) Unsatisfactory work performance, including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during work hours or assignments.
- (e) Failure to notify the City within five (5) business days of any change in residence address or contact numbers.
- (f) Failure to notify a supervisor of changes in relevant personal information (e.g., information associated with benefits determination) within five (5) business days.

102.4.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.

Standards of Conduct for All Employees

- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction, and/or mutilation of any city record, public record, book, paper, or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any city-related business.
- (d) Being untruthful or knowingly making false, misleading, or malicious statements that are reasonably calculated to harm the reputation, authority, or official standing of this city or its employees.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this city or subverts the good order, efficiency, and discipline of this city or that would tend to discredit any of its employees.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on city premises.
 - 2. At any work site, during work hours, or while using any city equipment or system.
- (g) Improper political activity, including:
 - 1. Unauthorized attendance during work hours at official legislative or political sessions.
 - 2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position during work hours or on city property except as expressly authorized by city policy, an employment agreement or contract, or the City Administrator or the authorized designee.
- (h) Engaging in political activities during work hours except as expressly authorized by city policy, any employment agreement or contract, or the City Administrator or the authorized designee.
- (i) Unauthorized solicitation of employees or distribution to employees on the premises, to include, but not limited to soliciting funds or signatures; conducting membership drives; distributing literature or gifts; offering to sell merchandise or services (except by representatives of vendors or potential vendors as authorized by the City); or any other similar activity.
- (j) Any act that brings discredit to this city.

102.4.9 CONDUCT

- (a) Failure to promptly and fully report activities on the employee's part or the part of any other employee where such activities resulted in contact with any law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unauthorized or unlawful fighting, or threatening or attempting to inflict unlawful bodily harm on another.

Standards of Conduct for All Employees

- (c) Engaging in horseplay that reasonably could result in injury or property damage.
- (d) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any employee of the City.
- (e) Use of obscene, indecent, profane, or derogatory language during work hours or in uniform.
- (f) Criminal, dishonest, or disgraceful conduct that adversely affects the employee's relationship with the City.
- (g) Unauthorized possession of, loss of, or damage to city property or the property of others or endangering it through carelessness or maliciousness.
- (h) Attempted or actual theft of city property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of city property or the property of another person.
- (i) Activity that is incompatible with an employee's conditions of employment or appointment as established by law or that violates a provision of any employment agreement or contract, including fraud in securing the appointment or hire.
- (j) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the City Administrator or the authorized designee of such action.
- (k) Any other conduct that any employee knows or reasonably should know is unbecoming an employee of this city, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon the City or its employees.
- (l) Circumventing the chain of command.
- (m) Undermining the authority of a supervisor.

102.4.10 SAFETY

- (a) Failure to observe or violating city safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform the work assigned, if applicable.
- (d) Unsafe firearm or other weapon handling, including loading or unloading firearms in an unsafe manner.
- (e) Carrying, while on the premises of the work site, any firearm or other weapon that is not authorized by law or the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

Standards of Conduct for All Employees

102.4.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the employee's ability to work is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.
- (b) Possession or use of alcohol during work hours or within four (4) hours of reporting for duty.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to work.
- (d) Performing safety-sensitive functions for 24 hours following an alcohol test result indicating an alcohol concentration of 0.02 but less than 0.04.

Chapter 2 - Organization and Administration

Electronic Mail

200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the City.

200.2 POLICY

Employees shall use email in a professional manner in accordance with this policy and current public records laws.

200.3 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to emails accessed, transmitted, received, or reviewed on any city technology system (see the Information Technology Use Policy for additional guidance).

200.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration, or practices of the City.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire City are only to be used for official business-related items that are of particular interest to all users. In the event that an employee has questions about sending a particular email communication, the employee should seek prior approval from a supervisor.

It is a violation of this policy to transmit a message under another employee's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Employees are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of an employee's email, name, or password. Any employee who believes the employee's password has become known to another person shall change the password immediately.

200.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record and must be managed in accordance with the established records retention schedule and in compliance with state law.

The City Administrator or designee should ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Information Technology Use

201.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of city information technology resources, including computers, electronic devices, hardware, software, and systems.

201.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented, or licensed by the City that are provided for official use by its employees. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the City or city funding.

Hardware - Includes but is not limited to computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), modems, or any other tangible computer device generally understood to comprise hardware.

Software - Includes but is not limited to all computer programs, systems, and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file, or file - Any electronic document, information, or data residing or located, in whole or in part, on the system, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs, or videos.

201.2 POLICY

It is the policy of the City that employees shall use information technology resources, including computers, software, and systems, that are issued or maintained by the City in a professional manner and in accordance with this policy.

201.3 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any city computer system.

The City reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the City, including the city email system, computer network, and/or any information placed into storage on any city system or device. This includes records of all key strokes or web-browsing history made at any city computer or over any city network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through city computers, electronic devices, or networks.

Information Technology Use

201.4 RESTRICTED USE

Employees shall not access computers, devices, software, or systems for which they have not received prior authorization or the required training. Employees shall immediately report unauthorized access or use of computers, devices, software, or systems by another employee to their supervisors.

Employees shall not use another person's access passwords, logon information, and other individual security data, protocols, and procedures unless directed to do so by a supervisor.

201.4.1 SOFTWARE

Employees shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer viruses, Grey Market Licenses or malicious software, employees shall not install any unlicensed or unauthorized software on any city computer. Employees shall not install personal copies of any software on any city computer or city devices.

No employee shall knowingly make, acquire, or use unauthorized copies of computer software that is not licensed to the City while on city premises, computer systems, or electronic devices. Such unauthorized use of software exposes the City and involved employees to severe civil and criminal penalties.

Introduction of software by employees should only occur as a part of the automated maintenance or update process of city-approved or installed programs by the original manufacturer, producer, or developer of the software. Any other introduction of software requires prior authorization from a supervisor and a full scan for malicious attachments.

201.4.2 HARDWARE

Access to technology resources provided by or through the City shall be strictly limited to city-related activities. Data stored on or available through city computer systems shall only be accessed by authorized employees who have a legitimate city-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

- (a) Sensitive or confidential information will not be stored on any type of external storage device unless approved by the City Administrator or the authorized designee. Any external storage device i.e. (USB drive, Thumb drive, external hard drive) must be approved by IT prior to use on the City's network.

201.4.3 INTERNET USE

Internet access provided by or through the City shall be strictly limited to city-related activities. Internet sites containing information that is not appropriate or applicable to city use and that shall not be intentionally accessed include but are not limited to adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of an employee's assignment.

Downloaded information from the internet shall be limited to messages, mail, and data files.

Information Technology Use

201.4.4 USE DURING NON-WORK HOURS

Employees shall only use technology resources provided by the City during work hours unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email, or any other off-the-clock work-related activities. This also applies to personally owned devices that are used to access city resources.

Refer to the Personal Communication Devices Policy for guidelines regarding use of personally owned technology during non-work hours.

201.4.5 CYBER SECURITY

City Staff and all Elected Officials will be subject to cyber-security simulations and training modules. Assigned training modules must be completed within their respective due dates.

201.5 PROTECTION OF SYSTEMS AND FILES

All employees have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Employees shall ensure city computers and access terminals are not viewable by unauthorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed.

It is prohibited for an employee to allow an unauthorized user to access the computer system at any time or for any reason. Employees shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

201.6 INSPECTION AND REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of supervisory duties or based on cause.

Reasons for inspection or review may include but are not limited to computer system malfunctions, problems, or general computer system failure, a lawsuit against the City involving one of its employees or an employee's duties, an alleged or suspected violation of any city policy, a request for disclosure of data, or a need to perform or provide a service.

Qualified staff, or the city I.T. service provider may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the city computer system when requested by a supervisor or during the course of regular duties that require such information.

Local Government Use of Social Media

202.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any and all use of social media on behalf of the City is consistent with the City's mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by city employees (see the Speech, Expression, and Social Networking Policy).
- Use of social media in the City's personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of an investigation, other than disseminating information to the public on behalf of this city.

202.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the city website or social networking services.

202.2 POLICY

The City will use social media as a method of effectively informing the public about city services, issues, investigations, recruitment, and other relevant events.

The use or access of social media should be done in a manner that protects the constitutional rights of all people.

202.3 AUTHORIZED USERS

Only employees authorized by the City Administrator or the authorized designee may utilize social media on behalf of the City. Authorized employees shall use only city-approved equipment during the normal course of duties to post and monitor city-related social media, unless they are specifically authorized to do otherwise by their supervisors or department head.

The City Administrator may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over city social media by employees who are not authorized to post should be made through the appropriate supervisory channels.

Restriction to company applications are only as permitted by the City Administrator on work devices.

Local Government Use of Social Media

202.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the City mission, and that conforms to all city policies regarding the release of information may be posted. Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Requests for information.
- (d) Community engagement information.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings, or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

202.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy, and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the City Administrator or the authorized designee will be responsible for the compilation of information to be released.

202.5 PROHIBITED CONTENT

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the City or its employees.
- (e) Any information that could compromise the safety and security of city operations, employees of the City, or the public.
- (f) Any content posted for personal/political use or for personal benefit.
- (g) Any content that has not been properly authorized by this policy or a supervisor.
- (h) Please refer to the Use of Information Technology Policy for the use of applications.

Any employee who becomes aware of content on this city's social media sites that the employee believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

Local Government Use of Social Media

202.5.1 PUBLIC POSTING PROHIBITED

City social media sites shall be designed and maintained to prevent posting of content by the public.

The City may provide a method for members of the public to contact city employees directly.

202.6 MONITORING CONTENT

The City Administrator will appoint a supervisor to review, at least annually, the use of city social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content, and the resolution of any issues.

202.7 RETENTION OF RECORDS

The City Administrator should work with the City Clerk to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

202.8 TRAINING

Authorized employees should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, and dissemination and retention of information posted on city sites.

Subpoenas and Court Appearances

203.1 PURPOSE AND SCOPE

This policy establishes the guidelines for city employees who must appear in court. It will allow the City to cover any related work absences and keep the City Administrator informed about relevant legal matters.

203.2 POLICY

Employees will respond appropriately to all subpoenas and any other court-ordered appearances.

203.3 SUBPOENAS

Only employees authorized to receive a subpoena on behalf of the City or any of its employees may do so.

203.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any employees who are subpoenaed to testify, agree to testify, or provide information on behalf or at the request of any party other than the City or the prosecutor shall notify their immediate supervisors without delay regarding:

- (a) Any civil case where the City or one of its employees, as a result of the employee's official capacity, is a party.
- (b) Any civil case where any other city, county, state, or federal unit of government or a member of any such unit of government, as a result of the member's official capacity, is a party.
- (c) Any criminal proceeding where the employee is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the employee's work activity or because of the employee's association with the City.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the City.

The supervisor will then notify the City Legal Counsel. The City Administrator should determine if additional legal support is necessary.

No employee shall be retaliated against for testifying in any matter.

203.3.2 WORK-RELATED SUBPOENAS

The City will compensate employees who appear in their official capacities on matters arising out of their official duties.

The City should seek reimbursement for the employee's compensation for appearances on civil subpoenas through the attorney of record who subpoenaed the employee.

Subpoenas and Court Appearances

203.3.3 OTHER SUBPOENAS

Employees receiving valid subpoenas for actions unrelated to their employment or appointment with the City will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

203.4 FAILURE TO APPEAR

Any employee who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

203.5 COURTROOM PROTOCOL

When appearing in court, employees shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress and prepared to proceed immediately with the case for which they are scheduled to appear.
- (c)

203.5.1 TESTIMONY

Before the date of testifying, the subpoenaed employee should review relevant reports or documents in order to be prepared for court.

203.5.2 RECORDS

When an employee is directed by a subpoena to appear in court with records, that employee should notify the City's Legal Counsel promptly after receiving the subpoena that the specified records are needed for court.

Limited English Proficiency Services

204.1 PURPOSE AND SCOPE

This policy provides guidance to employees when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

204.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the City to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficiency (LEP) individual - Any individual whose primary language is not English and who has a limited ability to read, write, speak, or understand English. These individuals may be competent in certain types of communication (e.g., speaking, understanding) but still exhibit LEP for other purposes (e.g., reading, writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

Qualified bilingual employee - An employee of the City, designated by the City Administrator or the authorized designee, who has the ability to communicate fluently, directly, and accurately in both English and another language. Bilingual employees may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

204.2 POLICY

It is the policy of the City to reasonably provide LEP individuals with meaningful access to services, programs, and activities, while not imposing undue burdens on the City or its employees.

The City will not discriminate against or deny any individual access to services, rights, or programs based upon national origin or any other protected interest or right.

204.3 FOUR-FACTOR ANALYSIS

Because there are many different languages that employees could encounter, the City will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that contacts and

Limited English Proficiency Services

circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of the following four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by city employees, or who may benefit from programs or services within the jurisdiction of this city.
- (b) The frequency with which LEP individuals are likely to come in contact with city employees, programs, or services.
- (c) The nature and importance of the contact, program, information, or service provided.
- (d) The cost of providing LEP assistance and the resources available.

204.4 TYPES OF LEP ASSISTANCE AVAILABLE

Employees should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The City will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The City will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept city-provided LEP services at no cost, or they may choose to provide their own.

City-provided LEP services may include but are not limited to the assistance methods described in this policy.

204.5 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. If English versions of any vital documents are published on the city website, the translated versions of the same document must also be posted on the website. The LEP coordinator will arrange to make all translated documents available to employees and other appropriate individuals, as necessary.

204.6 AUDIO RECORDINGS

The City may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

204.7 CONTACT AND DOCUMENTATION

Although all public contacts, services, and individual rights are important, this city will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular activity involved.

Limited English Proficiency Services

Whenever any employee of this city is required to complete a report or other documentation that involves a situation in which interpretation services were provided to any involved LEP individual, such services should be noted in the related report or documentation. Employees should document the type of interpretation services utilized and whether the individual elected to use services provided by the City or some other identified source.

204.8 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The City will take reasonable steps to develop in-house language capacity by hiring or appointing qualified employees proficient in languages representative of the community being served.

ADA Compliance

205.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for equal access to local government services, programs, and activities for persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA).

This policy also includes guidelines to provide effective communication with persons with disabilities and to protect the rights of individuals who use service animals in accordance with the ADA.

205.1.1 DEFINITIONS

Definitions related to this policy include (28 CFR 35.104):

ADA coordinator - The employee designated by the City Administrator to coordinate the City's efforts to comply with the ADA (28 CFR 35.107).

Assistive devices, auxiliary aids, and services - Tools used to communicate with people who have a disability or impairment. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the person uses assistive devices, auxiliary aids, and services. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; 28 CFR 35.108).

Facility - All aspects of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walkways, parking areas, and other real or personal property (28 CFR 35.108).

Modification - Any change, adjustment, alteration, adaptation, or accommodation that renders a city service, program, or activity suitable for use, enjoyment, or participation by a person with a disability. This may include alteration of existing buildings and facilities.

A modification includes any change or exception to a policy, practice, or procedure that allows a person with a disability to have equal access to programs, services, and activities. It also includes the provision or use of assistive devices, auxiliary aids, and services.

Power-driven mobility device - Any mobility device powered by batteries, fuel, or other engine type used by persons with disabilities for mobility assistance, regardless of whether the device was primarily designed for that purpose (e.g., golf carts, Segway® PT, mobility scooters). For purposes of this policy, it does not include wheelchairs.

ADA Compliance

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters.

Service animal - A dog that is trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability.

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for persons with disabilities, provided the horse is housebroken, is under the handler's control, the building or facility can accommodate the horse's type, size, and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

205.2 POLICY

It is the policy of the City that persons with disabilities have equal access to city services, programs, and activities.

The City will not discriminate against or deny any individual access to services, programs, or activities based upon disabilities.

205.3 AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR

The responsibilities of the ADA coordinator include but are not limited to (28 CFR 35.130):

- (a) Coordinating efforts among each city department to provide equal access to services, programs, and activities including:
 - 1. Establishing procedures to provide for the performance of routine maintenance on buildings, facilities, or equipment that provide access to persons with disabilities (28 CFR 35.133).
- (b) Recommending amendments to this policy, as needed.
- (c) Coordinating a process of periodic self-evaluation. The process should include:
 - 1. Inspection of current city buildings and facilities to identify access issues.
 - 2. Review of current city services, activities, and programs for access issues.
 - 3. Assessment and update of current compliance measures.
 - 4. Identification of recurring areas of complaint for which new methods of modification should be considered.
 - 5. Review of the city's emergency programs, services, and activities as they apply to persons with disabilities.
 - 6. Recommendation of a schedule to implement needed improvements.
- (d) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to city services, programs, and activities.

ADA Compliance

- (e) Developing procedures for the review and processing of requests for assistance or modifications that will help employees provide persons with disabilities access to city services, programs, and activities, as appropriate.
- (f) Providing notice to the public regarding the rights and protections afforded by the ADA (e.g., posters, published notices, handbooks, manuals, and pamphlets describing city services, programs, and activities and the availability of assistive devices, auxiliary aids, and services, as well as modifications) (28 CFR 35.106).
- (g) Developing procedures for employees to access assistive devices, auxiliary aids, and services, including qualified interpreters, and making the procedures available, as appropriate.
 - 1. A list of qualified interpreter services with contact and availability information should be maintained and easily accessible to employees.
- (h) Developing, implementing, and publishing appropriate procedures to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to services, programs, and activities (28 CFR 35.107). The complaint procedures should include an appeal process.
- (i) Requiring third parties providing city services, programs, or activities through contract, outsourcing, licensing, or other arrangement to establish reasonable policies and procedures to prevent discrimination against and denial of access to persons with disabilities.
- (j) Developing and implementing procedures to provide that new construction and any alteration to an existing building or facility are undertaken in compliance with the ADA (28 CFR 35.151).
- (k) Developing and implementing procedures to provide that new construction and alteration of city-maintained roadways, highways, and streets include curb ramps or other sloped areas to make pedestrian-level walkways accessible as required by law (28 CFR 35.150(d)(2); 28 CFR 35.151(i)).
- (l) Coordinating with appropriate city staff to address the needs of persons with disabilities in the City's emergency disaster preparedness planning, including consideration of shelters and care facilities, transportation, means of evacuation, communication methods (e.g., warning and emergency notification systems), and post-disaster canvassing.

205.4 REQUESTS

The goal of any modification should be to allow the person to participate in the service, program, or activity the same as a person who does not have a disability.

Upon receiving a request for a modification, employees should make reasonable efforts to accommodate the request based on the preference of the person with the disability. Employees should not ask about the nature and extent of a person's disability, but should limit questions to information necessary to determine the need for a modification and the type of modification that is appropriate.

ADA Compliance

If the requested modification, or an alternative modification, can reasonably be made at the time of the request, the employee should make the modification. An employee who is unable to accommodate a request or unsure about whether a request should be accommodated, should contact a supervisor.

The supervisor should review and approve the request, if practicable and appropriate. Otherwise, the supervisor should document the requesting person's contact information and the modification being requested and forward the request to the ADA coordinator for processing as soon as reasonably practicable.

205.4.1 DENIAL OF A REQUEST

The following should be considered before denying a request for modification:

- (a) Requests for modifications should be approved unless complying with the request would result in (28 CFR 35.150):
 - 1. A substantial alteration of the service, program, or activity.
 - 2. An undue financial or administrative burden on the City.
 - 3. All resources available for use in the funding and operation of the service, program, or activity at issue should be considered in this determination.
 - 4. A threat to or the destruction of the historic significance of an historic property.
 - 5. A direct threat to the health or safety of others (28 CFR 35.139).
- (b) If any of these circumstances are present, the ADA coordinator should work with department staff and the person requesting the modification to determine if an alternative modification is available.
- (c) Where physical modification of an existing building or facility, or new construction, would be unfeasible or unduly burdensome, the ADA coordinator should work with department staff to determine whether alternative modifications are available. Alternative methods that should be considered include (28 CFR 35.150):
 - 1. Reassigning services, programs, or activities to accessible buildings or facilities.
 - 2. Utilizing technology, equipment, rolling stock, or other conveyances.
 - 3. Delivering the services, programs, or activities directly to a person with a disability by way of home visits or meeting the person at an accessible location.
 - 4. Any other means or methods that would make services, programs, or activities readily accessible.
- (d) If no alternative modification is appropriate, the ADA coordinator shall issue a written statement explaining why a modification of the public service, program, or activity will not be made (28 CFR 35.150).

ADA Compliance

205.4.2 PERSONAL DEVICES AND ASSISTANCE

Although employees should make every effort to comply with requests, the provision of personal devices or assistance (e.g., wheelchairs, eyeglasses, hearing aids, personal assistance in eating or using the restroom) to persons with disabilities is not required (28 CFR 35.135).

205.4.3 SURCHARGES

Surcharges shall not be imposed upon persons with disabilities to cover the costs of providing modifications to public services, programs, and activities (28 CFR 35.130(f)).

205.5 MOBILITY DEVICES

Wheelchairs and manually powered mobility devices such as walkers, crutches, canes, and braces are permitted in any areas open to pedestrians.

Power-driven mobility devices other than wheelchairs may be restricted only if a legitimate safety interest is identified that warrants the restriction (28 CFR 35.130(h); 28 CFR 35.137).

An employee should not ask a person using a power-driven mobility device to terminate the use of the device or leave the area unless an imminent and legitimate safety issue is present. If an employee is concerned about the use of a power-driven mobility device by a person with a disability, the employee should contact a supervisor.

The determination of whether a reasonable modification should be made for the use of a power-driven mobility device within a public building or facility should be based on whether the device, given its size and speed, can be safely used within the particular building or facility taking into account the layout and design of the building or facility, the amount of pedestrian traffic present in the building or facility, and whether there is any risk of damage to the building or facility or its immediate environment as set forth in 28 CFR 35.137.

205.5.1 INQUIRIES REGARDING MOBILITY DEVICES

If an individual is using a power-driven mobility device other than a wheelchair, the employee may seek credible assurance from the individual that the device is needed because of a disability. Credible assurance of the device's necessity may be provided in one of the following ways (28 CFR 35.137):

- (a) Presentation of a valid, state-issued disability placard or card
- (b) Presentation of any other state-issued proof of disability
- (c) A verbal statement, not contradicted by observable fact, that use of the device is necessary for mobility purposes

205.6 COMMUNICATIONS WITH PERSONS WITH DISABILITIES

Employees should remain alert to the possibility of communication problems when engaging with persons with disabilities. When an employee knows or suspects an individual requires assistance to effectively communicate, the employee should identify the individual's choice of assistive device, auxiliary aid, and service.

ADA Compliance

The individual's preferred communication method should be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length, and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, employees may use whatever assistive device, auxiliary aid and service reasonably appears effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate assistive device, auxiliary aid, and service. Once the emergency has ended, the continued method of communication should be reconsidered. The employee should inquire as to the individual's preference and give primary consideration to that preference.

205.6.1 TYPES OF ASSISTANCE AVAILABLE

Employees shall not refuse an available type of assistive device, auxiliary aid, and service to a person with a disability who is requesting assistance. The City will not require persons with disabilities to furnish their own assistive device, auxiliary aid, and service as a condition for receiving assistance. The City will make every reasonable effort to provide equal access and timely assistance to persons with disabilities through a variety of assistive devices, auxiliary aids, and services.

Persons with disabilities may choose to accept city-provided assistive devices, auxiliary aids, and services, or they may choose to provide their own.

City-provided assistive devices, auxiliary aids, and services may include but are not limited to the assistance methods described in this policy.

205.6.2 AUDIO RECORDINGS AND ENLARGED PRINT

The City may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, employees may read aloud from the appropriate form or provide forms with enlarged print.

205.6.3 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex interactions (e.g., public meetings or hearings, special or emergency meetings, plan reviews) for individuals who normally rely on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the exchange. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a local government or legal proceeding.

Qualified interpreters should be:

ADA Compliance

- (a) Available within a reasonable amount of time.
- (b) Experienced in providing interpretation services.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Employees should use city-approved procedures to request a qualified interpreter at the earliest reasonable opportunity or when it is reasonably apparent that an interpreter is needed. Persons with disabilities shall not be required to provide their own interpreters (28 CFR 35.160).

205.6.4 TTY AND RELAY SERVICES

The City will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service.

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

205.6.5 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the City to provide interpreter services.

When qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, city employees must carefully consider the nature of the interaction and the relationship between the person with the disability and the volunteer to be reasonably satisfied that the volunteer can provide neutral and unbiased assistance.

205.6.6 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, employees should carefully consider the circumstances before relying on such individuals. The nature of the interaction and relationship between the person with the disability and the person offering services must be carefully considered to determine whether the family member or friend can provide neutral and unbiased assistance.

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

ADA Compliance

- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

205.6.7 FIELD ENFORCEMENT CONSIDERATIONS

It is important that employees are able to effectively communicate with persons with disabilities even though the location of the communication may hinder the employee's ability to provide assistive devices, auxiliary aids, and other services in a prompt manner.

Employees involved in interactions with persons with disabilities that occur in the field and that could result in any type of civil or criminal enforcement action (e.g., issuing code enforcement citations, shutting off a utility service) should assess each situation to determine if communication assistance is necessary. The length, complexity, and importance of the communication, as well as the individual's preferred method of communication, should be considered when determining what, if any, resources should be used and whether a qualified interpreter or other service is needed.

205.7 SERVICE ANIMALS

Service animals that are assisting persons with disabilities are permitted in all city buildings and facilities and other areas where the general public is allowed. City employees are expected to treat people with service animals with the same courtesy and respect that the City affords to all members of the public (28 CFR 35.136).

205.7.1 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness, or collar.

Service animals may be used in a number of ways to provide assistance, including:

- (a) Guiding people who are blind or have low vision.
- (b) Alerting people who are blind or have low vision.
- (c) Retrieving or picking up items, opening doors, or flipping switches for people who have limited use of their hands, arms, or legs.
- (d) Pulling wheelchairs.
- (e) Providing physical support and assisting with stability and balance.
- (f) Doing work or performing tasks for people with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication.
- (g) Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

ADA Compliance

205.7.2 INQUIRIES REGARDING SERVICE ANIMALS

If it is apparent or if an employee is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the employee should ask the individual only the following questions (28 CFR 35.136(f)):

- (a) Is the animal required because of a disability?
- (b) What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. Employees should not question individuals about their disabilities nor should employees ask any individual to provide a license, certification, or identification card for a service animal.

205.7.3 CONTACT WITH SERVICE ANIMALS

Service animals are not pets. City employees should not interfere with the important work performed by a service animal by talking to, petting, or otherwise initiating contact with a service animal.

205.7.4 REMOVAL OF SERVICE ANIMALS

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an employee should notify an appropriate supervisor who may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually, and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse access to services, programs, or activities to a person with a disability. Employees are expected to provide all services that are reasonably available to a person with a disability, with or without a service animal.

205.8 WEBSITE ACCESS

The ADA coordinator should work with appropriate city employees to develop online content that is readily accessible to persons with disabilities. City web content should be developed in conformance with the most current guidelines issued by the U.S. Department of Justice.

Website content should also be made available to persons with disabilities in an alternative format upon request, if reasonably practicable.

ADA Compliance

205.9 DOCUMENTATION

Whenever any modification, assistive device, auxiliary aid, and service has been provided, the employee involved should document:

- (a) The type of modification, aid, or service provided.
- (b) Whether the individual elected to use an assistive device, auxiliary aid, and service provided by the City or some other identified source, if applicable.
- (c) Whether the individual's express preference for the modification, assistive device, auxiliary aid, and service was not honored, and the reason why an alternative method was used.

The documentation and any written communications exchanged should be maintained consistent with the Records Maintenance and Release Policy.

205.10 COMPLAINTS

An employee who receives a complaint or becomes aware of potential disability discrimination, an ADA violation, or a person's inability to access a city program, service, or activity should document the complaint and refer the matter to the ADA coordinator (28 CFR 35.107).

205.11 TRAINING

Employees who may have contact with persons with disabilities should receive periodic training on ADA compliance, to include:

- (a) Awareness and understanding of this policy and related procedures, related forms, and available resources.
- (b) Procedures for handling requests for modifications.
- (c) Accessing assistive devices, auxiliary aids, and services needed to communicate with persons with disabilities.
- (d) General requirements of the ADA, including modifying policies and practices, communicating with and assisting customers, accepting calls placed through alternative systems, and identifying alternate ways to provide access to programs, services, and activities as appropriate to the employee's job duties.

Training records should be maintained in each employee's personnel file in accordance with the established records retention schedule.

Emergency Management Plan

206.1 PURPOSE AND SCOPE

This policy addresses the preparation, maintenance, and activation of the city's emergency management plan.

206.2 POLICY

The City will prepare for large-scale emergencies within and outside its jurisdiction through planning, mutual cooperation with other agencies, and maintenance of an emergency management plan.

206.3 CITY RESPONSIBILITIES

The Mayor, the Police Chief or the Fire Chief should designate a person responsible for the city's emergency management plan and the coordination with applicable local and state departments and entities for disaster planning, mitigation, response, and recovery efforts.

206.4 ACTIVATING THE EMERGENCY MANAGEMENT PLAN

The emergency management plan should include direction on how to activate the emergency management plan and who can activate it in response to a major emergency.

206.4.1 RECALL OF PERSONNEL

In the event that the emergency management plan is activated, all employees of the City are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary.

Failure to promptly respond to an order to report to work may result in discipline.

206.5 LOCATION OF THE EMERGENCY MANAGEMENT PLAN

Copies of the emergency management plan should be available to appropriate personnel. All supervisors should familiarize themselves with the emergency management plan and assist employees in familiarizing themselves with the roles they will play when the plan is implemented.

The plan is located in an EMS binder on file with the city.

206.6 EMERGENCY MANAGEMENT PLAN REVIEW

The Mayor or the authorized designee should review the emergency management plan at least once every two years and ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS). The City Administrator or the authorized designee should appropriately address any needed revisions.

206.7 TRAINING

The City should provide training on the emergency management plan for appropriate personnel. Training should incorporate a full or partial exercise or a tabletop or command discussion

Emergency Management Plan

Volunteers

207.1 PURPOSE AND SCOPE

This policy establishes the guidelines for volunteers to supplement and assist city personnel in their duties. Trained volunteers can augment city personnel and help complete various tasks.

207.1.1 DEFINITIONS

Definitions related to this policy include:

Volunteer - An individual who performs a service for the City without promise, expectation, or receipt of compensation for services rendered. This may include interns, persons providing administrative support, and individuals participating in school-sponsored, educational, or diversion programs, among others. Volunteers may be youths or adults.

207.2 POLICY

It is the policy of the City that volunteers be appointed, trained, and supervised to carry out specified tasks and duties in an effort to create an efficient local government and improve services to the community.

207.3 ELIGIBILITY

Requirements for participation as a volunteer for the City may include but are not limited to:

- (a) Review and sign all applicable release and hold harmless forms provided by the City.
- (b) The ability to meet any necessary age requirements.
- (c) Possession of a valid driver's license, if the position requires vehicle operation.
- (d) Possession of liability insurance for any personally owned equipment, vehicles, or animals utilized during volunteer work.
- (e) No conviction of a felony, any crime of a sexual nature or against children, any crime related to assault or violence, any crime related to dishonesty, or any crime that would be inconsistent with volunteer service with the City.
- (f) The ability to meet physical requirements reasonably appropriate to the assignment.
- (g) A personal background history and character suitable for a person representing the City, as validated by a background investigation, as appropriate.

The City Administrator may allow exceptions to these eligibility requirements based on organizational needs and the qualifications of the individual.

207.3.1 MINORS

Volunteers younger than age 14 must be accompanied by a parent or legal guardian during the performance of their volunteer assignments. Volunteers between the ages of 14 and 18 must have the written consent of a parent or guardian prior to volunteering.

Volunteers

207.4 RECRUITMENT, SELECTION, AND APPOINTMENT

The City shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this city.

207.4.1 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis consistent with city policy on equal opportunity, nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the City in serving the public.

Requests for volunteers should be submitted in writing by interested city employees to the volunteer coordinator through the requester's immediate supervisor. A complete description of the volunteer's duties and a requested time frame should be included in the request. All city employees should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The volunteer coordinator may withhold assignment of any volunteer until such time as the requester is prepared to make effective use of volunteer resources.

207.4.2 SELECTION

Volunteer candidates shall successfully complete the following process prior to appointment as a volunteer:

- (a) Submit the appropriate written application.
- (b) Interview with the volunteer coordinator.
- (c) Successfully complete an appropriate-level background investigation or screening.

207.4.3 APPOINTMENT

Service as a volunteer with the City shall begin with an official notice of acceptance or appointment by the City Administrator or the authorized designee. Notice may only be given by an authorized representative of the City, who will normally be the volunteer coordinator.

No volunteer should begin any assignment until officially accepted for the position and all required screening and paperwork has been completed. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of the position description and agreement of service with the City.

All volunteers shall receive a copy of applicable volunteer orientation materials and shall be required to sign a volunteer agreement. Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the City.

Volunteers serve at the discretion of the City Administrator.

207.5 IDENTIFICATION AND DRESS CODE

As representatives of the City, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their assignment.

Volunteers

Uniforms and necessary safety equipment will be provided for each volunteer, if appropriate for the volunteer position. Identification symbols worn by volunteers shall be different and distinct from those worn by city employees through the inclusion of "Volunteer" on the uniform.

Certain volunteers may be issued city identification cards to be carried at all times while in the performance of their assignment. The identification cards may be the standard city identification cards, except that "Volunteer" will be indicated on the cards.

207.6 PERSONNEL WORKING AS VOLUNTEERS

Qualified regular city personnel, when authorized, may also serve as volunteers. However, this city shall not utilize the services of volunteers in such a way that it would violate employment laws or employment agreements. Therefore, the volunteer coordinator should consult with the City Administrator or the authorized designee prior to allowing regular city personnel to serve in a volunteer capacity (29 CFR § 553.100 et seq.).

207.7 VOLUNTEER COORDINATOR

The volunteer coordinator should be appointed by the City Administrator or the authorized designee.

The function of the coordinator is to provide a central coordinating point for effective volunteer management within the City, and to direct and assist efforts to jointly provide more productive volunteer services. Volunteers serve under the general direction of the supervisor in charge of the volunteer's assignment but report to the volunteer coordinator.

The volunteer coordinator may appoint a senior volunteer or other designee to assist in the coordination of volunteers and their activities.

The responsibilities of the coordinator or the authorized designee include but are not limited to:

- (a) Recruiting, selecting, and training qualified volunteers.
- (b) Conducting volunteer meetings, as appropriate.
- (c) Establishing and maintaining a volunteer callout roster, as necessary.
- (d) Maintaining records for each volunteer.
- (e) Tracking and evaluating the contribution of volunteers.
- (f) Maintaining a record of volunteer schedules.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining a liaison with other community programs that use volunteers and assisting in community-wide efforts to recognize and promote volunteering.
- (j) Maintaining volunteer orientation and training materials and outlining expectations, policies, and responsibilities for all volunteers.

Volunteers

An evaluation of the overall use of volunteers will be conducted on an annual basis by the coordinator.

207.8 RESPONSIBILITIES

Volunteers assist city personnel as needed. Volunteers may be assigned to one department to augment the support of paid personnel, but they may be reassigned as needed. Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the City.

207.8.1 COMPLIANCE

Volunteers shall be required to adhere to all city policies and procedures. A copy of the policies and procedures will be made available to each volunteer upon appointment. The volunteer shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this Policy Manual refers to city employees, it shall also apply to a volunteer, unless by its nature it is inapplicable.

Volunteers are required to meet city-approved training requirements as applicable to their assignments.

207.8.2 VOLUNTEER MEETINGS

All volunteers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the volunteer coordinator.

207.9 TASK-SPECIFIC TRAINING

Task-specific training is intended to provide the required instruction and practice for volunteers to properly and safely perform their assignments. Training should correspond to the volunteer's assignment as determined by the volunteer coordinator.

Volunteers will be provided with an orientation program to acquaint them with the policies of the City and procedures applicable to their assignments.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete the required tasks, and should receive ongoing training as deemed appropriate by their supervisors or the volunteer coordinator.

Training should reinforce to volunteers that they shall not intentionally represent themselves as, or by omission imply that they are, full-time employees of the City. They shall always represent themselves as volunteers.

All volunteers shall comply with the standards of conduct and with all applicable orders and directives, either oral or written, issued by the City.

207.9.1 VOLUNTEER TRAINING MATERIALS

Volunteers will be issued training materials when necessary, based upon the volunteer assignment. The materials should outline the subject matter and skills necessary to properly

Volunteers

function as a volunteer with the City. The volunteer shall become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.

207.10 SUPERVISION

Each volunteer must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the volunteer's assignment. The following are some considerations that supervisors should keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give volunteers an assignment or task that will utilize these valuable resources.

A volunteer may be assigned as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of an employee.

207.10.1 EVALUATIONS

A volunteer will be considered a trainee until training has been satisfactorily completed. Volunteers who have completed their training should be evaluated annually using performance dimensions applicable to the assignment and authorities granted to that volunteer.

207.10.2 FITNESS FOR DUTY

No volunteer shall report for work or be at work when the volunteer's judgment or physical condition has been impaired due to illness or injury, or by the use of alcohol or drugs, whether legal or illegal.

Volunteers shall report to their supervisors any change in status that may affect their ability to fulfill their assignments.

207.11 INFORMATION ACCESS

With appropriate security clearance, a volunteer may have access to or be in the vicinity of confidential or protected information, including but not limited to legal materials, financial data, or information portals. Unless otherwise directed by a supervisor, the responsibilities of the position, or policy, all such information shall be considered confidential. Only that information specifically identified and approved by authorized employees shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by city policy and supervisory personnel.

A volunteer whose assignment requires the use of, or access to, confidential or protected information will be required to obtain the necessary security clearance, which may include a criminal background check and/or the submission of fingerprints to the appropriate state agency. Volunteers working this type of assignment will receive training in data practices and be required

Volunteers

to sign a nondisclosure agreement before being given an assignment with the City. Subsequent unauthorized disclosure of any confidential information verbally, in writing, or by any other means by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to newspapers or other periodicals, release or divulge any information concerning the activities of the City, or maintain that they represent the City in such matters without permission from the proper city personnel.

207.11.1 RADIO USAGE

Any volunteer who operates city radios while acting in the capacity of a volunteer should receive appropriate training on radio usage.

207.12 EQUIPMENT

Any property or equipment issued by the City shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the City and shall be returned at the termination of service.

207.12.1 VEHICLE USE

Any volunteer who operates any vehicle while acting in the capacity of a volunteer shall receive training in safe driving. The specific training and course of study shall be determined by the volunteer coordinator and supervisor in charge of the volunteer's assignment.

Volunteers whose assignments require the use of a vehicle must first complete:

- (a) A driving safety briefing and, if necessary to the volunteer position, a city-approved driver safety course.
- (b) Verification that the volunteer possesses a valid driver's license.
- (c) Verification that the volunteer carries current vehicle insurance.

The volunteer coordinator should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating city vehicles, volunteers shall obey all rules of the road, including seat belt requirements.

Volunteers should not operate marked law enforcement or other emergency operation vehicles unless there is a prominently placed sign indicating that the vehicle is out of service.

Volunteers are not authorized to operate city vehicles while using the vehicle's emergency equipment (e.g., emergency lights, siren).

207.13 DISCIPLINARY PROCEDURES/TERMINATION

If a volunteer becomes the subject of a complaint or administrative investigation, the matter may be investigated in accordance with city procedures applicable to regular employees.

Volunteers

Volunteers are considered at-will and may be removed from service at the discretion of the City Administrator or the authorized designee, with or without cause. Volunteers shall have no property interest in their continued appointments or due process interest in an administrative investigation. However, if removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear the volunteer's name through a liberty interest hearing, which shall be limited to a single appearance before the City Administrator or the authorized designee.

Volunteers may resign from volunteer service with the City at any time. It is requested that volunteers who intend to resign provide advance notice and a reason for their decision.

207.13.1 EXIT INTERVIEWS

The volunteer coordinator should conduct exit interviews, where possible. These interviews should ascertain why the volunteer is leaving the position and should solicit the volunteer's suggestions on improving the position. When appropriate, an exit interview should also include a discussion on the possibility of involvement in some other capacity with the City.

Purchasing Policy

208.1 INTRODUCTION

This purchasing policy applies to all departments, boards, commissions and committees of the City of Lake Geneva. This policy generalizes state law in an effort to assist in understanding and application of purchasing requirements. This policy does not address every purchasing situation. Should a City employee have any questions or when an unusual situation occurs, please consult your supervisor or City Comptroller for further guidelines.

State law supersedes the City's policy in the event of any conflict.

Purchasing Goals:

- a. Assure compliance with Federal, State and local purchasing laws.
- b. Establish policies and procedures that maintain the integrity of the purchasing process, encourage competition, and achieve cost savings.
- c. Procure goods and services of the requested quality and quantity from responsible sources using the most efficient and economical means at the best possible price with availability when and where they are needed.

208.2 AUTHORITY TO PURCHASE

Purchasing Authorization: The City Administrator pursuant to the City Council's approval of this policy, has delegated purchasing authority and responsibilities with respect to the purchasing of goods and services to certain City positions including member of the Finance Department, as well as Department Directors and their designees. City Council authorizes the City Administrator to sign contracts that are below thresholds for which explicit City Council approval is required.

General Purchase Authority: No employee may purchase products or services on behalf of the City without first seeking approval as required by this policy. All purchases require advance approval of the appropriate Department Head or City Administrator in accordance with the following guidelines:

Budget Items under \$2,500- Budget items requiring expenditures under \$2,500 do not require pre-approval or the procurement of quotes by the Department Head, but the Department Head shall approve the invoice in the City's financial software for payment prior to Finance Department processing.

Budget Items from \$2,501 to \$7,500- All budget items requiring expenditures from \$2,501-\$7,500 shall be reviewed and pre-approved by the Department Head. Price quotes shall be obtained prior to purchase.

Budget Items from \$7,501-\$24,999- All Budget items requiring expenditures of \$7,501 to \$24,999 shall be reviewed and pre-approved by the Department head and the City Administrator. In the Administrator's absence the City Comptroller shall review and pre-approve such expenditures. Price quotes shall be obtained prior to purchase,

Purchasing Policy

Exemptions to obtain price quotes:

- a. Sole Source Purchases-only one known supplier is available for that item.
- b. Redundant Purchases-the purchase of a second item that is the same or substantially the same as an item that had been recently competitively bid.
- c. Replacement Purchases-the purchase of furniture, carpeting, or other fixtures to match existing fixtures.

If a Department Head believes that a purchase qualifies under these exemptions, then they must provide the City Administrator with the justification for an exemption from the competitive bidding requirement. The City Administrator or authorized designee may grant an exemption from the competitive bidding requirement if they determine that the purchase qualifies under these exemptions.

208.3 NON-BUDGETED ITEM

Any purchases that have not been provided for in the current budget or will result in exceeding the applicable budgeted expense category shall require City Council approval and the designation of the funding source or budget amendments. The department head shall notify the City Administrator and City Comptroller and provide written documentation regarding the expenditure. This information will be provided to Finance, Licensing, and Regulation Committee (FLR) for a recommendation to the Common Council for approval of the purchase.

208.4 EMERGENCY PURCHASES

A Department Head or their authorized designee is authorized to make an emergency purchase of less than \$24,999 if the failure to do so could result in a immediate and apparent loss to the City. The Department Head must notify the City Administrator of the emergency purchase at the first opportunity.

208.5 MINIMUM STATE REQUIREMENTS

All budget items for public construction, the estimated cost of which exceeds \$25,000, shall be let by contract to the lowest responsible bidder pursuant to Wis. State 62.15 and 66.0901. Also, public construction exceeds \$5,000 but is not greater than \$25,000 shall give a class 1 notice, under ch. 985 of the proposed construction before the contract for the construction is executed.

Chapter 3 - Facilities

Key and Electronic Access Device Controls

300.1 PURPOSE AND SCOPE

The control and accountability of keys is important to maintain a safe and secure environment for employees and members of the public.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Key - All electronic or mechanical devices used to access or exit city buildings and facilities. It includes proximity cards, key fobs, and other electronic access devices.

Designee - A non-employee that is a third-party entity working in cooperation with the City.

300.2 POLICY

It is the policy of the City that all keys used to access local government buildings and facilities are inventoried and controlled.

300.3 KEY IDENTIFICATION

All keys that open any doors or locks to city buildings or facilities should be marked with unique identification codes that will allow for quick inventory. Keys should be numbered or coded with a tag to identify them. The identifying numbers or codes on keys should not correspond to numbers/codes on locks.

A separate secure document identifying all keys will be maintained by the City Administrator or the authorized designee.

300.4 KEY CONTROL

Keys may be issued to employees or accessed and checked out by authorized employees or designees from secure designated areas. Keys issued to or accessed and checked out by employees shall be limited to only those keys necessary for the employee's position.

Employees or designees shall not loan a key to another person. All keys must be issued or checked out through the control process. Employees or designees shall not possess any key for which they have not been authorized.

All keys issued or checked out to employees or designees remain the property of the City. Employees or designees shall not duplicate, mark, alter, or manufacture any key without written authorization from the City Administrator or the authorized designee.

The City Administrator or the authorized designee should regularly inventory all city keys.

300.4.1 EMPLOYEE/ELECTED OFFICIAL KEY ASSIGNMENT

Employees may be issued identification cards to be displayed by the employee while conducting City business, either on or off premises. Upon separation from employment with the City, an employee will be required to surrender his or her identification card, as well as any City keys or fobs

Key and Electronic Access Device Controls

that have been issued them. In the event if the key or fob have been misplaced or damaged you must report to your supervisor immediately. Employees should direct any questions or concerns about security to their supervisor, the City Administrator or designee.

300.5 LOCK POLICY

All city buildings and facilities should be kept locked during non-operating hours. Employees or designees shall not leave public entrances to city buildings and facilities unlocked or propped open during non-operating hours. Employees or designees should never leave non-public entrances to city buildings and facilities unlocked or propped open.

300.6 TESTING

The City Administrator or the authorized designee should periodically test locks to doors and gates for proper function and document the testing.

300.7 EMERGENCY KEY SET

At least one spare key for city buildings and facilities should be kept separate from all of the other keys in a secure location and made accessible only to the City Administrator or the authorized designee in the event of an emergency.

300.8 MISSING KEYS

Any employee or designee who discovers that a key is missing shall report it to a supervisor as soon as reasonably practicable. If a reasonable effort to locate the key fails, the supervisor shall notify the City Administrator or the authorized designee regarding the loss of the key, when it was discovered, and the circumstances involved.

The City Administrator or the authorized designee will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

300.9 DAMAGED KEYS OR LOCKS

Malfunctioning or damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key should be left in the lock. All portions of the damaged key must be turned in to a supervisor, who will provide a replacement key as needed. Damaged locks should be replaced or repaired as soon as practicable. Appropriate security measures should be taken until such time as the lock is properly restored.

300.10 KEY CONTROL RECORDS

The City Administrator or the authorized designee will maintain documentation for the accounting and security of all keys. Key control measures should be documented by the designated employee and the records retained in accordance with established records retention schedule.

Use of Public Facilities

301.1 PURPOSE AND SCOPE

This policy provides guidance and establishes the fee structure for reserved use of City Hall building and rooms.

This policy does not apply to spontaneous expressive activities such as demonstrations or to expressive activities of groups of fewer than 50 people. Nor does it apply to other gatherings of fewer than 50 persons when the department head has developed appropriate nondiscriminatory application or request processes for the use of city facilities under the control of the department head.

301.1.1 DEFINITIONS

Definitions related to this policy include:

Applicant - Any individual, group, or organization seeking approval to use city facilities.

Facilities - Any buildings, rooms, structures, sites, complexes, parks, roads, walkways, parking areas, equipment, and other real or personal property owned or leased by the city that are made available for use by the general public.

301.2 POLICY

It is the policy of the City to make certain facilities available for public use in a fair and equitable manner based on an established application and permitting process.

301.3 PERMIT PROCESS

The City Administrator or the authorized designee should develop, implement, and maintain a permitting process for the use of city facilities. The process should include:

- (a) A standardized application and reservation system.
- (b) An application submittal period and review process.
- (c) A method of communicating confirmations and denials of applications, as well as an appeals process for denials.
- (d) Permit forms for facility use.
- (e) A fee schedule for facility use and for payment of deposits, balances due, and refunds.
- (f) A nondiscriminatory process for establishing how much liability insurance will be required from applicants.
- (g) A process for making changes to existing reservations and for cancellations.
- (h) The designation of city employees responsible for enforcing permit terms.
- (i) Rules and regulations for facility use (e.g., cleaning, smoking/vaping, alcohol use, food and beverage sales or service, insurance coverage).

Use of Public Facilities

- (j) A process for determining when free speech expression areas will be necessary and a process for designation and monitoring of such areas, when used.

The City Administrator should also adopt and maintain city requirements related to facility use permits, including duration of use, traffic control, and noise limitations.

301.3.1 APPLICATION REVIEW

- (a) The following should be considered when determining whether to grant or deny an application for facility use:
 - 1. The application should be complete and not contain false or misleading information.
 - 2. The activity or event should not pose unreasonable health or safety risks.
 - 3. Appropriate ancillary facilities such as parking and sanitary facilities should be available and adequate for the activity or event.
 - 4. The activity or event should not pose an unreasonable risk of damage to city facilities.
 - 5. An application should be denied if the applicant has damaged city facilities in the past and has failed to pay for the damages.
 - 6. Adequate supervision and security personnel for the activity or event should be provided by the applicant.
- (b) When determining whether to grant or deny an application for facility use, the City shall not consider an applicant's:
 - 1. Actual or perceived classification or status protected by law, such as religion, race, or gender identity or expression.
 - 2. Political, social, or ideological beliefs.
 - 3. Viewpoint, message, or program content and any anticipated response.

301.3.2 PERMIT TERMS

Permits should contain the applicant's agreement to:

- (a) Return the facilities to their original condition and assume responsibility for any damage or loss sustained.
- (b) Comply with all federal, state, and local laws, regulations, and ordinances, as well as all permit requirements and conditions imposed by the City.
- (c) Refrain from promoting, permitting, or engaging in illegal activity.
- (d) Obtain a general liability insurance policy in the amount required naming the City as an additional insured and identifying the policy as primary to the city's insurance coverage.
- (e) Make it clear to the public that the activity or event is the applicant's and that any message is not endorsed or made by the City.

Use of Public Facilities

Permits should also contain notice to the permittee that failure to comply with permit terms may result in enforcement action and denial of future applications.

301.4 DISTURBANCES OR CRIMINAL ACTIVITY

Non-law enforcement employees should not attempt to physically control a person or group that is creating a disturbance or engaging in criminal activity on city property during a permitted activity or event. Such instances, as well as unapproved demonstrations or acts of civil disobedience, should be reported to law enforcement for handling.

301.5 RECORDS

All records created and submitted during and related to the permitting process should be maintained in accordance with the established records retention schedule.

Holiday Displays

302.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on holiday displays by the City.

The use of city facilities by members of the public or private groups is addressed in the Use of Public Facilities Policy.

Memorials on city property are addressed in the Memorials on Public Property Policy.

302.2 POLICY

It is the policy of the City that city seasonal temporary holiday displays be appropriate and lawful.

302.3 RESPONSIBILITIES

The City Administrator should review and approve each city holiday display.

The City Administrator's review should be completed prior to installation of the display and should include a review of the following:

- (a) The location of the display, including the types of structures and properties immediately adjacent to the display.
- (b) The manner and format in which the different secular and non-secular decorations will be displayed.
- (c) Whether the display complies with the criteria set forth in this policy.

If the City Administrator has any concerns regarding the content of the display, counsel should be consulted prior to proceeding.

302.4 REVIEW CRITERIA

A city holiday display should not have an overall effect of supporting or endorsing a religion or denigrating or inhibiting any religion or religious belief. When reviewing a proposed display, the City Administrator should consider the following:

- (a) The holiday display should:
 - 1. Have a primary purpose that is secular.
 - 2. Recognize the celebration of the holidays and/or seasonal traditions (e.g., lights, snowflakes, Santa Claus in the winter; bunnies, baskets, eggs in the spring).
 - 3. Include religious symbols only if they are accompanied by numerous other non-religious holiday items and in a non-religious setting.
- (b) The holiday display should not:
 - 1. Include religious symbols (e.g., a nativity scene, a cross, a menorah) alone or in a setting that focuses on or draws attention to a specific religion or the religious nature of a symbol.

Holiday Displays

2. Be placed in any location that makes it appear that the display endorses a religion (e.g., on property adjacent to a church, other religious institution, or area connected to a religion; on city property that has a statue, monument, or sign that in combination with a holiday display might appear to endorse a religion).
3. Be used for any religious practices or ceremonies.

Memorials on Public Property

303.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on the review and approval of city memorials and the relocation, alteration, or removal of existing memorials on city property.

This policy addresses memorials established by the City and memorials requested or donated by members of the public.

This policy does not apply to the following:

- (a) Works of art that are not memorial or commemorative in nature
- (b) Signage or plaques placed on city property for the purpose of acknowledging a donor or sponsor
- (c) Historical markers or placards that provide information to the public

Temporary displays on city property are addressed in the Holiday Displays and the Use of Public Facilities policies.

303.1.1 DEFINITIONS

Definitions related to this policy include:

Memorial - A permanent monument, museum, building, garden, plaque, sculpture, or the like intended to commemorate or preserve the memory of a person, group, action, or event.

303.2 POLICY

It is the policy of the City that memorials on city property be considered and approved pursuant to this policy.

303.3 RESPONSIBILITIES

The City Administrator or the authorized designee should:

- (a) Establish procedures for the submission, review, and approval of requests by members of the public for new city memorials or for the removal, alteration, or relocation of existing memorials. The procedures should include:
 - 1. That all requests be submitted in writing.
 - 2. For new memorials, that the request includes detailed information regarding the form and substance of the proposed memorial, the proposed location, and the proposed source of funding.
 - (a) The proposed memorial should be presented either in fully finished form or in a model prior to final acceptance by the City.
 - 3. For existing memorials, that the request includes the reason for the requested removal, relocation, or alteration.
 - (a) Requests for relocation should identify the new proposed location.

Memorials on Public Property

- (b) Requests for alteration should detail the type and form of the proposed alteration.
- 4. Review by any appropriate department.
- 5. The opportunity for input from members of the public.
- 6. The opportunity for the City to ask the requester for modifications to a proposed memorial, relocation, or alteration consistent with this policy.
- 7. That any denial of a request be documented.
- 8. An appeal process to the City Administrator or the governing body for application denials or modification requests.
- (b) Provide notice to members of the public making requests that:
 - 1. For new memorials, the memorial becomes the property of the City upon installation.
 - 2. The City may deny any request after a review of the request under the procedures established by this policy.
 - 3. The City will make a final determination as to the location of all new or relocated memorials within the City.
 - 4. Existing memorials on city property do not establish a precedent for any future approvals.
- (c) Adopt and maintain additional city requirements relating to new memorials or the removal, alteration, or relocation of existing memorials.
 - 1. Requirements may include size, material quality, and appearance standards.
- (d) Coordinate a process for the periodic review of existing memorials to consider whether:
 - 1. Relocation, alteration, or removal is appropriate. This process should include the evaluation of the overall condition of the memorial and whether there are any reasons to consider the relocation, alteration, or removal of the memorial.
 - 2. Designation as a historic landmark or district under federal, state, or local laws or guidelines is appropriate for any memorials.
- (e) Create a list of all memorials within the City that includes the type of memorial, the current location of the memorial, and any specific maintenance, safety, or access information relevant to the memorial.

303.4 CONSIDERATIONS FOR NEW MEMORIALS

The following criteria should be considered for all new memorials:

- (a) The memorial should:
 - 1. Support or promote the common history of the City, local culture, civic identity, or mission of the City.
 - 2. Be of historical or social significance.

Memorials on Public Property

3. Be located in an area that is connected with the person or event being commemorated.
4. Be compatible with the area surrounding the proposed location.
 - (a) The size, content, and appearance of the memorial should improve or otherwise enhance the social and physical environment of the surrounding area.
5. Comply with any additional city requirements related to memorials.
- (b) The memorial should not:
 1. Present unreasonable maintenance, security, environmental, or access issues.
 2. Be offensive to a reasonable person.
 3. Reasonably appear to be promoting, favoring, or inhibiting any religion or political affiliation.

Consideration should be given to how the memorial corresponds with other memorials in the immediately surrounding area and in the City generally.

303.5 CONSIDERATIONS FOR THE REMOVAL, ALTERATION, OR RELOCATION OF EXISTING MEMORIALS

The following criteria should be applied to all cases where the removal, alteration, or relocation of a memorial is being considered, whether initiated by a request from members of the public or internally by city officials or staff.

- (a) The memorial should be removed, altered, or relocated, as appropriate, if:
 1. The memorial has deteriorated to the extent that it cannot be safely maintained in its current location.
 2. Security issues make the current location unreasonable.
 3. The memorial is damaged beyond reasonable repair.
 4. Social or environmental changes to the location or surrounding area have made the memorial no longer appropriate for the location.
 5. The memorial is no longer sufficiently connected to the common history, local culture, or mission of the City.
 6. A more appropriate alternative location for the memorial is reasonably available.
- (b) The memorial should not be removed, altered, or relocated:
 1. If federal, state, or local laws restrict the removal, alteration, or relocation of the memorial.
 2. Without appropriate pre-approvals from federal, state, or local officials, as required.
 3. If removal, alteration, or relocation is not consistent with additional requirements adopted or maintained by the City Administrator.

Memorials on Public Property

4. Without final approval of the City's governing body.

303.6 DAMAGE OR DETERIORATION

Employees who observe damage to or significant deterioration of an existing memorial should report the damage to a supervisor. Appropriate repairs may be made with supervisory approval.

If damage or deterioration to a memorial reasonably appears to present a safety issue, access to the memorial should be restricted and a supervisor should be immediately notified.

303.7 DOCUMENTATION

The following should be created and maintained consistent with the established records retention schedule:

- (a) The list of memorials within the City.
- (b) Documentation relating to the approval of any new memorials.
- (c) Documentation relating to the removal, relocation, or alteration, of any memorial, including the reason for the action, and whether the memorial has been stored or otherwise disposed of.

Flags

304.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper display of flags at city facilities.

304.2 POLICY

It is the policy of the City to display flags in compliance with federal and state laws and local ordinances.

304.3 DISPLAY OF FLAGS

Flags flown at city facilities will be displayed in the following order of prominence:

- (a) The United States flag
- (b) Flags of foreign governments recognized by the United States when flown with the United States flag
- (c) The state flag
- (d) The city flag
- (e) The department flag
- (f) Any commemorative flags

304.4 DISPLAYING THE FLAG OF THE UNITED STATES

Federal law providing for the use and the display of the United States flag is contained in Title 4 Chapter 1 of the United States Code, commonly referred to as the "Flag Code." The City will display the flag of the United States in accordance with the provisions of 4 USC § 1 through 4 USC § 10.

304.4.1 DISPLAY OF THE UNITED STATES FLAG IN DAILY OPERATIONS

Employees should consult the Flag Code for guidance whenever the flag of the United States is to be displayed in any manner. This is to ensure that the display is presented in accordance with the Flag Code and as follows:

- (a) The United States flag should be conspicuously posted on all city facilities during hours of operation.
- (b) It is the universal custom to display the flag only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness (4 USC § 6).
- (c) The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed (4 USC § 6).
- (d) The United States flag may only be flown at half-staff by Presidential or Gubernatorial decree, and on Memorial Day until noon (4 USC § 7).

Flags

Whenever the United States flag is displayed in conjunction with other flags or symbols it should occupy the "Place of Honor" (4 USC § 7).

304.5 DISPLAY OF THE STATE FLAG

The City will display the state flag prominently and in the proper position of honor in accordance with the United States Flag Code.

304.5.1 DISPLAY OF THE STATE FLAG IN DAILY OPERATIONS

Employees should review state law for guidance whenever the flag is to be displayed in any manner to ensure that the display is presented appropriately. Displays of the flag should be consistent with the following protocol:

- (a) The flag should be conspicuously posted on all city facilities during hours of operation.
- (b) Generally, the flag should be displayed only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness.
- (c) The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
- (d) The flag shall be flown at half-staff whenever the flag of the United States is flown at half-staff, and may only be flown at half-staff at other times by order of the Governor.
- (e) Whenever the flag is displayed in conjunction with the United States flag, the United States flag shall occupy the position of first honor (4 USC § 7). When the flag is displayed in conjunction with other flags or symbols, it should occupy the position of honor.

304.6 DISPLAY OF COMMEMORATIVE OR UNOFFICIAL FLAGS

City flag displays, including but not limited to flagstaffs, are not intended to serve as a forum for free expression by the public. Commemorative flags or flags not identified in this policy, including flags of a government not recognized by the United States, should not be displayed by the City without prior approval from the City Administrator.

Chapter 4 - Equipment

Local Government-Owned and Personal Property

400.1 PURPOSE AND SCOPE

This policy addresses the care of city-owned property and the role of the City when personal property, the property of another person or entity, or city-owned property is damaged or lost.

400.2 POLICY

The City will ensure that employees are issued appropriate property and equipment necessary for the employee's job function. The City will take steps to minimize the cost associated with maintaining city property, including personal property authorized for use in the employee's duties.

400.3 LOCAL GOVERNMENT-ISSUED PROPERTY

Supervisors should document all property and equipment issued by the City in the appropriate file at the time of issuance. Receipt of issued items shall be acknowledged by the receiving employee's signature. Upon separation from the City, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

400.3.1 EMPLOYEE RESPONSIBILITIES

Employees shall be responsible for the safekeeping, serviceable condition, proper care, proper use, and replacement of city property that has been assigned or entrusted to them.

- (a) Employees shall promptly report, through their supervisors, any loss of, damage to, or unserviceable condition of any city-issued property or equipment.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available.
- (c) Except when otherwise directed by a supervisor or when exigent circumstances exist, city-issued property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) City-issued property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without prior approval.
- (e) Employees should obtain a supervisor's approval before any attempt to repair damaged or unserviceable property, unless the repair is of a minor or temporary nature.

400.4 PERSONAL PROPERTY

Personal property or equipment shall not be carried during work hours or used for work-related purposes without prior approval by the City Administrator or appropriate supervisor. The employee should submit a request that includes a description of the property and the reason and length of time it will be used. Personal property of the type routinely carried (e.g., cell phone, wallet, sunglasses) is excluded from this requirement (see the Personal Communication Devices Policy).

The City will not replace or repair property that is not reasonably required as part of work.

Local Government-Owned and Personal Property

400.4.1 FILING CLAIMS FOR PERSONAL PROPERTY

An employee requesting reimbursement for damage to, or loss of, personal property must submit the request in writing to the employee's immediate supervisor.

Upon review by the supervisor and a finding that no misconduct or negligence was involved, repair or replacement may be recommended to the City Administrator or the authorized designee, who will then forward the claim to the department responsible for issuing payments.

400.5 SUPERVISOR RESPONSIBILITIES

The supervisor receiving a report that property, including personal property authorized for use, has been damaged should conduct an investigation and direct a memo to the City Administrator or the authorized designee. The memo should include the result of the investigation and whether reasonable care was taken to prevent the loss, damage, or unserviceable condition.

In cases where the supervisor has reason to believe that misconduct or negligence was involved in the loss, damage, or unserviceable condition of property, the supervisor should consider whether disciplinary or other corrective action would be appropriate.

400.6 DAMAGE TO PROPERTY OF ANOTHER PERSON OR ENTITY

Employees who intentionally or unintentionally damage or cause to be damaged the real or personal property of another person or entity while performing any city function shall promptly report the damage to a supervisor.

400.6.1 DAMAGE BY OTHERS

Employees who observe damage to the real or personal property of the City should report the damage as follows:

- (a) A verbal report should be made to the employee's immediate supervisor and to the employee or department responsible for the property as soon as practicable.
- (b) A written report should be submitted before the end of the employee's workday or as otherwise directed by the supervisor.

Personal Communication Devices

401.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and other communication devices, whether issued or funded by the City or personally owned, during work hours or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless-capable tablets and similar wireless two-way communications, and/or portable internet access devices. PCD use includes but is not limited to placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games, and accessing sites or services on the internet.

401.2 POLICY

The City allows employees to utilize city-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used during work hours, or during non-work hours in any manner reasonably related to the business of the City, will be subject to monitoring and inspection consistent with the standards set forth in this policy

Employees are advised and cautioned that the use of a personally owned PCD for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws

Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

401.3 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued or funded by the City and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

401.4 LOCAL GOVERNMENT-ISSUED PCD

Depending on an employee's assignment and the needs of the position, the City may, at its discretion, issue or fund a PCD for the employee's use to facilitate work performance. Such devices and the associated telephone number, if any, shall remain the sole property of the City and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause

Unless an employee is expressly authorized by the City Administrator or the authorized designee to use the PCD during non-work hours, the PCD will be either secured in the workplace at the completion of the workday or turned off when leaving the workplace.

Personal Communication Devices

401.5 PERSONALLY OWNED PCD

Employees may carry a personally owned PCD during work hours, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The City accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used, and maintained solely at the employee's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of internal communication systems). Employees will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any city business-related communication.
 - 1. Employees may use personally owned PCDs during work hours for routine administrative work as authorized by the City Administrator or authorized designee.
- (e) The device shall not be utilized to record or disclose any city business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the City, without the express authorization of the City Administrator or the authorized designee.
- (f) Use of a personally owned PCD for work-related business constitutes consent for the City to access the PCD to inspect and copy data to meet the needs of the City, which may include litigation, records retention and release obligations, and internal investigations. If the PCD is carried during work hours, employees will provide the City with the telephone number of the device.
- (g) All work-related documents, emails, photographs, recordings, or other public records created or received on an employee's personally owned PCD should be transferred to the City and deleted from the employee's PCD as soon as reasonably practicable but no later than the end of the employee's workday.

Except with prior express authorization from their supervisors, employees are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD during non-work hours. If an employee is in an authorized status that allows for appropriate compensation consistent with policy or existing employment agreements, or if the employee has prior express authorization from a supervisor, the employee may engage in city business-related communications. Should employees engage in such approved communications or work during non-work hours, employees entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Employees who independently document city-related business activities conducted during non-work hours in any manner shall promptly provide the City with a copy of such records to ensure accurate record keeping.

Personal Communication Devices

401.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried during work hours or used to conduct city business:

- (a)
- (b) A PCD may not be used to conduct personal business during work hours, except for brief personal communications (e.g., informing family of extended hours). Employees shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (c) Employees may use a PCD to communicate with other personnel in situations where the use of city-provided communications methods is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular city-provided communications methods.
- (d) Employees are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official city business. Disclosure of any such information to any third party through any means, without the express authorization of the City Administrator or the authorized designee, may result in discipline.
- (e) Employees will not access social networking sites for any purpose that is not official city business.
- (f) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

401.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that employees under their supervision are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring to the extent practicable, PCD use in the workplace and taking prompt corrective action if an employee is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances are warranted.
 - 2. Before conducting any administrative search of an employee's personally owned device, supervisors should consult with the City Administrator or the authorized designee.

401.8 OFFICIAL USE

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, employees shall conduct sensitive or private communications on a land-based or other city communications network.

Personal Communication Devices

401.9 USE WHILE DRIVING

Employees operating vehicles while conducting City business shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. Hands-free use should be restricted to urgent business-related calls.

Vehicle Maintenance

402.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that city vehicles are appropriately maintained.

402.2 POLICY

The City will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

402.3 GENERAL DUTIES

Employees are responsible for assisting in maintaining city vehicles so that they are properly equipped, maintained, and refueled and present a clean appearance.

402.4 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition and forwarded to a supervisor for action.

Documents describing the correction of the safety issue shall be promptly filed by the supervisor with the vehicle history.

402.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

402.4.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, and severe weather exposure.

402.4.3 REMOVAL OF WEAPONS

Only authorized firearms, weapons, or control devices shall be carried in city vehicles. Any authorized firearms, weapons, and control devices shall be removed from a vehicle and properly secured prior to the vehicle being released for maintenance, service, or repair.

402.5 VEHICLE REFUELING

Generally, vehicles should not be operated with less than one-quarter tank of fuel. Vehicles should not be returned to the pool or the assigned department at the end of the workday with less than one-quarter tank of fuel. Vehicles shall only be refueled at an authorized location.

Vehicle Maintenance

402.6 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the City.

Employees using a vehicle shall remove any trash or debris at the end of their workday. Confidential material should be placed in a designated receptacle that has been provided for shredding this material.

Vehicle Use

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for employees who use vehicles for city business. This policy does not create or imply any contractual obligation by the City to provide assigned vehicles.

Individual department heads may have additional policies for vehicle use to address specific vehicles (e.g., emergency vehicles) and duty assignments (e.g., law enforcement undercover work).

403.2 POLICY

The City authorizes the use of certain vehicles for official city business to enhance operational efficiency and requires that vehicles are operated in a safe and legal manner.

403.3 USE OF VEHICLES

403.3.1 VEHICLE ASSIGNMENTS

City vehicles may be assigned to individual employees at the discretion of the City Administrator or the authorized designee. Vehicles may be assigned for partial or full workday use and/or take-home use. Vehicle assignments may be changed or suspended at any time. Permission to take home a vehicle may be withdrawn at any time.

Vehicle assignments shall be based on the employee's job description, essential functions, and employment status. Vehicles may be reassigned or utilized by other city employees at the discretion of the City Administrator or the authorized designee.

The City Administrator or the authorized designee is responsible for creating a vehicle assignment roster each day and for maintaining the rosters in accordance with the established records retention schedule.

403.3.2 EMPLOYEE RESPONSIBILITIES

Employees operating a vehicle as part of their job with the City shall:

- (a) Possess a valid driver's license.
 - 1. Employees shall report any suspensions or revocations of their license and any changes to driving privileges as soon as practicable and before any subsequent city vehicle use or personal vehicle use for city business.
 - 2. Employees must possess a valid commercial driver's license or special class license when applicable.
- (b) Provide the city with a driver's history report upon request.
- (c) Possess appropriate insurance as required for personal vehicles used for city business.

Vehicle Use

1. Employees shall notify a supervisor if their automobile insurance has been canceled, declined, or not renewed.
 2. The private insurance of employees using their personal vehicles under this policy shall be considered the primary insurance for any accidents or damage.
- (d) Notify a supervisor of any citations or arrests for motor vehicle-related violations or offenses as soon as practicable.
- (e) Obey all traffic laws.
- (f) Maintain any personal vehicles used for city business in safe working order.

403.3.3 INSPECTIONS

Employees shall be responsible for inspecting the interior and exterior of any assigned city vehicle. If the vehicle is assigned for the workday, it should be inspected before use and at the conclusion of the workday. If the vehicle is assigned for less than a workday, it should be inspected before use and upon conclusion of use. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

All city vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

403.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times to safeguard any city equipment prior to parking or leaving the vehicle.

403.3.5 VEHICLE LOCATION SYSTEM

City vehicles, at the discretion of the City Administrator, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, employees are not relieved of their responsibility to use any required communication practices to report their location and status.

Employees shall not make any unauthorized modifications to the system. If an employee finds that the system is not functioning properly at any time, the employee should notify a supervisor as soon as reasonably practicable.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require City Administrator approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

Vehicle Use

403.3.6 KEYS

Employees who are assigned a specific vehicle should be issued keys for that vehicle. Employees shall not duplicate keys or share them with any person except another employee authorized to use that vehicle. The loss of a key shall be promptly reported in writing to the employee's supervisor.

403.3.7 AUTHORIZED PASSENGERS

Employees operating assigned vehicles shall not permit unauthorized persons to ride as passengers in the vehicle.

403.3.8 PARKING

Employees should obey parking regulations at all times.

City vehicles should be parked in assigned spaces. Employees shall not park personal vehicles in spaces assigned to city vehicles or in other parking areas that are not so designated unless authorized by a supervisor.

403.3.9 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions, or removal of any equipment or accessories from city vehicles without written permission from the City Administrator or the authorized designee.

403.4 UNSCHEDULED TAKE-HOME USE

Employees may take home city vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the City.
- (b) Other reasonable transportation options are not available.
- (c) The employee lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the city limits.
- (d) Off street parking will be available at the employee's residence.
- (e) The vehicle will be locked when not attended.
- (f) All portable city equipment will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

When such circumstances occur, the City Administrator or the authorized designee shall document the unscheduled take-home use in the vehicle assignment roster.

403.5 ASSIGNMENT OF TAKE-HOME VEHICLES

Assignment of take-home vehicles should be based on the location of the employee's residence, the nature of the employee's job, whether the employee performs work outside of regular business hours, the employee's employment status, and available resources.

Vehicle Use

Employees are cautioned that under federal and local tax rules, personal use of a city vehicle may create an income tax liability for the employee. Questions regarding tax rules should be directed to the employee's tax adviser.

Travel to and from the home will not be considered work time unless the employee is responding to and from an emergency as part of the employee's duties.

403.5.1 TAKE-HOME VEHICLE AGREEMENT

Employees shall sign a take-home vehicle agreement that outlines how the vehicle shall be used, where it shall be parked, vehicle maintenance responsibilities, and any other appropriate requirements. The agreement should minimally provide that:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal reasons, unless special circumstances exist and the City Administrator or the authorized designee gives prior authorization.
- (b) Vehicles are to be parked off-street at the employee's residence unless prior arrangements have been made with the City Administrator or the authorized designee. If the vehicle is not secured inside a locked garage, all removeable city equipment shall be removed and properly secured in the residence.
- (c) Vehicles are to be secured at the employee's residence or the appropriate city facility, at the discretion of the employee's supervisor, when an employee will be away (e.g., on vacation) for periods exceeding one week.
 - 1. If the vehicle remains at the employee's residence, the City shall have access to the vehicle.

403.6 DAMAGE, ABUSE, AND MISUSE

When any city vehicle is involved in a traffic accident or otherwise incurs damage, the involved employee shall promptly notify a supervisor. Any traffic accident report shall be filed with the agency having jurisdiction, with a copy provided to the City Administrator or the authorized designee.

Damage to any city vehicle that was not caused by a traffic accident shall be immediately reported during the shift or workday in which the damage was discovered and documented in memorandum format, which shall be forwarded to the City Administrator or the authorized designee. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

403.7 TOLL ROAD USAGE, FUEL, AND MILEAGE

Employees operating vehicles for city business shall pay the appropriate toll charge or utilize the appropriate tollway transponder.

With the exception of take-home vehicles driven to and from the employee's residence, employees may submit for reimbursement from the City for toll fees and fuel expenses incurred in the course of official business. In lieu of fuel expenses, employees may submit for reimbursement for mileage accrued on personal vehicles used for city business.

City of Lake Geneva

Government Manual

Vehicle Use

Vehicle Safety Restraints/Safety Belts

404.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all employees operating or riding in city vehicles.

Individual department policies may provide additional guidance.

404.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213.

404.2 POLICY

It is the policy of the City that employees use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

404.3 WEARING OF SAFETY RESTRAINTS

All employees shall wear properly adjusted safety restraints at all times when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, or rented by this city, or in any privately owned vehicle when conducting city business. The employee driving such a vehicle shall ensure that all other occupants, including those who are not employees of the City, are properly restrained.

404.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with federal and state law.

404.5 INOPERABLE SAFETY BELTS

City vehicles shall not be operated when the safety belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the safety belt is inoperable.

City vehicle safety belts shall not be modified, removed, deactivated, or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the City Administrator or the authorized designee.

Employees who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

404.6 VEHICLES MANUFACTURED WITHOUT SAFETY BELTS

Vehicles manufactured and certified for use without safety belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

Vehicle Safety Restraints/Safety Belts

404.7 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Personal Protective Equipment

405.1 PURPOSE AND SCOPE

This policy addresses the use of personal protective equipment (PPE) provided by the City.

405.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards.

405.2 POLICY

The City endeavors to protect employees by supplying certain PPE as provided in this policy.

405.3 SUPERVISOR RESPONSIBILITIES

Supervisors are responsible for identifying and making available PPE appropriate for the work environment.

405.4 EMPLOYEE RESPONSIBILITIES

Employees are required to use PPE pursuant to their training.

Employees are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any employee who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

405.5 EQUIPMENT PROCUREMENT AND USE

PPE shall meet or exceed any applicable requirements. Federal or other nationally recognized standards should be used as a guide for the procurement, use, maintenance, and storage of the following safety-related equipment in the absence of other mandatory requirements:

- (a) Hearing protection (29 CFR 1910.95)
- (b) Eye protection (29 CFR 1910.133)
- (c) Respiratory protection (29 CFR 1910.134)
- (d) Head protection (29 CFR 1910.135)
- (e) Foot protection (29 CFR 1910.136)
 - 1. when there is a requirement that safety steel toe shoes are mandatory.
- (f) Electrical protective equipment (29 CFR 1910.137)
- (g) Hand protection (29 CFR 1910.138)

Personal Protective Equipment

- (h) Personal fall protection systems (29 CFR 1910.140)

405.6 RECORDS

Supervisors are responsible for maintaining records of all:

- (a) PPE training.
- (b) PPE procurement and distribution.
- (c) Fit tests and medical evaluations related to respiratory protection equipment, when applicable. Medical evaluation questionnaires and any physical examination results related to respirator use shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the city records retention schedule.

405.7 TRAINING

Employees should be trained in the hazards to which they may be potentially exposed during routine and emergency situations.

All employees should be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove, and adjust PPE; how to care for PPE; and the limitations of each device (29 CFR 1910.132).

Employees issued respiratory PPE should attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134).

Physical Asset Management

406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for maintaining a system of inventory and accountability over the city's physical assets. This policy does not address management of intangible assets (e.g., intellectual property), fluid assets (e.g., cash, stocks, marketable securities), real property, or natural assets (e.g., water, air quality, minerals).

Individual department heads may have additional policies for department-specific assets.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Physical assets – All tangible items of value, including but not limited to materials, machinery, tools and equipment, vehicles, office supplies, and furniture.

406.2 POLICY

It is the policy of this city to accurately inventory, maintain, and dispose of its physical assets in a manner that controls costs, avoids waste, and promotes the mission of the City.

406.3 RESPONSIBILITIES

The City Administrator should assign a person or persons to be responsible for the inventory, maintenance, and disposal of city physical assets, including:

- (a) Maintaining compliance with federal, state, and local laws regarding physical asset management, inventory control, and reporting requirements.
- (b) Developing procedures for the implementation of this policy, including:
 - 1. Procedures for disposal of all city-owned physical assets in accordance with federal, state, and local law.
 - 2. Procedures for safe disposal of hazardous waste.
 - 3. Procedures for inter-department transfers of physical assets.
 - 4. Procedures for each department to inventory assets as according to internal reporting deadlines (e.g., quarterly, annually).
- (c) Developing a physical asset management plan to track the city's physical assets and maintain accurate and complete records related to these assets. The plan should include:
 - 1. A minimum value of the physical assets that are subject to this policy, the plan, and the implementing procedures.
 - 2. An inventory control and recordkeeping system to account for the movement, storage, maintenance and use, loss, damage, destruction, and disposal of the city's physical assets.
 - 3. Routine internal and external audit practices.

Physical Asset Management

4. Procedures to access physical assets for re-use, transfer, recycle, or disposal.
- (d) Designating custodians within each department, as appropriate, for inter-department communication and to serve as inventory liaisons under the physical asset management plan.
- (e) Annual physical asset acquisition planning.

406.4 IDENTIFICATION AND TAGGING

Physical assets should be tagged using a bar code or other system to identify and locate the items. Tags should be affixed in the same manner and location on each item, when feasible. The following information regarding the tagged item should be maintained using the inventory control system and method of recordkeeping established in the physical asset management plan:

- (a) A description of the item, including but not limited to:
 1. Make, model, and serial number
 2. Physical dimensions and weight
 3. Color, material, and other physically distinct qualities
 4. Warranty and/or recall information, if any
- (b) The department and specific location where the item can be found
- (c) The acquisition date of the item, as well as the amount and funding source for the acquisition
- (d) The intended and actual use of the item
- (e) The expiration of an item's lease or loan terms

406.5 SURPLUS OR OBSOLETE ASSETS

A department that no longer utilizes a physical asset should have the asset identified as surplus or obsolete. If the physical asset retains value that may be utilized by another department, the item should be stored as surplus or transferred in accordance with the procedures established pursuant to this policy. If the physical asset is deemed obsolete, the item shall be disposed of in accordance with this policy.

406.5.1 STORAGE

When practicable, physical assets that retain value but are not being utilized should be stored in lieu of disposal. Physical assets in storage are subject to routine inventory and revaluation. If the physical asset's value is less than the cost of storage, the City should pursue disposal of the item in accordance with this policy.

406.5.2 TRANSFERS

When a physical asset is transferred from one department to another, the value of the physical asset should transfer with the asset. Inter-department transfers shall be documented through the inventory control and recordkeeping system implemented by the physical asset management plan.

Physical Asset Management

406.6 LOSS, DAMAGE, OR DESTRUCTION

Circumstances surrounding loss, damage, or destruction of the city's physical assets shall be promptly reported to and investigated by the City Administrator or the authorized designee for purposes of inventory, valuation, and recordkeeping. Otherwise, loss, damage, or destruction of such assets shall be handled in accordance with the Local Government-Owned and Personal Property Policy.

406.7 USAGE MONITORING

Physical asset performance should be regularly monitored for functionality, utility, wear-and-tear, and cost-effectiveness. Usage monitoring of the city's physical assets should include the duration of use (e.g., daily use and number of hours in use), user satisfaction, costs of operating the asset, and the asset's contribution to employee performance and overall productivity.

406.8 MAINTENANCE

Routine maintenance of physical assets should be proactive to limit interruption of the city's daily operations. Employees should report any physical asset performance issues to a supervisor.

Maintenance requests and reports shall be recorded in the inventory control and recordkeeping system implemented by the physical asset management plan. The City Administrator or the authorized designee shall routinely evaluate maintenance expenditures to determine whether continued maintenance is beneficial.

406.9 DISPOSAL

Physical assets slated for disposal should be evaluated for salvage value (e.g., items containing reusable materials like aluminum or copper) or transfer or storage in accordance with this policy.

406.10 INVENTORY AND REPORTS

Routine inventory of physical assets should be conducted for purposes of loss control, revaluation, retagging, documenting asset movement and condition, disposition and acquisition planning, and obtaining adequate insurance coverage.

All internal controls and inventories related to physical asset management shall be accurately documented and subject to both internal and external audit. Inventory reports should include an explanation of any discrepancies from the previous period.

All inventory documentation shall be retained and stored in accordance with the records retention schedule.

406.11 TRAINING

Employees and supervisors accountable for the proper care, use, transfer, maintenance, storage, loss, and disposition of all city physical assets should receive training regarding their responsibilities under the physical asset management plan.

Chapter 5 - Records and Documents

Records Maintenance and Release

500.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of city records. Protected information is separately covered in the Protected Information Policy.

500.2 POLICY

The City is committed to providing public access to records in a manner that is consistent with state public records laws.

500.3 CITY CLERK

The City Administrator shall designate a City Clerk. The responsibilities of the City Clerk include but are not limited to:

- (a) Managing the records management system for the City, including the retention, archiving, release, and destruction of city public records.
- (b) Maintaining and updating the city records retention schedule, including:
 - 1. Identifying the minimum length of time records must be kept.
 - 2. Identifying the city department responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring the availability of a current schedule of fees for public records as allowed by law.
- (g) Preparing and making available to the public the records request process, to include the cost of inspecting or obtaining copies.

500.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any employee who receives a request for any record shall route the request to the City Clerk or the authorized designee.

500.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following:

- (a) All requests should be made in writing or on a form supplied by the City.
- (b) Clarification may be sought if the request is unreasonably broad or unclear.
- (c) Inspection of records should be during regular business hours unless otherwise authorized by the City Clerk.

Records Maintenance and Release

- (d) Records should be made available in a format readily accessible to the requester. Records may also be made available in a specific format requested and a fee charged for reasonable costs of any required processing.
- (e) Records should be provided or a denial provided to a requester within a reasonable period of time.
 - 1. If a delay in providing records is anticipated, the requester should be provided a written response with the reason for the delay and the anticipated date the records will be provided.
- (f) Fees should be charged as allowed by law and established by the City.
- (g) The City is not required to create records that do not exist.
- (h) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - 1. A copy of the redacted release should be maintained in the city file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the city-approved media storage system and a notation should be made in the file to document the release and the reasons for the redacted portions.

500.4.2 DENIALS

The denial of a request for records should be documented and include:

- (a) A description of the records requested.
- (b) The specific reasons for the denial.
- (c) The name, title, and signature of the City Clerk.
- (d) The procedure to appeal the denial.

500.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Any personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any city record, except as authorized by the City, and only when such use or disclosure is permitted or required by law to carry out a legitimate government purpose.
- (b) Certain personnel information, including but not limited to an employee's residential address and telephone number, Social Security number, marital status, medical history, confidential recommendations for employment, and performance evaluation history.
- (c) Records pertaining to internal investigations and disciplinary matters, including but not limited to complaints and other records relating to allegations of discrimination,

Records Maintenance and Release

harassment, or retaliation, until the investigation is complete or is made part of the official record of any hearing or court proceeding.

- (d) Certain 9-1-1 records.
- (e) Audio and video recordings obtained through use of body-worn cameras by law enforcement officers, except as provided by statute.
- (f) Certain concealed firearm license/permit information of an applicant.
- (g) Records concerning security plans, procedures, assessments, measures, or systems, and other records relating to the security of persons, structures, facilities, infrastructure, or information technology systems that could reasonably be expected to be detrimental to the public's safety or welfare.
- (h) Records pertaining to strategy or negotiations related to labor relations, employment contracts, or collective bargaining and related arbitration proceedings.
- (i) Drafts, notes, recommendations, or intra-governmental memorandums pertaining to the development of resolutions, regulations, statements of policy, management directives, ordinances, or amendments prepared by or for the City.
- (j) Records where disclosure would be detrimental to the best interests of the public.
- (k) Records pertaining to pending or potential litigation that are not records of any court.
- (l) Any other information that may be appropriately denied by federal or state law.

500.6 SUBPOENAS AND DISCOVERY REQUESTS

Any employee who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the City Clerk for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas should be referred to the City Administrator or the authorized designee.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to the City Administrator or legal counsel so that a timely response can be prepared.

500.7 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the city name and to whom the record was released.

Each audio/video recording released should include the city name and to whom the record was released.

500.8 SECURITY BREACHES

Employees who become aware that any city records system may have been breached should notify the City Clerk as soon as practicable.

Records Maintenance and Release

The City Clerk shall ensure any required notice of the breach is given.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the City Clerk should promptly notify the appropriate employee designated to oversee the security of protected information (see the Protected Information Policy).

500.9 EXPUNGEMENT

The City Clerk shall review all court orders and other filings that pertain to the expungement or sealing of records for appropriate action. Once a record is expunged or sealed, employees shall respond to any inquiry as though the record did not exist.

500.10 TRAINING

Employees authorized to manage, release, or facilitate public access to city records should receive training that includes identification of material appropriate for release or public access and the city systems and procedures guiding such release and access.

Protected Information

501.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release, and security of protected information by employees of the City. This policy addresses the protected information that is used in the day-to-day operation of the City and not the public records information covered in the Records Maintenance and Release Policy.

501.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored, or accessed by employees of the City and is subject to any access or release restrictions imposed by law, regulation, order, or use agreement. This includes all information contained in federal, state, or local databases that is not accessible to the public.

501.2 POLICY

Employees of the City will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination, and release of protected information.

501.3 RESPONSIBILITIES

The City Administrator should designate an employee of the City to coordinate the use of protected information, including:

- (a) Overseeing employee compliance with this policy and with requirements applicable to protected information.
- (b) Developing, disseminating, and maintaining procedures necessary to comply with any requirements for the access, use, dissemination, release, and security of protected information.
- (c) Developing procedures to ensure training and certification requirements are met.
- (d) Resolving specific questions that arise regarding authorized recipients of protected information.
- (e) Implementing security practices and procedures to comply with requirements applicable to protected information.

501.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, use agreement, city policy, or training. Only those employees who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the employee has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited.

Protected Information

501.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a lawful right to know and need to know.

An employee who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the City Clerk for information regarding a formal request.

501.6 SECURITY OF PROTECTED INFORMATION

The City Administrator should designate an employee of the City to oversee the security of protected information, including:

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Maintaining compliance with any federal, state, and local requirements pertaining to the security of protected information.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including cyberattacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the City Administrator and appropriate authorities.

501.6.1 EMPLOYEE RESPONSIBILITIES

Employees accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes not leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

501.7 TRAINING

All employees authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

Personnel Records

502.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual employee's name.

502.2 POLICY

It is the policy of the City to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of this state.

502.3 PERSONNEL FILE

A personnel file shall be maintained as a record of a person's employment/appointment with this city. The personnel file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status.
- (d) Original performance evaluations.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the city file after the employee has had the opportunity to read and initial the comment.
 - 1. Once an employee has had an opportunity to read and initial any adverse comment, the employee shall be given the opportunity to respond in writing to the adverse comment.
 - 2. Any employee response shall be attached to and retained with the original adverse comment.
 - 3. If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the employee's file.
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

502.4 DEPARTMENT, DIVISION, OR AGENCY FILE

Department files may be separately maintained internally by an employee's supervisor for the purpose of completing timely performance evaluations. The file may contain supervisor comments,

Personnel Records

notes, notices to correct, and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

502.5 TRAINING FILE

An individual training file should be maintained for each employee whose position requires specialized training or certification. Training files should contain records of all training; original or photocopies of available certificates, transcripts, diplomas, and other documentation; and education and firearms qualifications, as applicable. Training records may also be created and stored remotely, either manually or automatically.

- (a) The involved employee is responsible for providing an immediate supervisor with evidence of completed training/education in a timely manner.
- (b) Supervisors should ensure that copies of such training records are placed in the employee's training file.

502.6 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the employee's medical condition and history, including but not limited to

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries, and related documents.
- (d) Medical release forms, doctor's slips, and attendance records that reveal an employee's medical condition.
- (e) Any other documents or materials that reveal the employee's medical history or medical condition, including past, present, or future anticipated mental, psychological, or physical limitations.

502.7 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy, or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Administrator or representatives of the City in connection with official business.

Personnel Records

502.7.1 REQUESTS FOR DISCLOSURE

Any employee receiving a request for a personnel record shall promptly notify the City Clerk or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected employee as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to an employee's personnel records shall be logged in the corresponding file.

502.8 EMPLOYEES' ACCESS TO THEIR PERSONNEL RECORDS

Employees may request access to their own personnel records during the normal business hours of those responsible for maintaining such files. Employees seeking the removal of any item from their personnel records should file a written request to the City Administrator. The City should remove any such item if appropriate, or within 30 days provide the employee with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the employee's request and the written response from the City should be retained with the contested item in the employee's corresponding personnel record.

Employees may be restricted from accessing files containing certain information (e.g., ongoing investigations to the extent that it could jeopardize or compromise the investigation).

502.9 RETENTION AND PURGING

Personnel records shall be maintained in accordance with the established records retention schedule:

- (a) During the preparation of each employee's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training, and career development. Each supervisor responsible for completing the employee's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained from the City Administrator.
- (c) If, in the opinion of the City Administrator, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

Chapter 6 - Personnel

Recruitment and Selection

600.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements other city rules governing employment practices.

600.2 POLICY

In accordance with applicable federal, state, and local law, the City provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The City does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The City will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

600.3 RECRUITMENT

The City Administrator or the authorized designee should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive city website and the use of city-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, local colleges, universities, and the military.
- (e) Posting and outreach within the City for internal candidates, when applicable and/or required.
- (f) Use of local, state, or national professional organizations (e.g., National League of Cities, National Association of Counties, American Society for Public Administration).

The City should avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The City strives to facilitate and expedite the interview and selection process, and should periodically inform candidates of their status in the recruiting process.

Recruitment and Selection

600.4 SELECTION PROCESS

The City should actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the City should employ a comprehensive screening, background investigation, and selection process that assesses the candidates' aptitude for the position and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, and military record)
- (b) Driving record (if applicable to the position)
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA), when applicable. (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Medical and/or psychological examination, as applicable and legally permissible (may only be given after a conditional offer of employment)
- (i)

600.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a background investigation to verify the candidate's application information and ability to perform duties relevant to the position.

600.5.1 NOTICES

Background investigators should ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and applicable state law (15 USC § 1681d).

600.5.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the City should not require candidates to provide passwords, account information, or access to password-protected social media accounts.

The City should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate, and validated.

Recruitment and Selection

- (c) The City fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the City Administrator or the authorized designee should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

600.5.3 RECORDS RETENTION

The background report and all supporting documentation should be maintained in accordance with the established records retention schedule.

600.5.4 DOCUMENTING AND REPORTING

The background investigator should summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report should not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation should be included in the candidate's background investigation file.

600.6 EMPLOYMENT STANDARDS

All candidates shall meet any minimum standards required by state and local law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the City and the community.

Validated, job-related, and nondiscriminatory employment standards should be established and maintained for each job classification and should minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation.

600.7 JOB DESCRIPTIONS

The City Administrator or the authorized designee should maintain a current job description for each position in the City.

600.8 PROBATIONARY PERIODS

The City Administrator or the authorized designee should coordinate with supervisors or department heads to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

Discriminatory Harassment

601.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent city employees from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

601.2 POLICY

The City is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The City will not tolerate discrimination against an employee in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The City will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the City may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject an employee to discipline.

601.3 DEFINITIONS

Definitions related to this policy include:

601.3.1 DISCRIMINATION

The City prohibits discrimination in employment on the basis including, but not limited to any employment-related action by an employee that adversely affects an applicant or employee and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or city equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to city policy and to a work environment that is free of discrimination.

601.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination,

Discriminatory Harassment

participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

601.3.3 SEXUAL HARASSMENT

The City prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or an employee because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the employee.
- (c) Such conduct has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

601.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and any related state agency guidelines.
- (b) Bona fide requests or demands by a supervisor that an employee improve work quality or output, that the employee report to the job site on time, that the employee comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and employee.

601.4 RESPONSIBILITIES

This policy applies to all city employees, who shall follow the intent of these guidelines in a manner that reflects city policy, professional standards, and the best interest of the City and its mission.

Employees are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any employee who is not comfortable with reporting violations of this policy to an immediate supervisor may make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the City Administrator.

Any employee who believes, in good faith, that the employee has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

Discriminatory Harassment

601.4.1 QUESTIONS OR CLARIFICATION

Employees with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, or the City Administrator for further information, direction, or clarification.

601.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that employees who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the City Administrator in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

601.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the City and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent employees.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining assignments, evaluating or counseling employees, or issuing discipline in a manner that is consistent with established procedures.

601.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved employee should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. All complaints of discrimination, retaliation, or harassment should be fully documented and promptly and thoroughly investigated.

601.5.1 SUPERVISORY RESOLUTION

Employees who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional,

Discriminatory Harassment

or inappropriate. However, if the employee feels uncomfortable or threatened or has difficulty expressing the employee's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

601.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any employees involved. No influence will be used to suppress any complaint and no employee will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Employees who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to file a complaint with their immediate supervisor but may also file a complaint directly with the City Administrator.

601.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any employee from seeking legal redress outside the City. Employees who believe that they have been harassed, discriminated, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Employees are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

601.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the City Administrator. The outcome of all reports shall be:

- (a) Reviewed by the City Administrator.
- (b) Maintained in accordance with the established records retention schedule.

601.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

601.7 TRAINING

All new employees shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new employee. The employee shall certify by signing the prescribed

Discriminatory Harassment

form that the employee has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the employee's term with the City.

All employees shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

Grievances

602.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the city grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

602.1.1 GRIEVANCE DEFINED

A grievance is a difference of opinion or dispute regarding the meaning, interpretation, or application of any of the following:

- Current employment agreements
- This Policy Manual
- Rules and regulations governing personnel practices or working conditions
- Workplace issues that do not amount to misconduct such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of members

Specifically outside the category of grievances are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any city employee that, if true, would constitute a violation of city policy or federal, state, or local law.

602.2 POLICY

It is the policy of the City to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint, or retaliation against any employee who submits or is otherwise involved in a grievance.

602.3 PROCESS

Grievances may be brought by an individual employee or by an employee group representative. Employees may have representation during the grievance process.

Except as otherwise required under current employment agreements, if an employee wishes to initiate a grievance as defined above, that employee shall:

- (a) Attempt to resolve the issue through informal discussion with the employee's immediate supervisor.
- (b) If after seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the head of the department.
- (c) If the department head has not found a successful resolution is not found within five (5) business days, the employee may request a meeting with the City Administrator and the Human Resource Manager.

Grievances

- (d) If the employee, the City Administrator and the Human Resource Manager are unable to arrive at a mutual solution, the employee shall proceed as follows:
 - 1. Submit a written statement of the grievance to the City Administrator and provide a copy to the employee's immediate supervisor.
 - 2. Include the following information in the written statement:
 - (a) The basis for the grievance.
 - (b) The allegation of any specific wrongful act and the harm done.
 - (c) The specific policies, rules, or regulations at issue.
 - (d) The remedy or goal being sought by the grievance.
- (e) The supervisor shall provide the employee with a signed acknowledgment of the grievance that shall include the date and time of receipt.
- (f) The City Administrator and Human Resource Manager should review the grievance and respond to the employee within 14 calendar days.
 - 1. The response will be in writing and will affirm or deny the allegations.
 - 2. The response shall include any remedies, if appropriate.
 - 3. The decision of the City Administrator shall be final unless the Grievant files a written appeal requesting a hearing before the personnel Chair. The written appeal shall be filed with the City Clerk and the City Administrator within ten (10) calendar days of the administrative response. The Personnel Chair shall file a written report within fifteen (15) calendar days of the close of the hearing.

602.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the City Administrator or the authorized designee for inclusion in a secure file for all written grievances.

602.5 POLICY OR TRAINING IMPLICATIONS

If an employee who participates in the grievance review process identifies any issue that may warrant an immediate revision to this Policy Manual, a procedural change, or an immediate training need, the employee should promptly notify the City Administrator in the memorandum.

602.6 GRIEVANCE AUDITS

The City Administrator should designate legal counsel to perform an annual audit of all grievances filed the previous calendar year to evaluate whether any change in policy, procedure, or training may be appropriate to avoid future grievances. The evaluation should be documented in a confidential memorandum to the City Administrator without including any identifying information about any individual grievance.

Anti-Retaliation

603.1 PURPOSE AND SCOPE

This policy prohibits retaliation against employees who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of employees.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit employees' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of an employee pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance, or current employment agreement.

603.2 POLICY

The City has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation employees who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

603.3 RETALIATION PROHIBITED

No employee or council member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory, or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because the person has engaged in protected activity.

Anti-Retaliation

603.4 COMPLAINTS OF RETALIATION

Any employee who feels retaliated against in violation of this policy should promptly report the matter to any supervisor, or the City Administrator or the authorized designee.

Employees shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Employees shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting employee is known, thereby allowing investigators to obtain additional information from the reporting employee. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting employee's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the employee are part of the investigative process.

603.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring complaints of retaliation are investigated.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the City Administrator or the authorized designee, and explaining to the employee how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any employee making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of an employee to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by an employee who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

603.6 COMPLAINT PROCESS

The City Administrator should communicate to all supervisors the prohibition against retaliation.

Anti-Retaliation

Supervisors shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all employees the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

603.7 WHISTLE-BLOWING

Employees who believe they have been the subject of retaliation for engaging in protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the City Administrator or the authorized designee for investigation.

603.8 RECORDS RETENTION AND RELEASE

The City Administrator or the authorized designee shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

603.9 TRAINING

This policy should be reviewed with each new employee.

All employees should receive periodic refresher training on the requirements of this policy.

Drug-and Alcohol- Free Workplace

604.1 PURPOSE AND SCOPE

City of Lake Geneva recognizes that the use and/or abuse of alcohol and controlled substances by drivers of commercial motor vehicles presents a serious threat for the safety and health of the driver and the general public. In order to further our goal of obtaining a drug-free and alcohol-free transportation system, and to come into compliance with the Omnibus Transportation Employee Testing Act of 1991, City of Lake Geneva has implemented a drug and alcohol testing program which is designed to help reduce and avoid traffic accidents and injuries to our employees and the public, to discourage substance and alcohol abuse, and to reduce absenteeism, accidents, health care costs, and other drug and alcohol related problems.

The Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued Federal Regulations including Title 49 CFR implementing the provisions of the Federal Omnibus Transportation Employee Testing Act of 1991 which requires alcohol and controlled substance testing of drivers who are required to have a commercial driver's license (CDL). These regulations include detailed procedures for urine drug testing and breath alcohol testing of employees in safety sensitive positions.

The purpose of this policy, then, is to establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse and use of these substances by drivers of commercial motor vehicles. Consequently, City of Lake Geneva has established the following alcohol misuse prevention program and anti-drug program, as well as the subsequent enforcement of violations for its employees conducting safety-sensitive job functions. Any test results for alcohol or drugs conducted in accordance with this policy are not to be used to infer that a person is an alcoholic or chemically dependent. Testing under this policy is meant to determine an employee's qualifications to perform safety-sensitive work only, not to determine an employee's status as an alcoholic or drug addict.

604.2 POLICY

It is the policy of the City to provide a drug- and alcohol-free workplace for all employees.

604.3 NON-DISCRIMINATION

The City maintains that it will provide a drug free, alcohol free and safe environment for all of its employees. However, in doing so, it will not discriminate against any employee or applicant for employment as prohibited under Federal, State, or local laws. The City will not discriminate against any employee or applicant for employment because of their condition as an alcoholic, because of their use of lawful products off duty and off the premises, because the individual was arrested for a drug or alcohol charge prior to becoming an employee at the City (which arrest did not lead to a conviction), or because the individual was convicted of a drug or alcohol-related crime that is not substantially related to their job duties at the City.

Drug-and Alcohol- Free Workplace

604.4 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on city time can endanger the health and safety of city employees and the public.

Employees who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for work. Affected employees shall notify an appropriate supervisor as soon as they are aware of an inability to report to work. If the employee is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the employee is adversely affected while at work, the employee shall be immediately removed and released from work (see the Work Restrictions section in this policy).

604.4.1 USE OF MEDICATIONS

Employees should not use any medications that will impair their ability to safely and completely perform their work. Any employee who is medically required or has a need to take any such medication shall report that need to an immediate supervisor prior to commencing any work.

604.4.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis during work hours is prohibited and may lead to disciplinary action.

604.5 EMPLOYEE RESPONSIBILITIES

Employees shall report for work in an appropriate mental and physical condition. Employees are prohibited from purchasing, manufacturing, distributing, dispensing, possessing, or using controlled substances or alcohol on city premises or on city time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Employees shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow employee is impaired during work hours due to drug or alcohol use.

Employees are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

604.6 EMPLOYEE ASSISTANCE PROGRAM

There is a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the City Administrator or the authorized designee, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

Drug-and Alcohol- Free Workplace

604.7 WORK RESTRICTIONS

If an employee informs a supervisor of having consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the employee may be required to obtain clearance from a physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that an employee is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the employee from continuing work and shall ensure that the employee is safely transported away from the workplace.

604.8 SCREENING TESTS

A supervisor may require an employee to submit to a screening under any of the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform work safely and efficiently.
- (b) The employee uses property owned or approved by the City in a manner that results in injury, death, or substantial property damage.
- (c) The employee drives a motor vehicle in the performance of the employee's work and becomes involved in an incident that results in bodily injury, death, or substantial damage to property.
- (d) The Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued Federal Regulations including Title 49 CFR implementing the provisions of the Federal Omnibus Transportation Employee Testing Act of 1991 which requires alcohol and controlled substance testing of drivers who are required to have a commercial driver's license (CDL). These regulations include detailed procedures for urine drug testing and breath alcohol testing of employees in safety sensitive positions.

604.8.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

604.8.2 DISCIPLINE

An employee may be subject to disciplinary action if the employee

- (a) Fails or refuses to submit to a screening test.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, of having taken the controlled

Drug-and Alcohol- Free Workplace

substance as directed, pursuant to a current and lawful prescription issued in the employee's name.

604.9 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving an employee, the City will take appropriate disciplinary action, up to and including dismissal, and/or requiring the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

604.10 CONFIDENTIALITY

The City recognizes the confidentiality and privacy due to its employees. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the employee's confidential medical file in accordance with the Personnel Records Policy.

Communicable Diseases

605.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of employees contracting and/or spreading communicable diseases.

605.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, or tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, the mouth, a mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to an employee's position with the City. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

605.2 POLICY

The City is committed to providing a safe work environment for its employees. Employees should be aware that they are ultimately responsible for their own health and safety.

605.3 EXPOSURE CONTROL OFFICER

The City Administrator should assign a person as the Exposure Control Officer (ECO). The ECO is responsible for the development of an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that city employees will have no-cost access to personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) that is appropriate for each employee's position and risk of exposure.
- (d) Identification of exposure risks and reasonable efforts to reduce additional exposure.
- (e) Compliance with all relevant laws or regulations related to communicable diseases which may include the following:
 - 1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136)
 - 2. Bloodborne pathogen precautions, including exposure determination, if required (29 CFR 1910.1030)

Communicable Diseases

The ECO should also act as the liaison with the state occupational health and safety authority and may request voluntary compliance inspections. The ECO should periodically review and update the exposure control plan and review implementation of the plan.

605.4 EXPOSURE PREVENTION AND MITIGATION**605.4.1 GENERAL PRECAUTIONS**

All employees are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes but is not limited to (29 CFR 1910.1030:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or city vehicles, as applicable.
- (b) Wearing city-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., clothing, shoes, work equipment) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials should be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

605.4.2 IMMUNIZATIONS

Employees who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030). Additional immunizations may also be required or provided.

605.5 POST EXPOSURE

Communicable Diseases

605.5.1 INITIAL POST-EXPOSURE STEPS

Employees who experience an exposure or suspected exposure shall (29 CFR 1910.1030):

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practical.

605.5.2 REPORTING REQUIREMENTS

Supervisors should investigate every exposure or suspected exposure that occurs as soon as possible following the incident. Supervisors should document the following information (29 CFR 1910.1030):

- (a) Identification of the employee exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

Supervisors should advise their employees that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. Supervisors should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Work-Related Illness and Injury Reporting and Illness and Injury Prevention policies).

605.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

City employees have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information (29 CFR 1910.1030):

- (a) Whether the employee has been informed of the results of the evaluation.
- (b) Whether the employee has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials that require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

Communicable Diseases

605.5.4 COUNSELING

The City should provide the employee, and the employee's family if necessary, the opportunity for counseling and consultation regarding the exposure.

605.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed employee or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed employee's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Requesting assistance from local health authorities to obtain testing.
- (c) Acquiring a court order in accordance with state law.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Administrator to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if the individual refuses.

605.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and not be disclosed to anyone without the employee's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (29 CFR 1910.1030).

605.7 TRAINING

Training regarding communicable diseases should be provided to employees commensurate with the requirements of their position. The training (29 CFR 1910.1030):

- (a) Should be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Should be provided whenever the employee is assigned new tasks or procedures affecting potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure, and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

606.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by employees and others during work hours or while in city facilities or vehicles.

For the purpose of this policy, smoking and tobacco use includes but is not limited to any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches, and chewing tobacco, as well as any device that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

606.2 POLICY

The City recognizes that smoking and tobacco use is a health risk and can be offensive to others. All forms of smoking and tobacco use also present an unprofessional image for the City and its employees. Therefore, all forms of smoking and tobacco use are prohibited by employees and visitors in all city facilities, buildings, and vehicles, and as is further outlined in this policy.

606.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by employees are prohibited any time employees are in public view representing the City.

It is the responsibility of employees to ensure that no person under their supervision or control smokes or uses any tobacco product inside city facilities and vehicles.

No employee shall smoke or vape near any entrance, window, or other location where other persons may be subject to breathing smoke or vapor.

606.4 ADDITIONAL PROHIBITIONS

Department Heads or the authorized designees shall make reasonable efforts to prohibit smoking in City locations where smoking is prohibited, including, but not limited to (Wis. Stat. § 101.123(2)(a)8r; Wis.

Stat. § 101.123(2)(e)3; Wis. Stat. § 101.123(2m)(c); Wis. Stat. § 101.123(2m)(e)):

- (a) Posting signs that prohibit smoking (Wis. Stat. § 101.123(2m)(c)1).
- (b) Asking a person who is smoking to refrain or to leave if the person refuses (Wis. Stat. § 101.123(2m)(c)3).
- (c) Enforcing the Wisconsin Clean Indoor Air Act (Wis. Stat. § 101.123(2m)(d)).
- (d) Taking other actions as reasonably necessary to prevent persons from being exposed to others who are smoking (Wis. Stat. § 101.123(2m)(e)).

606.5 POSTING

Signs or other notices should be posted at appropriate locations to notify employees and the public where smoking and tobacco use is prohibited.

Smoking and Tobacco Use

Meal Periods and Breaks

607.1 PURPOSE AND SCOPE

This policy provides general guidance regarding meal periods and breaks for employees.

607.2 POLICY

It is the policy of the City to provide meal periods and breaks to employees in accordance with the law and any employment agreements.

607.3 MEAL PERIODS

Employees shall take meal periods at times approved by their supervisors. The time spent for meal periods shall not exceed the authorized time allowed.

Emergency response employees shall remain on-duty subject to call during meal periods. All other employees are not on-duty during meal periods unless directed otherwise by a supervisor.

607.4 BREAKS

Breaks should be taken near the midpoint of each four-hour work period. Only one break should be taken during each four hours of work. No breaks should be taken during the first or last hour of an employee's shift.

Emergency response employees shall remain on-duty subject to call during breaks. All other employees are not on-duty during breaks unless directed otherwise by a supervisor.

Lactation Breaks

608.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child.

608.2 POLICY

It is the policy of the City to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any nonexempt employee desiring to express breast milk for a nursing child for up to one year after the child's birth (29 USC § 207).

608.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Employees desiring to take a lactation break shall notify a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt city operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

608.4 PRIVATE LOCATION

The City will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from coworkers and the public (29 USC § 207).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

Lactation Breaks

608.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area shall clearly label it as such and shall remove it when the employee's workday ends.

Payroll Records

609.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of city employees who are eligible for the payment of wages.

609.2 POLICY

The City maintains timely and accurate payroll records.

609.3 RESPONSIBILITIES

Employees are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records of employees under their supervision.

609.4 TIME REQUIREMENTS

Employees who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted as established by the city payroll procedures.

609.5 RECORDS

The City shall maintain accurate and timely payroll records as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Overtime Compensation

610.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

610.2 POLICY

The City will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

610.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(o)(1)).

Short periods of overtime worked at the end of the normal workday (e.g., less than one hour in duration) may be handled informally by an agreement between the supervisor and the employee. In such cases, the supervisor shall document the overtime worked and schedule a subsequent adjustment of work time within the same work period that the overtime was worked, rather than submit a request for overtime compensation (29 USC § 207(o)).

Exempt employees may be eligible for administrative leave, which may be granted at the discretion of the exempt employee's immediate supervisor.

610.4 REQUESTS FOR OVERTIME COMPENSATION

610.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Record the actual time worked in an overtime status using the city-approved form or method. Informal notations on reports, logs, or other forms not approved for overtime recording are not acceptable.
- (c) Submit the request for overtime compensation pursuant to city payroll procedures.

610.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.

Overtime Compensation

1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of city resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an internal investigation.
- (c) After verifying and approving the overtime amount, promptly forward the request for compensation to the employee's department director for final approval.
 1. After the head of the department has authorized compensation, the request shall be submitted to the City Administrator or the authorized designee as soon as practicable.

Supervisors may not authorize or approve their own overtime.

610.5 VARIATION IN TIME REPORTED

When two or more employees are assigned to the same activity and the amount of time for which overtime compensation is requested varies among the employees, the City Administrator, authorized designee, or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

610.6 REQUESTING USE OF COMPENSATORY TIME

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt city operations (29 USC § 207(o)). Requests to use compensatory time will be submitted to the employee's supervisor at least 24 hours in advance of its intended use. Supervisors may make exceptions in unusual or extraordinary circumstances.

Exempt employees are not eligible to receive compensatory time, however, the City recognizes that the nature of the work performed by these employees often requires additional work hours above and beyond normal business hours. As such, exempt employees will be permitted to take time off as authorized by the City Administrator or the authorized designee.

Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25).

Work-Related Illness and Injury Reporting

611.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of work-related conditions such as a physical injury or an occupational illness.

611.1.1 DEFINITIONS

Definitions related to this policy include:

Work-related condition - Any significant medical or mental condition suspected to have been caused by an employee's service to the City. Any condition that would reasonably require some form of treatment should be considered significant.

611.2 POLICY

The City will address work-related conditions and will comply with applicable state workers' compensation requirements.

611.3 RESPONSIBILITIES

611.3.1 EMPLOYEE RESPONSIBILITIES

Employees shall report work-related conditions as soon as practicable, but within 24 hours, to a supervisor, and seek medical care when appropriate.

611.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related condition should:

- (a) Ensure the employee receives medical care as appropriate.
- (b) Determine whether the Illness and Injury Prevention Policy applies and take additional action as required.
- (c) Review the report for accuracy and determine whether the work-related condition is required to be reported to the state or workers' compensation entity and whether any additional action should be taken.
- (d) Forward the report to the Human Resources/Benefits Specialist to be maintained in the employee's confidential medical file.

611.4 OTHER ILLNESS OR INJURY

Work-related conditions that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the Human Resources/Benefits Specialist.

Unless the injury is extremely minor, the affected employee shall sign the form indicating no desire for medical treatment. Signing the form does not preclude the employee's ability to later seek medical attention.

Work-Related Illness and Injury Reporting

611.5 SETTLEMENT OFFERS

When an employee experiences a work-related condition that is caused by another person and is subsequently contacted by that person, that person's agent, an insurance company, or an attorney and offered a settlement, the employee shall take no action other than to submit a written report of this contact to a supervisor as soon as possible.

611.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to a work-related condition, the employee shall provide the Human Resources/Benefits Specialist with written notice of the proposed terms of such settlement. In no case shall the employee accept a settlement without first providing written notice to the Human Resources/Benefits Specialist. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the work-related condition, and to protect the city's right of subrogation, while ensuring that the employee's right to receive compensation is not affected.

Temporary Modified- Duty Assignments

612.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, city rules, or applicable employment agreements. For example, nothing in this policy affects the obligation of the City to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

612.2 POLICY

Subject to operational and business considerations, the City may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the City with a productive employee during the temporary period.

612.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or state law shall be treated equally, without regard to any preference for a work-related injury.

No position should be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational and business needs of the City. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational and business needs and the employee's ability to perform in a modified-duty assignment.

The City Administrator or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, operating a city vehicle, or engaging in outside employment.

Temporary modified-duty assignments should generally not exceed a cumulative total of 1,040 hours in any one-year period.

Employees who refuse a temporary modified-duty assignment offer are permitted to use available approved leave, if eligible.

612.4 PROCESS

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their immediate supervisors or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

Temporary Modified- Duty Assignments

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

Supervisors will make a recommendation to the City Administrator or the authorized designee regarding temporary modified-duty assignments that may be available based on the needs of the City and the limitations of the employee.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the supervisor, with notice to the City Administrator or the authorized designee.

612.5 ACCOUNTABILITY

Written notification of assignments, work schedules, and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate city operations and the employee's medical appointments, as mutually agreed upon by the employee and the employee's supervisor.

612.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty include but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the City Administrator or the authorized designee that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

612.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor should monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors include but are not limited to:

- (a) Periodically apprising the City Administrator or the authorized designee of the status and performance of employees assigned to temporary modified duty.

Temporary Modified- Duty Assignments

- (b) Notifying the City Administrator or the authorized designee and ensuring that the required documentation facilitating the employee's return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

612.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The City may require a fitness-for-duty examination prior to returning an employee to full-duty status.

612.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

Nothing in this policy limits a pregnant employee's right to a temporary modified-duty assignment if required under state law.

612.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the city's personnel rules and regulations regarding family and medical care leave.

612.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

612.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

Speech, Expression, and Social Networking

613.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of employee speech and expression with the needs of the City.

This policy applies to all forms of communication, including but not limited to film, video, print media, public or private speech, and use of all internet services, including the web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of an employee group, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

613.2 POLICY

Employees of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the City. Due to the nature of the work and influence associated with local government employees, it is necessary that city personnel be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the City will carefully balance the individual employee's rights against the needs and interests of the City when exercising a reasonable degree of control over its employees' speech and expression.

613.3 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

Employees should demonstrate sound judgment in speech, expression, and conduct that relates to or affects the City. In order to meet the safety, performance, and public-trust needs of the City, the following are prohibited unless the speech is otherwise protected (e.g., an employee is speaking as a private citizen, including acting as an authorized member of an employee group, on a matter of public concern):

- (a) Speech or expression that is disruptive to the work environment, undermines authority, and is destructive to close working relationships.
- (b) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the City or its employees.
- (c) Knowingly or recklessly false speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the City and tends to compromise

Speech, Expression, and Social Networking

or damage the mission, function, reputation, or professionalism of the City or its employees. Examples may include:

1. Making a false accusation of wrongdoing without exercising reasonable caution to verify the truth of the matter.
 2. Intentionally misrepresenting on social media actions taken by the City that would damage the city's reputation.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of city employees. Use or disclosure, through whatever means, of any information, photograph, video, or other recording obtained or accessible as a result of employment or appointment with the City for financial or personal gain, or any disclosure of such materials without the express authorization of the City Administrator or the authorized designee.
- (e) Posting, transmitting, or disseminating any photographs, video or audio recordings, likenesses or images of city logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the City on any personal or social networking or other website or web page, without the express authorization of the City Administrator or the authorized designee.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

613.3.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of employee groups, employees may not represent the City or identify themselves in any way that could be reasonably perceived as representing the City in order to do any of the following, unless specifically authorized by the City Administrator or the authorized designee:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose any product, service, company, or other commercial entity.
- (d) Appear in any commercial, social, or nonprofit publication; in any motion picture, film, video, or public broadcast; or on any website.

Additionally, when it can reasonably be construed that an employee, acting in an individual capacity or through an outside group or organization, including as an authorized member of an employee group, is affiliated with this city, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the City.

Employees retain their rights to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of employee groups on political subjects and candidates at all times during non-work hours. However, employees

Speech, Expression, and Social Networking

may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

613.4 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook, Twitter, LinkedIn) that is accessed, transmitted, received, or reviewed on any city technology system (see the Information Technology Use Policy for additional guidance).

However, the City may not require an employee to disclose a personal username or password or to open a personal social website, except when legally permitted and relevant to the investigation of allegations of work-related misconduct.

613.5 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the City Administrator or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the City or the efficiency or morale of its employees.
- (c) Whether the speech or conduct would reflect unfavorably upon the City.
- (d) Whether the speech or conduct would negatively affect the appearance of impartiality in the performance of the employee's duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the City.

613.6 SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of City of Lake Geneva employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, employee's family or associates.

613.7 TRAINING

Subject to available resources, the City should provide training regarding the limitations on speech, expression, and use of social networking to all employees.

Illness and Injury Prevention

614.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for employees of the City.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, each department within the City may set its own related policies or procedures that do not conflict with this policy.

614.2 POLICY

The City is committed to providing a safe environment for its employees and to minimizing the incidence of work-related illness and injuries. The City should establish and maintain an illness and injury prevention plan and provide tools, training, and safeguards designed to reduce the potential for accidents, injuries, and illness. It is the intent of the City to comply with all laws and regulations related to occupational safety.

614.3 ILLNESS AND INJURY PREVENTION PLAN

The City Administrator or the authorized designee is responsible for developing an illness and injury prevention plan that should include:

- (a) Workplace safety and health training programs.
- (b) Review of city workplace safety policies and procedures of each department.
- (c) Regularly scheduled safety meetings.
- (d) Posted or distributed safety information.
- (e) A system for employees to anonymously inform management about workplace hazards.
- (f) Establishment of a safety and health committee that will:
 - 1. Meet regularly.
 - 2. Include representation from each department.
 - 3. Prepare a written record of safety and health committee meetings.
 - 4. Review the results of periodic scheduled inspections.
 - 5. Review investigations of accidents and exposures.
 - 6. Make suggestions to supervisors for the prevention of future incidents.
 - 7. Review investigations of alleged hazardous conditions.
 - 8. Submit recommendations to assist in the evaluation of employee safety suggestions.

Illness and Injury Prevention

9. Assess the effectiveness of efforts made by the City to meet applicable standards.
- (g) Establishing a process to ensure illnesses and injuries are reported as required under state law.

614.4 MANAGER/ADMINISTRATOR RESPONSIBILITIES

The responsibilities of the City Administrator or the authorized designee include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of employee illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and employees. This system shall include:
 1. New employee orientation that includes a discussion of safety and health policies and procedures.
 2. Regular employee review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees.
- (d) Taking reasonable steps to ensure that all employees comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
 1. Informing employees of the illness and injury prevention guidelines.
 2. Recognizing employees who perform safe work practices.
 3. Ensuring that the employee evaluation process includes employee safety performance.
 4. Ensuring compliance with any applicable safety standards related to:
 - (a) Communicable diseases
 - (b) Personal Protective Equipment (PPE) (see the Personal Protective Equipment Policy)
 - (c) Emergency Action Plan
 - (d) Walking-working surfaces
- (e) Making available a form to document inspections, unsafe conditions or unsafe work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each employee. This form will include the employee's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

Illness and Injury Prevention

614.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

- (a) Ensuring employee compliance with illness and injury prevention guidelines and answering questions from employees about this policy.
- (b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate.
- (c) Establishing and maintaining communication with employees on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention and submitting such forms and reports to the City Administrator.
- (e) Notifying the City Administrator or the authorized designee when:
 - 1. New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Work-related illnesses and injuries occur.
 - 4. New and/or permanent or intermittent employees are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
 - 5. Workplace conditions warrant an inspection.

614.6 HAZARDS

All employees should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Employees should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering employees or property, supervisors should protect or remove all exposed employees from the area or item, except those necessary to correct the existing condition.

Employees who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the City Administrator or the authorized designee.

The City Administrator or the authorized designee will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

Illness and Injury Prevention

614.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The City Administrator or the authorized designee should ensure that the appropriate documentation is completed for each inspection.

614.7.1 EQUIPMENT

Employees are charged with daily inspections of their assigned equipment or work environment, as applicable, prior to beginning their workday. Employees should complete the appropriate form if an unsafe condition cannot be immediately corrected. Employees should forward this form to their supervisors.

614.8 INVESTIGATIONS

Any employee sustaining any work-related illness or injury, as well as any employee who is involved in any work-related accident or hazardous substance exposure, shall report such event as soon as practicable to a supervisor. Employees observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured employee and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report a work-related injury, as required under the Work-Related Illness and Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

614.9 TRAINING

Employees, including supervisors, should be provided with training on general and job-specific workplace safety and health practices. Training should be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed.
- (b) To all employees with respect to hazards specific to each employee's job assignment.
- (c) To all employees given new job assignments for which training has not previously been provided.

Illness and Injury Prevention

- (d) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the City is made aware of a new or previously unrecognized hazard.

614.9.1 TRAINING TOPICS

Training topics should include, as applicable:

- (a) Reporting unsafe conditions, work practices, and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing, and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which employees could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

614.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

Workplace Violence

615.1 PURPOSE AND SCOPE

The purpose of this policy is to make clear that the City does not tolerate any direct or implied threats of violence or violent behavior in the workplace or any act or behavior that is or can be perceived as threatening, hostile, and/or violent.

615.2 POLICY

It is the policy of the City to provide and maintain a safe work environment for its employees, volunteers, and members of the public.

In responding to any violent behavior in the workplace, the City is committed to providing protection to all involved parties, including protection from future physical and/or mental harm and the protection of the legal rights of victims, witnesses, and those instigating the harm.

615.3 PROHIBITED BEHAVIOR

No employee shall engage in, encourage, or promote violent behavior toward any person while conducting city business or on city property.

No employee engaged in city business shall carry or possess weapons or explosives unless either:

- (a) Permitted by city policy.
- (b) State or local law prohibits the City from restricting the possession of the weapon or explosive.

615.4 REPORTING AND INVESTIGATING

615.4.1 EMPLOYEE RESPONSIBILITY

Employees who experience, observe, or have knowledge of prohibited behaviors and actions in the workplace have a responsibility to report the situation as soon as practicable to a supervisor, a manager, or a human resources representative and to the local police department, if a threat has been made or a crime has occurred.

615.4.2 SUPERVISOR AND MANAGER/ADMINISTRATOR RESPONSIBILITIES

Upon receipt of a report of potential or actual workplace violence, supervisors shall gather as much information as possible to assess and determine the severity and potential of the situation. If the report is found to be credible, the City Administrator or the authorized designee shall be notified as soon as practicable and appropriate action taken.

Local law enforcement personnel shall be notified immediately of all threatening or violent behavior.

Workplace Violence

615.4.3 INVESTIGATION

The City Administrator or the authorized designee will promptly, impartially, and with as much confidentiality as practicable coordinate the investigation of all reports of violent behavior.

City employees are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to all parties involved as quickly as possible.

615.4.4 REPORTING NON-WORK-RELATED THREATENING OR VIOLENT BEHAVIOR

City employees who are victims of domestic violence or other threatening behavior outside of the workplace, or who believe they are potential victims of such behavior and fear it may enter the workplace, are encouraged to report the situation as soon as possible to their supervisors.

Supervisors receiving any such report shall contact the City Administrator or the authorized designee as soon as practicable so that any appropriate safety measures or plans may be developed.

615.5 RETALIATION PROHIBITED

Any form of retaliation against an employee for making a report concerning violent behavior in the workplace is prohibited.

Any employee who becomes aware of any retaliation or threatened retaliation shall immediately notify a supervisor.

615.6 RESTRAINING ORDERS

Employees who obtain a restraining order listing their workplace, person, or the City property as a protected area must provide a copy of the restraining order to their immediate supervisor or the City Administrator or the authorized designee. The City needs this information in order to provide a safe workplace.

615.7 FOLLOW-UP ACTION

Any employee reported to have exhibited violent or potentially violent behavior will be afforded all rights provided by law and applicable employment agreements before the City takes any disciplinary action.

Actions that may be taken when an employee has been found to have violated this policy include but are not limited to the following:

- Mandatory participation in counseling
- Placing the employee on paid administrative leave pending investigation into an alleged threat or act
- Corrective/disciplinary action up to and including termination
- Criminal arrest and prosecution
- Special procedures, such as job relocation or initiation of a court order

Workplace Violence

If, upon investigation, it is determined that an allegation is false or was made maliciously, the employee who provided the false information will be subject to disciplinary action, up to and including termination, as well as possible criminal arrest and prosecution.

615.8 LEGAL ACTION

The City Administrator or the authorized designee, in consultation with legal counsel, will determine if a temporary restraining order or injunction should be sought on behalf of the City to reduce future or threatened violent behavior in the workplace.

615.9 CORRECTIVE ACTIONS

At the completion of the investigation and a review of the incident, or in the case of a threat of violence, non-disciplinary corrective actions should be implemented or requested to ensure overall workplace safety. These actions may include but are not limited to:

- Placing the involved employee on administrative leave pending further review and determination of permanent action.
- Administrative leave would be unpaid in the case of a volunteer.
- Reassigning the employee to a different work location.
- Referring the employee to conflict resolution training sessions.
- Referring the employee to the employee assistance program (EAP).
- Modifying workstation designs and office traffic flow patterns.
- Requiring the employee to attend a fitness-for-duty evaluation.
- Developing specific workplace violence procedures for incident response, prevention, and corrective actions.

615.10 WORKPLACE VIOLENCE PREVENTION

All city employees are responsible for assisting in the prevention of violence in the workplace.

The City will provide appropriate training to employees regarding workplace violence.

In the event a violent incident occurs in the workplace, the City Administrator or the authorized designee is responsible for ensuring that all responsibilities have been met and actions carried out, as detailed in this policy, and shall review the results of any investigation and ensure appropriate action is taken. Information gathered during an investigation should be used for the continuous improvement of policies and procedures to prevent workplace violence.

Outside Employment

616.1 PURPOSE AND SCOPE

This policy provides guidelines for city employees who seek to engage in authorized outside employment.

616.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by employees of the City for another employer, organization, or individual when wages, compensation, or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those employees who are self-employed and receive compensation or other consideration for services, products, or benefits rendered.

616.2 POLICY

City employees shall obtain written approval from the City Administrator or the authorized designee prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the City Administrator or the authorized designee in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment, or engaging in outside employment that is prohibited by this policy, may lead to disciplinary action.

616.3 OUTSIDE EMPLOYMENT

616.3.1 REQUEST AND APPROVAL

Employees must submit a written request to engage in outside employment to their immediate supervisors. The request will then be forwarded to the City Administrator or the authorized designee for consideration.

If approved, the employee will be provided with a written notification of approval. Unless otherwise indicated in writing, approval for outside employment will be valid through the end of the calendar year in which the request is approved. Employees seeking to continue outside employment must submit a new request at the start of each calendar year.

616.3.2 DENIAL

Any employee whose request for outside employment has been denied should be provided with a written notification of the reason at the time of the denial.

616.3.3 REVOCATION

Any employee whose approval for outside employment is revoked or suspended should be provided with a written notification of the reason for revocation or suspension.

Approval for outside employment may be revoked or suspended:

Outside Employment

- (a) When a supervisor determines the employee's performance is failing to meet standards and the outside employment may be related to the deficient performance.
 - 1. Approval for the outside employment may be re-established when the employee's performance has reached a satisfactory level and with a supervisor's authorization.
- (b) When an employee's conduct or outside employment conflicts with city policy or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the City.

616.3.4 APPEAL

If an employee's request for outside employment is denied or if previous approval is revoked or suspended, the employee may file a written notice of appeal with the City Administrator or the authorized designee within 10 days of receiving notice of the denial, revocation, or suspension.

A revocation or suspension will only be implemented after the employee has completed the appeal process.

If the employee's appeal is denied, the employee may file a grievance as provided in the Grievances Policy.

616.4 REQUIREMENTS

616.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The City reserves the right to deny any request for outside employment that involves:

- (a) The use of city time, facilities, equipment, or supplies.
- (b) The use of any city badge, uniform, or influence for private gain or advantage.
- (c) The employee's receipt or acceptance of any money or other consideration for the performance of duties or services required or expected of the employee in the normal course of employment or appointment.
- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other employee of the City.
- (e) Demands upon the employee's time that would render the employee's work performance for the City deficient or substandard.
- (f) Activities that may conflict with any other policy or rule of the City.

616.4.2 LOCAL GOVERNMENT RESOURCES

Employees are prohibited from using any city equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against employees using their position with the City to gain access to official records or databases.

Outside Employment

616.4.3 REVIEW OF FINANCIAL RECORDS

Unless prohibited by law under the circumstances, prior to approving outside employment, the City Administrator or the authorized designee may request that an employee provide a copy of personal financial records for review if it is determined that a conflict of interest may exist. Failure or refusal by the employee to provide such records may result in denial of the outside employment.

If, after approving a request for outside employment, the City obtains information that a financial conflict of interest exists, the City Administrator or the authorized designee may request that the employee provide a copy of personal financial records for review. Failure or refusal by the employee to provide such records may result in revocation or suspension of approval of the outside employment pursuant to this policy.

616.4.4 CHANGES IN OUTSIDE EMPLOYMENT STATUS

Employees who terminate their outside employment shall promptly submit written notification of such termination to their immediate supervisor. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Employees shall also promptly submit in writing to their immediate supervisor any material changes in outside employment, including any change in the number of hours, type of work, or the demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

616.4.5 LEAVE OR RESTRICTED DUTY STATUS

Employees who are placed on leave or other restricted duty status shall inform their immediate supervisors in writing within five days as to whether they intend to continue their outside employment while on such leave or restricted status. The immediate supervisor shall review the duties of the outside employment, along with any related orders (e.g., administrative, medical), and make a recommendation to the City Administrator or the authorized designee regarding whether such employment should continue.

In the event that the City Administrator or the authorized designee determines that the outside employment should be discontinued, or if the employee fails to promptly notify an immediate supervisor of the employee's intention regarding outside employment, a notice revoking approval of the outside employment will be forwarded to the employee and a copy attached to the original outside employment request.

Criteria for revoking approval due to leave or restricted duty status include but are not limited to:

- (a) The outside employment is medically detrimental to the total recovery of the employee.
- (b) The outside employment requires performance of the same or similar physical ability as would be required in the employee's city job.
- (c) The employee fails to give timely notice of intent regarding outside employment to an immediate supervisor.

Outside Employment

When the employee returns to full duty with the City, a written request may be submitted to the City Administrator or the authorized designee to approve the outside employment request.

Personal Appearance Standards

617.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of city employees.

Dress code requirements for uniformed and non-uniformed employees are addressed in the Dress Code Policy.

617.2 POLICY

City employees shall maintain their personal hygiene and appearance to project a professional image that is appropriate for public service and for the department in which they work. Personal appearance standards are primarily based on safety requirements, appearance conformity, and the social norms of the community served, while considering matters important to city employees.

617.3 GROOMING

The following appearance standards shall apply to all employees unless the employee's supervisor has granted an exception.

617.3.1 PERSONAL HYGIENE

All employees must maintain proper personal hygiene. Examples of improper personal hygiene include but are not limited to dirty fingernails, bad breath, body odor, and dirty or unkempt hair.

Employees should adhere to the following general guidelines in their personal appearance when presenting to work. Employees may be subject to additional personal hygiene standards set forth in supplemental policies established by each department.

- (a) Hair shall be neatly trimmed or arranged.
- (b) Facial hair (e.g., beards, sideburns, mustaches, eyebrows) must be clean and well-groomed. Facial hair for certain employees may be prohibited if it creates a safety hazard (i.e., facial hair for employees who regularly wear certain types of respirators).
- (c) Fingernails should be clean and neatly trimmed to a length that does not present a safety concern.

617.4 APPEARANCE

617.4.1 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the employee or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

617.4.2 TATTOOS

During work hours and while representing the City in any official capacity, employees should make every reasonable effort to conceal tattoos or other body art. At no time while an employee

Personal Appearance Standards

is representing the City in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos include but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

617.4.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body that is visible while representing the City in any official capacity, that is a deviation from normal anatomical features, and that is not medically required, is prohibited. Such body alteration includes but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose, or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification, or burning to create a design or pattern.

617.4.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while representing the City in any official capacity. Such ornamentation includes but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum, or other veneers or caps used for decorative purposes.

617.4.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited during work hours and while representing the City in any official capacity.

617.4.6 COSMETICS AND FRAGRANCES

Cosmetics shall present a professional image. Use of cologne, perfume, aftershave lotion, and other items used for body fragrance shall be kept to a minimum.

617.5 EXEMPTIONS

City employees may request exemptions from portions of this policy when application would affect a disability, a religious practice or belief, or other protected characteristics. Requests for exemptions should be addressed to the City Administrator or the authorized designee. The City Administrator should be advised any time a request for accommodation is denied.

Dress Code

618.1 PURPOSE AND SCOPE

This policy provides dress code guidelines for city employees.

Other related topics are addressed in the Local Government-Owned and Personal Property and Personal Appearance Standards policies.

618.2 POLICY

It is the policy of the City that uniformed employees are readily identifiable to the public through the proper use and wearing of city uniforms and that the appearance of all employees is suitable and appropriate for their position.

618.3 WORK ATTIRE FOR NON-UNIFORMED EMPLOYEES

Non-uniformed employees shall dress in a manner appropriate for their position and any department-specific standards. The following guidelines apply to all non-uniformed employees:

- (a) Clothing shall fit properly, be clean and free of stains, and not be damaged or excessively worn.
- (b) Employees assigned primarily to an office environment, including management, administrative, and support positions, shall wear business-appropriate attire.
- (c) Variations from this policy are allowed at the discretion of the employee's immediate supervisor or the head of the department based upon the employee's assigned job duties.
- (d) No item of civilian attire that would adversely affect the reputation of the City or employee morale may be worn during work hours.
- (e) The following items shall not be worn during work hours or when representing the City in any official capacity (unless specific in your department to carry out your work tasks):
 - 1. Clothing that reveals cleavage, the back, chest, stomach, or buttocks
 - 2. T-shirt alone or exposed undergarments
 - 3. Swimsuits, tank tops, tube tops, or halter tops
 - 4. Sweatshirts, sweatpants, or similar exercise clothing
 - 5. Spandex-type pants or transparent clothing
 - 6. Denim pants of any color
 - 7. Shorts
 - 8. Clothing, buttons, or pins displaying racial, sexual, discriminatory, gang-related, or obscene language

Dress Code

618.4 UNIFORMS

The City will provide uniforms for all employees who are required to wear them in the manner, quantity, and frequency agreed upon in the respective employee group's employment agreement, if applicable. The City may provide other employees with uniforms at the direction of the City Administrator or the authorized designee.

The City Administrator or the authorized designee shall maintain and update uniform and equipment specifications, which should be consulted by employees as needed. Uniforms shall be worn as described therein and as specified in this policy and any supplemental department policies.

The following shall apply to those employees assigned to wear city-issued uniforms:

- (a) Uniforms and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed, as necessary for the position.
- (b) Uniforms shall be worn in compliance with any applicable city specifications.
- (c) Uniforms are only to be worn during work hours, at official city functions or events, while in transit to or from work, or when authorized by the City Administrator or the authorized designee.
- (d) Employees are not to purchase or drink alcoholic beverages while wearing any part of city-issued uniforms.
- (e) Supervisors shall monitor employee compliance with this policy through periodic inspections of employees within their department who wear a city-issued uniform.
- (f) Please consult with your individual department head in regard to specific uniform requirements and/or applicable clothing allowance.

All uniforms and equipment issued to city employees shall be returned to the City upon termination or resignation.

618.5 UNAUTHORIZED UNIFORMS, EQUIPMENT, AND ACCESSORIES

City employees may not wear any uniform item, accessory, or attachment unless specifically authorized by the City Administrator or the authorized designee.

Employees may not use or carry any safety item, tool, or other piece of equipment unless specifically authorized by the City Administrator or the authorized designee.

Family and Medical Leave

619.1 PURPOSE AND SCOPE

The purpose of this policy is to provide general guidance for managing unpaid leave for eligible employees for qualified medical and family reasons, including (29 USC § 2612):

- The birth, adoption, or foster care placement of a child.
- To care for an immediate family member (spouse, child, parent or parent in-law) with a serious health condition.
- When an employee is unable to work because of the employee's own serious health condition.
- To care for a spouse, son, daughter, parent, or next of kin who is a service member of the United States Armed Forces and who has a serious injury or illness incurred in the line of duty.

This policy does not address all possible situations and circumstances that may arise when an employee requests leave for family or medical reasons. As these leave situations arise, supervisors should consult with the City Administrator or authorized designee to obtain specific guidance regarding leave rights and obligations.

Nothing in this policy supersedes any provision of any employment agreement, civil service or other local rule, or any law that provides greater family or medical leave rights.

619.1.1 DEFINITIONS

Definitions related to this policy include:

Child - A child under 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability (29 USC § 2611; 29 CFR 825.102; 29 CFR 825.122). An employee's child is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, or foster child; stepchild; or a child for whom the employee is standing in loco parentis (in place of a parent).

FMLA - The federal Family and Medical Leave Act (29 USC § 2601 et seq.).

Qualified health care professional - A physician, surgeon, doctor of osteopathy, podiatrist, dentist, psychologist, optometrist, nurse practitioner, nurse midwife, clinical social worker, or physician assistant duly licensed and authorized to practice medicine; chiropractors for some purposes; any health care provider from whom the city benefits plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits (29 CFR 825.125).

Spouse - The person with whom an employee has entered into a marriage defined or recognized by the location in which the marriage was entered into (29 USC § 2611(13); 29 CFR 825.102; 29 CFR 825.122).

Family and Medical Leave

619.2 POLICY

It is the policy of the City to manage unpaid leave for eligible employees for qualified medical and family reasons in compliance with federal law and any applicable employment agreement.

619.3 ELIGIBLE EMPLOYEES

Employees are eligible for FMLA after working for the City for at least one year and completing 1,250 hours over the 12 months prior to the commencement of the leave (29 USC § 2611; 29 CFR 825.110). Employees may not be eligible for leave if there are fewer than 50 other employees within 75 miles of the employee's work site.

619.4 TYPE AND DURATION OF LEAVE

Generally, eligible employees are entitled under FMLA to 12 workweeks of unpaid leave during a 12-month period (29 USC § 2612; 29 CFR 825.100). Up to 26 weeks of unpaid leave during a single 12-month period may be available to care for certain injured military service members. The 12-month period is measured backward from the date leave is taken and continuously with each additional leave day taken.

619.4.1 SERIOUS HEALTH CONDITIONS

Eligible employees may take up to 12 weeks of leave to care for a spouse, child, or parent with a serious health condition or when the employee is unable to work because of the employee's own serious health condition (29 USC § 2612(a)(1); 29 CFR 825.200).

If both spouses are employed by the City, the combined number of workweeks to care for a sick parent is limited to 12 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.201).

Generally, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves (29 USC § 2611; 29 CFR 825.113):

- An overnight stay in a hospital, hospice, or residential medical care facility (29 CFR 825.114).
- Continuing treatment by a qualified health care professional due to a serious health condition of more than three full consecutive calendar days (29 CFR 825.115(a)).
- Any period of incapacity due to pregnancy complications or prenatal care (29 CFR 825.115(b)).
- A chronic condition that requires treatment (29 CFR 825.115(c)).
- A permanent condition for which treatment may not be effective (such as Alzheimer's or the terminal stages of a disease) (29 CFR 825.115(d)).
- Any period of absence to receive multiple treatments, including any recovery period, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days without medical intervention or treatment (such as cancer chemotherapy or physical therapy for arthritis) (29 CFR 825.115(e)).

Family and Medical Leave

619.4.2 BIRTH OR PLACEMENT OF A CHILD

Eligible employees may take up to 12 weeks of leave for the birth, adoption, or foster care placement of a child of the employee (29 USC § 2612; 29 CFR 825.200). The leave must be concluded within one year of the birth or placement of the child (29 CFR 825.120; 29 CFR 825.121).

If both parents are employed by the City, the combined number of workweeks of leave is limited to 12 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.120; 29 CFR 825.121).

619.4.3 MILITARY EXIGENCY LEAVE

Eligible employees may take service member leave of up to 12 weeks for qualifying exigencies occurring because a spouse, child, or parent is on covered active duty or has been notified of an impending order to active duty (29 USC § 2612(a)(1)(E); 29 CFR 825.200). This type of leave is available to a family member of a person in the National Guard, Reserves, or members of the regular Armed Forces deployed to a foreign country. Qualifying exigencies include (29 CFR 825.126):

- Addressing issues that arise from a short notice (seven or less days) deployment.
- Attending military events related to the active duty or call to duty.
- Attending family support or assistance programs.
- Making child care or educational arrangements or attending school activities arising from active duty or a call to active duty.
- Making financial and legal arrangements.
- Spending time with a military member who is on short-term rest-and-recuperation leave during a period of deployment.
- Attending post-deployment activities.
- Addressing issues that arise from the death of a military member, such as making funeral arrangements.
- Caring for a military member's parent who is incapable of self-care, such as providing care on an immediate-need basis or arranging for alternative care.

619.4.4 MILITARY CAREGIVER LEAVE

Eligible employees may take up to 26 weeks of leave in a single 12-month period to care for a spouse, son, daughter, parent, or next of kin who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the family member medically unfit to perform work (29 USC § 2612; 29 CFR 825.200).

Military caregiver leave is also available to family members of covered veterans who were members of the Armed Forces, including the National Guard or Reserves, at any point in the five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy (29 USC § 2612; 29 CFR 825.127).

Family and Medical Leave

During the single 12-month period, employees are entitled to no more than a combined total of 26 weeks of FMLA leave. In any case in which both spouses are employed by the City, the combined number of workweeks of leave is limited to 26 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.127).

Service member FMLA leave runs concurrent with other leave entitlements provided under federal, state, and local law. Where FMLA leave qualifies as both military caregiver leave and care for a family member with a serious health condition, the leave will be designated as military caregiver leave first.

619.4.5 INTERMITTENT LEAVE

An employee may take leave for the employee's own serious health condition, for the serious health condition of the employee's spouse, child, or parent, or to care for a covered service member with a serious injury or illness, intermittently or on a reduced schedule if medically necessary, and if that medical need can best be accommodated by an intermittent schedule as defined in federal law (29 USC § 2612(b); 29 CFR 825.202; 29 CFR 825.124).

Leave due to a military exigency may be taken on an intermittent or reduced leave schedule (29 CFR 825.202).

Intermittent leave for the birth, adoption, or foster care placement of a child is only available if granted at the discretion of the City Administrator, unless the employee has a serious health condition in connection with the birth or if the newborn child has a serious health condition (29 CFR 825.120; 29 CFR 825.121).

Intermittent leave for any employee shall be tracked and calculated.

619.4.6 PREGNANCY DISABILITY LEAVE

Pregnant employees who are disabled by pregnancy may be entitled to a disability leave in addition to any FMLA leave. The duration of leave is dependent on the circumstances. The City Administrator shall defer to a pregnant employee's qualified health care professional in assessing the employee's ability to work.

619.5 EMPLOYMENT BENEFITS WHILE ON LEAVE

While on leave, employees will continue to be covered by any group health insurance to the same extent that coverage is provided while the employee is on the job (29 USC § 2614(c); 29 CFR 825.209). However, employees will not continue to be covered under non-health benefit plans.

Employees are responsible for any health plan employee contributions while on leave (29 CFR 825.210). Employee contribution rates are subject to any change in rates that occurs while the employee is on leave. If an employee fails to return to work after the leave entitlement has been exhausted or expires, the City may recover its share of health plan premiums for the entire leave period unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member that would entitle the employee to leave, or because of circumstances beyond the employee's control (29 CFR

Family and Medical Leave

825.213). The City may recover premiums through deduction from any sums (e.g., unpaid wages, vacation pay).

Employees may not earn additional time off while on unpaid leave.

619.6 SUBSTITUTION OF PAID ACCRUED LEAVES

Subject to applicable employment agreements and civil service rules, employees are required to exhaust all applicable paid accrued leave before taking unpaid leave. Paid accrued leave includes vacation leave, sick leave, personal leave, and compensatory time earned in lieu of overtime, pursuant to the Fair Labor Standards Act, during FMLA leave. Employees may not use paid accrued leave to extend FMLA leave beyond 12 workweeks per year.

619.7 USE OF FMLA LEAVE

If an employee takes a leave of absence for any reason that is FMLA qualifying, the City may designate that non-FMLA leave as running concurrently with the employee's 12-week FMLA leave entitlement.

619.8 PROCEDURES

The following procedures will apply for all employees requesting leave under FMLA:

- (a) When a leave is requested for a medical or other FMLA-related treatment appointment, the employee must make a reasonable effort to schedule the appointment at a time that minimizes disruption to city operations (29 USC § 2612; 29 CFR 825.302).
- (b) An employee who wishes to take FMLA leave must provide the employee's supervisor with 30 days' advanced notice when the leave is foreseeable or as soon as practicable if the need for leave is not foreseeable (29 USC § 2612; 29 CFR 825.302; 29 CFR 825.303).
- (c) At the time of the request, the employee must complete an FMLA request form.

Requests for medical leave shall be accompanied by a qualified health care professional statement, including the date on which the serious health condition began and the estimated date of return to work (29 USC § 2613; 29 CFR 825.302).

Once the leave is requested or designated by the City, the supervisor should forward the request and any medical certifications to the City Administrator or the authorized designee and ensure the employee is provided the necessary forms and FMLA information and required notices within five business days (29 CFR 825.300).

Employees are required to provide medical certification of a qualified health care professional or military documentation, if requested (29 CFR 825.305; 29 CFR 825.308; 29 CFR 825.309; 29 CFR 825.310).

Employees shall be required to periodically report on their status and intent to return to work (29 USC § 2614; 29 CFR 825.311). This may assist in avoiding a delay in reinstatement when the employee is ready to return to work.

Family and Medical Leave

Employees returning from a medical leave for the employee's own serious health condition will be required to present medical verification from a qualified health care professional of the employee's ability to return to work and a list of any restrictions that need to be accommodated (29 USC § 2614; 29 CFR 825.100; 29 CFR 825.312).

619.9 REINSTATEMENT FOLLOWING LEAVE

Generally, employees returning from FMLA leave within the qualified period will be restored to their original job or to an equivalent job with equivalent pay and benefits (but not seniority), unless the employee would not otherwise have been employed at the time reinstatement is requested (e.g., in the case of a layoff) (29 USC § 2614; 29 CFR 825.214; 29 CFR 825.216).

If the same position is no longer available, such as in a layoff, the employee will be entitled to a position that is comparable in pay, job content, and promotional opportunities and geographic location, if such a comparable position exists.

If upon return from leave an employee is unable to perform the essential functions of the job because of a physical or mental disability, the supervisor should work with the City Administrator or the authorized designee to engage in an interactive process with the employee to identify a potential reasonable accommodation.

After exhausting paid FMLA leave, non-paid leave will continue until the conclusion of the protected 12- or 26-week time limit. Following the protected leave, the City Administrator or the authorized designee in consultation with the legal counsel will determine whether non-FMLA leave should apply.

619.10 RESPONSIBILITY

The responsibilities of the City Administrator or the authorized designee include but are not limited to (29 CFR 825.108; 29 CFR 825.110; 29 CFR 825.112; 29 CFR 825.300; 29 CFR 825.301):

- (a) Attempting to determine whether an employee absence of four or more days may qualify as FMLA leave.
- (b) Determining if an employee is eligible for FMLA leave.
- (c) Determining if leave is for an FMLA-qualifying reason.
- (d) Granting or denying a request for FMLA leave and providing designation notice to the employee within five business days of designation.
- (e) Providing eligibility notice to the employee within five business days of the request for FMLA leave or when acquiring knowledge that an employee's leave may be for FMLA.
 1. If the employee is not eligible for FMLA leave, the notice must state at least one reason why the employee is not eligible.
- (f) Providing a written rights and responsibilities notice each time the eligibility notice is provided to an employee.

Family and Medical Leave

The City Administrator or the authorized designee should work with legal counsel regarding questions relating to leave or reinstatement from leave under this policy.

619.11 RECORDS

The City will maintain leave-related records as required by 29 CFR 825.500 for at least three years and in compliance with the city's established records retention schedule.

Records and documents related to doctor certifications and other medical information created for purposes of complying with FMLA and this policy shall be maintained as confidential medical records in separate files from employee personnel files.

619.12 NOTICE TO EMPLOYEES

The City Administrator or the authorized designee should ensure that a notice explaining the FMLA's provisions and procedures is prominently posted in conspicuous places in the City where it can be readily seen by all employees and applicants for employment. Electronic posting is sufficient as long as the other posting requirements have been met as provided by 29 CFR 825.300 (29 CFR 825.300).

Sick Leave

620.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. Additional terms for the use of sick leave for eligible employees may be covered in another applicable city policy or employment agreement.

This policy is not intended to cover all types of sick leave. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as addressed in the Family and Medical Leave Policy.

620.2 POLICY

It is the policy of the city to provide eligible employees with a sick leave benefit.

620.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity, or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

Qualified appointments should be scheduled during an employee's non-working hours when it is reasonable to do so.

620.3.1 NOTIFICATION

All employees should notify the appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, an employee is unable to contact the supervisor, every effort should be made to have a representative for the employee contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the employee shall, whenever possible and practicable, provide the City with no less than 10 days' notice of impending absence.

Upon return to work, employees are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

620.4 EXTENDED ABSENCE

Employees absent from work for more than three consecutive days may be required to furnish a statement from a health care provider or verification supporting the need to be absent and/or

Sick Leave

the ability to return to work. Employees on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

620.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of employees to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the City Administrator as appropriate.
- (c) Addressing absences and sick leave use in the employee's performance evaluation when excessive or unusual use has:
 - 1. Negatively affected the employee's performance or ability to complete assigned tasks.
 - 2. Negatively affected city operations.
- (d) When appropriate, counseling employees regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible employees to an available employee assistance program when appropriate.

Conflict of Interest

621.1 PURPOSE AND SCOPE

The purpose of this policy is to assist employees in recognizing and avoiding potential conflicts of interest, thereby ensuring effective and ethical operating practices on the part of the City.

621.1.1 DEFINITIONS

Definitions related to this policy include:

Business relationship - A situation when an employee serves as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture, or other transaction where the employee's annual interest, compensation, investment, or obligation is greater than \$250. This includes business relationships as defined by state law.

Conflict of interest - Any actual, perceived, or potential conflict of interest in which it reasonably appears that an employee's action, inaction, or decisions are or may be influenced by an employee's personal or business relationship. This includes conflicts defined and prohibited by state law.

621.2 POLICY

Employees of the City are expected to conduct themselves with the utmost professional integrity and objectivity. Employees will guard against actual or perceived conflicts of interest to ensure the fair and equitable treatment of city employees and the public, and thereby maintain the trust of the public and city employees.

621.3 RESTRICTED DUTIES AND ASSIGNMENTS

The City prohibits the following types of personal or business relationships among employees:

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision, or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
 - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor should defer matters to the Human Resources Department.
 - 2. When personnel and circumstances permit, the City will attempt to make every reasonable effort to avoid placing such employees in supervisor/subordinate situations. The City, however, reserves the right to transfer or reassign any employee to another position within the same classification to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to, or recommending promotions, assignments, performance evaluations, transfers, or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

Conflict of Interest

- (c) Whenever possible, trainers should not be assigned to train relatives. Trainers are prohibited from entering or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.

621.3.1 EMPLOYEE RESPONSIBILITY

Employees shall follow all laws regarding actual or perceived conflicts of interest and should avoid situations that create the appearance of an actual or perceived conflict of interest. Employees should take reasonable steps to address a perception of a conflict of interest when such a perception is reasonably foreseeable and avoidable (e.g., deferring a decision to an uninvolved employee).

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or to provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, that employee shall promptly notify an uninvolved immediate supervisor.

In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify the City Administrator to have another uninvolved employee either relieve the involved employee or, minimally, remain present to witness the action.

621.3.2 SUPERVISOR RESPONSIBILITY

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor should take all reasonable steps to promptly mitigate or avoid such violations whenever possible.

Supervisors should also promptly notify the City Administrator of such actual or potential violations.

Travel Reimbursement Policy

622.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines for submission and reimbursement of city travel-related expenses. This policy applies to all employees and elected officials who incur travel expenses on behalf of the City.

622.1.1 DEFINITIONS

Definitions related to this policy include:

Travel expenses - Eligible expenses for travel, lodging, meals, and registration fees associated with participation in approved training programs, conventions, seminars, memorials, and other events that relate to an employee's or elected official's responsibilities, training, and/or education, or that serve a direct city purpose.

622.2 POLICY

It is the policy of the City to reimburse employees and elected officials for reasonable and necessary work-related travel expenses.

622.3 COORDINATOR

The City Administrator should designate an employee to develop and maintain procedures related to this policy. Procedures should include:

- (a) Detailed processes for submitting pre-approvals and travel reimbursement requests.
- (b) Reviewing and maintaining necessary forms and documentation.
- (c) Periodic audits to review compliance with this policy.

622.4 EXPENSE GUIDELINES

622.4.1 TRANSPORTATION

All travel should be by the most cost-effective means possible, considering distance, location, and type. The following forms of travel should be considered:

- (a) City vehicle
 - 1. When using a city vehicle, the fuel, tolls, and reasonable parking expenses (e.g., valet should not be used unless there is no other option) will be reimbursed.
- (b) Private vehicle
 - 1. When using a private vehicle, reimbursement will be at the current IRS mileage rate.
- (c) Rental vehicle, train, and air
 - 1. Employees or elected officials should obtain approval from the City Administrator or the authorized designee before booking a rental vehicle, train fare, or airfare.

Travel Reimbursement Policy

2. Full reimbursement may not be approved if the employee or elected official does not obtain advance approval and/or does not purchase the most economical fare.

622.4.2 ACCOMMODATIONS

If travel requires the employee or elected official to stay overnight, the employee or elected official should arrange lodging and request approval from the City Administrator or the authorized designee before departure.

Lodging should be at or near the event at standard rates. Employees or elected officials should make all reasonable efforts to get the best rates possible, including researching whether government rates are available and whether tax-exempt certificates are accepted or assignments of rights to refund are provided. Employees or elected officials are expected to take reasonable steps to provide or obtain the forms for tax exemption, when applicable, and submit the forms to the City in a timely manner.

622.4.3 MEALS

Employees or elected officials traveling on city business may choose meal cost reimbursement according to the terms and conditions as established by the City.

622.4.4 PROHIBITED EXPENSES

Expenses not eligible for reimbursement include but are not limited to:

- (a) Expenses for any non-employee or non-elected official.
- (b) Non-business-related telephone calls.
- (c) Entertainment expenses unless pre-approved by the City Administrator or the authorized designee.
- (d) Alcoholic beverages.
- (e) Outside meals if the conference/event lodging reservation includes a meal package.
- (f) Any travel-related expense that is covered by another source.

622.5 APPROVALS

All travel should be pre-approved by the City Administrator or the authorized designee. Once travel has been completed, the employee or elected official should submit requests for travel expense reimbursement:

- (a) To the City Administrator or the authorized designee for review and approval as soon as practicable, but no later than 14 days after completion of travel.
- (b) On a city form. The form should contain a statement that the expenses were incurred by the traveler as necessary for the performance of official duties and shall be verified by a written declaration that all information is true and correct.
- (c) With an attached receipt or other documentation of the expense.

Travel Reimbursement Policy

Upon receipt of a request for reimbursement, the City Administrator or the authorized designee should review and process the request as appropriate. If additional information is needed to process the request, the employee should be given an opportunity to provide the information. If a request for reimbursement is denied, the reason for the denial should be provided in writing, and the employee should have an opportunity to respond.

If an employee fails to follow the required processes and obtain appropriate approvals, reimbursement of travel expenses may be denied.

Petty Cash Management

623.1 PURPOSE AND SCOPE

This policy provides for the establishment and administration of a city petty cash fund.

623.2 POLICY

The City will establish, administer, and maintain a petty cash fund according to this policy.

623.2.1 DEFINITIONS

Definitions related to this policy include:

Custodian - The individual designated by the City Administrator, or the authorized designee, as having custody of and responsibility for maintaining the petty cash fund.

Petty cash fund - A reserve of money established to make small purchases when payment by purchase order or voucher is not practical.

623.3 RESPONSIBILITIES

623.3.1 CITY ADMINISTRATOR RESPONSIBILITIES

The City Administrator, or the authorized designee, is responsible for establishing and maintaining procedures for the operation of a petty cash fund consistent with state and local law. The procedures should include but are not limited to:

- (a) Designation of a petty cash custodian.
- (b) Initial and replenishment fund amounts. The petty cash fund should not exceed the amount established by the City.
- (c) Maximum dollar amount for purchases.
- (d) A sample petty cash voucher for use by employees to request cash from the custodian. The petty cash vouchers should be sequentially numbered and include space for the following information:
 - 1. The date of the disbursement
 - 2. The amount disbursed or reimbursed
 - 3. The budget expense account
 - 4. The vendor name
 - 5. The signature of the employee receiving petty cash
- (e) A petty cash ledger for use by the custodian. The ledger may be maintained electronically or by hand and should require the following information for all transactions:
 - 1. The name of the employee receiving cash
 - 2. The amount disbursed to the employee

Petty Cash Management

3. The reason for the disbursement
 4. The amount of any cash returned
 5. The amount of any cash received to replenish the account
 6. A copy of any purchase receipt
- (f) A requirement that the custodian provide a full accounting and reconciliation of all fund transactions to the City Administrator or the authorized designee, which the City Administrator or the authorized designee should then review and approve according to the petty cash procedures before authorizing replenishment of the petty cash fund.
- (g) A requirement that the petty cash fund be audited by the City Administrator's authorized designee at least quarterly and that the results of the audit are provided to the City Administrator or the authorized designee.
- (h) Creation of disciplinary guidelines for situations where the custodian has violated this policy or applicable procedures, or where an employee is found to have provided false information for the purpose of obtaining petty cash funds, including referral to law enforcement when the facts indicate that a crime may have occurred.
- (i) Designation of a physical location for the petty cash fund. The fund should be secured in the following manner:
1. A lockbox with a key or combination lock.
 2. The lockbox should then be stored in a safe, securable drawer, cabinet, or locker.
 3. The safe, securable drawer, cabinet, or locker should be in a securable room or office with restricted access.

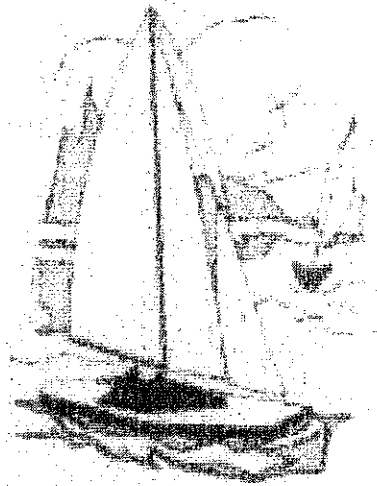
623.3.2 PETTY CASH CUSTODIAN RESPONSIBILITIES

The custodian's responsibilities should include but are not limited to:

- (a) Maintaining the fund according to this policy, petty cash procedures, and state and local laws.
- (b) Remaining familiar with applicable state and local laws relating to petty cash funds and proposing related updates to procedures as necessary.
- (c) Requesting replenishment funds from the City Administrator, or the authorized designee, when the funds in the account fall below the established replenishment amount or requesting funds needed to bring the fund back to the maximum allowable amount.
- (d) Receiving funds for replenishment only from funds approved and allocated from the city accounts or from returned, unused funds properly issued to employees.
- (e) Maintaining the petty cash ledger according to this policy and the petty cash procedures.
- (f) When someone other than the custodian will be handling the petty cash fund, accounting for all petty cash and vouchers before transferring petty cash responsibilities to the alternate custodian.

INDEX / TOPICS

Policy Manual



City of Lake Geneva, WI

INTRODUCTORY STATEMENT

This Policy Manual is designed to outline expectations and protocol relating to City operations. All City Staff should read, understand and comply with all provisions of this manual.

No manual can anticipate every circumstance or question about policy. For that reason, all additional policies will be included in this manual upon their adoption. All amendments to existing policies will be updated in this manual immediately following as well. As Lake Geneva continues to grow, this Policy Manual will remain as the primary resource for employees until future amendments or additional policies are approved.

This manual applies to all employees as well as elected and appointed officials of the City of Lake Geneva.

MISSION

The City of Lake Geneva's mission is to preserve its small city atmosphere, reasonable cost of living and high quality of life by carefully controlling land use and development and delivering high quality programs and services in a responsible manner.

MANAGEMENT PHILOSOPHY

The Mayor and Common Council are fundamentally responsible for the setting of policies for the effective management of the City.

The Common Council has the power to act for the government and good order of the City, for its commercial benefit and for the health, safety and welfare of the public. It also evaluates the success of its local administrative system in carrying out decisions as intended.

In order to achieve it's agreed upon goals and plans, the City organizes a competent team of administrators and other essential staff to help convert policies into operational activities.

TABLE OF CONTENTS

(0) POLICY MANUAL

Table of Contents

Introduction and Mission

0.1 Communications

(1) FINANCIAL POLICIES

1.1 Goals and General Guidelines

1.2 Purchasing Procedures

1.3 Special Procurement
Requirements

1.4 Specifications

1.5 Delivery Performance and
Inspection

1.6 Disposal of Surplus Goods

1.7 Accounts Payable

1.8 Investments

1.9 Audits

(2) SAFETY POLICIES

2.1 Safety Policy

(3) PUBLIC WORKS POLICIES

3.1 Seasonal Alley Speed Bumps

3.2 Mailbox Replacement

3.3 Sidewalks

3.4 Ice/Snow Control

(4) LAKEFRONT POLICIES

4.1 Boat Stall/Buoy Rental

4.2 Beach Pass

4.3 Riviera Fountain Coins

4.4 Riviera Weekday Rentals

(5) PARKING POLICIES

5.1 Parking Stickers

5.2 Parking Regulations ~~prev. policy manual~~

5.3 Parking Lot Passes

5.4 Meter Bag Rentals

5.5 Parking Fee Collections and
Complaints

(6) PARKS POLICIES

6.1 Memorial and Donations

6.2 Reserved Park Space Use

(7) PERSONNEL POLICIES

7.1 Employee Guide

7.2 Privacy Policy

7.3 Drug and Alcohol Testing

7.4 Equal Employment Opportunity

7.5 Nepotism

7.6 Immigration Law Compliance

7.7 Conflicts of Interest

7.8 Gifts and Gratuities

7.9 Disability Accommodation

Acted 7.11 Elected officials
code of conduct

(8) OTHER POLICIES

8.1 City/Water Commission

Cooperative Work

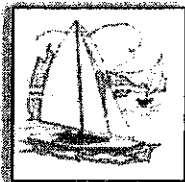
8.2 Reserve Liquor Licenses

8.3 Committee Room and
Building Use

8.4 Banners ~~prev. policy manual~~ moved to ord.

8.5 Unanimous Direct Annexation

8.6 Standing Comm



1.1 GOALS AND GENERAL GUIDELINES

I. PURPOSE

The goals and guidelines policy, originally part of the 1997 Purchasing Policy, lays out the Administrative rules and regulations regarding the procurement of products, projects and professional services. The City aims to receive the maximum value for each public dollar spent.

II. DEPARTMENT RESPONSIBLE

The City Comptroller and City Administrator are responsible for ensuring that the policies set by the Common Council with regard to the expenditure of public funds are met by all City departments.

III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. Final approval must be granted by the Common Council.

Adopted by Common Council	2/10/1997
Amended by Common Council	4/11/2011

GOALS

The basic goals for the City's purchasing are:

- A. To comply with the legal requirements of public purchasing.
- B. To assure vendors that impartial and equal treatment will be offered to all who wish to do business with the City.
- C. To receive maximum value for each public dollar spent.
- D. To provide City departments with required products, projects and professional services at the time and place needed in the proper quantity and quality.
- E. To purchase only products, projects and professional services for which funds have been approved.
- F. To control expenditures.

GENERAL GUIDELINES

These general guidelines should be considered Administrative rules and regulations and are to be adhered to by all departments in the procurement of projects, goods and services.

General Statement

The City in all purchasing decisions reserves the right to accept the bid of the lowest responsible bidder. The City reserves the right to reject any or all bids, except those bids covered by State Statutes for public contracts. The determination of the most beneficial bid shall be recommended to the Common Council which shall make the final decision when required. The Council decision shall take precedence over all other local standards or restrictions. No bid awarded on purchases over \$10,000 is final until formally approved by the Common Council.

Local Buying

It is the desire of the City to purchase from local vendors whenever possible. This can be accomplished by ensuring that local vendors are included in the competitive shopping process. The City has a responsibility to its residents however, to ensure that the maximum value is obtained for each public dollar spent. It is assumed that local vendors who wish to do business with the City will offer the lowest possible quote for the item being purchased. Departments shall use due diligence in identifying local vendors who offer the particular products, projects or professional services being sought, and bids shall be sought from all local vendors who have been so identified.

Planning

Planning for purchases shall be done on both a short-term and a long-term basis. Small orders and last minute purchases and services must be in larger quantities in order to obtain the maximum discounts possible. Planning will also cut down on the number of trips required to obtain materials and minimize the amount of clerical supervisory time spent on documenting purchases. The purchasing process begins with the preparation of the Annual Budget.

Standard Payment Terms

The City's standard payment terms are net 30 days. This is to minimize prepaid checks. A list of allowable purchases for prepayment are listed in section 1.7 of this policy manual.

Overdrafts Prohibited

No purchase will be authorized which would overdraw a budgetary account. Department Heads who are contemplating a purchase that will exceed a budgetary account shall contact the City Administrator or City Comptroller to ensure that provision is made for the necessary budget allocation prior to initiating the purchase. All expenses that are unbudgeted shall be approved by the Common Council, as shall all expenses made from any fund's contingency account. The City Comptroller will provide Department Heads with budget reports monthly to help minimize risk of overdrafts. Reports will be provided to the Common Council on a quarterly basis.

Buying Proper Quality

Quality and service are just as important as price and it is the duty of the requisitioning department to secure the best quality for the purpose intended. Quality buying is the buying of goods or services that will meet, but not exceed, the requirements for which they are intended. In some instances the primary consideration is durability. With other purchases, it may be a question of immediate availability, ease of installation, frequency of repair or efficiency of operation that must be given primary consideration. In the case of motor vehicles and other capital expenditures, departments may want to investigate life cycle costs or EPA mileage ratings to compare bids as opposed to utilizing the price as the criterion for determining the lowest responsible bidder. It is the responsibility of each Department Head to become familiar enough with the available equipment to determine the appropriate quality required in order to develop specifications.

Sales Tax

The City is exempt from paying all state sales taxes or Federal Excise taxes. The City Clerk can provide the necessary exemption documents to any vendor upon request.

Public Access

All specifications, bid documents, purchase orders and supporting documents are public records which will be made available to citizens, vendors or the media, upon request. All originals of documents are to be forwarded to the City Clerk's Office for final storage.

Endorsements

It is City policy not to endorse or in any way permit an employee's name, position, or the City's name to be used and advertised as supporting a product or vendor.

Personal Purchases

Purchases for employees by the City are prohibited. City employees are also prohibited from using the City's name or the employee's position to obtain special consideration in personal purchases.

Failure to Comply with Procedures

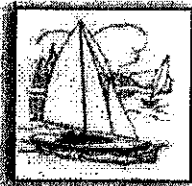
Employees who fail to follow the bidding procedures shall be disciplined. Repeated failure to follow the bidding procedures or the purchasing policies in general shall be grounds for disciplinary action up to and including termination.

Uniform Commercial Code Compliance

Contracts and purchases made by the City may be governed by the Uniform Commercial Code. This Code may impact the departments particularly in the area of inspection, testing or problem resolution. The City Attorney shall be contacted regarding compliance with the Uniform Commercial Code.

Compliance with Ethics Laws

Public officials and employees of the City shall comply with all federal, state and local laws regarding conflict of interest as well as ethics regarding all purchasing decisions.



1.2 PURCHASING PROCEDURES

I. PURPOSE

This policy aims at regulating the degree of formality to be followed in the purchase of goods and services, depending on the costs of the items to be purchased.

II. DEPARTMENT RESPONSIBLE

The City Comptroller and City Administrator are responsible for ensuring that the policies set by the Common Council with regard to the expenditure of public funds are met by all City departments.

III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. Final approval must be granted by the Common Council.

Adopted by Common Council	2/10/1997
Amended by Common Council	4/11/2011

PURCHASING PROCEDURES

The splitting of purchases into smaller orders to avoid these requirements is strictly prohibited. Good documentation and using extra caution to ensure that all vendors are treated fairly is in the City's best interest. The best advice in purchasing is to have a good paper trail and to treat all vendors fairly. All purchase orders are made via Municipal Software Incorporated (MSI) software.

Purchases Under \$500

Department Heads are authorized to issue a purchase order directly to vendors for any purchase in the amount of \$500 or less that is in the departmental budget. The Department Head need not secure the approval of the City Administrator in order to make purchases in this price range; however, each Department Head shall be required to obtain the approval of the City Administrator for any payments to be made payable to the Department Head. The City Administrator can reduce the amount that requires his/her approval for any department. It is the responsibility, however, of each Department Head to ensure complete control over this segment of the purchasing process. Department Heads shall designate employees who will be allowed to make purchases and to provide control procedures to ensure that all purchases are for legitimate public purposes, that monthly statements from vendors are reconciled, and that all purchases are accounted for.

Purchases from \$500 to \$2,500

For purchases less than \$2,500, the quotations may be obtained over the telephone utilizing the Telephone Quotation form. Before submitting a purchase request order, Department Heads must obtain three (3) or more quotations for the goods or services required. It is the responsibility of the Department Head to ensure that the appropriate quotation form has been completed correctly and that funds are available in the appropriate account.

If Department Heads are unable to secure three quotations, a notation explaining why less than three qualified vendors were available shall be made on the form, attached to the purchase order and forwarded to the City Administrator. The practice of "auctioneering" (disclosing to a vendor the price quoted by competitors) shall be cause for disciplinary action against an employee and cause for an ethics hearing against elected officials.

Purchases from \$2,500 to \$10,000

For purchases over \$2,500, a written Request of Quotation form must be mailed, emailed or faxed to the City Administrator. The purchase order awarding the purchase to the lowest responsible bidder shall then be forwarded to the City Administrator for his/her approval.

~~The Mayor shall be empowered to act for the City Administrator in his/her absence.~~

Purchase requests for goods or services having a value of \$2,500 to \$10,000 must be submitted for approval by the City Administrator prior to placing an order with a vendor. Before submitting a purchase order, Department Heads must obtain three (3) or more quotations for the goods or services required. It is the responsibility of the Department Head to ensure that the appropriate quotation form has been completed correctly and that funds are available in the appropriate account.

If Department Heads are unable to secure three quotations, a notation explaining why less than three qualified vendors were available shall be made on the form, attached to the purchase order and forwarded to the City Administrator. The practice of "auctioneering" (disclosing to a vendor the price quoted by competitors) shall be cause for disciplinary action against an employee and cause for an ethics hearing against elected officials.

Purchases in Excess of \$10,000

All purchases over \$10,000 must be approved by the Common Council at a public meeting. Department Heads anticipating the purchase of goods or services exceeding \$10,000 in value shall prepare specifications based upon standards appropriate to meet the City's needs. Specifications shall be forwarded to the City Administrator for review, comment and approval.

Department Heads shall submit a list of such vendors along with the specifications. The list of vendors is comprised of those firms who have submitted financial and other information to the City to show their viability as a company and ability to perform the work requested in the specifications. To become pre-qualified, a firm must request an application packet for bidding of projects in the City of Lake Geneva. All firms interested in bidding municipal projects within a given year must complete and return this application packet on an annual basis. Once approved and on file with the City as a pre-qualified vendor, a firm may bid on advertised City projects. If the vendor applies and does not meet the City's qualifications, the City will not send the vendor a bid package, and if the firm submits a bid, the bid will not be opened or accepted. The City will provide advance notification of pending bids for projects included in each pre-qualified vendor's classification.

Upon City Administrator approval, the Department Head will then prepare the necessary bid package, public notices and advertisements to meet the City purchasing policy and will also send bid invitations to pre-qualified vendors via the U.S. Postal Service, e-mail or fax. A bid packet containing a bid invitation, specifications, and general bid documents will be sent to these vendors, as well as those that respond to the legal notice. When State prevailing wage requirements apply for projects over \$25,000, the City will incorporate conformance into bidding advertisements.

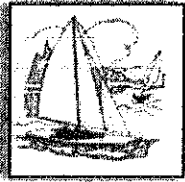
Formal bids will be advertised at least ten (10) business days prior to the bid opening date. The bid invitation shall be submitted to the City Clerk by 9:00 a.m. the day before the required advertisement date. Vendors shall be directed to submit bids to the City Clerk who, upon receipt, shall date and time stamp the unopened bids and maintain those materials in a designated location in his/her office until the time of the bid opening. All bids shall be opened and read aloud by the City Clerk at the date and time specified in the bid notice and in a location at City Hall accessible to the public. The City reserves the right to refuse to open any bid received without pre-qualification approval, and any such bids that are opened shall not be awarded until the vendor has qualified. If a vendor submits a bid and has not applied for prequalification, the vendor will be given ten business days to become prequalified.

After bids are opened, they will be turned over to the Department Head for review. The Department Head will prepare a written tabulation of all bids and draft a memorandum to the City Administrator, which will include the Department Head's recommendation for the bid award. The recommendation made by the City Administrator to the Common Council shall include the acknowledgment (signature) of the City Comptroller that funds are available, as well as that of the Department Head who is seeking the expenditure. In the event that only one bid is received, the Common Council may choose to either accept the bid or leave the bid unopened and authorize a re-advertisement for bids.

In accordance with Section 62.15, Wisconsin Statutes, the City must accept the lowest responsible bid for public works projects over \$25,000. For all other projects, the award will normally be made to the low bidder meeting specifications. However, there may be instances when accepting the low bid is not in the best interest of the City. When such a situation arises, it is incumbent upon the Department Head to thoroughly document the reasons why the low bidder should be disqualified or not selected. The City reserves the right to select a vendor based upon past service and experience with the vendor.

Telephone Quotation Form

Date	Time	Vendor	Contact Name	Contact Phone	Item	Quote	Notes

**1.3 SPECIAL PROCUREMENT REQUIREMENTS****I. PURPOSE**

This policy provides guidelines for the occasions where the City may need to purchase goods or services under circumstances which do not clearly fit the patterns of normal public procurement and for which normal competitive shopping procedures do not apply.

II. DEPARTMENT RESPONSIBLE

The City Comptroller and City Administrator are responsible for ensuring that the policies set by the Common Council with regard to the expenditure of public funds are met by all City departments.

III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. Final approval must be granted by the Common Council.

Adopted by Common Council	2/10/1997
Amended by Common Council	4/11/2011

SPECIAL PROCUREMENT REQUIREMENTS

Sole Source

In the event that there is only one vendor capable of providing a particular good or service, then the competitive shopping procedures outlined in this manual may be waived by the City Administrator. Whenever a Department Head determines that he/she must purchase goods or services from a "sole source vendor", the Department Head shall document why only one company or individual is capable of providing the goods or services required. The documentation shall be attached to the purchase order.

Cooperative Procurement Programs

Department Heads are encouraged to use cooperative purchasing programs sponsored by the State of Wisconsin or other jurisdictions. Cooperative purchasing can prove advantageous to the City by relieving Department Heads of the paper work necessary to document the purchase and by taking advantage of the large quantity purchases made by State Government. Purchases made through these programs have met the requirements of competitive shopping and require no further documentation. Department Heads are encouraged to check with the State regarding cooperative procurement contracts in effect prior to making any large purchase. Any purchase made over \$2,500 shall include the price from the State bid list, if available.

The City Clerk shall maintain a listing of all commodities and products available on the State Cooperative Purchasing Program (Vendor.Net). The City Clerk will also furnish to the departments the listing of state bid items as they become available to the City.

The departments are also authorized to purchase items from the State Surplus Property Unit as sole source purchases.

Professional Services

Normal competitive procedures cannot always be utilized in securing the professional services such as attorneys, engineers, certified public accountants, planners, and other professional people who, in keeping with the standards of their discipline, will not enter into a competitive bidding process.

A Request for Proposal (RFP) can be prepared much the same way as specifications including requirements and minimum standards for the services to be provided. RFP's shall be submitted to the City Administrator for review and approval prior to distribution. When an RFP for professional services is approved, a limited number of qualified professionals known to the City will be invited to submit a proposal setting forth their interest, qualifications, and how they can meet the City's needs. In securing professional services it is the primary goal of the City to obtain the services of a professional who has a proven record of providing, in a professional way, those services required. A contract will be negotiated with the professional deemed to best meet the City's needs.

Maintenance and Service Contracts

Long term maintenance and service contracts shall be awarded after receiving at least 3 competitive bids. In securing professional services it is the primary goal of the City to obtain the services of a professional who has a proven record of providing, in a professional way, those services required. City staff will check and verify references for any new vendor prior to Council action on these contracts. A contract will be negotiated with the professional deemed to best meet the City's needs.

Emergency Purchases

The bid procedures outlined in this manual may be waived under emergency conditions when a delay may threaten the basic mission of a department. True emergency situations are rare. Occasionally, equipment will require emergency repairs or other circumstances will necessitate emergency purchasing which cannot await compliance with these regulations. Department Heads faced with an emergency purchase are to notify the City Administrator as quickly as possible.

Starting Banks

Petty cash accounts are prohibited, with the exception of the Police Department and Lake Geneva Public Library. Some departments may have a cash drawer starting bank with its primary use for making change. All reconciliations and reports shall be submitted to the Treasurer on a monthly basis by no later than the fifteenth (15th) day of the following calendar month.

Purchase of Used Equipment

While new equipment is preferred, used equipment should be considered:

- A. When price is of prime importance and the difference in cost between new and used is significant.
- B. Where equipment will be used infrequently, for a limited time, for training or for auxiliary operations.
- C. When better delivery is essential.

The purchase of used equipment requires careful shopping and the requisitioning department shall make every effort to secure a warranty or guarantee that the equipment will perform as needed and that service or replacement parts are reasonably available. The purchase of used equipment shall follow all procedures outlined in Article 3.

Recycled Materials

When and where feasible, the City of Lake Geneva shall give consideration in its bidding and purchasing procedures for products manufactured using post-consumer recovered materials. The quantity of recovered materials used in the final product shall be comparable with products made from virgin materials. Departments are urged to incorporate into specifications the use of recycled materials whenever possible.

The City may give preference to products that contain recovered materials, providing the bid or purchase price does not exceed the lowest price by more than two and one-half percent (2½%) or \$2,500, whichever is less.

Purchase of American Products

The purchasing department is encouraged to select products manufactured, assembled or produced in the United States if the quality and price are comparable with other goods.

Insurance Requirements

The following provisions apply to all purchasing.

- A. The specifications for any construction or service contract shall include the insurance requirements as established by the City. Any bid not in compliance with those requirements shall be considered non-responsive.
- B. The City Clerk shall review the recommended bidder's insurance documentation to determine compliance prior to approval by the Council if possible. If the review can

only be completed after Council approval, the contract shall not be awarded until compliance is determined. If insurance compliance problems develop after the contract has been approved, then the City Attorney shall be contacted to determine what options exist.

Compliance with Other Regulations

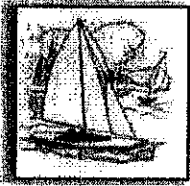
If the project, item or equipment is being funded by a federal or state grant and/or federal or state regulations would be in conflict with these policies, then the federal or state requirements would apply. In all instances the City shall comply with state and federal laws regarding purchasing.

Complaints

It is anticipated that complaints about the City's purchasing and purchasing policies shall be placed in writing and investigated by the City Administrator. In order to ensure that the complaints are handled in the most appropriate manner, the City Administrator shall investigate all complaints and report the results of the investigation to the Finance, License and Regulations Committee, the Common Council, and complainant.

Credit Card Policy

City of Lake Geneva credit cards are to be used for reservations, items where it is in the best interest of the city to purchase online because of cost savings, and for limited purchases when the Department Head deems it necessary. After making a credit card purchase, the Department Head must submit an itemized receipt showing the item purchased by the credit card, general ledger account the payment is to come from, and Department Head's approval to the accounting office. Once the credit card bill is received by the accounting department, receipts will be matched to the bill. No payments will be made without accompanying approval by the Department Head. Credit card bills may be pre-paid in order to avoid finance charges. A packing slip shall also be included with receipt submission when applicable.

**1.4 BIDDING SPECIFICATIONS****I. PURPOSE**

This policy provides specifications regarding formal competitive bidding.

II. DEPARTMENT RESPONSIBLE

The City Comptroller and City Administrator are responsible for ensuring that the policies set by the Common Council with regard to the expenditure of public funds are met by all City departments.

III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. Final approval must be granted by the Common Council.

Adopted by Common Council	2/10/1997
Amended by Common Council	4/11/2011

SPECIFICATIONS

Formal Competitive Bidding

When goods or services are bought under the formal competitive bidding process, specifications must be prepared. Specifications, regardless of the type, shall do four things:

- A. Identify minimum requirements;
- B. Allow for a competitive bid;
- C. Be capable of objective review; and
- D. Provide for an equitable award at the lowest possible cost.

General Guidelines

Specifications should promote competition. Specifications shall be written with clear, simple language, free of vague terms or those subject to variation in interpretation.

If the specifications include optional goods or services that all vendors may not meet, then they need to be separately identified on the bid specifications so that the base cost of the bid can be clearly identified compared to the cost of the options. If options are included in the bid, then a bid tabulation report shall identify the different costs of the options.

Types of Specifications

There are several ways of structuring specifications to protect the integrity of the purchasing process and to ensure that the needs of the City are met. Different methods of structuring specifications include:

- A. Qualified Products or Acceptable Brands List. These lists are developed only where it is not possible to write specifications adequate to identify the quality and performance required of the goods or services to be purchased. Acceptable brand lists are also used when tests necessary to determine compliance with technical specifications are lengthy, costly or require complicated technical equipment.
- B. Specification by Brand or Trade Name. Brand names or trade names may be used to establish a baseline for comparison of the quality of alternative company products. Whenever this method of establishing specifications is used, the specifications shall specifically provide for bidding of competitive or equal grades. Vendors who bid on goods of supposed equal quality to those specified would be required to document that such goods are of equal or superior quality.

- C. Specifications by Blueprint or Dimension Sheet. Specifications of construction projects for everything from buildings and streets to custom built cabinets, furniture, machines or other equipment shall be written to reference the blueprints or dimension sheets prepared by the engineer or architect. Such specifications provide an appropriate method of evaluating all bids, and later of verifying the quality of the construction work or the equipment or fixtures delivered.
- D. Specifications by Chemical Analysis or Physical Properties. Specifications which include the chemical analysis or physical properties of the goods requested clearly place responsibility on the supplier to provide exactly those items requested. Again, care must be taken in preparing specifications utilizing this method to ensure that competition remains a part of the bidding process. If the specifications are drawn too narrowly and only one bidder is qualified to meet the technical specifications, the cost of obtaining these items may be higher than necessary due to the lack of competition.
- E. Specifications by Performance Purpose or Use. Specifications which include a set of performance criteria for the goods or services required will provide flexibility for vendors to design products or programs specifically aimed at meeting the purpose or performance standards the City has established. Generally, specifications which center on performance standards generate a great deal of competition since they allow vendors to exercise some creativity in the types of services or goods included in their bids. Department Heads are cautioned to exercise care by including some specific technical specifications which will provide a floor or bottom line quality determination. The use of performance specifications without minimum standards could result in items being installed, paid for, and later determined not to meet City expectations. It can then be very difficult to go back to a vendor and argue that the item bid did not meet the performance criteria established. At that point the determination of satisfactory performance can become extremely subjective, with the vendor insisting that his/her item is acceptable even though actual experience indicates otherwise.
- F. Specifications by Identification with Industry Standards. Specifications will often refer to industry-wide standards or the standards set by other public jurisdictions. Some examples of these would be lumber grading, standards set by the asphalt or concrete industries or by referencing standard specifications of the Wisconsin Department of Transportation or other State or Federal agencies.
- G. Specifications by Samples. Whenever appropriate, a sample is always a good way to make your requirements perfectly clear. A good example would be printing bids for which art work or an existing form would be attached. Whenever samples are utilized, Department Heads shall provide an adequate supply so that originals can be sent with all bid invitations and some maintained in the file for vendors who request bidding.

**1.5 DELIVERY, PERFORMANCE AND INSPECTION****I. PURPOSE**

This policy establishes the delivery, performance and inspection expectations and procedures of goods and services purchased by the City.

II. DEPARTMENT RESPONSIBLE

The City Comptroller and City Administrator are responsible for ensuring that the policies set by the Common Council with regard to the expenditure of public funds are met by all City departments.

III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. Final approval must be granted by the Common Council.

Adopted by Common Council	2/10/1997
Amended by Common Council	4/11/2011

DELIVERY AND PERFORMANCE

A contract or purchase order that is complete in all respects and that is accepted by the parties concerned still must produce the intended results or objectives before it can be considered a successful or completed purchase. The terms and conditions must clearly define the delivery and performance requirements of the services, supplies or equipment.

The importance of the delivery schedule shall be emphasized to the vendor. Delivery requirements must be clearly written and fully understood by all contract participants. If several items are required by the contract, there may be a different delivery schedule for each transaction, such as receipt of order by the vendor. It is also important that the Department clearly show the place for delivery and the receiving time schedule at the delivery points. If there are liquidated damages for non-delivery or late delivery, call these terms to the attention of the vendor and stress their importance. All parties should know where the material will be accepted – f.o.b. (free on board) origin or destination. The City declares f.o.b. destination as the preferred method. In determining delivery locations, the Department shall analyze each specific location in respect to product, cost, timeliness and other relative factors. If the shipment is “f.o.b. destination,” the vendor is responsible for assisting with the settlement of the claim and for full replacement of the damaged items. Payment will be withheld until the claims are settled.

FOLLOW UP AND EXPEDITING

Follow-up normally applies to the monitoring of the delivery schedules to assure compliance. Expediting, in the purest sense, involves an attempt to improve or to reduce the contractually stipulated delivery time for various reasons, and the vendor is not legally obligated to comply.

The primary objectives of the follow-up function are:

- A. To assure full compliance by the vendor;
- B. To develop documentation for future evaluation of the vendor's performance.

The early detection of possible delivery delays will provide the City with a greater opportunity for resolving the problem and for developing satisfactory alternatives. The initial follow-up action would be to reaffirm the delivery schedule and to establish proper liaison with the seller's representative. If delivery problems do develop, contact the vendor for assistance.

DELINQUENT DELIVERIES

When follow-up efforts have failed and the deliveries have become delinquent, one of two actions must be taken:

- A. Authorize additional time for delivery; or
- B. Consult with City Administrator and Attorney prior to cancelling order and seeking other sources.

In making the decision as to which of these actions shall be taken, several factors must be considered:

- A. Needs and requirements of the City;
- B. Agreements with the vendor;
- C. Availability of the items and cost from other sources; and
- D. The time it would take for delivery if reordered from another source.

In all cases, the reasons for delinquent deliveries shall be documented. The reasons shall be entered into the MSI software's Vendor Comments section as well as placed in the vendor A/P file. This information may be needed in evaluating future bids submitted by that particular vendor.

PARTIAL DELIVERIES

It is the City's practice to pay for purchased items only upon the complete delivery of the total order.

SUBSTITUTION

To meet the contractual delivery schedule, it may be appropriate in some situations to consider substitute items. The specifications shall cover this eventuality and would govern the legality of the transaction. However, substitutions may be necessary, regardless of the specifications, if it is absolutely necessary for the City to have the material by a specific date. Other reasons for substitution may be design changes, raw material shortages, and health and safety priorities.

Whenever substitutions are necessary, due to shortcomings of the vendor, it is the responsibility of the purchaser to seek the best value when substituting items. This action will serve to meet the legal requirements of the contract and to discourage future substitutions by the same vendor. In addition, this action will serve notice on the other bidders that no favoritism was shown and that compliance with specifications is expected from all vendors.

NONPERFORMANCE

Should the vendor fail to meet any requirement of the specifications, the vendor can be cited for nonperformance. The seriousness of nonperformance must be evaluated based on the circumstances surrounding each violation. However, there should always be some recourse to the City when a vendor fails to perform, in accordance with the terms and conditions. These include:

- A. The City may exercise its rights under a liquidated damages clause or under the terms of a performance bond.
- B. The City may obtain the needed items from another source and charge the delinquent vendor the excess difference in cost. A revised delivery schedule with the vendor may be the best remedy.
- C. The City may terminate the contract for default if it is in the best interest of the City and provided that the items can be obtained under more favorable conditions from other sources.
- D. The City Administrator shall be notified in writing by any department that experiences nonperformance problems.
- E. In some instances, recourse in the case of nonperformance in connection with the purchase of goods may be governed by the Uniform Commercial code concerning rejection, revocation of acceptance, and the seller's right to cure with respect to defective or nonconforming goods.

INSPECTION

Human lives as well as the success of expensive projects may depend upon how well the purchased items meet the design and performance specifications included in the bid package. Goods and materials shall be checked at the time of receipt to detect any damage or defects. The inspection also includes assuring that material is in compliance with the specifications.

A variety of tests may be conducted as a necessity for determining if the merchandise meets specifications. Certain forms of inspection and testing will only be conducted on a percentage of the items, as the procedure followed may make the items unusable. Inspection and testing may be performed at origin or destination. These tests are classified as sampling, chemical/lab, functional, and endurance tests. In some cases a certification of compliance will be accepted. All requirements for inspection and testing must be clearly stated in the specifications. Both inspection and testing are costly, but the benefits far outweigh the expense when defects can be detected before they cause loss of life, injury or equipment failure. Inspection, testing and acceptance are conclusive, except for latent defects or fraud.

Reports, Rejection and Return Authorization

Whenever an inspection is performed, all reports to properly support claims or actions must be thoroughly documented. Sufficient time should be scheduled to allow for an inspection immediately upon arrival of the goods, taking into consideration required tests as necessary.

Goods shall be inspected for damage, quantity, quality, price, and for all other requirements listed in the specifications. A copy of the inspection report will normally be used to substantiate payment for the goods and verification of receipt.

In the event of rejection, for whatever purpose, certain steps must be taken to inform and to protect the rights of the vendor as well as of the City. Reasons for rejection must be listed and these reasons shall reference specific requirements of the contract.

Damage during Shipment

One of the major reasons for inspection at the time of receipt is to detect any visible damage. It's important that all damage be completely described on the receiving report. Any evidence of concealed damage shall also be noted at this time. This notation is necessary to support the filing of damage claims against the carrier. The carrier shall be notified immediately, and a joint inspection should be scheduled with the carrier's representative.

When it is apparent that the extent of the damage causes the goods to be worthless, they shall not be accepted.

Latent Defects

Latent defects may be the result of damages in transit or of failure of the manufacturer to conform to specifications. Consequently, it is sometimes very difficult to fix responsibility for the defective material. If the carrier is suspected to be the one at fault, then the carrier's representative should be invited to come in for a joint inspection. Subsequently, a claim describing the situation shall be filed with the respective carrier.

A similar procedure shall be followed if the vendor/manufacturer is suspected to be at fault. The importance of "f.o.b. destination" shipments shall be reiterated at this point, for on such shipments, the vendors are responsible for rectifying the situation or for correcting the defect. If specific liability for the defect cannot be determined between the carrier, the vendor, or the manufacturer, the City may have to file a claim against all parties, seeking their cooperation in resolving the situation.



1.6 DISPOSAL OF SURPLUS GOODS

I. PURPOSE

The City is interested in full realization of the value of goods it purchases. This policy is aimed at making sure all surpluses are disposed of to the economic advantage of the City.

II. DEPARTMENT RESPONSIBLE

The City Comptroller and City Administrator are responsible for ensuring that the policies set by the Common Council with regard to the expenditure of public funds are met by all City departments.

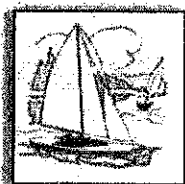
III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. Final approval must be granted by the Common Council.

Adopted by Common Council	2/10/1997
Amended by Common Council	4/11/2011

DISPOSAL OF SURPLUS GOODS

Goods can become obsolete or wear out and, occasionally, it turns out they are overstocked. Changing technology, accumulation of "waste," and fulfillment of the "useful" life of goods makes the activity of handling surplus inevitable. Competitive bidding on surplus, obsolete or usable goods is required. This may be achieved through sealed bids, auction or open market sales. All items sold via competitive bidding shall be sold on an "as is" basis with no expressed warrantee. The disposal of all goods requires the approval of the Common Council. All proceeds from the sale of surplus goods shall be returned to the General Fund.

**1.7 ACCOUNTS PAYABLE****I. PURPOSE**

This policy sets the procedure for writing and disbursing regular and prepaid checks.

II. DEPARTMENT RESPONSIBLE

The City Comptroller and City Administrator are responsible for ensuring that the policies set by the Common Council with regard to the expenditure of public funds are met by all City departments.

III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. Final approval must be granted by the Common Council.

Adopted by Common Council	2/10/1997
Amended by Common Council	4/11/2011

ACCOUNTS PAYABLE

Accounts Payable Regular Check Policy

Any AP invoices not defined in the Prepaid Check Policy shall be considered under this Regular Check Policy. Checks are written and mailed out the day after each Common Council meeting where they are approved for disbursement.

TIMING:

All invoices and request for checks must be submitted to the Accounting Department by **noon on the Monday of the week before the regular Council meeting.** Invoices that must be approved by the Police & Fire Commission or the Library Board must be received in Accounting by the Friday before the scheduled meeting. Any exceptions to this must have written approval by the Comptroller. It is strongly encouraged to submit invoices on an ongoing periodic basis to eliminate the flood of invoices submitted right before due dates.

CODING:

Invoices submitted must be stamped with the A/P stamp and coded. Coding includes highlighting the invoice number, invoice date and amount to be paid. This eliminates any confusion when entering the invoice into the A/P system. Completing the stamp information will include the account number(s) to be charged and a brief description of the purchased item(s). When multiple items are listed on one invoice, use the descriptions of the most expensive items. If a Purchase Order was issued for this purchase, it should be noted on the stamp. Any packing slips should be attached to the invoice. The Accounts Payable files are the official City files for purchases and all pertinent documentation should be attached. These files are retained for at least seven years. After the retention period has passed and the documents are determined to be obsolete, these files shall be disposed of in a secure manner.

The A/P stamp is below:

DATE APPROVED	_____
APPROVED BY	_____
ACCOUNT #(S)	_____
DESCRIPTION	_____
PO #	_____

APPROVALS:

All bills must be approved by the Department Head. By approving the invoice, you are attesting that the item was received in good condition and that the correct price was charged. The City Purchasing Policy must be followed as to the requirements for quotes, Purchase Orders, and Administrator approval. If a check is needed but no invoice is available, the "Request for Check" form should be used. All supporting documentation should be attached.

No checks will be cut from Statements. Only original invoices are to be submitted for payment. If a remittance envelope comes with the invoice, the envelope should be submitted along with the invoice to the Accounting Department. Duplicate copies of invoices are not necessary, and they should be destroyed.

Accounts Payable Prepaid Check Policy

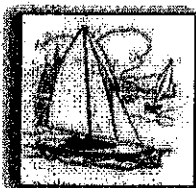
Prepaid checks are those items for which payment is required sooner than the two (per month) regular payment dates (which follow each Council meeting). These checks will be mailed out on Fridays and must be submitted to the Accounting Department by Thursday at noon.

As stated in the Municipal Code Section 2-361(d), Prepaid Claims are defined as:

1. Invoices which will incur late payment penalties
2. Invoices where discounts are available
3. Payroll liabilities
4. Utility payments
5. Tax settlements
6. Union contractual items for reimbursements and uniform allowances.

Requests for payment of invoices not covered in the above list require the written approval of the City Administrator. It is the intent to reduce the number of prepaid checks to emergency situations whenever possible.

All invoices submitted must be coded and approved as stated in the Regular Check Policy. Documented verbal approval is acceptable via phone when the individual is not able to be present. If no authorized party is available, a written Executive Order by the Mayor explaining the circumstances must accompany the approval.



1.8 INVESTMENTS

I. PURPOSE

To establish investment objectives; to delegate authority for the execution and reporting of investments; to establish standards of prudence; to establish standards for depositories; to set and establish collateral requirements; and to identify permitted investments that conform to all state and local statutes governing the investment of public funds.

II. DEPARTMENT RESPONSIBLE

The City Comptroller, City Treasurer, and City Administrator are responsible for ensuring that the investing policies set by the Common Council with regard to the investment and safeguarding of public funds are met.

III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. The listing of authorized financial dealers and institutions shall be adopted annually by resolution at the organizational meeting of the Common Council. Final approval of all changes must be granted by the Common Council.

Adopted by Common Council	1/26/2009
Amended by Common Council	4/11/2011

INVESTMENTS POLICY

Relevant State Statutes: WI Stats 66.0603 on Investments and 34.01 on governing boards.

Strategic Goals and Objectives met with this policy: The City's investment strategy is to earn market average rate of return as measured by the six-month U.S. Treasury bills.

INVESTMENT OBJECTIVES

The primary objectives of the City's investment activities are listed below, in priority order. Strategies for attaining these objectives are provided later in the policy.

- (a) **Legal** Implementation of this policy must conform with all applicable federal, state and other legal requirements.
- (b) **Safety** Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- (c) **Liquidity** The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.
- (d) **Return on Investment** The City's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio.
- (e) **Interest Income** Earn enough interest to meet budgeted goals for income contribution.

INVESTMENT CONSTRAINTS

Attaining a return on investment involves investment risk. The City has considered the following types of investment risk in forming the strategies for this policy:

- (a) **Investment Rate or Market Risk.** Interest Rate Risk is defined as the risk to earning or capital resulting from adverse movements in interest rates. Longer-term, fixed-rate securities have greater interest rate risk than shorter-term securities. Market Risk is finding the price of a security unattractive because of market conditions. The City needs to diversify its investment holdings to minimize this risk.
- (b) **Liquidity Risk.** The City needs to hold investments in such a mix as to maintain standby liquidity, or the capacity to meet unanticipated cash requirements. This can be done by exchanging an asset for cash, having sufficiently liquid or short-

term securities that mature in a very short time or by having quick, reliable sources of borrowing.

- (c) **Default and Custodial Credit Risk.** These risks are involved when success depends on the performance of a counterparty, issuer, or borrower. These external parties can be broker/dealers or safekeeping agents and entities that borrow money, including other municipalities. Since safety is one of the top priorities, the City will choose investments that have a lower default or credit risk and requires agreements that will fully collateralize the City's assets.

INVESTMENT STRATEGIES

Authorized Investments

The investment of all City funds shall be in accordance with s. 34.01(1) and 66.0603 Wis. Stats. and consists of the following types of securities:

- (a) **Certificates of Deposit.** City funds may be invested in certificates of deposit, (CDs), maturing within 36 months or less from the date of investment, issued by any bank or savings and loan association which is authorized to do business in Wisconsin and is federally insured. The financial institution must have been designated a public depository of the City by resolution of the Common Council. The City may invest in the CDARS (Certificate of Deposit Account Registry Service) program for maximum collateralization of investment, through any of the approved financial institutions that offer this program.
- (b) **Government Bonds and Securities.** City funds may be invested in United States of America government bonds or securities which are direct obligations of the federal government, where principal and interest are guaranteed by the federal government. City funds may also be invested in US Government – sponsored Enterprises (GSEs), limited to FNMA (FannieMaes) and FRDMC (FreddieMacs) debt securities, which carry an implicit guarantee by the federal government. The maturities are to match anticipated cash flow needs. The securities must be purchased through financial institutions approved for that purpose by the Common Council, and placed in safekeeping in a segregated account in the City's name at any designated public depository or approved financial institution.
- (c) **Government Pools.** City funds may be invested in the State of Wisconsin Local Government Investment Pool, or the League of Wisconsin Municipalities Wisconsin Investment Trust, or the Wisconsin Treasurer's Trust Fund.
- (d) **Sweep Repurchase Agreements.** This agreement corresponds to a checking account where liquidity is the key attribute. It must be fully collateralized with US Government –backed securities or securities held in the City's name. No substitution of securities will be allowed. The custodian shall be a party other than the trading partner. All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- (e) **Municipal Money Market Accounts.** It must be fully collateralized with US Government –backed securities or securities held in the City's name. No

substitution of securities will be allowed. The custodian shall be a party other than the trading partner.

- (f) **Sweep Accounts (also referred to as zero balance accounts).** The City may invest in zero balance accounts for the purpose of segregating payment activity for payroll and health and pharmaceutical claims. These are not expected to earn income, but are an authorized use of funds. This may also refer to authorizing funds to be transferred between accounts within an authorized financial institution to a money market account (for example) in order to earn funds temporarily not needed.
- (g) **Checking Accounts.** The City may invest funds in a checking account, which may or may not earn interest but will facilitate the general payment activity of the City. The account must be fully collateralized with US Government – backed securities or securities held in the City's name. Consideration may be given to FDIC insurance (\$250,000) and the State appropriation (Stats 20.144 (1) (a) and 34.08) (\$400,000).

Prohibited Investments

Investments of City funds are limited to the investment vehicles specifically identified in this Policy. Investment of City funds is expressly prohibited in the following:

- (a) commodity trading, including all futures contracts
- (b) purchase of letter stock
- (c) short selling
- (d) option trading
- (e) foreign securities
- (f) collateralized mortgage obligation bonds (CMOs, MBSs, SIVs)
- (g) bonds and securities not guaranteed by the federal government, except GSE issues

Safekeeping and Custody

All security transactions entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third party custodian designated by the Common Council and evidenced by safekeeping receipts.

The custodial agreement shall provide that securities held by a bank or trust company, or agent of and custodian for the City, will be kept separate and apart from the general assets of the custodial bank and trust company and will not, in any circumstances, be comingled with or become part of the backing for any other deposits or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the City a perfected interest in the securities.

Diversification

The City will diversify its investments by security type and institution. With the exception of U. S. Treasury securities and authorized pools, no more than 25% of the City's total investment portfolio in any particular fund shall be invested in a single security type with a single financial institution. The percentage held at the LGIP may be as high as 90%.

Maximum Maturities

Investment maturities must match anticipated cash flow requirements. Unless matched to a specific cash flow or maturity, the City will not directly invest in securities maturing more than two years from the date of purchase.

Reserve funds may be invested in securities exceeding two years if the maturity of such investments are made to coincide with the expected use of the funds. Documentation must be kept of the reason for exceeding this two year limit.

Delegation of Authority

Pursuant to s. 34.01(1) and 66.0603 Wis. Stats, the Common Council is responsible for the investment of City funds. The Common Council designates the Finance, License & Regulation Committee to recommend investment policies and procedures for Council adoption. The Mayor and Council shall direct implementation of this adopted investment policy.

The City Administrator is responsible for implementation of the investment policies and procedures as adopted by the Common Council. The City Administrator shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate employees.

The City Administrator may employ the services of a Registered Investment Advisor or a Chartered Financial Advisor with prior approval of the Common Council. Said financial advisor shall be compensated based on a fee for service versus a commission basis.

The Standard of Prudence

Investments shall be made with judgment and care under circumstances then prevailing which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The Standard of Prudence to be used in investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the Mayor and the Finance, License & Regulation Committee any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. Employees and officers shall refrain from undertaking personal investment transactions similar to those of the City, particularly with regard to the time of purchase and sales.

Authorized Financial Dealers and Institutions

The Common Council shall annually, at its reorganizational meeting in April, adopt resolutions that identify financial institutions authorized to provide investment services. Resolutions shall also be adopted that identify any broker/dealers that may qualify to become bidders for City investment transactions. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C-1. No public deposit shall be made except in a qualified public depository as established by state laws. The City Clerk shall maintain a current and historical listing of all banks and trust companies authorized for the deposit of City monies. This designation will be voted on annually at the organizational meeting of the Common Council.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the City Comptroller with the following: audited financial statements/ resumes on each broker/dealer, Compliance Officer and Registered Principle; proof of National Association of Security Dealers certification, trading resolution, proof of state registration, completed broker/dealer questionnaire, certification of having read the City's investment policy and depository contracts.

A current audited financial statement is required to be on file for each financial institution and broker/dealer in which the City deposits funds.

Internal Control and Reporting

The City Administrator shall establish an annual process of independent review by an external auditor. The auditor will assess internal controls and compliance with these investment policies and procedures.

The City Treasurer, under the City Administrator's direction, is charged with the responsibility of preparing monthly cash balance reports to the Common Council.

The City Treasurer, under the City Administrator's direction, shall maintain an investment record in which all investment transactions are recorded. Said record shall include the date of purchase, purchase price, term, rate of return and all other pertinent information on each investment.

Performance Standards

The investment portfolio will be designed to obtain a market average rate of return during budgetary and economic cycles, taking into account the City's investment risk constraints and cash flow needs. The City's investment strategy is to earn market average rate of return. Given this conservation strategy, the basis used to determine whether market yields are being achieved shall be the six-month U. S. Treasury Bill and the average Fed Funds rate.

Scope

This investment policy applies to all financial assets of the City. These assets are accounted for in the City's General Purpose Financial Statements within the various funds:

General Fund

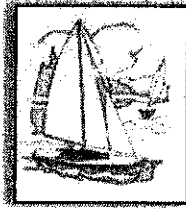
Special Revenue Funds

Capital Project Funds

Enterprise Funds

Agency Funds

Tax Increment Financing Districts Funds



1.9 ANNUAL FINANCIAL AUDITS & COMPREHENSIVE INTERNAL CONTROL AUDITS

I. PURPOSE

This policy provides guidelines for the obtaining of annual financial audits and comprehensive internal controls audits.

II. DEPARTMENT RESPONSIBLE

The City Administrator and City Comptroller are responsible for ensuring that the policies set by the Common Council with regard to the expenditure public funds are met by all City Departments.

III. COMMITTEE OVERSIGHT

The Finance, Licenses and Regulations (FLR) Committee is responsible for reviewing and updating this policy as deemed necessary. Final approval must be granted by the Common Council.

Adopted by Common Council	2/10/1997
Amended by Common Council	4/11/2011

ANNUAL FINANCIAL AUDIT

It is the policy of the City of Lake Geneva to obtain an annual financial audit of the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information which collectively comprise the City's basic financial statements. The audit would cover the City's fiscal year from January 1 to December 31 and be in accordance with generally accepted auditing standards. The audit is conducted for the purpose of forming an opinion as to whether the financial statements present fairly, in all material respects, the financial position of the City of Lake Geneva.

COMPREHENSIVE INTERNAL CONTROLS AUDIT

Internal controls are specific policies and procedures designed to provide reasonable assurance that the goals and objectives of the organization will be met. The monitoring of the effectiveness of internal controls is the primary responsibility of the government's management and governing body. In today's environment of high accountability expectations, governments must ensure that public resources are protected and that financial information is reliable. To this effect, it is the City's policy to have an internal controls audit performed at least once every five years covering the control environment, risk assessment, control activities and monitoring. Any comprehensive internal audit shall be conducted by a firm other than the firm responsible for the annual financial audit.

The control environment consists of the actions that reflect the overall behavior and attitude of management.

Risk assessment is an evaluation process in which management identifies areas of financial risk and designs internal control procedures and policies to minimize errors and fraud.

Control activities are the specific policies and procedures that help ensure the identified risks are minimized.

Monitoring activities deal with the ongoing or periodic assessment of the internal control environment and its effectiveness.



2.1 SAFETY POLICY

I. PURPOSE

To protect the City's most important asset- its employees.

II. DEPARTMENT RESPONSIBLE

All Department Heads are responsible for ensuring their staff is adhering to policies set forth in each Department's Safety Manual to minimize risk and danger in the workplace.

III. COMMITTEE OVERSIGHT

The Personnel Committee shall be responsible for reviewing and updating this policy. Final approval must be granted by the Common Council.

Adopted by Common Council	??
---------------------------	----

SAFETY POLICY

MANUALS

The City of Lake Geneva utilizes several manuals to maximize the safety of its employees. Each Department Head is responsible for providing a safety manual for employee access as well as providing mandatory training on its contents. Because each department's duties require different precautions being taken, Department Heads must maintain accurate records of employee training and manual comprehension. All Department Heads are responsible for updating safety manuals and must submit the most current copy to the City Administrator upon each revision.

Safety Manuals currently in use are:

- City of Lake Geneva Safety and Health Procedures Manual- 2004 (Public Works)
- Construction Manual- 1997 (Public Works)

The safety standards set forth in each manual must be followed by all employees of that department for the department to be successful and to protect the safety of the general public. This means willing acceptance and active support of approved safety rules and safety procedures.

The Public Works Committee must approve any revisions to the safety manuals utilized by the Public Works department. The Police and Fire departments must update training and manuals as required by the Police and Fire Commission.

SAFETY

It is important that employees be constantly on the alert for potential hazards which are not referred to in any written procedures, but which may result in injury or property damage. Where potential hazards are thought to exist, employees must use all known precautionary measures, and when in doubt as to the procedure to follow, must consult their supervisor before proceeding with the work.

Safety is a way of life. Accidents don't just happen. They are caused. But human failure can be controlled. By exercising self control, every employee has an opportunity to demonstrate job skill. By passing on this knowledge to others, an employee demonstrates teamwork. By demanding safe performance and enforcing approved safety procedures, supervisors demonstrate concern for their employees' welfare. Accident prevention can be the most important employment benefit any of us have.

There is vital concern in providing safe working conditions and instructing all employees in safe work practices. These safe work practices help prevent painful injuries to employees and reduce injury-related absences.

POTENTIAL HAZARDS

Employees are encouraged to take part in the task of improving the safety and effectiveness of the operations within the City. In the event that any employee recognizes unsafe conditions, they are asked to discuss the issue with their respective supervisor. Together, the two shall suggest possible solutions to be acted upon by the Public Works Committee or Police and Fire Commission. The appropriate Committee will review and evaluate suggestions, and, based on a majority vote, refer worthwhile suggestions to the Public Works Director, Police Chief or Fire Chief.

Evaluation of suggestions will be based on the following criteria:

1. Impact on essential City services.
2. Feasibility of implementation.
3. Estimated cost savings.

Suggestions requiring equipment, hardware, repairs, or maintenance must be evaluated by the Department affected as to cost and savings where applicable.

REPORTING UNSAFE CONDITIONS

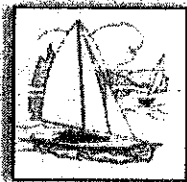
Employee observations can be extremely important to preventing accidents. Many times, an accident may result from a condition that employees were aware of, but did not report. If an employee notices an unsafe condition in his or her work area, that employee is required to report the information immediately to their supervisor. Once the condition is reported, the supervisor must take the necessary corrective action.

STEPS FOR REPORTING SAFE/UNSAFE CONDITIONS

Employees shall immediately report unsafe conditions, defective equipment or any other situation they judge to be unsafe to their supervisor or safety committee representative. Additionally, safe conditions may also be reported to recognize safe practices.

TRAINING REQUIREMENTS

Department Heads shall record all training sessions for each employee within the department. Staff should sign in to each training session held. Department Heads shall report on all training sessions and manual updates to the Common Council on an annual basis.



3.1 SEASONAL ALLEY SPEED BUMPS

I. PURPOSE

To allow residents to petition for the installation of seasonal speed bumps to mitigate speeding in alleyways. This policy does not apply to streets.

II. DEPARTMENT RESPONSIBLE

The Department of Public Works is responsible for constructing speed bumps as directed by the Common Council.

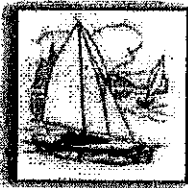
III. COMMITTEE OVERSIGHT

The Public Works Committee will review all speed bump requests. The Public Works Committee will provide a recommendation to the Finance, Licenses and Regulations (FLR) Committee. Final approval must be granted by the Common Council.

Adopted by Common Council	??/??/??
Amended by Common Council	??/??/2011

SPEED BUMP POLICY

1. If residents bordering an alley have a problem with vehicles driving too fast, a petition of 50% or more of affected residents shall be submitted to the Director of Public Works for consideration of a seasonal speed bump, along with a \$500 application fee.
2. The petition shall be forwarded by the Director of Public Works to the Aldermen of the District, City Administrator, Police Department, and Street Superintendent for a recommendation and comment within 30 days.
3. Upon expiration of the 30-day period, the item shall be placed on the Public Works Committee agenda for discussion and approval. If approved by Public Works Committee, the request shall go to the FLR Committee and Common Council for approval. If approved, the Street Superintendent shall order two speed bumps, anchors and warning signs. The speed bumps shall be installed within 30 days of receipt of the materials if the time of year is appropriate.
4. Speed bumps shall be installed no later than Memorial Day and removed no later than October 15th. Speed bumps shall be reinstalled annually unless removed from a particular location for cause.
5. Only one new speed bump location will be approved per year on a first-come first-served basis.
6. If a speed bump needs to be replaced due to normal use, the City will bear costs of replacement. However, petitioners must replace any abused or damaged speed bumps at cost.

**3.2 MAILBOX REPLACEMENT****I. PURPOSE**

To provide a process for repairing damaged mailboxes caused by the Street Department.

II. DEPARTMENT RESPONSIBLE

The Street Department is responsible for reviewing mailbox replacement requests.

III. COMMITTEE OVERSIGHT

The Public Works Committee and Common Council will oversee this policy.

Adopted by Common Council	??/??/??
Amended by Common Council	??/??/2011

MAILBOX REPLACEMENT POLICY

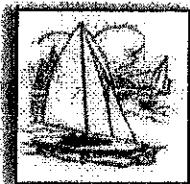
Snowplow operators use a great deal of care when plowing our City roads under sometimes very difficult conditions. However, accidents can happen and mailboxes may be damaged.

Upon written or telephone notification by the property owner within one (1) week of damage, the City will conduct an investigation of the alleged damage. The investigation will be conducted by the Street Superintendent or his/her designee.

Should the Street Superintendent or his/her designee determine that the damage was due to improper installation or other defects as described in "A" below, the City of Lake Geneva will not be responsible for damage, and repair or replacement will be entirely at the property owner's responsibility and expense.

Should the Street Superintendent or his/her designee determine that the mailbox was properly installed and not otherwise defective as described in "A" below, and damage was made by physical contact by City equipment, the City will repair/replace the mailbox, in the City's discretion, at a cost not to exceed \$50.00.

- A. The City will not be responsible for damage to mailboxes that are determined to have been improperly installed, have deteriorated posts and/or mounting material, or were not physically hit by City equipment.
- B. The City shall not replace decorative mailboxes or posts of any kind. Should the investigation determine that the City equipment damaged a decorative mailbox, the property owner shall present a receipt to the City offices in order to receive reimbursement, not to exceed \$50.00.
- C. Should the property owner dispute the findings of the public works personnel, they may request the matter be placed on the agenda for the next Common Council meeting for discussion.
- D. As a service to our residents, if damage is deemed the City's responsibility, public works personnel may install a temporary mailbox when the existing mailbox is deemed unusable, if conditions do not allow for the timely installation of a permanent mailbox. The temporary mailbox may remain until the permanent mailbox has been installed, not to exceed four (4) months.



3.3 SIDEWALKS

I. PURPOSE

This policy presents City specifications on sidewalk construction and repair.

II. DEPARTMENT RESPONSIBLE

The Public Works Department is responsible for constructing sidewalks as directed by the Common Council.

III. COMMITTEE OVERSIGHT

The Public Works Committee will recommend any sidewalk installation or repair to the Common Council. Final approval must be granted by the Common Council.

Adopted by Common Council	??/??/??
Amended by Common Council	??/??/2011

SIDEWALK SPECIFICATIONS

All sidewalks shall be constructed to specifications meeting the requirements of the State of Wisconsin Standard Specifications for Road and Bridge Construction plus Supplement Specifications, Section 602 and as stated below.

Sidewalk construction and repair specifications are provided under Section 62-96 of the Municipal Code of Ordinances and a typical cross section is provided as Exhibit A attached hereto. Sidewalks may be installed by:

- 1) the property owner, in accordance with these specifications and only after obtaining a permit issued by the Street Superintendent or Director of Public Works.
- 2) a contractor hired by the property owner, in accordance with these specifications and only after obtaining a permit issued by the Street Superintendent or Director of Public Works.
- 3) by the City Public Works Department or a contractor hired by the City.

Preparation of Foundation

The sub-grade shall be prepared to allow placement of two (2) inch minimum layer of a compacted gravel sub-base under the sidewalk. Across driveways, the sub-grade shall be prepared to allow a compacted gravel sub-base thickness of a minimum of six (6) inches. The gradation of the gravel sub-base shall meet the requirements of Gradation No. 3 of Section 304.2.6 of the State of Wisconsin Standard Specifications for Road and Bridge Construction or approved equal. Where sidewalk is on fill, the sub-grade shall extend a minimum of one (1) foot beyond each edge of the sidewalk and sloped down to a slope not greater than a ratio of two (2) horizontal to one (1) vertical.

Thickness

Sidewalks shall have a minimum thickness of six (6) inches across driveway approaches and extend a minimum of twelve (12) inches on either side of the driveway approach. Other sidewalk locations within right-of-way shall have a minimum thickness of four (4) inches, or as required by City Code.

Forms and Joints

- 1) Setting Forms. Forms shall be well staked and set to the established lines, their upper edges conforming to the grade of the finished work.
- 2) Placing and Finishing. The concrete shall be placed in successive batches for the entire width of the slab, then consolidated until all voids are removed and free mortar appears on the surface, thoroughly spread along the edges and the final trowelling shall be done with a steel trowel leaving a smooth, even surface. Before

the mortar has set, the surface shall be given a final finish by brushing at right angles to the edge of the walk drawing the brush across the sidewalk. The strokes should be slightly overlapping, producing a uniform, slightly roughened surface with parallel brush marks. Saw-cut joints shall not be permitted.

- 3) **Alternative Sections; When Required.** Where the entire area between the lot line and curb is covered with a concrete sidewalk, the walk shall be laid in alternate slabs, extending from curb to lot line. The width of these slabs shall be as directed by the City, not exceeding 10' and a mastic expansion joint shall be placed at approximately 50' intervals.
- 4) **Joints.** Expansion joints a minimum of $\frac{1}{2}$ " thick shall be placed between the sidewalk and all structures such as light standards, traffic light standards, traffic poles, etc., which extend through the sidewalk. Expansion joints a minimum of $\frac{1}{2}$ " thick shall be placed at intervals of 50' in the sidewalk. Where sidewalk is constructed adjacent to pavement or curb having expansion joints, the expansion joints in the sidewalk shall be placed opposite the existing expansion joints as nearly as practicable. Expansion joints a minimum of $\frac{1}{2}$ " thick shall also be placed where the sidewalk abuts existing sidewalks between driveway pavement and sidewalks and between sidewalk and curbs where the sidewalk covers the entire parkway.

Contraction joints, in general, shall be constructed so that transverse joints are at right angles to the sidewalk centerline and longitudinal joints shall be constructed parallel to the centerline. Joints shall be located to be in line with joints in adjacent existing sidewalk. Joint lines shall not deviate from their intended alignment by more than $\frac{1}{2}$ inch.

- 5) **Joints Around Hydrants.** When a hydrant is located in the walk area, a $\frac{1}{2}$ " expansion joint shall be placed snugly around the base of each hydrant.
- 6) **Slab Mark.** After the wearing surface has been worked to an approximately true plane, the slab mark shall be made directly over the slab joint. Such mark shall be made with a tool that will cut completely through and entirely separate adjacent slabs.
- 7) **Edges.** The slabs shall be rounded on all surface edges to a radius of about $\frac{1}{4}$ inch.
- 8) **Form Inspections.** The forms and grading necessary to complete the construction of the walk or driveway shall be inspected and approved by a representative of the Public Works Department before the concrete is placed. In the absence of the contractor, the City representative may leave tap (yellow, if approved, and Red, if not approved) on a conspicuous location. The City reserves the right to require pavement cores to verify pavement thickness or removal and replacement at the owner's expense if a sidewalk or approach is poured without approval.

Materials and Concrete

Portland cement concrete for sidewalks and driveways shall contain a minimum of six (6) sacks of cement per cubic yard. (When ordering concrete, request "6-bag" concrete.)

Minimum required 14 day compressive strength is 3500 psi for driveways and 3000 psi for sidewalks. Maximum slump of all concrete work is four (4) inches. Air entrainment shall be 5%-8%. The use of calcium chloride or admixture containing calcium chloride shall not be allowed. Cements, aggregate, water and admixture shall be measured and combined strictly in accordance with Section 501 of the State of Wisconsin Standard Specifications for Road and Bridge Construction.

Protection and Curing

After first frost or after mean daily temperature at job site falls below 40 degrees Fahrenheit for more than one day, concrete shall be protected from freezing for not less than the first 72 hours after it is placed. When mean daily temperature falls below 40 degrees Fahrenheit for more than one day, the contractor shall be prepared and take necessary steps to protect fresh concrete. Mixing water and aggregate shall be heated and freshly placed concrete protected by adequate housing or covering and heating. Do not place concrete on frozen subgrade or one that contains frozen materials. Spreading of salt on forms to remove ice or snow shall not be permitted. Temperature of forms and reinforcing steel shall be at least 32 degrees Fahrenheit. Curing shall be performed by a continuously wet fabric, impervious coating or polyethylene sheeting. The curing period is for a period of 72 hours after final finishing of the concrete. The sidewalk may be opened to pedestrian traffic upon completion of the curing period.

Backfilling and Site Restoration

Upon completion of the curing period and removal of the forms, the spaces along the sides of the sidewalk shall be backfilled with topsoil or other satisfactory soil and compacted. Soil adjacent to the sidewalk shall be coplanar with the finished elevation of the sidewalk. All refuse, surplus materials, surplus earth, and waste projects shall be cleaned up and disposed of to restore the site to a neat condition.

SIDEWALK INSPECTION AND REPAIR

This Policy has been adopted by the City of Lake Geneva in an attempt to ensure that sidewalks are maintained in a reasonably safe condition. Authority for this policy is granted under Wisconsin Statute 66.615.

Sidewalk Inspection

The following inspection procedure is established to ensure that all City sidewalks are inspected on a periodic basis. At a minimum, 10 percent of all sidewalks should be inspected on an annual basis, so that all of the City sidewalks are inspected at least once every 10 years.

- 1) The inspection program follows a rotation system, beginning in the Central Business District and proceeding out into residential areas. No time frames or limits are hereby established.
- 2) Reported conditions determined to be in need of temporary repair shall be immediately inspected by the Street Superintendent or other appropriate official serving as Sidewalk Inspector. The Sidewalk Inspector shall determine the repairs to be made. Temporary repairs may consist of asphaltic concrete materials. Temporary repairs may be scheduled with current construction projects or into the next season if work is to be performed by the City.
- 3) The Sidewalk Inspector will use discretion to determine if a sidewalk is defective. Criteria is based on evidence of deterioration and potential hazards due to concrete sections being broken, tilted, raised, chipped or displaced through overall use and freeze and thaw action. Criteria to be considered are:
 - a) Vertical displacement of a random crack or at a joint between sidewalk slabs of ½ inch or more.
 - b) A horizontal random crack with open spacing of ½ inch or more.
 - c) Four or more random cracks in a sidewalk square.
 - d) Vertical alignment irregularities that result in a slope greater than 1 inch vertical to 12 inches horizontal.
 - e) A cracked sidewalk with pieces missing or a hole in the sidewalk greater than ½ inch deep and 2 square inches in area.

Replacement/Repair Priority

Sidewalks will be replaced/repared as time, staff and budget permit according to the following criteria:

- a) Location of sidewalk (downtown vs. residential)
- b) Expected amount of pedestrian traffic.
- c) Severity of defect.
- d) Availability of alternative pedestrian routes.

Marking Defective Sidewalks

Sidewalks identified for repair will be marked with a paint spot. The owner will be sent a preliminary notice. Prior to the construction period, property owners will be given statutory notices. The owner then has 20 days to complete repairs or have it repaired by the City at the owner's expense.

Sidewalk Replacement Rebate

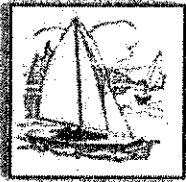
Because there are many factors used to determine what areas the City will focus its sidewalk replacement program upon from year to year, (i.e., budget amounts available, volume of pedestrian traffic, citizen complaint and concerns) and the City does not wish to discourage a home owner from repairing or replacing a dangerous sidewalk, the following conditions are met:

- a) the City's program is doing work within the block and on the street of the property owner.
- b) the work had been done in the construction season prior to the year in which the City's program is implemented.
- c) that the property owner has a statement from the contractor or invoices from suppliers, if replacement is done by the property owner. The owner must also document that a "Sidewalk Breaking permit" from the Department of Public Works Director had been obtained, and that City specifications were followed.
- d) that the Street Superintendent confirms the footage and approves of the workmanship of the area.

On corner lots, the City will pay full cost for the intersection portion of the sidewalks.

Cost Share Program

The City will participate in a cost-share program of approved and authorized defective sidewalk squares in accordance with adopted policies and as time permits. As of January 1, 2011, the City's share of sidewalk replacement is not to exceed \$1.75 per square foot.



3.4 SNOW & ICE CONTROL

1. Purpose
2. Ordinances
3. Responsibilities
4. Downtown snow removal
5. Storm classification
6. Priorities
7. Private streets
8. General
9. Property damage

Adopted by Common Council	01/??/1996
Amended by Common Council	??/??/2011
Amended by Common Council	11/22/2021

SECTION 1: INTRODUCTION, PURPOSE, AND GOAL

Introduction

Lake Geneva is a progressive and rapidly growing community of approximately 7900 people, located forty-five miles southwest of Milwaukee near the intersection of STH 120, STH 50 and US 12. The City is recognized as one of the premier vacation destinations in Wisconsin and the Midwest and attracts world-wide visitors. Many festivals can attract 10-50,000 visitors in any season. Area resorts capitalize on rolling acres of pristine landscape that meet the shores of Geneva Lake. Its proximity to Milwaukee, Madison, Chicago and Rockford also provide a very popular destination for one day visitors. It is essential that our community provides the best and most efficient snow and ice control possible. Although efforts have been made to be as specific as possible, *it should be noted that due to the unpredictable nature of snow and ice events in the State of Wisconsin, any plan needs to be flexible to accommodate a variety of circumstances. This document should be viewed as a general guide for snow and ice response with the understanding that responses differ with each event as each has unique characteristics.*

Background

Due to its geographic location, Lake Geneva is subject to freezing rain, ice, and snow anytime during the fall, winter, and spring months. Normally, winter storms can be expected during the months of November through April. The responsibility for keeping vehicular and pedestrian traffic moving safely on Lake Geneva's apx 45 miles of city streets following snow and ice storms lies with the Public Works Department.

Purpose

The purpose of a good snow and ice removal policy is to ensure the roadways are safe and passable* for the motoring public and for public service vehicles; however, there is general awareness that chlorides have a negative environmental impact on Geneva Lake as well as nearby soils, vegetation, waterways, infrastructure and vehicles. Chlorides also cause damage to the pavement. Every effort shall be made to minimize salt usage while still providing passable travel ways. The City does not maintain a 'bare/dry road' policy.

*According to Wisconsin Department of Transportation's Passable Roadways in a Winter Storm Event article, a passable roadway is defined as a roadway surface that is free from drifts, ridges and as much snow and ice as is practical and can be travelled at a reasonable speed. Reasonable speed is defined as a speed a vehicle can travel without losing traction. This means during and after a snow/ice storm, reasonable speed will be lower than the posted speed limit.

Goal

The City's overall goal is to plow all of its roadways curb to curb, from arterial and collector streets, to local residential streets and alleys of snow accumulation within twelve (12) hours after the snow has stopped. However storms with a long duration will take substantially longer to clear.

SECTION 2: CITY ORDINANCES FOR SNOW AND ICE CONTROL

Notice

An updated City snow and ice control policy may be available on the City website, DPW Offices and the City Clerk's Office around November 1st of each year.

Snow Emergency Declaration

PER MUNICIPAL CODE:

SECTION 74-10(a). DECLARATION. "The Emergency Manager or his/her designee, Mayor or in the Mayor's absence the President of the City Council shall have the authority to declare a snow emergency whenever conditions arise which in their judgment necessitate the same. The person declaring the snow emergency shall first consult with the DPW and Fire/EMS services if appropriate.

SECTION 74-10(b). AUTHORIZED ACTIONS. Upon the declaration of a snow emergency, the Police and Fire Chiefs are authorized to hire tow trucks, require snowplows to accompany emergency vehicles both inside and outside the corporate limits of the City, establish a public information telephone reception center, advise radio station WLKQ of declaration of snow emergency, and take any other action necessary.

SECTION 74-10(c). PLOWING. The Street Department "shall first clear and keep clean all primary routes and entrances and exits to the emergency facilities, then all secondary routes shall be cleared and maintained." A map of streets designating facilities is in the office of the City Clerk, Fire Dept. and Police communications center.

SECTION 74-10(d). PARKING. "During a snow emergency, there shall be no parking on all primary and secondary routes. Any vehicles parked on such routes shall be towed away at the owner's expense as provided in Section 74-37."

SECTION 74-10(e). TERMINATION. "The snow emergency may be terminated by the

Emergency Manager, Mayor or City Council. The snow emergency shall be limited to the time during which such snow emergency conditions exist."

SECTION 74-60(a). NO PARKING SIGNAGE FOR SNOW REMOVAL. "For the purpose of removing snow from the streets and surrounding areas, the Street Department may erect signs prohibiting parking in the particular area where snow is intended to be removed."

SECTION 74-60(b). PENALTY FOR VIOLATION. "The Police Department may tow away all vehicles parked in violation pursuant to this subsection."

SECTION XX-XXX. Snow removal around hydrants. It shall be the adjacent property owners responsibility to remove snow from around a fire hydrant placed in a Right-of-Way within 24hrs of the end of the storm.

Sidewalks

Property owners are responsible for the sidewalks adjacent to their property on all sides. This includes ADA ramps up to the travelled portion of the roadway. If sidewalks are not cleared within 24 hours in areas outside the Central Business District, or within 12 hours in the Central Business District, the following procedure will be employed in accordance with Section 62-223:

- a. The City may schedule removal of snow any time after the 12 or 24 hour time period has lapsed. The downtown has heavy pedestrian usage; therefore the risk of public health, safety, and welfare is an overriding consideration.
- b. upon expiration of the time limit a forfeiture shall be levied in accordance with the City Code. Each 24 hour period shall cause a separate offense.
- c. the sidewalk shall be cleared by a City hired contractor at the direction of the Code Enforcer.

Contractor shall provide before and after photographs to the City for documentation purposes.

- d. deposit of snow in streets prohibited in accordance with Section 62-221, "No person shall cause to be deposited snow from his premises onto the sidewalk abutting thereon or onto any street..."

this includes pushing, placing or throwing snow across a street, ROW and/or alleyway. Snow shall stay on the side of the street/alley/right-of-way from where it originated.

Bike Paths

As certain bike paths are multi-use paths used as sidewalks, it is acknowledged that these areas need to be cleared of snow and ice. A map of these areas will be made available from time to time by the Common Council outlining which areas will be the responsibility of the adjacent property owners to maintain all year including snow/ice removal. The responsibilities will mirror that of the sidewalk snow maintenance ordinances. These areas shall be reviewed by the City from time to time and maps adjusted accordingly.

The City DPW will plow certain bike paths as time and resources allow. These areas include the paths in and around Vet's Park, sections of Edwards Blvd and Townline Rd. When frost is neither present in the soil nor deep enough to withstand plowing equipment, the DPW shall at its discretion allow snow to remain on the bike paths until such time as conditions will allow snow removal. As a general rule, the City does not chemically treat bike paths.

SECTION 3: RESPONSIBILITIES OF CITY PERSONNEL

Public Works Department

The task of keeping vehicular traffic moving on the City of Lake Geneva's 40 plus miles of streets during and following snow storms is the duty of the Public Works Department. The Department is responsible for the coordination and supervision of the entire snow and ice control operation. Tracking of storm warnings, making decisions as to type and timing of a snow and ice control operation, alerting personnel, tracking costs (Ice and Snow Control Report) and the continual observation of ice and snow operations are all part of the responsibilities. Although the Public Works Department directs snow plowing and ice control under the direction of the Director of Public Works, it depends heavily upon the continual support and cooperation of all other municipal departments within the City.

Lake Geneva Police Department

Two primary functions of the Police Department are assistance with deteriorating road conditions and the ticketing and towing of the vehicles in violation of Sections 74-10(d) and 74-60 of the Municipal Code of the City of Lake Geneva. The Police Department provides the first notice of hazardous conditions to Public Works particularly during the late evening and early morning hours. The Police Department also is responsible for communicating snow emergencies to the media.

City Code provides the Police Department may tow away all vehicles parked in violation of this subsection. During a snow emergency the vehicles in violation will be towed immediately or as soon as possible under existing conditions. In times of extreme emergency, the City may opt to tow all cars to a central location such as a public parking lot or the City Garage on Carey Street. (Illegally parked cars in violation SIGNIFICANTLY hinder safe plowing and removal operations)

Water, Wastewater & Cemetery Departments

Wastewater and Cemetery employees may be called upon during snow emergencies to supplement manpower shortages for reasons to include: illness of DPW personnel, inability to get to work, or extended storm conditions. Water Department employees shall ensure that substations, wells and towers are clear of snow and ice. In extreme circumstances, the City may call upon all employees with valid CDLs to plow during manpower shortages.

Code Enforcement

DPW relies heavily on Code Enforcement to ensure that sidewalks and ADA ramps are properly cleared by property owners, and ensuring that private individuals contractors are not causing unsafe conditions by plowing or placing snow in roadways or other areas. Per Ordinance, if downtown walks/ramps are not cleared by property owners prior to crews clearing the area, there will be snow left behind in the parking stalls. If the property owners place snow in the parking lane after crews clear the area, it will be the property owner's responsibility to remove such snow. They may also be ticketed. City plows cannot clear stall areas when parked cars are present. CE ensures these rules are obeyed.

Repair Shop

The function of the Street Department Repair Shop in Lake Geneva's Snow and Ice Control Plan is to prepare all the equipment needed well in advance of the winter season. Included are repairs to any equipment that breaks down during any class storm either in the shop or in the field. Preventative maintenance is also done on the trucks and equipment. Whenever possible, an additional employee is assigned to the mechanic shop to assist with two-man repairs. As the Department does not have a full time mechanic, repairs and maintenance are performed by staff as time allows during their normal duties and also private repair shops.

SECTION 4, DOWNTOWN SNOW REMOVAL

Downtown Snow Removal

Downtown snow removal is a difficult task. Crews cannot safely perform this function when traffic and/or pedestrians are present. Typically, except in extreme cases, this will be performed between midnight and 6am depending upon but not limited to the following: timing of a storm, duration, type, future forecast, amount of snow and the implementation of a snow emergency. DOT/FMCSA regulations also play a factor in the schedule. Priority shall be given to the 45 miles of City roadway being plowed and treated before stalls will be cleared.

There are no official rules that allow downtown properties to place their snow in the street. Historically the City has allowed this practice to alleviate the buildup of snow in the terrace section of the ROW downtown as a convenience to property owners even though it conflicts with City Ordinances. (the terrace section can be earth, lawn, pavement, brick, concrete, etc) Sidewalks must be cleared a minimum of 4' wide, if the property owners wish to clear a wider path, paths to the curb line or clear the terrace sections adjacent to their sidewalks they may do so but they must have this snow in the parking lanes before the crews clear the area or it will remain in the stalls at the responsibility of the property owner. (City and ADA rules mandate a 4' clear sidewalk only) If the snow event is significant or of a long duration, it is possible that crews will not windrow and pick up the downtown area for a few days. Staffing, machine availability and many other factors come into play.

Crews clear all downtown City parking lots to allow late night guests, early morning workers and visitors an area to park while the removal is in progress. Parked cars can significantly hinder the snow removal process; every effort should be made by property owners along the snow removal route to make sure parked cars are not present along the snow removal route. If too many vehicles or pedestrians are near the snow removal route, crews will abandon the effort until the removal can be done safely.

Many factors contribute to the decision on whether to windrow the snow downtown, push it into piles, or simply plow it to the curb line. Amounts, temperature, type of snow, future forecasts, time of day, day of week, road conditions in other parts of the City, availability of staff, etc., all play a part. The decision on how to address this issue lies with the Street Superintendent as he/she is most cognoscente of the circumstances involved.

Property owners must accept realistic expectations of how and when snow removal can occur. Crews cannot remove snow in the parking lane when traffic and/or parked vehicles are present, therefore snow may remain in the gutter line and/or parking lane for a few days before it is removed. City crews make an effort not to pile snow over the curb onto the terrace where it would in fact be the property owners responsibility, (same as snow piled at the end of a driveway) this is why snow is left in the parking lane. Furthermore, if the snow is pushed onto the terrace, crews would not be able to collect it for future removal. Another misconception regarding windrows on the curb line or terrace is that it is against ADA rules. This is false; ADA ramps are at the intersections, not mid-block. If a property owner prefers a mid-block walkway, generally referred to as a carriage walk, it is at their discretion and responsibility to clear it.

As stated at the beginning of this section, there are many factors that contribute to any decision. Safety must be considered at all times.

SECTION 5: STORM CLASSIFICATIONS

Class "A" Storm (Less than 2 inches total accumulation)

This is a snow storm with an accumulation of less than 2 inches in depth and may include plowing and material application. Crews are dispatched to City buildings, walks, lots and all routes, addressing the arterial and collector streets, including hills, curves, controlled intersections on local roadways that serve the Police Station, Fire Stations, DPW and schools. However, during a freezing rain when extremely dangerous conditions exist, the entire City may be treated at the Superintendents discretion.

The Street Superintendent shall determine the need to call in employees if he/she feels the conditions require it. In the absence of the Street Superintendent, the Foreman or the Director of Public Works may call in staff. It then will be the Superintendent, Foreman or DPW's decision whether to upgrade to a Class "B" storm or continue the Class "A".

Class "B" Storm (2" To 8" Inches total accumulation)

This storm is a snowfall of two (2) inches to eight (8) inches in depth and may involve a full plowing and material application operation.

Under a Class "B" Storm, the DPW begins by dispatching plow trucks to each of the routes including all City buildings and lots servicing first any EMS/Fire and Police Dept. areas, parking lots, arterial and collector streets. During normal business hours downtown, the plows may have to place snow to the backs of parked cars. In this event, stalls shall be cleared as soon as safely possible depending on time of day and availability of staff. Every effort is made to keep open as many parking places as possible. Snow amounts, time of day and many other factors shall dictate if the snow will be piled in the parking lane or windrowed to the street center. Parking stalls cannot be cleared safely when traffic is present.

A snow emergency will be declared during a Class "B" Storm if conditions continue to deteriorate and accumulations significantly increase. The Street Superintendent or his/her designee will stay in close contact with the Police Dept., who in turn will notify the Chief or his/her designee who acts as the City Emergency Manager and has the authority to call a Snow Emergency based on actual conditions. Generally accumulations of 3" or more, blowing and drifting, severe temperatures and future forecasts can all affect the decision. The Emergency Manager will also be in close contact with Fire and EMS services as to their need. The City

Emergency Manager or His/Her designee, the Mayor or in his/her absence the President of the Common Council shall have the authority to call or cancel a snow emergency.

All downtown lots shall be plowed and treated as soon as possible so as to be available for downtown traffic while the stalls are being plowed to the extent possible. This snow is moved into piles or pushed into windrows for removal later as the Superintendent directs per Sec 4.

Residential streets will be cleared after all Arterial and Collector roads are clear. As drivers clear their zones they may be instructed to pull off the residential streets from time to time to check the arterial and collector streets for buildup and then return to residential streets.

Drivers are instructed to plow and treat their arterial and collector streets first before entering residential areas. Drivers are to return to the arterial and collector streets from time to time to check if they are still clear. The Street Superintendent may assign a plow to keep certain streets clear if staff is available. This action would allow zone drivers to continue plowing on residential streets.

The Street Superintendent will be on patrol as time permits to watch for hazardous conditions. He/She will call drivers off of residential streets when he/she feels that the arterial and collector streets need immediate attention. He/She will remain in contact with the Police Department to relay messages to drivers of trouble spots. The Director of Public Works may also reclassify a storm as appropriate. He/She will remain aware of the forecasted weather and work with the Street Superintendent to call in employees as needed.

Employees from other Departments may also be called in as needed.

If in a Class "B" Storm the need arises, the Street Superintendent or Director of Public Works can authorize outside contractors to assist. All streets, parking lots, alleys, and municipal building sidewalks should be cleared in about 10-12 hours for a Class "B" Storm. In this case certain drivers may be kept back after normal hours to keep arterial and collector streets open and treated. As all storms are unique and many factors contribute to any decision, this will be evaluated on a per-storm basis.

Class "C" Storm (8" or more total accumulation)

This storm is extremely heavy snowfall, eight (8) inches or more in depth, occurring in a period of twenty-four hours or less. In this storm, life threatening situations can arise as emergency vehicles can become bogged down and stranded, therefore it is recommended that a Snow Emergency be called. When existing conditions and weather forecasts indicate a Class "C" Storm event is imminent, the Street Superintendent and Director of Public Works will maintain close communication with Police, EMS and Fire. The Street Superintendent or Director of Public Works may also arrange for outside contractors to assist City Employees. Primary and secondary route lanes along with PD, FD, EMS and DPW locations shall be the focus during these types of events with all other areas being done when time and resources permit.

SECTION 6: SNOW REMOVAL PRIORITIES

Appropriate Level of Service

Matching the level of service to roadway classification and vehicular volume will effectively provide a high quality winter travel-way for our citizens and visitors. The priorities are as follows:

- 1) Arterial roadways
- 2) Major and minor collectors
- 3) Local residential streets
- 4) Cul-de-sacs and dead end streets
- 5) Sidewalks in front of City property
- 6) Bike paths, certain areas.

The extreme cost and negative environmental impacts of a "bare pavement" policy at all times for each and every roadway is not feasible. If a citizen drives carefully for 1-2 blocks on their local street to a collector or major roadway with a higher level of service, then travel throughout Lake Geneva is easy and safe. Balancing level of service with resources is the more efficient use of Lake Geneva tax dollars and minimizes damage to our environment and vehicles. Local streets will not generally be treated during the plowing operation (except maybe certain intersections) but will be treated appropriately during freezing rain and where the forecast is for continued low temperatures. However, hills curves, and intersections will be treated in each of the Class A, B, or C Storm.

Cul-de-sacs and Dead Ends

Cul-de-sacs and dead ends require special equipment and are difficult to clear; therefore they are last on the street cleaning list. Drivers shall plow past cul-de-sacs and dead ends if they intersect with a through street. When a driver has completed all arterial, collector, and through residential streets, he then returns and plows cul-de-sacs and dead ends. Other drivers who have completed their zones will assist in any other zone with cul-de-sacs and dead ends.

Parking Lots and Alleys

Alleys and parking lots shall be plowed soon after the snow stops to allow residents, visitors, and employees to park their vehicles off-street.

Sidewalks

The Street Department is responsible for snow removal on sidewalks adjacent to City owned buildings and property. These will be addressed as soon after the City streets, parking lots and alleys are plowed as time allows.

Private sidewalk snow removal issues are those sidewalks adjacent to private property which, under City ordinance, are the responsibility of the abutting property owner for snow removal. City ordinance authorizes the City to initiate sidewalk snow removal for public safety and welfare if the snow and/or ice have remained on the surface for a period in excess of 24 hours after the termination of the storm. (except in the downtown area, see Ordinances) The procedure is set forth under the Public Notice section of the policy and is administered by Code Enforcement.

NOTE: In any storm event, Sidewalks that are the responsibility to be maintained by City crews will not be done until all streets are passable.

SECTION 7, PRIVATE STREETS

Private Streets

Snow removal from private streets shall not be provided except in an emergency situation ordered by Police, Fire or EMS.

SECTION 8, GENERAL

General.

Per USDOT/FMCSA Hours of Service regulations, no CDL driver shall work more than sixteen (16)

consecutive hours without ten (10) hours off duty. This includes non-driving hours. If needed, employees from other Departments may be called in to supplement Street Department employees. The DPW operates with enough staff for one shift only, many of the DPW's functions, including downtown snow removal, require the entire departments involvement. Crews will be scheduled accordingly.

Salt/brine may be applied to roadways before the snow falls and/or packs to enable easier snow/ice removal. At times the Superintendent at his/her discretion may dispatch several salt/brine trucks to specific areas prior to precipitation to help keep the impending snow from getting packed onto the roadway.

The City of Lake Geneva does not have a 'bare/dry road' policy.

DPW is also cognoscente of the tourist nature of the City and may at times increase levels of service in certain areas for anticipated traffic volumes during winter holidays and festivals.

The items below shall be applied using Best Management Practices from the Wisconsin Transportation Center, WisDOT, WisDNR and the Salt Smart Collaborative. All City of Lake Geneva DPW employees attend several seminars on an annual basis regarding salt/brine application. The Superintendent shall be in charge of ordering the proper use of all materials. Application patterns shall be generally applied towards the center line of a crowned roadway, or the uphill side of a slope. Intersections shall be broadly treated as to allow safe travel. As per the BMP's above, application rates will generally be kept to <500lbs per mile with traffic volume, weather and temperature being factors in increasing or decreasing rates at the discretion of the Superintendent.

Use of Abrasives

Abrasives do not prevent nor do they remove buildup of snow pack, to the contrary they can compound the problem by allowing the temporary melting and then rapid refreezing of the snow/ice. Abrasives can damage vehicles with a "sand blasting" effect as the sand is thrown up off the tires onto the body of the vehicle. Studies have shown they can also be very detrimental to the environment. They can be an advantage when temperatures are extremely low, however, they must be mixed with rock salt in an apx 5:1 ratio to prevent stockpile caking and freezing. This material also needs to be swept/cleaned from the roadways and catch basins and disposed of in a licensed landfill which can be very expensive. It shall be at the discretion of the Street Superintendent to properly order the use of abrasives.

Calcium Chloride

Studies have shown that straight salt or salt treated with calcium chloride is more economical to use and has better results than abrasives. It has been proven that one ton of salt can give the same results as three tons of sand. Even better results have been accomplished by pre-treating the salt with calcium chloride. This starts the salt working as soon as it hits the pavement. Because it is wet, calcium chloride is not thrown to the side of the road by the spreader or traffic. City trucks shall use 100% salt and brine unless directed otherwise by the Superintendent.

Salt Brine

Salt brine may be applied at the discretion of the Superintendent when situations warrant. Brine will be applied in accordance with industry standards generally between 25-60 gallons per mile. Primary routes, secondary routes and the downtown snow removal route shall be the primary focus of brine application along with certain hills, curves and intersections throughout the City.

Winter Street Sweeping

The street sweeper may be sent out whenever above freezing temperature opportunities allow the safe removal of accumulated sand and salt on bare pavement streets.

SECTION 9, Property Damage

Mailboxes

If contacted by a property owner about damage to mailboxes, the City will by policy pay the property owner a maximum of \$50.00 to replace damaged mailboxes if the actual plow struck the box or post. If the damage occurred because the box was not installed in accordance with Post Office Requirements (see Exhibit below) or because it was damaged by snow from a plow or in a current state of disrepair then repairs will be the responsibility of the property owner. It shall be at the discretion of the DPW Superintendent's investigation as to when or if restitution is warranted. Property owners must contact DPW within 24 hours of damage in order to request an investigation. If replacement is found to be in order, DPW may place a temporary

box until weather permits installation of permanent box.

Exhibit;

A Guide to USPS Mailbox Regulations;

The United States Postal Service (USPS) requires residential mailboxes to conform to a number of rules and regulations. The standardization of mailboxes helps to ensure the safety of mail carriers and the items they deliver. While some rules apply to all mailboxes in general, there are separate, specific regulations for locking, package or wall mount mailboxes.

General USPS Requirements for Curbside Residential Mailboxes

USPS Mailbox Regulations

USPS mailbox regulations for in ground and surface mount post installation.

All manufactured mailboxes must meet the internal and external dimension requirements of the USPS.

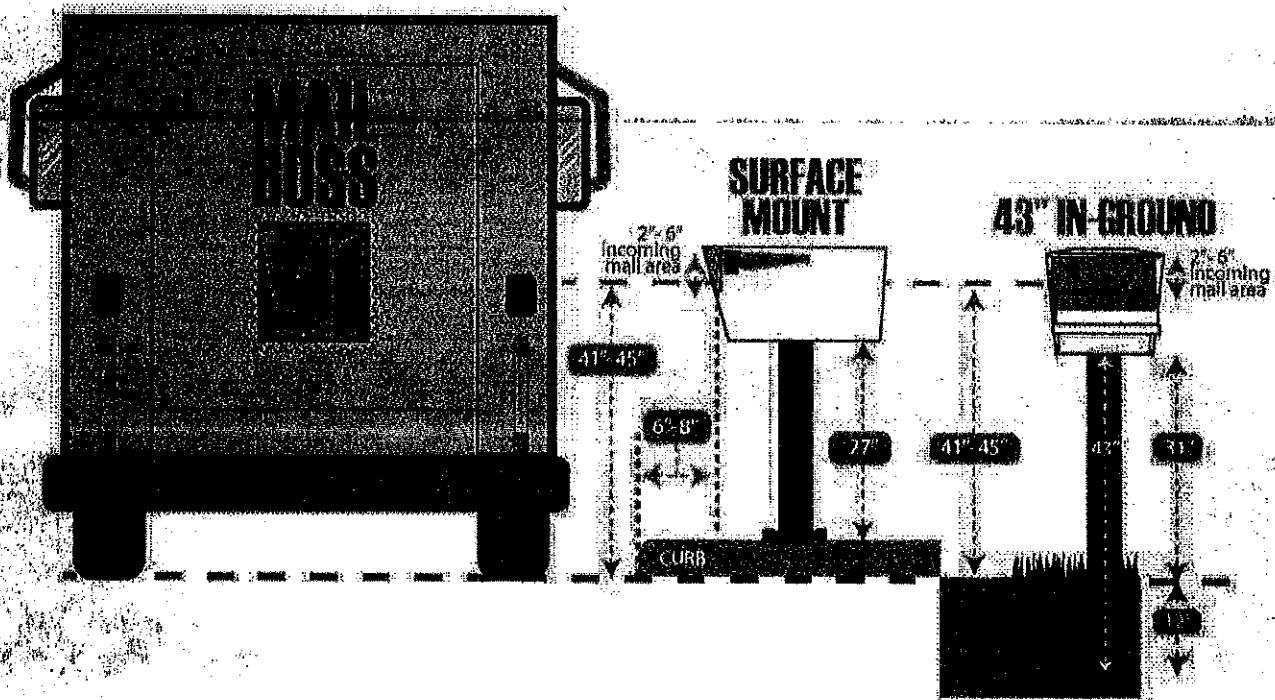
Curbside mailboxes must be placed on the right-hand side of the road and facing outward so that mail carriers can access it easily without leaving their vehicle.

The box or house number on a mailbox must be represented in numbers that are at least 1 inch tall. Numbers must be positioned visibly on the front or flag side of the box.

Mailboxes must be placed 6 to 8 inches away from the curb; the incoming mail slot or door must be 41 to 45 inches from the ground.

Curbside mailbox posts should be buried less than 24 inches deep and made from wood no larger than 4 inches high by 4 inches wide. Steel or aluminum pipes with a 2-inch diameter are also acceptable.

Newspaper receptacles may be mounted on the same post as the mailbox, but they must not contact it directly or be supported by it.



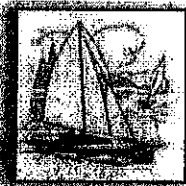
Rights-of-Way

It is understood that many property owners care for the ROW like private property. However, ROW's are designed among other things to provide storage for snow from the streets in the winter months. Many times during snow events crews must push snow in the ROW areas in order to open the roadways, especially in heavy amount events. This may cause damage to grass areas. The Superintendent will investigate these areas in the spring for repair. If it is found private companies or residents caused the damage it will be the property owners responsibility to repair. If it is found DPW is responsible, the areas will be repaired when weather and material availability allow in the spring in order of reporting. Mainly after 01 May of each year. At no time will private landscaped areas placed in the ROW be repaired by the City, this includes trees, flowers, bushes, artwork, etc. It is against City ordinances to place anything in the ROW without a permit except a USPS approved mailbox and post.

SECTION 10, RULES

If they can do so safely, City crews are instructed to plow around any stranded or disabled vehicle and inform the Police Dept Communications Center of the location of the stranded vehicle. Any driver finding a vehicle completely blocking a street will radio the Police Communications Center and Street Superintendent or Foreman for immediate removal. Crews are instructed to continue plowing their routes or zone until they are sure that all roads are passable*. Crews shall not stop to assist any motorist or pedestrian unless an emergency exists which threatens public safety. Crews shall not plow or treat any private property unless directed by the Superintendent, Director, Police or Fire Dept. while assisting police, ambulance or fire department emergency response personnel. Crews are instructed to continue to plow past any driveway even if the accumulated snow from their plow blocks the end of the driveway. It is the responsibility of the private property owner to clear any snow from their driveway. This includes sidewalks and ADA ramps that enter or connect to the travelled portion of the roadway. Crews shall not stop to clear any private drive or sidewalk connecting to the roadway unless they meet the emergency criteria above.

*See section 1.

**4.1 BOAT STALL, BUOY, KAYAK & CANOE RACK RENTAL****I. PURPOSE**

These Procedures and Policies are intended to ensure that city residents and other individuals interested in the rental of municipally owned boat stalls, buoys and kayak and canoe racks are treated fairly and equitably.

II. DEPARTMENT RESPONSIBLE

The Harbormaster and/or City Administrator will oversee all lakefront rentals.

III. COMMITTEE OVERSIGHT

The Piers, Harbors and Lakefront Committee and Common Council will oversee this policy.

Adopted by Common Council	??/??/??
Amended by Common Council	??/??/2011

The Lake Geneva Piers, Harbors and Lakefront Committee shall set policy and collectively make decisions regarding special circumstances on the issuance of boat stalls, buoys, dinghy spaces and/or kayak and canoe racks. The Committee shall also annually review and recommend appropriate boat stall, buoy, dinghy space, and kayak and canoe rack lease rates. City staff and individual members of the Committee are not empowered to waive any of the policies or regulations contained in this document.

Only renters of the municipally owned boat stalls, buoys, dinghy spaces, and kayak and canoe racks may use and occupy such facilities.

Any person who shall violate the provisions of this policy shall be deemed to have abandoned the boat stall, buoy, dinghy space, and/or kayak and canoe rack and the City may terminate their privileges under the rental agreement for the balance of the season and shall remove boats at the owner's expense. The City shall be under no obligation to refund any rental fee paid.

APPLICATIONS/WAITING LISTS

Applications for a municipally owned boat stall, buoy, dinghy space, or kayak and canoe rack may be obtained at City Hall, 626 Geneva St., Lake Geneva, WI 53147 at (262) 248-3673. Said applications shall contain the following information:

- 1) Applicants must fill out a card which will be filed by name, mailing address, residence location, home and work phone numbers.
- 2) An affidavit may be required by those applicants requesting the City Resident Rate. Falsification of the above sworn statement of residency may result in prosecution for fraud and forfeiture of lease agreement.
- 3) Boat type and length intended to be moored at the municipal stall, buoy, dinghy space, or kayak and canoe rack: boats moored on buoys are restricted to a maximum of 26' in length; those in a stall are restricted by the width and length of the stall, and dinghies shall not exceed 10' in length. All boats moored shall be registered with the Wisconsin Department of Natural Resources and proof of such registration shall be provided to the City.
- 4) A fifty dollar (\$50.00) non-refundable application fee is due upon filing of the application.
- 5) If a person on the waiting list declines to accept an offered boat stall, buoy, dinghy space, or kayak and canoe rack, they shall be removed from the WAITING LIST; however, they may maintain their position on the WAITING LIST by payment, within 10 days, of a fifty dollar (\$50.00) non-refundable administrative fee.

RENTAL CLASSIFICATIONS

The rental of boat stalls, buoys, dinghy spaces and kayak and canoe racks shall be in the following order:

- 1) To renters from the previous season.
- 2) To City of Lake Geneva residents on the WAITING LIST.

"Resident" means a person whose permanent place of abode is in the City of Lake Geneva. Domiciliary intent is required to establish that a person is maintaining his or her permanent place of abode in this City. Mere ownership of property is not sufficient to establish domiciliary intent. Evidence of domiciliary intent includes, without limitation, the location where the person votes, pays personal income taxes and obtains a driver's license.

- 3) To non-resident property owners of the City of Lake Geneva on the WAITING LIST.

- 4) To non-residents of the City of Lake Geneva on the WAITING LIST.

The Common Council adopted a motion at its August 28, 1989 meeting to set aside 15% of the City boat stalls and buoys for non-resident property-owner rentals. There are 40 boat slips at the west pier, 33 slips in the Lagoon for a total of 73 stalls, and 66 buoys located at Library Park. Therefore, approximately 21 rentals should be to non-resident property owners. There are 12 kayak and canoe spaces. Therefore, approximately 2 spaces should go to non-resident property owners.

BOAT STALL AND BUOY AGREEMENTS

Those receiving a stall, buoy, dinghy space or kayak and canoe rack will be required to complete and sign the attached agreement.

Agreements may be renewed if full lease payments are received on or before the due date of each year. A late payment penalty of twenty-five dollars (\$25.00) per day shall be imposed after the March 15 due date. If payment is not received, including the penalty, on or before the due date, the City shall determine the rental space to have been forfeited by the lessee and will offer the space to another lessee.

Final payment must be received at City Hall on or before the due date; postal cancellation shall be considered as date of payment. **No exceptions shall be granted to this payment schedule!**

FILLING VACANCIES

Present lessee's requests for larger stalls or moving from a buoy to a stall, or to a different kayak and canoe space, etc., will be offered to current renters on a "longevity" basis. Those wishing to request a move should indicate their preference on the Boat Stall, Buoy, and Kayak and Canoe Rack Agreement where indicated when they make payment each year.

Any slips, buoys, or kayak and canoe racks that become available will be offered starting with those who have had a mooring with the City for the most number of years and continuing until all vacancies have been filled. After these moves are accommodated, any remaining vacancies will be offered to persons on the WAITING LIST.

Those at the top of the WAITING LIST shall be notified that a vacancy exists. If there is more than one vacancy, those contacted from the WAITING LIST shall fill the vacancy on a first-come first-served basis. This notification process shall continue until all vacancies are filled.

See above regarding maintaining position on the WAITING LIST if a mooring is offered.



4.2 BEACH PASSES

I. PURPOSE

This policy declares the fee structure for beach passes and the admissions procedures to the City beach.

II. DEPARTMENT RESPONSIBLE

The Harbormaster will oversee all lakefront operations.

III. COMMITTEE OVERSIGHT

The Piers, Harbors and Lakefront Committee and Common Council will oversee this policy.

Adopted by Common Council	
Amended by Common Council	

POLICY STATEMENT

The Piers, Harbors and Lakefront Committee shall recommend policy and collectively make decisions regarding the operations of the public swimming beach. City staff and individual members of the Board are not empowered to waive any of the policies or procedures contained in this document. These policies and procedures are intended to ensure that city residents and other individuals wishing to obtain Beach Passes are treated fairly and equitably.

BEACH ADMISSION FEE OR BEACH PASS REQUIRED

Admission fees or Beach Passes are required to gain access to the City's public swimming beach at Library Park. Daily admission fees established by the Common Council shall be collected at the pay stations near the beach, under the guidance of Beach Attendants on duty at the public swimming beach.

The Piers, Harbors and Lakefront Committee shall annually review and recommend appropriate beach admission fees, which are currently established at:

The Season rates are as follows:

	Resident	NR Property Owner	Non-Resident
Children, age 6 and under	FREE	FREE	FREE
Children, age 7-12	\$30.00	\$30.00	\$30.00
Ages 13-Adult	\$60.00	\$70.00	\$70.00

The Daily Admission Fees for everyone are as follows:

Children, age 6 and under	FREE
Children, age 7-12	\$3.00
Ages 13-Adult	\$7.00

DAILY ADMISSION WRIST BANDS

Payment for daily admission wrist bands are to be made at one of the pay stations located at the top of the stairs near the entrance of the beach during regular beach hours. Upon payment, the pay station will issue a voucher that can be redeemed from the beach attendant at the bottom of the stairs for the daily admission wrist band.

The pay stations accept payment made by credit (or debit) card or cash. The pay stations do not issue change. However, if a cash over-payment is made, the pay station will issue a voucher that can be redeemed from the beach attendant at the bottom of the stairs for the amount of change printed on the voucher.

During weekdays and non-holidays, at least one beach attendant shall be present at the pay stations; during weekends and holidays, at least two beach attendants shall be present at the pay stations. One beach attendant shall be present at the bottom of the stairs during beach hours. One beach attendant should be present at the east gate during beach hours.

The responsibilities of the beach attendants at the pay stations shall include, but not be limited, to:

- Assisting beach users with transactions at the pay stations.
- Answering questions about beach use and admissions policies.
- Directing the smooth flow of traffic through the transaction and admissions process.
- Verifying the age of children beach users.
- Replacing the receipt paper rolls in the pay stations.
- Repairing paper jams or other basic pay station issues.
- Contacting the appropriate individual to address pay station malfunctions.
- Contacting the appropriate individual when the pay station cash box is full.
- Other duties as directed by the Beach Manager or Harbormaster.

The responsibilities of the beach attendant at the bottom of the stairs of the beach shall include, but not be limited, to:

- Issuing daily admission wrist bands to individuals with a voucher from the pay station.

Formatted: Line spacing: single, Bulleted + Level: 1 +
Aligned at: 0.25" + Indent at: 0.5"

Formatted: Line spacing: single, Bulleted + Level: 1 +
Aligned at: 0.25" + Indent at: 0.5"

Formatted: Line spacing: single, Bulleted + Level: 1 +
Aligned at: 0.25" + Indent at: 0.5"

Formatted: Bulleted + Level: 1 + Aligned at: 0.25" + Indent
at: 0.5"

- Granting admission for individuals with resident or non-resident property owner beach passes.

- Issuing change to individuals with a change voucher from the pay station. A cash drawer starting at \$5.00 per day shall be used to issue change.

- Ensuring the smooth flow of traffic through the beach entrance and exits.

- Answering questions about beach use and admissions policies.

- Ensuring beach rules are being followed by users of the beach.

- Inspecting carry-ins to ensure no glass containers or alcohol is brought into the beach area.

- Other duties as directed by the Beach Manager or Harbormaster.

The responsibilities of the beach attendant at the east gate of the beach shall include, but not be limited, to:

• Granting admission for individuals with resident or non-resident property owner beach passes.

• Answering questions about beach use and admissions policies, and directing people to the pay stations for the purchase of daily admission wrist band.

- Ensuring beach rules are being followed by users of the beach.

- Inspecting carry-ins to ensure no glass containers or alcohol is brought into the beach area.

• Other duties as directed by the Beach Manager or Harbormaster.

Individuals paying for a daily admission to the beach shall be issued colored wrist bands by City Beach attendants, shall issue colored daily admission wristbands, using who shall use a random rotation of colors for both children and adults.

Wrist bands shall be allocated to the beach supervisors as needed to maintain a continuing supply on site not to exceed 20,000 wrist bands at any given time, and the supervisors shall be responsible for maintaining this allocation in a secured area of the Beach house until used. The inventory of wrist band supplies not allocated to the Beach shall be maintained in a secured storage area at City Hall until such time that they are transported to the Beach house to meet on-site allocation requirements. The Beach supervisors shall, at the end of each season, be responsible for returning to the City Treasurer any unused wrist bands previously allocated to the Beach house.

Formatted: Pattern: Clear (Yellow)

Formatted: Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"

The City Treasurer, or his or her designee, shall be responsible for monitoring wrist band usage by reconciling the band numbers on a daily basis. In addition, the City Treasurer, or his or designee, shall be responsible for reconciling the change drawer with the change vouchers on a daily basis.

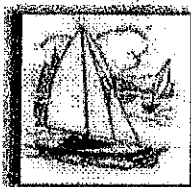
BEACH PASSES

Beach passes are available at City Hall. Residents and Non-Resident Property Owners will be required to provide a driver's license, state ID card or proof of voter registration to receive a beach pass for free. Non-residents must pay full price for a season beach pass.

The issuance of free beach passes to City of Lake Geneva residents is limited to a maximum of six (6) per family.

An affidavit may be required by those applicants requesting the City Resident Season Pass. Falsification of the above sworn statement of residency may result in prosecution for fraud.

Season Beach Passes may be obtained at City Hall, 626 Geneva Street, Lake Geneva, WI 53147 at (262) 248-3673.

**4.3 RIVIERA FOUNTAIN COIN COLLECTION****I. PURPOSE**

This policy sets forth the procedure for removal, handling, treatment and disposition of all coins placed in the Riviera fountain by the public while the fountain is in operation for the season.

II. DEPARTMENT RESPONSIBLE

The Harbormaster and City Treasurer will supervise and monitor collections.

III. COMMITTEE OVERSIGHT

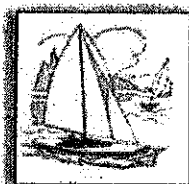
The Piers, Harbors and Lakefront Committee and Common Council will oversee this policy.

Adopted by Common Council	5/24/2010
Amended by Common Council	??/??/2011

The street department shall post and maintain signage at the fountain. All coins tossed or dropped into the fountain become the property of the City. Any employee or City official who witnesses a person or persons trespassing in the fountain is asked to advise the person or persons to immediately desist from trespassing, and then contact the police department if needed. Trespass includes using implements to remove coins.

Any and all coins tossed or dropped into the fountain shall be removed under the supervision of the City Treasurer and the Harbormaster or Street Department worker weekly, but not less often than every two weeks. Upon removal of the coins and placement of the coins into a container or bag, the City Treasurer shall take possession of the coins and bring them to City Hall. The City Treasurer shall be responsible for depositing any monies retrieved from the fountain.

If there is any concern or question regarding the collection, delivery, cleaning, drying and delivery of coins to the City Treasurer, employees are urged to inquire with the City Administrator, who shall oversee and coordinate implementation of this policy with the Street Superintendent, Harbormaster and the City Treasurer.

**4.4 RIVIERA WEEKDAY RENTALS****I. PURPOSE**

This policy establishes rental fees for the Riviera on weekdays throughout the year.

II. DEPARTMENT RESPONSIBLE

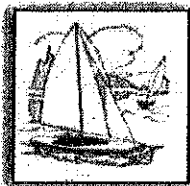
The Harbormaster will oversee all Riviera rentals.

III. COMMITTEE OVERSIGHT

The Piers, Harbors, and Lakefront Committee and Common Council will oversee this policy.

Adopted by Common Council	8/25/2003
Amended by Common Council	??/??/2010

The Piers, Harbors, and Lakefront Committee has been discussing ways to better utilize the Riviera Building Ballroom. The ballroom area is used very heavily on weekends, but very rarely during the week. If the ballroom could be rented during the week, it would help defray usual maintenance costs and would be utilized while City employees are on duty as opposed to being called in on overtime. After a lengthy discussion, it was proposed that the Riviera be available on weekdays, year around, for a set fee of \$500 for business meetings, fashion shows, parties, etc. (Weekdays are Monday through Thursday and exclude holidays.)

**5.1 PARKING PERMITS AND REGULATIONS****I. PURPOSE**

This policy establishes all parking regulations for the City, including the various permits, meter fee structure, appeals process, and valid parking parameters.

II. DEPARTMENT RESPONSIBLE

The City Administrator will oversee parking operations.

III. COMMITTEE OVERSIGHT

The Parking Commission and Common Council will oversee this policy.

Adopted by Common Council	05/09/2011
Amended by Common Council	06/13/2011

POLICY STATEMENT

The Parking Commission shall recommend policy and collectively make decisions regarding the operations of the metered parking facilities. City staff and individual members of the Commission are not empowered to waive any of the policies or procedures contained in this document. These policies and procedures are intended to ensure that City residents and others utilizing municipal parking facilities are treated fairly and equitably.

GENERAL PARKING REGULATIONS

It is the responsibility of the motor vehicle operator to be aware of any parking regulations and to find legal parking space. **Lack of legal space is not considered a valid excuse for parking illegally.** Parking in a restricted area, a no parking zone, loading zone, fire lanes or in a manner which obstructs traffic is strictly prohibited. This regulation is enforced at all times.

Vehicles parked illegally are subject to tow-away at the owner's expense. Vehicles must be parked within stall markings or between brackets. Speed limits in driveways and all parking lot areas is 5 MPH. **Pedestrians shall be given the right-of-way at all crosswalks.**

If a meter is found to be out-of-order, the Parking Meter Department shall be notified at 248-3673. Notification shall include the location of the meter and the meter number which is stenciled on the meter post. If prior notification is given and the meter is verified to be malfunctioning, any citation issued for failure to plug the meter will be rescinded.

The City reserves the right to close any parking area or facility for any purpose it deems prudent. Advanced notice will be given when practical. The City assumes no liability for loss or damage to any vehicle or contents thereof, while parked in an authorized public parking lot or parking stall.

All meters are in operation year round, seven days a week, including Sundays and holidays. From November 1 through April 30 of the following year, however, two (2) hours free parking is allowed at designated meters. After the two hours of free parking has concluded, appropriate coin must be deposited in the meter if the vehicle remains in the parking stall. The free parking provisions shall not apply to any parking stalls serviced by red meters or 12-minute meters.

The registered owner, and/or permit-holder, and/or operator is responsible for all violations attached to the vehicle and is thus subject to any and all forfeitures resulting from these violations. All provisions of Chapter 346 Wisconsin Statutes, entitled "Rules of the Road," as applicable to highways and which are not inconsistent with specific provisions of these regulations, are hereby incorporated by reference and adopted for the

regulation of all vehicular traffic, including bicycles, on all roads and driveways, including all offstreet areas designated parking facilities, under the control of the City of Lake Geneva. Said statutory provisions are intended to apply with the same force and effect.

PAY STATIONS (SECTION RESERVED)

[This section reserved for future provisions related to pay stations.]

DEPOSIT OF COIN

When any vehicle is parked in any space next to a parking meter, the operator of the vehicle shall immediately deposit the required coin or coins, depending upon the parking meter zone, in the parking meter next to the parking space, and the parking space may then be used by such vehicle during the parking limit provided for that part of the street in which the parking space is located. If the vehicle remains parked in any such parking space beyond the parking limit fixed for such parking space, the parking meter shall display a sign showing illegal parking and such vehicle shall be considered parked overtime.

The parking of a vehicle overtime or beyond the period of time fixed where any parking meter is located, shall be in violation of this section. No person shall permit any such vehicle registered in their name to be parked overtime or beyond the period of time described earlier. Only one vehicle shall be parked in one parking meter space, except that up to three motorcycles may be parked in a single stall as allowable by law.

TIME LIMIT

No person shall deposit or cause to be deposited in a parking meter a coin for the purpose of extending the parking time beyond the time limit fixed for parking in the parking space alongside or next to which the parking meter is placed, and in no event shall such parking be in excess of 24 continuous hours. If such parking is exceeded in any one stall for in excess of 24 continuous hours, the Police Department may contract for the removal of such vehicle from such stall and the owner of the vehicle shall be required, as an item of cost upon conviction of a violation of this section, to pay the cost of removal and storage of such vehicle. **Continuous feeding of a meter is not allowed!**

Regulations posted on meters must also be observed. All metered parking is limited to the maximum number of hours posted on the meter. Exceeding this time limit subjects the vehicle owner and/or operator to multiple citations or other enforcement action.

NIGHT PARKING REGULATIONS

- 1) There shall be no parking of any vehicle on any City street between 2am and 6am from November 15th of each year to March 31 of the following year.
- 2) There shall be no parking of any vehicle on any City street in the downtown business district from 3am to 6am the year around.
- 3) For the purpose of #2, downtown business district is defined as the portion of the City bounded by South Lake Shore Drive on the east and Cook Street on the west; Wrigley Drive on the south and Geneva Street on the north.
- 4) The Police Department may tow away all vehicles which are parked in violation of this regulation.
- 5) Whoever shall violate this subsection may be subject to a forfeiture plus the costs of towing and storage.
- 6) Permission for parking for guests of residents may be granted by the Police Department on a per night basis for not more than 14 days for any one person or vehicle. Such permission may be granted by the Police Department upon phone notification for not more than 3 days. If request is made for permission to park for more than 3 days, applicant shall complete an application at the Police Department to the Parking Commission. This paragraph does not apply to #2 above.

NO PARKING, SNOW REMOVAL

- 1) For the purpose of removing snow from the streets and surrounding areas, the Street Department may erect signs prohibiting parking in the particular area where snow is intended to be removed.
- 2) The Police Department may tow away all vehicles parked in violation of the no parking sign pursuant to this subsection.
- 3) From November 15 through March 31 of the following year, vehicles may not park between the hours of 2am to 6am on any city street and year around from 3am to 6am downtown.
- 4) Vehicles may not park on the street until the snow has been plowed to the curb line. Additional parking restrictions may be implemented in the event of the declaration of a Snow Emergency, as provided in Chapter 3, Section 3.4, of the policy manual.

UNATTENDED VEHICLES

- 1) No person shall park for any period of time or leave standing for any period of time any motor vehicle weighing more than 6,000 pounds or exceeding 23 feet in length on any public street in a residentially zoned district, public parking lot or property of the City of Lake Geneva.
- 2) The operator or owner of any truck weighing more than 6,000 pounds or any truck tractor, motor bus, trailer or semitrailer exceeding 23 feet shall not park the same

on any street in the city longer than thirty (30) minutes except for loading and unloading.

- 3) In commercial and industrially zoned districts where such parking is not otherwise prohibited or restricted, this Section shall not prohibit any owner or operator of any of the above mentioned vehicles from parking such vehicles for longer than thirty (30) minutes between the hours of 6pm and 6am. A commercial vehicle in excess of 23 feet in length may be parked on any public street in any district for a temporary period of time necessary to make a pick-up or delivery from a building fronting on that street between the hours of 6am and 5pm provided further that such pick-up or delivery shall commence immediately upon parking the vehicle and continue without interruption until completed and in no circumstance shall such vehicle park on any public street in excess of thirty (30) minutes.

PARKING PERMITS

Two Hour Permit

Two Hour Parking Permits shall expire on January 31st in even-numbered years. The permit is given to City residents for free and entitles recipients to 2 hours (per day) free parking at designated meters. Residents are asked to provide proof of residence and a current vehicle registration in order to obtain the permit. Once issued, the permit shall be affixed to the inside lower corner of the windshield on the driver's side of the vehicle.

Walworth County residents may purchase a two hour parking permit for a fee as established by resolution of the Common Council from time to time. After the first year of the two-year permit cycle, the permit may be purchased at a discounted fee, as established by the Common Council.

Business Owners may also purchase a two hour parking permit for a fee as established by resolution of the Common Council from time to time. After the first year of the two-year permit cycle, the permit may be purchased at a discounted fee, as established by the Common Council.

Senior Parking Permit

Senior Parking Permits are issued for residents who are at least 62 years of age. Senior Parking Permits shall expire on January 31st in odd-numbered years. This permit entitles the recipient to free parking for the maximum number of hours posted on the meter. Exceeding this time limit subjects the vehicle owner and/or operator to multiple citations or other enforcement actions. The Resident must provide proof of residence and a current vehicle registration in order to receive the permit. Once issued, the permit shall be affixed to the inside lower corner of the windshield on the driver's side of the vehicle.

Parking Lot Permit

A Parking Lot Permit is valid only at the Cook Street Parking Lot and the lower Center Street Parking Lot between the hours of 9:00am and 7:00pm, seven days a week. Parking is available on a first-come, first-served basis and parking availability is not guaranteed by virtue of holding a permit. The permit holder may be forced to park in a stall at another location and deposit the required coin if no stalls in the lot are available. The permit may be purchased at City Hall for a fee as established by resolution of the Common Council from time to time. A maximum of forty (40) permits shall be issued annually.

Business Parking Permit

A four-hour parking permit may be purchased at City Hall for a fee as established by resolution of the Common Council. This parking permit shall be valid from May 1 through October 31 and entitles the recipient to park at any meter outside of the BID district for 4 hours without depositing coin in the meter. City Hall personnel should write the expiration date right on the permit.

PARKING PERMIT ELIGIBILITY AND FEES

Motor vehicles that properly display a City of Lake Geneva parking permit may park in any designated metered parking stall for up to two hours without charge during the period of May 1 to October 31. The vehicle is limited to two hours of free parking each day. After the two hour period the regular meter rate applies. Free parking provisions shall not apply to any parking stalls serviced by red meters or 12-minute meters.

The properly authorized parking permit is valid only if it is affixed to the inside lower corner of the windshield on the driver's side of the vehicle. Parking permit fees may be modified from time to time as deemed appropriate by the City. Parking permits are non-transferable and may become invalid if the holder loses his/her resident status.

If the permit is lost, stolen or damaged the Parking Department must be notified immediately. For a replacement to be issued, a statement must be signed by the parking permit holder or the damaged permit must be returned. A replacement is issued at no extra charge.

METER FEES AND PENALTIES

Meter fees are \$0.25 for each half hour. Fees for red meters are \$0.25 for a one-time, half-hour parking session. Fees for 12-minute meters are as specified on the meter head and are good for a one-time parking session of 12 minutes.

Forfeitures for parking violations, including expired meters and exceeding meter time limits, shall be in such amounts as established by the Common Council and are payable

immediately. Forfeiture amounts shall double if not paid within five (5) days. For payments made by mail, the City shall consider the date postmarked upon such payment as the date of payment.

For any forfeiture that remains unpaid, a "first collection" letter will be sent to the violator not less than three (3) nor more than four (4) weeks from the date of the original ticket. In the first collection letter, the violator will be requested to make payment to the City within five (5) days. If no payment is received within two (2) weeks of the date such first collection letter is sent, a "second collection" letter will be sent notifying the recipient that his/her debt will be turned over to a collection agency if payment of the forfeiture is not made to the City within ten (10) days. An additional late fee, as determined by the Common Council, shall be assessed on any unpaid ticket for which a second collection letter is sent.

If, after two (2) weeks from the date a second collection letter is sent, payment has still not been received by the City, the ticket shall be placed with a collection agency. Tickets that are turned over to a collection agency shall be subject to all additional charges and interest that may apply. Any individual who has arranged a payment plan with the City Hall Parking Meter Clerk shall not have his/her tickets sent in to collections, provided that he/she is current with payments in accordance with the terms of such plan.

If an individual has more than five (5) unpaid tickets, the City will proceed with the process to suspend the vehicle registration with the Wisconsin Department of Transportation.

ENFORCEMENT AND/OR REVOCATION

All parking permit and sticker holders are subject to these Parking Policies and violations may result in revocation of their parking permit or sticker.

The Parking Enforcement Officers regularly patrol the City to enforce parking regulations. Authority of these regulations and for the issuance of parking citations is derived from Traffic Code Sec. 74-221 of the Municipal Code of the City of Lake Geneva.

The Department of Transportation may refuse renewal of vehicle registration if parking citations are not paid or appealed promptly. Vehicles which accumulate unpaid citations and are found parked within the City will be considered illegally parked and will be towed away and stored at owner's expense.

Unpaid tickets are also subject to the Parking Department's enforcement procedures that can result in additional fines, revocation of parking permit and/or sticker and suspension of motor vehicle registration.

APPEAL PROCEDURES FOR PARKING CITATIONS

Appeals should be made within 24 hours of the violation to the Parking Meter Department at City Hall, 626 Geneva Street, Lake Geneva, WI 53147.

**6.1 MEMORIAL AND DONATIONS****I. PURPOSE**

The purpose of this policy is to establish guidelines, standards and procedures for the installation and care of donated park improvements, either as a result of a cash or physical property donation. These donations may include, but are not limited to the following: park benches, trees, flagpoles, picnic tables, public art, statuary and other appropriate parkland amenities and accessories. The City of Lake Geneva desires to encourage donations from individuals and groups, both public and private, while at the same time managing aesthetic impacts and mitigating on-going maintenance costs.

II. DEPARTMENT RESPONSIBLE

The City Administrator will oversee park memorials and donations.

III. COMMITTEE OVERSIGHT

The Board of Park Commissioners and Common Council will oversee this policy.

Adopted by Common Council	1/25/2010
Amended by Common Council	??/??/2011

Guidelines established by this policy shall apply to all donations to the City of Lake Geneva within its park system. Standards established by this policy will apply to purchased equipment, installation techniques, donation acknowledgements and long-term maintenance of all donations. The standards as set forth in this document may be applied to donations to other City of Lake Geneva departments, though other committees and commissions are not required to utilize this policy. This policy is simply a guideline for accepting donations. Each donation will be reviewed on its own merits and decided on a case-by-case basis. These policies do not create a precedent for the acceptance of memorials or donations.

STANDARDS FOR DONATIONS

Acquisition or Purchase: The City and the community have an interest in ensuring that park elements purchased and installed are of high quality related to style, appearance, durability and ease of maintenance. The City staff will be responsible for the purchase and installation of all park elements. Park elements, such as park benches, shall be standardized where possible.

Appearance and Aesthetics: The City and the community have an interest in ensuring the best appearance and aesthetic quality of public facilities. Park elements and/or their associated donation acknowledgements should reflect the character of the park or facility. The parks system exists for the benefit of the general public and, to that end, donations of statues and works of art which depict an individual are discouraged. All park elements will be installed in such a manner that will not substantially alter the character of a facility or its intended use. It is also a consideration of the City to preserve the shoreline and lake views of Geneva Lake.

Maintenance: Donated park elements and/or their associated donation acknowledgement become City property. Accordingly, the City has the duty to maintain the donation for the expected life cycle of the donation. Life cycles are indicated on the Fee Schedule maintained by the City. The City, at its sole discretion, may choose to replace or remove the donated element. The City shall not be responsible for donations located or installed contrary to the terms of this policy.

Repair: The community has an interest in ensuring that all park elements remain in good repair. In addition, the public has an interest in ensuring that the short and long-term repair costs are reasonable. Repair parts and materials must be readily available. Donated park elements must be of high quality to ensure a long life and be resistant to the elements, wear and tear, and to acts of vandalism. Due to factors beyond the City's control, it cannot guarantee the longevity of the donation.

Cost: The City has an interest in ensuring that the donor covers the full cost for the purchase, installation and routine maintenance (if applicable) during the expected life cycle of the donated park elements. The donation cost shall also include the cost of the donation acknowledgement/memorial plaque. A separate fee schedule is maintained in which the City will detail costs for donations, installation and maintenance.

PROCEDURE FOR MAKING A DONATION

The City of Lake Geneva Board of Park Commissioners will administer all donations located on City park property, with the assistance of the City Public Works Department and generally through recommendations to the Common Council.

Application: The donor must contact the City Administrator or Director of Public Works to determine whether a donation may be accepted based upon criteria contained in this policy. If a donation can be accepted, the donor will complete an application form. Completed applications and payment will be made to the City of Lake Geneva for review and processing by the Board of Park Commissioners.

Approval or Denial: The Board of Park Commissioners, upon determining that the donation request meets the criteria provided in this policy, may approve donations up to \$2,500. Donation offers of trees may be referred to the City of Lake Geneva Tree Board for recommendation. If the value of a proposed donation exceeds \$2,500 or has the potential to adversely impact the shoreline or views of Geneva Lake, the Board of Park Commissioners shall review the application and make an appropriate recommendation to the Common Council and/or the Plan Commission for action on the donation approval of the donation. The Common Council must approve of all donation requests in excess of \$2,500 and statutory donations of any kind prior to the City accepting any such donations.

CRITERIA FOR ACCEPTANCE

Park Plan: To accept donations of park elements for a specific park facility, City staff will determine whether or not the donation falls within the scope of the City's most recent Park Use and Open Space Master Plan, before forwarding the offer to the Board of Park Commissioners.

If no plan exists, the City may accept the donation under certain circumstances. The donation must:

- Be consistent with the intended current or future use of the facility

-Not create an adverse impact on the varied recreational, social, wellness, enjoyment or educational needs of park users

-Not require the relocation of other equipment or infrastructure to accommodate the donation; and

-Must comply with all deed restrictions as well as local, state and federal guidelines (if applicable). ~~In the opinion of the City, a facility may be determined to be fully developed and the opportunity for donations would not be available.~~ The City of Lake Geneva reserves the right to determine, in its sole discretion, which facilities and sites are available for the placement of memorial donations.

Donation Acknowledgements/Memorial Plaques/On-line Registry: Donation acknowledgements and memorial plaques, as approved by the City, will be placed on or near the donated element at the sole discretion of the City. Such acknowledgements and plaques will be made of bronze and purchased through the City unless separate approval is granted. The cost for these items is incorporated in the cost of the donation. In cases where bronze plaques are not feasible, City staff may suggest alternative types. These types will be in character with the intent of this section and acknowledgements shall be tasteful and subtle; the Board of Park Commissioners (<\$2,500) or Common Council (>\$2,500) must approve all text for donation acknowledgements/memorial plaques. If a donation is made anonymously, a plaque may be installed which reads "Donated by Friends of Lake Geneva". If a donation is removed, the donor, if he/she can be contacted, has the option of accepting the remnant of the donation and related plaque. The donor also will be given the option of paying for the replacement of the donation upon its destruction, death of a live planting, or end of its useful life. The City will maintain a registry or record of all donations to the park system.

OTHER DONATIONS

There may be donations possible other than those expressly listed or contained within this policy. The City may accept those donations subject to review of the staff, Board of Park Commissioners, Plan Commission (if necessary), and Common Council. The City also reserves the right to modify or alter certain conditions as set forth in this policy.

CONDITIONS

Location: Although suggestions will be considered for a particular location, placement of park elements will be at the discretion of the Board of Park Commissioners and/or Common Council. The location of monuments or other statuary elements may be subject to the approval of the Plan Commission, as required by law. Donations of trees may be approved subject to the final approval of the City Arborist as to species and planting location.

Installation: Installation of donated park elements, including the donor acknowledgement/memorial plaques, will be completed by City personnel or a third party chosen by the City. The installation will be scheduled at a time and date as determined by the Public Works Department so as to not unnecessarily interfere with routine park maintenance activities.

Removal and/or Relocation: The City reserves the right to remove and/or relocate donated park elements and their associated donation acknowledgements/memorial plaques when they interfere with site safety, maintenance, construction activities or if damaged beyond repair. In accordance with previously stated procedures in this policy, the City will send a letter to each identifiable donor notifying the donor of any action related to the disposition of the donation. In certain situations, such as safety or emergency situations, the notification may be made after the action has been taken. In the event a donation must be permanently removed, the City will, when feasible, seek an alternate location consistent with this policy. If no alternate location can be found, the acknowledgement/memorial plaque and element (if appropriate), at the donors request, may be given to the donor.

Fee Schedule

Costs for certain park components shall be as follows:

Lakefront & Downtown Park Bench including acknowledgement plaque (\$2,200.00). Term of donation up to 10 years.

Park Bench other than Lakefront & Downtown including acknowledgement plaque (\$1,200). Term of donation up to 10 years.

Tree including acknowledgement plaque in ground with species selected from the City's approved planting list (\$400.00 unless special more expensive tree is ordered).

Bike rack including acknowledgement plaque in ground (Minimum \$800 or actual cost for material and labor depending upon the size of the rack). Term of donation up to 15 years.

Standard City Picnic Table (\$600). Term of donation up to 10 years.

Modular Play Equipment (Actual cost of components including labor to assemble and install). Requires City Council approval as cost will exceed \$2,500. Term of donation up to 20 years.

Lakefront & Downtown Trash Receptacle (\$1,400 plus cost of concrete pad if required). Term of donation up to 15 years.

Statuary & Works of Art (Actual cost of purchase and installation. A 10-year maintenance charge shall be estimated and added). Term of donation up to 25 years.

30' Anodized Aluminum Flagpole (\$2,000). Term of donation is 25 years.

Other memorial and donation requests may be accepted at the sole discretion of the City of Lake Geneva.

City of Lake Geneva
Department of Public Works

Park System - Memorial and Donation Application

Name of Donor: _____

Address of Donor:

Phone Number: _____

Home: _____

Other: _____

E-mail: _____

Description of Donation:

Wording on Memorial Acknowledgement:

My signature below indicates that I have received a copy of the Memorial and Donations Policy and agree to all the provisions and procedures as outlined.

Requested by:

(Please Print)

Signature of Donor

Date

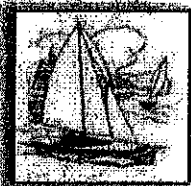
Staff Use Only. Date Received _____ **Staff Initials** _____

Staff Recommendation to City's Board of Park Commissioners: Approve/Deny

Council Review Date: _____ **Approved/Denied**

Order Date: _____

Installation Date: _____

**6.2 RESERVED PARK SPACE USE****I. PURPOSE**

This Policy is intended to regulate the exclusive use of municipally-owned parks, park facilities, park shelters or parts thereof in the City to ensure that the general welfare of the City is protected.

II. DEPARTMENT RESPONSIBLE

The City Clerk and City Administrator will oversee park use reservations.

III. COMMITTEE OVERSIGHT

The Board of Park Commissioners and Common Council will oversee this policy.

Adopted by Common Council	??/??/2011
Amended by Common Council	??/??/2011

City of Lake Geneva parks and park facilities and shelter areas are primarily for the nonexclusive use of the residents and visitors of the City. However, under proper circumstances, exclusive use of the same or parts thereof may be permitted.

FEE AND SECURITY DEPOSIT SCHEDULE

Fee schedule	Non-Profit Org.	Resident	Non-Resident
49 attendees or less	<u>\$ 30</u>	<u>\$ 30</u>	<u>\$ 75</u>
50 to 149 attendees	<u>\$ 55</u>	<u>\$ 55</u>	<u>\$ 125</u>
150 or more attendees	<u>\$ 105</u>	<u>\$ 105</u>	<u>\$ 225</u>

Security Deposit	Non-Profit Org.	Resident	Non-Resident
49 attendees or less	\$ 50	\$ 50	\$ 100
50 to 149 attendees	\$ 100	\$ 100	\$ 150
150 or more attendees	\$ 300	\$ 300	\$ 400

RESERVATION OF PARK SPACE

A person or group, firm, organization, partnership or corporation may reserve the use of a park facility of a park shelter by written application filed with the Board of Park Commissioners at City Hall for a permit for exclusive use of the same. The Board of Park Commissioners shall issue permits for exclusive use of a park or portions thereof. Park facilities are reserved on a first-requested, first-reserved basis after meeting the requirements of the application process. Once approved, the applicant will receive an official RESERVED poster designating shelters or gazebos approved by the Board of Park Commissioners.

Although groups are permitted to congregate in Lake Geneva parks without a reservation, reserved park space has legal priority over any other casual gatherings. To ensure knowledge of reservations, each park will have a bulletin board for posting space and table reservation, park use rules and general information.

A schedule of park reservations will be maintained by the Board of Park Commissioners, City Hall front desk, Street Department and Police Department.

APPLICATION

Applications shall be filed with the Board of Park Commissioners at least 10 days prior to the Board's next regularly scheduled meeting and prior to the date on which the exclusive use of the park or portions of the park is requested. The application shall contain the following information regarding the proposed exclusive use:

- 1) The name, address and telephone number of the applicant.
- 2) If the exclusive use is proposed for a group, firm, organization, partnership or corporation, the name, address and telephone number of the headquarters of the same and responsible and authorized heads or partners of the same.
- 3) The name, address, and telephone number of the person who will be responsible for the use of the said park, area or facility.
- 4) The date when the exclusive use is requested and the hours of the proposed exclusive date.
- 5) The anticipated number of persons to use the said park, area or facility.
- 6) Specific number of picnic tables to be reserved and/or shelter to be reserved.
- 7) Any additional information which the Board may find reasonably necessary to make a fair determination as to whether a permit should be issued.

All applications shall be accompanied by payment of a \$25.00 fee at the time of application, which is non-refundable and used to defray the administrative costs associated with processing of the application.

DEPOSIT

The fee to rent park space for up to an 8 hour period is \$30.00 for Lake Geneva residents and \$75.00 for non-residents. In addition, all applicants must post a second check for \$25.00 as a damage deposit, which will be returned if no damage or excessive clean-up is required.

In addition to the required application fee, all applicants shall post payment of applicable rental fees and security deposit, as outlined on the Fee Schedule. The security deposit will be refunded to the applicant, provided that no damages or police actions occur and no excessive cleanup is required.

PREPAYMENT FOR CITY SERVICES

Certain events utilizing City park areas or facilities may be considered "high impact" in that they require additional services from the City of Lake Geneva due to the size and scope of the events, including: police protection, emergency medical services, fire protection, and public works services. In such cases, it shall be the responsibility of the applicant to cover the costs

incurred by the City for any additional services provided in conjunction with the applicant's use of the park areas or facilities.

In addition to the rental and security deposit amounts as specified in the Fee Schedule, applicants requesting the use of park space or facilities for a "high impact" event shall be responsible for posting an initial payment for City services to be utilized. In determining the appropriate payment amount, City staff will meet with the applicant to review the event proposal and to evaluate it in terms of factors including, but not necessarily limited to, the following: anticipated attendance; location and physical layout of the event area; disruption to motor vehicle traffic; public safety requirements; and parking space needs. Following an assessment of needs and estimate of associated costs, the City will invoice the applicant for the amount of the estimate. Payment must be made to the City in advance of the event.

In the event that the actual costs incurred by the City exceed the amount of the applicant's prepayment, the difference will be calculated and invoiced to the applicant after the event has concluded. If fewer City services are utilized than initially estimated, the City shall apply the difference to the posted payment and refund the balance to the applicant.

ACTION ON APPLICATION

The Board of Park Commissioners shall act promptly on all applications for permits for exclusive park use on a first-come, first-serve basis or, if necessary, after consulting with the applicant.

REASONS FOR DENIAL

Applicants may be denied for any of the following reasons:

- 1) If it is for a use which would involve a violation of Federal or State law or any provision of the Municipal Code.
- 2) If the granting of the permit would conflict with another permit already granted or for which application is already pending.
- 3) If the application does not contain the information required by Subsection 3 above.
- 4) The application is made less than the required days in advance of the scheduled exclusive use.
- 5) If it is for a use of the park or park facility at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the park or park facility is expected and would be seriously adversely affected.
- 6) If the law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement for the city, to the park, park facility or shelter area involved.

- 7) If the City determines that the exclusive use would place an undue burden upon City operations or otherwise impair its ability to provide the requested services.
- 8) The exclusive use will reasonably create a substantial risk of injury to persons or damage to property.
- 9) The exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity.
- 10) Application not completed properly.

INDEMNIFICATION

Prior to granting any permit for exclusive use of the park, the City may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the City and such other third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the exclusive use sufficient to indemnify the City and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.

PERMIT NOT REQUIRED FOR CITY ACTIVITY

A permit is not required for exclusive use of the park or a park facility when sponsored by the City.

PERMIT REVOCATION

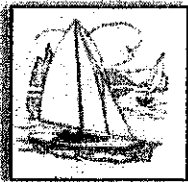
The Common Council, Mayor, Board of Park Commissioners and/or Chief of Police, after granting a permit, may revoke a permit already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the permit.

FORM OF PERMIT

Each permit shall be in a form prescribed by the Board of Park Commissioners and shall designate the park, park facility or shelter area involved, date, hours of the exclusive use, purpose of the exclusive use and the name of the person, group, firm, organization, partnership or corporation to which the permit is issued.

CLASS B FERMENTED MALT BEVERAGE LICENSES

Use of alcoholic beverages in City parks and park facilities is discouraged. However, when fermented malt beverages are to be sold at any event authorized by the Common Council, a valid Fermented Malt Beverage license shall be obtained by the applicant, who shall be responsible for complying with the provisions of the Lake Geneva Municipal Code and any other laws and regulations applicable to the sale of fermented malt beverages. and the provisions of Chapter 11 of the Municipal Code shall be fully complied with. Said license must be held by the person who filed the original license and shall be presented to any law enforcement officer upon request.

**7.1 EMPLOYEE GUIDE****I. PURPOSE**

The Employee Guide is distributed to all new City employees to provide a brief overview of City operations.

II. DEPARTMENT RESPONSIBLE

The City Administrator will ensure that this policy is enforced.

III. COMMITTEE OVERSIGHT

The Personnel Committee and Common Council will oversee this policy.

Adopted by Common Council	10/23/2006
Amended by Common Council	07/11/2011

WELCOME TO THE CITY OF LAKE GENEVA

Dear Employee,

You and the City of Lake Geneva have made an important decision: the City has decided you can contribute to the success of the City, and you have decided that the City of Lake Geneva is the organization where you can pursue and have a productive and enjoyable career. The City believes you and they have made the right decision, one that will result in a mutually beneficial relationship. The minute you start working you become an integral part of the City and its future. Every job in the city is important, and you will play a key role in the continued growth of this community.

As you will quickly discover, our success is based on providing high-quality infrastructure and delivering unsurpassed customer service. How does the City do that? It is done by working very hard and thinking about the citizens' needs. It is done by treating each other and the citizens with respect. It is done by acting as a team, working together. It is done by doing whatever it takes to accomplish those goals.

Should you have any questions concerning the information in this Guide, your employment or employment benefits, please contact your supervisor.

The Mayor, Common Council, and Staff look forward to working with you and hope your career with the City is long and productive.

Again, Welcome to the City Of Lake Geneva

GUIDE TO EMPLOYMENT
WITH
THE CITY OF LAKE GENEVA

RULES AND POLICIES

This summary gives a brief description of the general policies and benefits the City of Lake Geneva provides its employees. For a detailed listing and description of your benefits, refer to your employee Union Contract or Personal Contract. Any questions you may have should be directed to your supervisor or the City Administrator.

All rules and policies are an integral part of your department's Standard Operating Guidelines (SOG). Your Department Head will provide the department SOG's to you when you begin your new career with the City. It is important that you read and understand the rules and policies as they govern how you function in the City work environment.

ROLE OF THE PERSONNEL GUIDE

This Guide is adopted to establish a uniform personnel system for the city of Lake Geneva; the Guide is to be a part of every department's Standard Operating Guidelines.

The personnel policy of the City of Lake Geneva is as follows: **just and equitable conditions of employment shall be established and maintained to promote efficiency as well as economy in the operation of the City.** Employees shall be afforded the opportunity to work in an environment that allows them to succeed. The tenure of good employees covered by this policy shall be subject to good behavior, satisfactory work performance, and the necessity for the performance of the work to the availability of funds.

EMPLOYEES COVERED BY PERSONNEL GUIDE

This Guide applies to all employees of the City of Lake Geneva. Departments have their own SOG's. The Guide does not constitute an expressed or implied employment contract.

The intent and content of this Guide is subject to change at the discretion of the Mayor and Common Council of the City of Lake Geneva.

DESCRIPTION OF THE CITY OF LAKE GENEVA

The City of Lake Geneva is incorporated under the general statutes of the State of Wisconsin. The citizens of the City elect a mayor and eight Council members, who together make up the governing body of the City of Lake Geneva. The Mayor and four council members are elected in even-numbered years and the remaining council members in odd numbered years. The Mayor and Council establish policies, ordinances, set the operating budget, establish wages and salaries and conditions of employment.

The administrative operation of the City is under the direction of the City Administrator, who is hired by the Mayor and Council. The Administrator is responsible for the overall day-to-day operation of the City, supervision of all employees, the administration of the budget as approved by the Council, and the coordination of the activities of all departments. The Staff is responsible to the Administrator for their activities. The Administrator is responsible to the Mayor and Common Council.

MISSION STATEMENT

The City of Lake Geneva seeks to preserve its small city atmosphere, reasonable cost of living and high quality of life by carefully controlling land use and development, and delivering quality programs and services in a fiscally responsible manner.

GOALS

It is the policy of the City of Lake Geneva to provide quality services to its citizens and visitors. City Staff will work to provide these services in the most professional, ethical, courteous, cost efficient and effective manner.

MANAGEMENT PHILOSOPHY

By working hard, thinking about our citizens' needs, working together as a team, and doing whatever it takes, we will provide to the citizens of Lake Geneva quality services in a professional manner.

EMPLOYEE BENEFIT SUMMARY

Direct Deposit

All employees of the City are required to participate in a direct deposit program for their wages. You may choose the banking system for this deposit.

Employee Assistance Program

You and your family are encouraged to use the Employee Assistance Program for help in addressing confidential family and financial matters. The EAP services are provided through Aurora EAP. Please call 800-236-3331 for help.

Wisconsin Retirement

Full time permanent employees are covered under the Wisconsin Retirement System. The WRS provides you with separation, disability, and retirement benefits upon termination of your career with the City.

The following benefits are covered in-depth in your contract: Bereavement Leave, Educational Assistance, Holidays, Insurance, Leave of Absence, Sick Leave, Tax-sheltered Benefits, Vacation, and Workers' Compensation.

The City of Lake Geneva conforms with and follows all State and Federal laws and policies pertaining to the following:

Americans with Disabilities Act

Immigration Reform and Control Act

Title VII of the Civil Rights Act

Wisconsin Fair Employment Act

Family Medical Leave Act

Uniformed Services Employment and Re-employment Rights Act

Occupational Safety and Health Act (OSHA)

Equal Employment Opportunity Act (EEO)

Sexual Harassment Law

Consolidated Omnibus Budget Reconciliation Act (COBRA)

Health Insurance Portability and Accountability Act (HIPPA)

Wisconsin Worker's Compensation Law

Wisconsin Unemployment Compensation Law

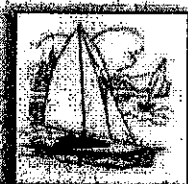
Fair Labor and Standards Act

Age Discrimination in Employment Act.

Full descriptions of these Laws and Acts can be read on the internet or found in books at your local library.

NOTE:

This Guide provides only a brief outline of your employment responsibilities and benefits. Detailed explanations can be found in your contracts and Department Operating Guides. All benefits and conditions are subject to specific provisions of plan documents, and legal policies, rules and laws of the City, State, and Federal Governments. **This guide is subject to change from time to time by action of the City of Lake Geneva Common Council as may be determined necessary.**



7.2 PRIVACY POLICY

I. PURPOSE

This policy discusses the City website and internet usage.

II. DEPARTMENT RESPONSIBLE

The City Administrator will ensure that this policy is enforced.

III. COMMITTEE OVERSIGHT

The Common Council will oversee this policy.

Adopted by Common Council	08/14/2006
Amended by Common Council	07/11/2011

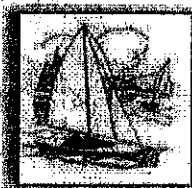
In the State of Wisconsin, laws exist to ensure that government is open and that the public has a right to access appropriate records and information possessed by City Government. At the same time, there are exceptions to the public's right to access public records that serve various needs: the privacy of individuals is included among these exceptions. Both state and federal laws provide exceptions.

We strive to protect personally identifiable information by collecting only information necessary to deliver our services. All information collected at this site becomes public record that may be subject to inspection and copying by the public, unless an exemption in law exists. Privacy Act of 1974 may protect personal identifiable information.

In the event of a conflict between this Privacy Notice and the Wisconsin Open Records Law or other law governing the disclosure of records, the Wisconsin Open Records Law or other applicable law will control.

Disclaimer

cityoflakegeneva.com has links to other web sites. These include links to web sites operated by other government agencies, nonprofit organizations and private businesses. When you link to another site, you are no longer on cityoflakegeneva.com and this Privacy Notice will not apply. When you link to another web site, you are subject to the privacy policy of that new site.

**7.3 DRUG AND ALCOHOL TESTING****I. PURPOSE**

This policy establishes an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse and use of these substances by drivers of commercial motor vehicles.

II. DEPARTMENT RESPONSIBLE

The City Administrator, Director of Public Works, and Street Superintendent serve as the City Designated Representatives (CDRs) and will consequently monitor this policy.

III. COMMITTEE OVERSIGHT

The Personnel Committee and Common Council will oversee this policy.

Adopted by Common Council	08/14/2006
Amended by Common Council	07/11/2011

STATEMENT OF POLICY

City of Lake Geneva recognizes that the use and/or abuse of alcohol and controlled substances by drivers of commercial motor vehicles presents a serious threat for the safety and health of the driver and the general public. It is the policy of the city of Lake Geneva that its drivers and support personnel should be free of drugs and alcohol. In order to further our goal of obtaining a drug-free and alcohol-free transportation system, and to come into compliance with the Omnibus Transportation Employee Testing Act of 1991, City of Lake Geneva has implemented a drug and alcohol testing program which is designed to help reduce and avoid traffic accidents and injuries to our employees and the public, to discourage substance and alcohol abuse, and to reduce absenteeism, accidents, health care costs, and other drug and alcohol related problems.

The City Administrator, Director of Public Works, and Street Superintendent shall be the City Designated Representatives (CDRs) to receive all information and/or reports from the Medical Review Officer, the Breath Alcohol Technician, the Substance Abuse Professional and the laboratories. The CDRs are also the primary contacts for driver inquiries relating this policy and the Federal Highway Administration (FHWA) regulations.

PURPOSE

The Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued Federal Regulations including Title 49 CFR implementing the provisions of the Federal Omnibus Transportation Employee Testing Act of 1991 which requires alcohol and controlled substance testing of drivers who are required to have a commercial driver's license (CDL). These regulations include detailed procedures for urine drug testing and breath alcohol testing of employees in safety sensitive positions.

The purpose of this policy, then, is to establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse and use of these substances by drivers of commercial motor vehicles. Consequently, City of Lake Geneva has established the following alcohol misuse prevention program and anti-drug program, as well as the subsequent enforcement of violations for its employees conducting safety-sensitive job functions. Any test results for alcohol or drugs conducted in accordance with this policy are not to be used to infer that a person is an alcoholic or chemically dependent. Testing under this policy is meant to determine an employee's qualifications to perform safety-sensitive work only, not to determine an employee's status as an alcoholic or drug addict.

COVERAGE

For purposes of this policy, City of Lake Geneva and the DOT strictly prohibit the use of alcohol and/or controlled substances by its employees and volunteers who are performing, ready to perform, or ceasing to perform the following safety-sensitive job functions:

1. operation of a commercial motor vehicle;
2. waiting to be dispatched, unless the driver has been relieved of duty;
3. inspecting, servicing or conditioning the commercial motor vehicle;
4. being in or on a commercial motor vehicle, while resting or otherwise;
5. loading or unloading, including supervising or assisting in loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, giving or receiving receipts for a shipment being loaded or unloaded;
6. securing the vehicle and taking all of the other precautionary measures required by 49 C.F.R. section 392.40 and 392.41 following an accident;
7. repairing, obtaining assistance, or attending a disabled commercial motor vehicle.

Before performing an alcohol or controlled substances test under the requirements of the DOT rules and regulations, employees being tested shall be notified that the alcohol and/or controlled substances test is required by 49 CFR Part 382.

PROHIBITED CONDUCT

Employer policies and Federal Regulations prohibit employees from engaging in any of the following conduct:

1. Using, possessing, dispensing, distributing or receiving alcohol, intoxicants, illegal drugs or other controlled substances on Employer premises, or while engaged in Employer business;
2. Reporting to work under the influence or with any measurable amount of alcohol, intoxicants, illegal drugs, or other controlled substances in their system as defined by the DOT regulations;
3. Reporting to work under the influence of a prescription drug, unless the employee's physician determines that the use of the prescription drug will not adversely affect the employee's ability to perform a safety-sensitive position. Note that the Federal

Regulations include prescription medications containing alcohol in the substances banned from use in the workplace. Therefore, employees should not report for duty while taking prescription medication if such medication contains any measurable amount of alcohol;

4. Consuming any amount of alcohol, intoxicants, illegal drugs, or other controlled substances while on duty or within four (4) hours of reporting for duty.
5. Performing safety-sensitive functions for 24 hours following an alcohol test result indicating an alcohol concentration of 0.02 but less than 0.04.
6. Refusing to undergo or cooperate in any alcohol or drug testing required by this Policy. This includes not reporting in a timely manner for testing.
7. Other prohibited conduct as specified in Appendices A and B attached hereto.
8. Conduct contrary to other City work rules that are not specifically cited in this policy, and that are not inconsistent with this policy remain in full force and effect.

PROHIBITED ALCOHOL USAGE

Safety sensitive employees may not consume alcohol:

1. Four (4) hours before performing a safety-sensitive function;
2. While performing a safety-sensitive function;
3. After an accident which involves the loss of a human life, serious personal injury, or if the driver receives a citation under state or local law for a moving violation arising from a DOT accident involving an injury or towing (unless the employee has been tested or eight (8) hours have elapsed from the actual time of the incident).

PROHIBITED USE OF CONTROLLED SUBSTANCES

The unauthorized use of any controlled substances is strictly prohibited in all employment situations.

REQUIRED TESTS

All time spent undergoing alcohol or controlled substance testing, including travel time and expenses if applicable, shall be paid at the employee's regular rate of pay or his/her overtime rate of pay if applicable. Any employee who is not allowed to return to work while awaiting test results shall be paid during the waiting period.

Refusal to take a required test will result in removal of that employee from their assignments which, in turn, may result in discipline up to and including discharge (see Appendix C of this policy for progressive disciplinary procedures).

Testing must be conducted in the following situations:

- 1. Pre-employment Testing** – Any individual not currently employed by City of Lake Geneva who is applying for a safety-sensitive position shall be required to undergo drug testing after a conditional offer of employment has been made.

Prior to the first time an existing employee performs safety-sensitive functions for this Employer (i.e. new position, job transfer, promotion, new duties, etc.), the employee shall be required to undergo testing for controlled substances.

Any applicant or existing employee who refuses to undergo such alcohol drug testing will be disqualified from further consideration for employment in a safety-sensitive position.

- 2. Reasonable Suspicion Testing** – In a situation where an employee is either acting in an impaired manner or the supervisor has reasonable suspicion to believe the employee is using or is under the influence of alcohol or drugs, the supervisor may order the employee to undergo a drug or alcohol test. The supervisor may, but need not, seek a corroborating opinion from another supervisor prior to immediately removing the employee from the job and sending the employee for drug or alcohol testing.

As specified in the Regulations, supervisors will be trained on the effects and consequences of alcohol and drug use in the workplace, as well as indicators of probably alcohol misuse and use of controlled substances.

Reasonable suspicion means suspicion based on a specific, contemporaneous, personal observation by a trained supervisor or another Employer representative, that can be described regarding the appearance, behavior, job performance, speech or breath or body odors of an employee. Reasonable suspicion drug or alcohol testing will only occur under this policy if the supervisor's observations are made

during, just before, or just after the time the employee is performing work in a safety-sensitive position.

Once the employee has been removed from the job, the supervisor is to contact the City Administrator. If contact cannot be made at that time, the supervisor is to proceed through the next step of this procedure and make contact with the City Administrator as soon thereafter as possible.

The supervisor is to then immediately take the employee to the collection site for drug and/or alcohol testing. If the drug or alcohol test is conducted more than two (2) hours, but less than eight (8) hours, after the supervisor determines there is reasonable suspicion to believe the employee is under the influence of alcohol or controlled substances, the supervisor will complete a report explaining the reason for the delay in conducting the drug or alcohol test. The supervisor is to wait at the clinic with the employee until the breath test has been completed or the urine sample has been taken.

Once the drug and/or alcohol testing has been completed and if a positive confirmation test for alcohol has been received (0.02 percent or above), the employee will be removed from their safety-sensitive position, and will be directed to find transportation home from the employment or collection site. The employee will not be allowed to drive their vehicle with this positive result.

The employee will be advised not to return to work and will be placed on administrative leave without pay pending results of the drug test. The Employer will contact the employee once the test results are known (This normally takes 24-48 hours) and a decision has been made as to the employee's status. If the alcohol and drug tests are both negative, the employee will be allowed to resume his safety-sensitive position. If the BAC is between .02 and .039, the employee will be put "out of service" for 24 hour as prescribed by the Act. The employee will not be permitted to work while "out of service".

Once the test has been completed and the employee has been sent home, the supervisor must submit a written report to the City Administrator outlining, in detail, the event and the behavior observed that led the supervisor to believe the employee was under the influence of alcohol and/or drugs. This report must be done within 24 hours of the testing.

The results of the drug or alcohol testing will be sent directly to the City Administrator. When the results are obtained, the employee's supervisor and department head will meet with the City Administrator to determine the appropriate course of action to be taken. This is a confidential process. Test results

will be held strictly confidential and are not to be discussed or shared with anyone who does not need to know. Likewise, a supervisor must not discuss the suspected reason for a referral or disciplinary action with anyone who does not need to know.

3. **Random Testing** – Random alcohol testing will be conducted just before, during, or just after an employee's performance of safety-sensitive duties. The employee will be randomly selected for testing from a "pool" of employees subject to testing. The testing dates and times are unannounced and will occur with unpredictable frequency throughout the year. Random drug testing is not limited to being conducted just before, during, or just after a safety sensitive function and will occur unannounced and with an unpredictable frequency throughout the year.

The minimum annual percentage rate for random alcohol testing shall be 25 percent and the minimum annual percentage rate for random drug testing shall be 50 percent of the average number of employees in safety-sensitive positions. The employer reserves the right to either increase or decrease the minimum annual percentage rate for random alcohol and drug testing required by the Federal Highway Administration and the Federal Regulations implementing drug and alcohol testing in the transportation industry.

The selection of employees for random testing shall be made by a firm contracted for such services by the city, using a scientifically valid method. This method will be a computer-based random number generator that is matched with an assigned employee number. Under this selection process, each employee will have an equal chance of being tested each time selections are made. As a result, some employees may be tested more than once each year, while other employees may not be tested at all.

In the event an employee tests positive for either alcohol or controlled substances, the employee may be subject to disciplinary action up to and including discharge (see Appendix C of this policy for progressive disciplinary procedures).

4. **Post-Accident Testing** – As soon as practicable following an accident involving a commercial motor vehicle, the City shall test the safety sensitive employees who may have contributed to an accident for alcohol and controlled substances. This policy may require testing even if the employee(s) involved is not at fault. This testing will be required if a) the accident involved the loss of human life, or b) if the driver receives a citation under state or local law for a moving violation arising from an accident, or c) in accordance with statutory criteria for individuals holding a CDL.

Testing will be conducted as soon as practicable following the accident. The alcohol breath test should be administered within two (2) hours, but not more than eight

(8) hours, following the accident and the drug test must be administered within thirty-two (32) hours of the accident.

An employee who is subject to post-accident testing shall remain readily available and report promptly for such testing or may be deemed by the Employer to have refused to submit to testing.

5. **Return To Duty/Follow Up Testing** – The Employer will ensure that before an employee returns to duty requiring the performance of a safety sensitive job function after engaging in conduct prohibited in the Policy, the driver shall undergo a return-to-duty alcohol and/or controlled substance test with a result indicating an alcohol concentration of less than 0.02 and a verified negative result for controlled substance use.

In any event, an employee will not be allowed to return to duty without first having been evaluated by the Employer's substance abuse professional (SAP), or by another professional who has been deemed qualified by City of Lake Geneva, in order to determine the employee's fitness-for-duty.

Following a determination that an employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the Employer will ensure that the employee is subject to unannounced follow-up alcohol and/or controlled substances testing in consultation with a substance abuse professional. Consequently, the employee will be given at least six (6) random tests during the 12 month period after returning to duty with the possibility of follow-up testing for up to sixty (60) months after the employee returns to duty.

TESTING PROCEDURES

Testing may be done on both urine and breath. All drug and alcohol testing will be conducted in conformance with the procedures and rules established by the Federal Omnibus Transportation Employee Testing Act of 1991 and its implementing regulations.

A. Alcohol Testing

Employees will be required to submit to breath testing using an approved Evidential Breath Testing (EBT) device. A certified Breath Alcohol Technician (BAT) will administer an initial screening test. If the employee tests positive for alcohol, then the BAT will conduct a confirmation test. All procedures and steps used in conducting both the initial and confirmation tests will be performed in conformance with the Federal

Law and Federal Regulations. Alcohol testing shall be conducted in accordance with procedures set out in Appendix A.

B. Testing for Controlled Substances

For purposes of this Policy, the Employer will utilize a five (5) panel drug screen consisting of the following drugs:

1. Tetrahydrocannabinol (marijuana drug)
2. Cocaine
3. Amphetamines
4. Opiates (including heroin)
5. Phencyclidine (PCP)

City of Lake Geneva has entered into an agreement with Aurora Lakeland Medical Center Occupational Health to provide the services of a medical review officer (MRO). Controlled substances testing shall be conducted by a DHHS-certified laboratory and in accordance with procedures set out in Appendix B.

RESULTS OF A POSITIVE TEST

Employees that violate any of the requirements of Title 49 CFR Part 382 shall be subject to the penalty provisions of 49 U.S.C. 521(b). The FHWA will also disqualify drivers for one year, under the procedures in 49 CFR Part 386, if a driver refuses to submit to a post-accident test after a fatal accident.

A. Alcohol

Any employee who tests positive for alcohol concentrations of 0.02 or higher is subject to discipline, up to and including termination (see Appendix C of this policy for progressive disciplinary procedures).

If a confirmation alcohol test measures 0.04 or greater, the Employer is required to:

- a. Remove the employee from the safety-sensitive position;
- b. Re-test to verify the employee's alcohol concentration is below 0.02;
- c. Refer the employee to a mental health professional for assessment and a subsequent determination of an alcohol problem; and

- d. The employee will subsequently be given at least six (6) random tests, during the next year with the possibility of follow-up testing for up to sixty (60) months.

If the confirmation test is between 0.02 and 0.039, the employee will be removed from his/her safety-sensitive position for a minimum of 24 hours or until a subsequent breath alcohol test shows a result below 0.02.

In the event that an employee is required to comply with breath testing as a result of a law enforcement investigation, the test will be enforceable for purposes of this Policy if the testing officer is a qualified BAT, certified by the federal government and the EBT that was used for the test has been certified by the State of Wisconsin or a local law enforcement agency.

B. Controlled Substances

As with an alcohol misuse violation, any employee who tests positive for controlled substances is subject to discipline, up to and including termination (see Appendix C of this policy for progressive disciplinary procedures), the Employer is required to act upon a positive drug test result in the following manner:

- a. Remove the employee from the safety-sensitive position. This removal will only take place after the employee has been allowed to meet or speak with a medical review officer (MRO) to determine if the positive drug test did not result from the unauthorized use of a controlled substance
- b. Refer the employee to mental health professional for assessment and subsequent compliance with recommended rehabilitation after a determination of a drug problem has been made;
- c. Employee must be evaluated by a substance abuse professional or MRO and determined to be fit to return to work prior to their release of the employee; and
- d. Employee must have a negative result on a return-to-duty test. Follow up testing to monitor the employee's continued abstinence from drug use may be required for a period not to exceed sixty (60) months.

PRESCRIPTION DRUGS

It is the responsibility of the employee to inform his/her physician of the type of safety-sensitive function that the employee performs in order that the physician may determine if the prescribed substance could interfere with the safe and effective performance of the employee's duties or operation of Employer equipment. However, as required by Federal

Regulations, any employee who tests positive for alcohol will be removed from his/her position, even though the reason for the positive alcohol test is the fact that the employee's prescription medication contains alcohol.

CONFIDENTIALITY OF RECORDS

The Employer respects the confidentiality and privacy rights of all of its employees. Accordingly, the results of any test administered under this Policy or other assessment or treatment program will not be revealed by the Employer to anyone except as required by law. The Employer will release an employee's records as directed by the express written consent of the employee authorizing release to an identified person. In addition, the Employer will ensure that any lab or agency used to conduct testing under this Policy will maintain the confidentiality of employee test records. However, the lab or testing agency will disclose information related to a positive drug or alcohol test of an individual to: the individual being tested; the Employer; the decision maker in a lawsuit, grievance, or other proceeding by or on behalf of the individual which arises from any action taken in response to a positive drug or alcohol test; or as required by law, including court orders or subpoenas.

The medical review officer (MRO) will not reveal individual test results to anyone except the Employer, unless the MRO has been presented with a written authorization from the tested employee. The MRO may reveal to the Employer, without an authorization, relevant information as to whether the employee is qualified to perform safety-sensitive functions or whether the employee has tested positive for alcohol or a controlled substance. The Employer will not release information on the employee's qualifications to perform safety-sensitive functions to a third party without first obtaining the test employee's written authorization and consent.

All records relating to drug and alcohol tests of individual employees will be maintained in individual files at the City Administrator's Office, separate from the employee's personnel file. These records will be stored in a locked cabinet and access will only be allowed to those employees who have a legitimate need to review the records of a particular employee. These records will be held strictly confidential and are not to be discussed or shared with anyone who does not need to know.

APPENDIX A

TESTING PROCEDURES FOR ALCOHOL

1. Drivers directed to undergo alcohol testing shall proceed immediately to the designated test site as instructed.
2. Drivers shall follow all procedures and instructions given by the Breath Alcohol Technician (BAT) including completing, signing, initialing, and/or dating any required forms or log books. Failure to do so shall be considered a refusal to test except that it shall not be considered a refusal to test when a driver tests less than 0.02 alcohol concentration and the driver fails to: (1) sign the certification in Step 4 of the Breath Alcohol Testing Form, or (2) fails to initial the log book entry for a test.
3. The testing site shall provide visual and aural privacy to the driver, sufficient to prevent unauthorized persons from seeing or hearing test results. All necessary equipment, personnel and materials for breath testing shall be provided at the location where the testing is conducted.
4. No unauthorized persons shall be permitted access to the testing location when the EBT remains unsecured or, in order to prevent such persons from seeing or hearing test results, at any time when testing is being conducted.
5. In unusual circumstances (e.g. when it is essential to conduct a test outdoors at the scene of an accident), a test may be conducted at a location that does not fully meet the requirements of paragraph 3, above. In such cases, the driver shall be provided visual and aural privacy to the greatest extent practicable.
6. The BAT shall supervise only one driver's use of the EBT at a time and shall not leave the alcohol testing location while the testing procedure for a given driver is in progress.
7. Upon entering the test site, the driver shall be required to provide the BAT with positive identification. Positive identification may take the form of a photo I.D. card or identification by a supervisor or City official. On request of the driver, the BAT shall provide positive identification to the driver.
8. If a screening test of a driver indicates the breath alcohol concentration of less than 0.02, no further alcohol testing of that driver shall be conducted during this testing event.

9. If the result of a screening test of a driver indicates a breath alcohol concentration of less than 0.02 the BAT shall transmit the result to the City in a confidential manner, and the City shall receive and store the information as to ensure that confidentiality is maintained.
10. If the result of a screening test of a driver indicates a breath alcohol concentration of 0.02 or greater, the driver shall be required to undergo a confirmation test.
11. If the confirmation test will be conducted by a different BAT, the BAT who conducts the screening test shall complete and sign the Breath Alcohol Testing Form and log book entry. The BAT shall provide the driver with copy 2 of the form.
12. If a BAT other than the one who conducted the screening test is conducting the confirmation test, the driver shall be required to provide positive identification in accordance with paragraph 7, above, to the new BAT and the driver may request positive identification of the new BAT.
13. The driver shall not eat, drink, put any object or substance in his or her mouth, and to the extent possible, not belch during a waiting period before the confirmation test. This waiting period begins with the completion of the screening test, and shall not be less than 15 minutes.
14. The confirmation test shall be conducted within 20 minutes of the completion of the screening test.
15. If a BAT other than the one who conducted the screening test is conducting the confirmation test, the new BAT shall initiate a new Breath Alcohol Testing Form. The driver shall then complete Step 2 on the form, signing the certification. Refusal of the driver to sign the certification shall be deemed a refusal to test.
16. Refusal by the driver to complete and sign the Breath Alcohol Testing Form (Step 2), to provide breath, to provide an adequate amount of breath, or otherwise to cooperate with the testing process in a way that prevents the completion of the test shall be noted by the BAT in the "Remarks" section of the form. The testing process shall be terminated and the BAT shall immediately notify the City-Designated Representative (CDR).
17. Refusal by the driver to complete and sign the Breath Alcohol Testing Form (Step 2), to provide breath, to provide an adequate amount of breath, or

otherwise to cooperate with the testing process in a way that prevents the completion of the test shall be deemed a refusal to test.

18. If a screening or confirmation test cannot be completed, or if an event occurs that would invalidate the test, the BAT shall, if practicable, begin a new ~~screening or confirmation test, as applicable, using a new Breath Alcohol~~ Testing Form with a new sequential test number.

19. If driver is unable, or alleges that he or she is unable, to provide an amount of breath sufficient to permit a valid breath test because of medical condition, the BAT shall again instruct the driver to attempt to provide an adequate amount of breath:

- a. If the driver refuses to make the attempt, the BAT shall immediately inform the CDR.
- b. If the driver attempts and fails to provide an adequate amount of breath, the BAT shall so note in the "Remarks" section of the breath alcohol form and immediately inform the CDR.
- c. If the driver attempts and fails to provide an adequate amount of breath, the CDR shall direct the driver to obtain, as soon as practicable after the attempted provision of breath, an evaluation from a licensed physician, who is acceptable to the City concerning the driver's medical ability to provide an adequate amount of breath.
- d. If the licensed physician determines, in his or her reasonable medical judgment, that a medical condition has, or with a high degree of probability, could have, precluded the driver from providing an adequate amount of breath, the driver's failure to provide an adequate amount of breath shall not be deemed a refusal to take a test. The physician shall provide to the City a written statement of the basis for his or her conclusion.
- e. If the licensed physician, in his or her reasonable medical judgment, is unable to determine that a medical condition has, or with a high degree of probability, could have, precluded the driver from providing an adequate amount of breath, the driver's failure to provide an adequate amount of breath shall be deemed a refusal to take a test. The physician shall provide to the City a written statement of the basis for his or her conclusion.

APPENDIX B

TESTING PROCEDURES FOR CONTROLLED SUBSTANCES

1. Drivers directed to undergo a controlled substances test shall proceed immediately to the designated collection site as instructed.
2. Drivers shall follow all procedures and instructions given by the collection site person. Failure to do so shall be considered a refusal to test.
3. The collection site person shall collect a urine sample from the driver in accordance with DHHS-approved procedures.
4. Drivers shall provide at least 45mL of urine for testing. Drivers who fail to provide at least 45mL of urine shall be subject to the provisions of paragraph 19, below.
5. The collection site person shall divide the specimen into two containers. One container shall contain at least 30mL of urine and shall be the primary specimen. The other container shall contain at least 15mL of urine and shall be the split specimen.
6. Both containers shall be shipped in a single shipping container, together with copies 1 and 2, and the split specimen copy of the chain of custody form, to the laboratory.
7. The laboratory shall log in the split specimen with the split specimen with the split specimen seal remaining intact. The laboratory shall store the split specimen securely in accordance with approved procedures.
8. The primary specimen shall undergo a screening test for the presence of controlled substances. If the screening test detects the presence of controlled substances, the primary specimen shall undergo a confirmation test.
9. If the result of the test of the primary specimen is negative, the laboratory may discard the split specimen.
10. The MRO shall review all primary specimen results. If the result of the test of the primary specimen is confirmed positive for the presence of controlled substances, the MRO shall notify the driver that the driver has 72 hours in which to request a test of the split specimen if the confirmed positive test is verified as positive. If the result of the test of the primary specimen is negative, the MRO shall have the authority to direct an employee to undergo a retest for the presence of controlled substances if, upon review of those results, the MRO has reason to believe the primary specimen has been adulterated.

11. If the primary specimen tests confirmed positive for the presence of controlled substances, the driver may request, in writing, that the MRO direct that the split specimen be tested in a different DHHS-certified laboratory for presence of the drug(s) or drug metabolite(s) for which a positive test result was obtained in the test of the primary specimen. The MRO shall honor such request if it is made within 72 hours of the driver having been notified of a verified positive test result. The driver shall be responsible for any and all costs associated with having the split specimen tested.
12. If the driver has not contacted the MRO within 72 hours the driver may present to the MRO information documenting that serious illness, injury, inability to, contact the MRO, lack of actual notice of the verified positive test, or other circumstances unavoidably prevented the driver from timely contacting the MRO. If the MRO concludes that there is a legitimate explanation for the driver's failure to contact the MRO within 72 hours, the MRO shall direct that the reanalysis of the primary specimen or analysis of the split specimen, as applicable, be performed. The driver may not request a reanalysis of the primary specimen.
13. If the result of the test of the primary specimen is positive, the laboratory shall retain the split specimen in frozen storage for 60 days from the date on which the laboratory acquires it. Following the end of the 60-day period, if not informed by the MRO that the driver has requested a test of the split specimen, the laboratory may discard the split specimen.
14. If the MRO directs the first laboratory in writing to forward the split specimen to a second DHHS-certified laboratory, the second laboratory shall analyze the split specimen by GC/MS to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen. Such GC/MS confirmation shall be conducted without regard to the cutoff levels established by DHHS. The split sample shall be retained in long-term storage for one year by the laboratory conducting the analysis of the split specimen (or longer if litigation concerning the test is pending).
15. The result of the test of the split specimen shall be transmitted by the second laboratory to the MRO.
16. If the analysis of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, or if the split specimen is unavailable, inadequate for testing or untestable, the MRO shall cancel the test and report the cancellation and the reasons for it to the DOT, the CDR and the driver.
17. A driver whose primary specimen tests confirmed positive for the presence of controlled substances and who requests, in accordance with paragraph 11, above,

that the split specimen be tested, shall not be permitted to perform safety-sensitive functions pending the outcome of such test but, shall be suspended without pay and subject to further disciplinary action. However, if the test of the split specimen does not reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, the driver shall be paid his/her straight time salary for all regularly-scheduled shifts he or she would have worked had the suspension not occurred.

18. If the result of a test of the split specimen fails to reconfirm the presence of the controlled substances found in the primary specimen, the MRO shall cancel the test and report the reasons for it to the DOT, the City and the driver.

19. a. If the driver is unable to provide the required 45mL of urine, the driver shall be instructed to drink not more than 24 ounces of fluids and, after a period of up to two hours, again attempt to provide a complete sample using a fresh collection container. The original insufficient specimen shall be discarded.
- b. If the driver is still unable to provide an adequate specimen, the insufficient specimen shall be discarded, testing discontinued, and the laboratory shall notify the City of the driver's inability to provide an adequate sample.
- c. The MRO will refer the driver for a medical evaluation to develop pertinent information concerning whether the driver's inability to provide an adequate specimen is genuine or constitutes a refusal to test. (In pre-employment testing situation, the City will determine whether or not to hire the employee, and the MRO is not required to make such a referral.) Upon completion of the examination, the MRO shall report his or her conclusions to the City in writing.
- d. If the MRO determines that the driver's inability to provide an adequate sample is not genuine, the driver shall be deemed to have refused to test.

APPENDIX C

PROGRESSIVE DISCIPLINE FOR DRUG AND ALCOHOL ENFORCEMENT

Pursuant to the Federal mandated Omnibus Transportation Employee Testing Act of 1991, the City of Lake Geneva has developed and implemented a drug and alcohol testing program that is aimed at protecting the safety of the employee and his/her co-workers. The following progressive discipline is specifically outlined in order to ensure a fair and consistent application of this policy. Unless specified to the contrary, all discipline will be removed from the personnel file after five (5) years from the last occurrence.

ALCOHOL

Alcohol Concentrations of equal to or greater than 0.02 to less than 0.4:

"Beginning of Work Shift"

1st Offense Assign to non-safety sensitive function for 24 hours post-test (removed from file after 18 months with no further violations).

2nd Offense Assign to non-safety sensitive function for 24 hours post-test plus referral to mental health professional for mandatory assessment (removed from file after 18 months with no further violation).

3rd Offense Suspension without pay for balance of day plus one additional days suspension and mandatory assessment.

4th Offense Review facts on a case by case basis (possible discharge after review).

"During or End of Work Shift"

1st Offense Assign to non-safety sensitive function for work performed within 24 hours of a positive post-test.

2nd Offense Suspension without pay for balance of day plus one additional days suspension and mandatory assessment.

3rd Offense Suspension without pay for balance of day plus five additional days suspension.

4th Offense Discharge.

Alcohol Concentrations equal to or greater than 0.04:

"Beginning of Work Shift"

1st Offense Suspension without pay for balance of day plus mandatory assessment.

2nd Offense Suspension without pay for balance of day plus three additional days suspension and one year random testing in addition to required follow-up testing.

3rd Offense Discharge.

"During or End of Work Shift"

1st Offense Suspension without pay for balance of day plus five additional days suspension, mandatory assessment and one year random testing in addition to required follow-up testing.

2nd Offense Discharge.

REFUSAL TO COMPLY WITH POLICY REQUIREMENTS

1st Offense Suspension without pay for balance of day plus five additional days suspension, mandatory assessment and one year random testing in addition to required follow-up testing.

2nd Offense Discharge.

CONTROLLED SUBSTANCES

1st Offense Suspension without pay for balance of day plus five additional days suspension, mandatory assessment and one year random testing in addition to required follow-up testing.

2nd Offense Review on a case by case basis (possible discharge after review).

CONTACTS
INFORMATION AND ASSISTANCE

City-Designated Representatives (CDRs)

City Administrator, Dennis Jordan, (262)248-3673

Director of Public Works and Utilities, Daniel S. Winkler, (262)248-2311

Street Superintendent, Ron Carstensen, (262) 248-6644

Substance Abuse Professional (SAP)

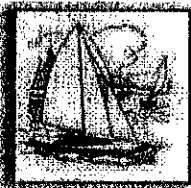
Aurora Lakeland Medical Center Occupational Health

Medical Review Officer (MRO)

Aurora Lakeland Medical Center Occupational Health

Union Representative

The Labor Association of Wisconsin, Inc., Benjamin M. Barth, (800) 657-0742



7.4 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

This policy presents the City's commitment to being an equal opportunity employer.

II. DEPARTMENT RESPONSIBLE

The City Administrator is responsible for ensuring that all applicants to vacant City positions are given equal evaluation and consideration.

III. COMMITTEE OVERSIGHT

The Personnel Committee and Common Council will work with the City Administrator to guarantee equal employment opportunities to all applicants.

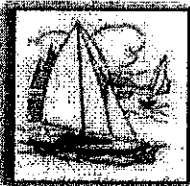
Adopted by Common Council	07/11/2011
Amended by Common Council	

EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Lake Geneva will be based on merit, qualifications, and abilities. Lake Geneva does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability or any other characteristics protected by law.

Lake Geneva will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including, selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the City Administrator. Employees can raise concerns and make reports without fear or reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

**7.5 NEPOTISM****I. PURPOSE**

This policy presents the City's commitment to minimizing favoritism and bias by restricting employment of relatives.

II. DEPARTMENT RESPONSIBLE

The City Administrator is responsible for ensuring that this policy is enforced.

III. COMMITTEE OVERSIGHT

The Personnel Committee and Common Council will work with the City Administrator to reduce favoritism and bias within the workplace.

Adopted by Common Council	07/11/2011
Amended by Common Council	

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee moral. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by Lake Geneva may be hired only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority within the organization. This policy applies to any relative, higher or lower in the organization, who has the authority to review employment decisions. Lake Geneva employees cannot be transferred into such a reporting relationship

If the relative relationship is established after employment, the individuals concerned will decide who is to be transferred. If that decision is not made within 30 calendar days, management will decide.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassigning or terminated from employment.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

**7.6 IMMIGRATION LAW COMPLIANCE****I. PURPOSE**

This policy presents the City's commitment to complying with immigration law relating to the hiring of US citizens and aliens authorized to work in the United States.

II. DEPARTMENT RESPONSIBLE

The City Administrator is responsible for ensuring that this policy is enforced.

III. COMMITTEE OVERSIGHT

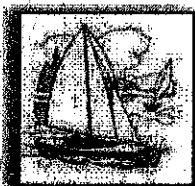
The Personnel Committee and Common Council will work with the City Administrator to make sure all staff is legally employed.

Adopted by Common Council	07/11/2011
Amended by Common Council	

Lake Geneva is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Lake Geneva within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the City Administrator. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

**7.7 CONFLICTS OF INTEREST****I. PURPOSE**

This policy presents the City's commitment to reducing conflicts of interest by employees.

II. DEPARTMENT RESPONSIBLE

The City Administrator is responsible for ensuring that this policy is enforced.

III. COMMITTEE OVERSIGHT

The Personnel Committee and Common Council will oversee this policy.

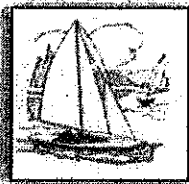
Adopted by Common Council	07/11/2011
Amended by Common Council	

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The purpose of these guidelines is to provide general direction so employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the City Attorney for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative, as a result of Lake Geneva's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms or individuals. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the City Attorney as soon as possible the existence of any actual or established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Lake Geneva does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration, as a result of any transaction or business dealings involving the city.

**7.8 GIFTS AND GRATUITIES****I. PURPOSE**

This policy reinforces the Municipal ordinance relating to gift receipts by employees.

II. DEPARTMENT RESPONSIBLE

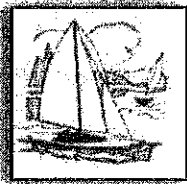
The City Administrator is responsible for ensuring that this policy is enforced.

III. COMMITTEE OVERSIGHT

The Personnel Committee and Common Council will oversee this policy.

Adopted by Common Council	07/11/2011
Amended by Common Council	

Employees and officers of the city are prohibited by Municipal Code, Section 1.07, from accepting, either directly or indirectly, any gift, gratuity or anything of value which he/he is not authorized to receive from any person.



7.9 DISABILITY ACCOMMODATION

I. PURPOSE

This policy states the City's commitment to complying with the Americans with Disabilities Act (ADA).

II. DEPARTMENT RESPONSIBLE

The City Administrator is responsible for ensuring that this policy is enforced.

III. COMMITTEE OVERSIGHT

The Personnel Committee and Common Council will oversee this policy.

Adopted by Common Council	07/11/2011
Amended by Common Council	

Lake Geneva is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Post-offer medical examinations are required only for those positions in which there is a bona fide job-related physical requirement. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. Leave of all types will be available to all regular full-time employees on an equal basis.

Lake Geneva is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. Lake Geneva will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. Lake Geneva is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal state, and local laws.

**7.91 ELECTED OFFICIAL CODE OF CONDUCT****I. PURPOSE**

All newly elected and returning City officials are provided with an orientation packet which includes information generated by the League of Wisconsin Municipalities as well as a Council Member Orientation publication created and distributed by the Lake Geneva City Clerk's Office. These materials are provided to assist elected officials in carrying out their responsibilities in a professional, efficient and legal manner. To further ensure the conduct of the elected officials are in line with City, State and Federal law, the attached policies will serve to preserve and protect the appropriate relationship between the City's elected officials and City staff.

II. DEPARTMENT RESPONSIBLE

The City Administrator is the designated staff member to receive any grievances that may be submitted under this policy and ensure that the grievance process is undertaken in a timely and professional manner.

III. COMMITTEE OVERSIGHT

The Personnel Committee and Common Council will oversee and enforce this policy.

- Elected officials have an obligation to be educated and familiar in their roles/ responsibilities when serving the City of Lake Geneva. This includes participation in "Local Government 101" training provided by the League of Wisconsin Municipalities, within one month of assuming office. It shall also be the responsibility of elected officials to review and comprehend the expectations of an elected official, as outlined in the City of Lake Geneva Council Orientation Binder.
- It is absolutely inappropriate for Elected Officials to call, mail or otherwise contact City staff via use of an employee's private phone, personal email address or home mailing address.
- Emergency contact with City staff will only be undertaken via the Lake Geneva Police Dispatch who will, in turn, contact the employee.
- It is inappropriate for elected officials to leave "anonymous" messages (written or verbal) for any City employee.
- It is inappropriate for elected officials to have possession of original documents which are the property of the City.
- Elected Officials shall NOT have significant, direct contact with City staff without clearing such contact with the appropriate Department Head, or the City Administrator. Such behavior is a violation of Section 103 (Organizational Chain of Command) of the City of Lake Geneva Employee Handbook.
- Elected officials have no authority to direct City staff to undertake anything without the expressed motion and approval of the Common Council or its related committees.
- Any such violations (or similar inappropriate behavior) will be reported to the City Administrator, who will forward any grievance received to the City's Personnel Committee for review / possible action.
- The Personnel Committee or designees will investigate grievances and, if deemed appropriate; Issue a written public or private censure which will be placed in a personnel file created for the person who has violated the "norms and protocols" for elected officials.
- Depending on the circumstances, such violations may be cause for removing an elected official from office and prohibited from seeking elected office within the City of Lake Geneva government in the future.

- Any attempt at contacting a staff member who has filed a grievance (to discuss the matter) will be considered retaliation under Federal law concerning the protection of organizational whistleblowers and will be reported to the US Department of Labor.
- A Council member shall maintain decorum and set an example for appropriate conduct when the Council member represents the City, including at City meetings. Council members shall conduct themselves so as not to bring embarrassment upon the City; refraining from rude, critical or otherwise disrespectful verbal or written comments, facial expressions or gestures directed at fellow Alderpersons, City Staff, City Commission and Committee members or members of the public.

Adopted by the Common Council	October 24, 2022
-------------------------------	------------------



8.1 CITY/WATER COMMISSION COOPERATIVE WORK

I. PURPOSE

To outline a policy between the City of Lake Geneva and the Lake Geneva Water Commission for instances when City employees perform work on behalf of the Water and Wastewater Departments.

II. DEPARTMENT RESPONSIBLE

The City Administrator and Streets Department will supervise cooperative work operations.

III. COMMITTEE OVERSIGHT

??

*****DRAFT LETTER FOUND ONLY- EVER FORMALLY ADOPTED???*****

Adopted by Common Council	??/??/1994
Amended by Common Council	??/??/2010

Water Commission and Sewer Fund will pay the City on a time and materials basis for work performed on their respective projects. City will forward an invoice to the Utilities Director on a monthly basis.

Projects will be coordinated by the City Business Administrator or Street Superintendent and the Utilities Director.

The Water Commission and Sewer Department will attempt to group similar work requests together and give the Street Department as much notice as possible for scheduling purposes.

Utilities employees will work along with street department employees for coordination and additional labor purposes.

Work traditionally let to contractors and work deemed too extensive or time consuming for the street department will continue to be contracted for.

This policy will be periodically reviewed by the Business Administrator and the Utilities Director and any problems, and/or suggested amendments will be brought to the Facilities Committee.



8.2 RESERVE LIQUOR LICENSES

I. PURPOSE

This policy discusses reserve Class B Fermented Malt Beverage Licenses and Class B Intoxicating Liquor License issuance.

II. DEPARTMENT RESPONSIBLE

The City Clerk will supervise all liquor license issuances.

III. COMMITTEE OVERSIGHT

The Common Council will act on all liquor licenses.

Adopted by Common Council	2/23/2009
Amended by Common Council	??/??/2010

This policy is in accordance with Chapter 6 of the Lake Geneva Municipal Code and Wisconsin Statutes § 125.

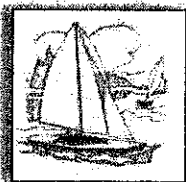
Once a license becomes available, not currently owned by another party, a display Ad shall be placed in the Official Newspaper indicating such license is available in the City of Lake Geneva. Available shall mean any license in the City possession free and clear of any claims by any third party, including any right to appeal.

There is no waiting list allowed under state statutes.

Applications shall be received with a date stamp, which shall be used only for the purpose of order on the agenda. Following the time of application, a fifteen day waiting period shall expire prior to these applications appearing before the governing body.

Legal Notices shall be placed in the Official Newspaper as required under Wis. Stats. 125 indicating such application has been made.

Applications will then be heard by the Finance License and Regulation Committee for a recommendation to the Common Council Meeting.

**8.3 COMMITTEE ROOM AND BOARD USE****I. PURPOSE**

This policy establishes the fee structure for reserved use of City Hall building and rooms.

II. DEPARTMENT RESPONSIBLE

The City Clerk and City Administrator will review room use requests.

III. COMMITTEE OVERSIGHT

The Common Council will oversee this policy.

Adopted by Common Council	??/??/????
Amended by Common Council	??/??/2010

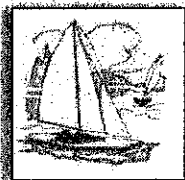
POLICY

The City of Lake Geneva has one small cafeteria (room 2C) and one larger area designated as the "Senior Center." These rooms are at times available for rental. The cost to utilize these rooms is \$25 per use. Please note conference room 2A is no longer available for public use.

In order to maintain security at City Hall there will be no admittance to any meeting room without a copy of this permit. You must bring this form with you to register with the Police Department for after hours meetings both upon arrival and before you leave.

We do not authorize the use of City Hall for Friday night, Saturday or Sunday.

We do not set up tables, chairs or rent equipment use for any meetings.



8.5 UNANIMOUS DIRECT ANNEXATION

I. PURPOSE

This policy provides direction to property owners on annexing into the City.

II. DEPARTMENT RESPONSIBLE

The City Clerk and City Administrator will assist property owners throughout the annexation process.

III. COMMITTEE OVERSIGHT

The Plan Commission and Common Council will act on all annexation requests.

Adopted by Common Council	??/??/2005
Amended by Common Council	??/??/2010

PROCEDURES FOR UNANIMOUS DIRECT ANNEXATION

This procedure is applicable for one or more property owners who wish to annex their property into the City of Lake Geneva if all owners of the property and all electors (voting residents living upon the property) of the area to be annexed will be signing a petition for annexation.

1. Petition Procedure. Petition must be signed by all electors and owners of the property to be annexed.

The petition must include a legal description of the property. That legal description can either come from the Walworth County Register of Deeds or from a deed or mortgage affecting the property. If only a portion of an existing parcel is going to be annexed, it is up to the property owner to develop a legal description of the property subject to annexation with the assistance of a surveyor or attorney.

The petition must also include a scaled map of the property subject to the annexation petition. The map should show the general location of the property and the size of the property to be annexed.

The petition should be filed with the City Clerk of the City of Lake Geneva at the Lake Geneva City Hall, 626 Geneva Street, Lake Geneva, Wisconsin. An Administrative fee of \$100 is collected at the time of filing this petition.

2. Department of Administration Review. Within five (5) days of filing the petition for annexation with the City Clerk, a copy of the petition with the attached legal description and map of the property should be sent by the petitioner with appropriate application and fee to the Wisconsin Department of Administration for review at: Municipal Boundary Review, 101 East Wilson Street, 10th Floor, Madison, Wisconsin 53702-0001.

3. Copy to School District and Town Clerk. Within five (5) days after filing the petition for annexation, a copy of the petition with the legal description and map should be submitted by the petitioner to the clerk of the school district in which the property is located and the clerk of the town in which the property is located.

4. **Plan Commission Review.** After the petition has been filed and copies have been distributed as required, the City of Lake Geneva will commence a Planning Commission review of the annexation petition. The City Plan Commission will hold a public hearing and review the City Administrator's impact study on the services. The petitioner(s) should attend the Planning Commission meeting to explain the reason for annexation and the proposed use of the land following annexation. The proposed zoning for the property will be a subject of the Planning Commission meeting so the property owner/occupant should be prepared to discuss the proposed initial and permanent zoning of the site upon annexation.

5. **City Council Consideration.** Following a recommendation from the Plan Commission, the issue of annexation comes before the City Council. The petitioner should appear before the City Council. However, the City Council will make its determination upon the annexation based upon the recommendation of the Plan Commission and no additional input will be sought at the council consideration. If a recommendation for annexation is approved, an ordinance adopting the annexation will be presented for First and Second Reading. The ordinance becomes final after the second reading and its publication.

6. **Reimbursement of Township Tax.** According to recently passed legislation commonly known as "Act 317" the Municipality must make a payment to the Township equivalent to five (5) years of real estate taxes that the Town would have received otherwise unless a Boundary Agreement is entered into. As a condition of approval by the City, the Ordinance annexing said parcel(s) to the City will contain a provision requiring the petitioner(s) to pay a fee to the City equivalent to the 5 years of taxes, at a rate of the year upon annexation. Such payment is due in full from petitioner(s) to the City before the Annexation Ordinance goes into effect. Upon receipt of such payment, the City is responsible for making the required tax payments to the Township.



8.6 STANDING COMMITTEE AGENDA DEADLINES

I. PURPOSE

This policy provides direction to City Staff and Elected Officials on the timeline to which agenda items must be received for the City's various Standing Committees which includes: Common Council, Committee of the Whole, Personnel Committee, Piers, Harbors, & Lakefront Committee, Finance, Licensing, & Regulation Committee, and Public Works Committee.

II. DEPARTMENT RESPONSIBLE

The City Clerk and City Clerk Staff will be responsible for collecting for Standing Committee agenda items that have been approved by the pertinent Committee Chairperson. The City Clerk and City Clerk Staff will then craft the agenda based on the items received.

III. PROCEDURES FOR STANDING COMMITTEE AGENDA DEADLINES

Any City Staff or Elected Official will be required to request approval of an agenda item with the Standing Committee Chair before it can be added to the pertinent Committee agenda. Once the Chair has approved an agenda item, it must be sent to the City Clerk or City Clerk's Staff no later than noon on the Wednesday prior to the Committee meeting. Once the item has been received the agenda shall then be crafted.

Exceptions:

The only exceptions to this deadline shall be one of the two situations:

- 1) Prepaid and Regular Check Payment Approvals to be considered by the Finance, Licensing, and Regulation Committee shall be received no later than the Friday prior to the regularly scheduled meeting.
- 2) Emergency items deemed necessary by the Chair of the pertinent Standing Committee

Note: This policy shall not be applied to Special scheduled meetings outside of the Regular meeting times.

Adopted by Common Council	7/8/2019
---------------------------	----------

Telephone Quotation Form

Date	Time	Vendor	Contact Name	Contact Phone	Item	Quote	Notes
3-12-24	12:45pm	Uni Pump		262 674-1521	Gas Pumps	None	No Response
1-24-24		Inter-state Pump + Tank		262-524 8494	Gas Pumps	\$ 31,316.50	
2-9-24		Walt's petroleum		715 370-0130	Gas Pumps	\$30,860.69	
3-4-24		IF Petroleum		855 537-3876	Gas Pumps		No Response Does Not Service our area. 3-13-24

WALT'S PETROLEUM SERVICE, INC.

GILBARCO SERVICE STATION EQUIPMENT
SALES • SERVICE • INSTALLATION • REPAIR



City of Lake Geneva Department of Public Works
Attn: Neil Waswo
1065 Carey St.
Lake Geneva, WI 53147

Proposal
February 9, 2024

Re: Three Dispenser Swap

Neil,

Thank you for the opportunity to provide this proposal to you on behalf of Walt's Petroleum Service, Inc. Per our discussion here is a list of the materials included in this proposal:

- (3) Gasboy Atlas 9853K DFZ Suction dispensers, single side, front-load with painted front and back panels.
 - Dispensers include pulse output, 10 micron internal filter for gasoline and 30 micron internal filters for both diesel dispensers, new OPW 12' complete hose kits assemblies, new 1.5" union and piping above the pressure regulating valve.
- Installation, Electrical, setup and testing included

TOTAL \$ 28,865.69

Options



Provide stainless steel panels instead of painted fronts and backs is an additional \$1,995.00
Provide electromechanical totalizers is an additional ~~\$675.00~~

Please review and let me know if you have any questions regarding this proposal.

Prepared by:

LeRoy A. Nordmeyer

Walt's Petroleum Service, Inc.
leroy@waltspetro.com
715.370.0130

\$ 30,860.⁶⁹

Accepted By: _____ Date: _____

Sign and Return One Copy



Interstate Pump & Tank, Inc.

901 Niagara Street, Waukesha, WI 53186

Phone: 262-524-8494 Fax: 262-524-8284

web site: www.interstatepumpandtank.com

City of Lake Geneva

Attn: Tom Earle, Director

1065 Carey St.

Lake Geneva, WI 53147

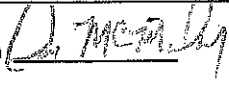
tearle@cityoflakegeneva.com

From	Dan McMahon
DATE	1/24/2024
QUOTE #	DM-LGDISP
County	Kenosha
Tax %	Exempt
Phone	
Fax	
pg. 1 of 1	

I am pleased to have the opportunity to propose the following:

Reference: Pump and Parts for Small Gasoline / Diesel Refueling Tanks

Item #	Description of Products and/or Services Being Proposed	#	cost ea.	ext. cost
OPTION 1 (Fill-Rite Remote Pump System / Mechanical Meter)				
1	FillRite FR902CRU 40GPM Remote gallon meter UL with Solenoid w/Welded Stand	3	\$3,145.00	\$9,435.00
2	800F Pulser Assembly	3	\$300.00	\$600.00
3	Fill-rite FR313V Remote 1/2 HP Pump for Diesel w/anti-siphon kit	2	\$1,525.00	\$3,050.00
4	Fill-rite FR713V Remote 1/3 HP Pump for gasoline w/anti-siphon kit	1	\$741.50	\$741.50
5	Freight Allotment	1	\$600.00	\$600.00
6	Labor for replacement w/travel	3	\$1,050.00	\$3,150.00
7	Electrical	1	\$4,200.00	\$4,200.00
8	Piping / Fitting / Valve Allotment	3	\$1,000.00	\$3,000.00
			Total	\$24,776.50
OPTION 2 (Fill-Rite Remote Pump System / Electronic Meter)				
1a	FillRite 900DP 40GPM Remote Electronic gallon meter UL w/Pedestal, and new hose assy	3	\$5,325.00	\$15,975.00
2a	800F Pulser Assembly	3	\$300.00	\$600.00
3a	Fill-rite FR313V Remote 1/2 HP Pump for Diesel w/anti-siphon kit	2	\$1,525.00	\$3,050.00
4a	Fill-rite FR713V Remote 1/3 HP Pump for gasoline w/anti-siphon kit	1	\$741.50	\$741.50
5a	Freight Allotment	1	\$600.00	\$600.00
6a	Labor for replacement w/travel	3	\$1,050.00	\$3,150.00
7a	Electrical	1	\$4,200.00	\$4,200.00
8a	Piping / Fitting / Valve Allotment	3	\$1,000.00	\$3,000.00
			Total	\$31,316.50
note Prices good for 45 days, subject to IPT Standard Insurance Coverage and Terms & Conditions.				
New Bennett Commercial Electronic Pumps Installed would run approximately; \$ 37,000				

Dan McMahon  email: dan@interstatepumpandtank.com

Subtotal	
0.0%	\$0.00
TOTAL	\$0.00

Warranty / Terms & Conditions: All sales of products and services from Interstate Pump and Tank, Inc. are made subject to the Terms and Conditions of sale incorporated by reference and available upon request (if not already provided) by calling 262-524-8494. If Buyer has not otherwise agreed to those terms, then the Buyer's signature on this contract, acceptance of delivery of, and/or payments of any kind for said products or services will constitute the Buyer's acceptance of the Warranty / Terms and Conditions.

Approved by: _____ P. O. # _____ Date: _____

Report Criteria:

Report type: Summary

Check.Type = {<>} "Adjustment"

Bank.Bank account = "43257"

[Report].Invoice GL Account = {<>} 61

[Report].Invoice GL Account = {<>} 62

Invoice.Batch = "030524","03082024","03112024","03152024"

Check Issue Date	Check Number	Vendor Number	Payee	Amount
03/05/2024	85012	6524	JONES, HEATHER	5,833.34
03/08/2024	85127	2104	AT&T	2,600.00
03/08/2024	85128	2109	AT&T MOBILITY	716.86
03/08/2024	85129	6263	CHARTER COMMUNICATIONS	99.99
03/08/2024	85130	2354	CULLIGAN OF BURLINGTON	283.50
03/08/2024	85131	5294	EAN SERVICES LLC	62.50
03/08/2024	85132	2624	HALL, JASON	65.00
03/08/2024	85133	3024	MUTUAL OF OMAHA	3,772.45
03/08/2024	85134	3001	SECURIAN FINANCIAL GROUP	2,885.63
03/08/2024	85135	3238	STEVEN RICHARD	65.00
03/08/2024	85136	4847	TNT ACE HARDWARE	77.98
03/08/2024	85137	6799	VERIZON CONNECT FLEET	488.06
03/08/2024	85138	7029	ZOO LOGICAL SOCIETY OF MILWAUKEE	150.00
03/11/2024	85139	2046	ALLIANT ENERGY/WPL	23,834.10
03/11/2024	85140	2108	AT&T LONG DISTANCE	210.96
03/11/2024	85141	2109	AT&T MOBILITY	667.01
03/11/2024	85142	5770	AT&T TELECONFERENCE SERVICES	50.21
03/11/2024	85143	6730	SHODEEN HOMES LLC	11,698.42
03/11/2024	85144	5001	VERIZON WIRELESS	38.01
03/11/2024	85145	5042	WALLING, FRED	200.28
03/11/2024	85146	5071	WE ENERGIES	6,880.93
03/15/2024	85152	6129	DE LAGE LANDEN FINANCIAL SERVICES INC	253.75
03/15/2024	85153	2195	HINZPETER, COURTNEY	30.00
03/15/2024	85154	5465	REYNOLDS, LORI	30.00
03/15/2024	85155	5071	WE ENERGIES	222.86
Grand Totals:				61,216.84

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
11-00-00-21100	.00	45,453.96-	45,453.96-
11-00-00-21340	2,648.69	.00	2,648.69
11-00-00-21555	1,807.12	.00	1,807.12
11-00-00-21562	1,416.35	.00	1,416.35
11-00-00-21564	548.98	.00	548.98
11-00-00-23540	3,500.00	.00	3,500.00
11-10-00-51330	212.60	.00	212.60
11-15-10-54500	50.21	.00	50.21
11-16-10-52220	3,184.24	.00	3,184.24
11-16-10-52240	2,124.67	.00	2,124.67
11-21-00-52210	728.96	.00	728.96

M = Manual Check, V = Void Check

GL Account	Debit	Credit	Proof
11-21-00-52220	85.74	.00	85.74
11-21-00-52620	2,600.00	.00	2,600.00
11-21-00-53310	190.00	.00	190.00
11-22-00-52210	750.30	.00	750.30
11-22-00-52220	1,431.59	.00	1,431.59
11-22-00-52240	1,133.77	.00	1,133.77
11-22-00-53400	253.75	.00	253.75
11-24-00-44300	2,315.90	.00	2,315.90
11-24-00-44310	847.60	.00	847.60
11-24-00-44320	521.00	.00	521.00
11-24-00-44330	478.92	.00	478.92
11-24-00-44400	190.00	.00	190.00
11-24-00-53300	168.17	.00	168.17
11-24-00-53310	32.11	.00	32.11
11-29-00-52220	49.67	.00	49.67
11-32-10-44350	30.00	.00	30.00
11-32-10-52210	189.03	.00	189.03
11-32-10-52220	999.54	.00	999.54
11-32-10-52240	1,997.02	.00	1,997.02
11-32-10-52500	488.06	.00	488.06
11-34-10-52220	435.59	.00	435.59
11-34-10-52230	10,257.21	.00	10,257.21
11-51-10-52220	675.70	.00	675.70
11-51-10-52240	1,039.81	.00	1,039.81
11-52-00-52220	1,017.70	.00	1,017.70
11-52-00-52240	146.55	.00	146.55
11-52-00-59220	204.71	.00	204.71
11-52-01-52220	585.71	.00	585.71
11-52-01-52240	116.99	.00	116.99
40-00-00-21100	.00	4,503.39-	4,503.39-
40-54-10-52220	289.29	.00	289.29
40-55-10-52240	358.66	.00	358.66
40-55-20-53600	283.50	.00	283.50
40-55-30-52220	3,571.94	.00	3,571.94
42-00-00-21100	.00	62.50-	62.50-
42-34-50-46100	62.50	.00	62.50
43-00-00-21100	.00	77.98-	77.98-
43-32-10-17020	77.98	.00	77.98
45-00-00-21100	.00	3,785.00-	3,785.00-
45-00-00-24520	1,690.00	.00	1,690.00
45-00-00-24530	1,865.00	.00	1,865.00
45-00-00-44520	230.00	.00	230.00
47-00-00-21100	.00	5,833.34-	5,833.34-
47-00-00-57212	5,833.34	.00	5,833.34
48-00-00-21100	.00	165.31-	165.31-
48-00-00-52210	17.14	.00	17.14
48-00-00-52240	148.17	.00	148.17
61-00-00-21100	.00	25.73-	25.73-
61-00-00-46670	15.00	.00	15.00
61-00-00-92630	10.73	.00	10.73
62-00-00-21100	.00	28.82-	28.82-
62-00-00-47400	15.00	.00	15.00
62-00-00-92100	.21	.00	.21

M = Manual Check, V = Void Check

GL Account	Debit	Credit	Proof
62-00-00-92630	13.61	.00	13.61
99-00-00-21100	.00	1,280.81-	1,280.81-
99-00-00-52210	47.19	.00	47.19
99-00-00-52220	1,083.62	.00	1,083.62
99-00-00-54110	150.00	.00	150.00
Grand Totals:	61,216.84	61,216.84-	.00

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Report type: Summary

Check.Type = {<>} "Adjustment"

Bank.Bank account = "43257"

[Report].Invoice GL Account = {<>} 61

[Report].Invoice GL Account = {<>} 62

Invoice.Batch = "030524","03082024","03112024","03152024"

Report Criteria:

Report type: Summary

Check.Type = {<>} "Adjustment"

Bank.Bank account = "43257"

[Report].Invoice GL Account = {<>} 61

[Report].Invoice GL Account = {<>} 62

Invoice.Batch = "030524","03082024","03112024","03152024"

Check Issue Date	Check Number	Vendor Number	Payee	Amount
03/05/2024	85012	6524	JONES, HEATHER	5,833.34
03/08/2024	85127	2104	AT&T	2,600.00
03/08/2024	85128	2109	AT&T MOBILITY	716.86
03/08/2024	85129	6263	CHARTER COMMUNICATIONS	99.99
03/08/2024	85130	2354	CULLIGAN OF BURLINGTON	283.50
03/08/2024	85131	5294	EAN SERVICES LLC	62.50
03/08/2024	85132	2624	HALL, JASON	65.00
03/08/2024	85133	3024	MUTUAL OF OMAHA	3,772.45
03/08/2024	85134	3001	SECURIAN FINANCIAL GROUP	2,885.63
03/08/2024	85135	3238	STEVEN RICHARD	65.00
03/08/2024	85136	4847	TNT ACE HARDWARE	77.98
03/08/2024	85137	6799	VERIZON CONNECT FLEET	488.06
03/08/2024	85138	7029	ZOO LOGICAL SOCIETY OF MILWAUKEE	150.00
03/11/2024	85139	2046	ALLIANT ENERGY/WPL	23,834.10
03/11/2024	85140	2108	AT&T LONG DISTANCE	210.96
03/11/2024	85141	2109	AT&T MOBILITY	667.01
03/11/2024	85142	5770	AT&T TELECONFERENCE SERVICES	50.21
03/11/2024	85143	6730	SHODEEN HOMES LLC	11,698.42
03/11/2024	85144	5001	VERIZON WIRELESS	38.01
03/11/2024	85145	5042	WALLING, FRED	200.28
03/11/2024	85146	5071	WE ENERGIES	6,880.93
03/15/2024	85152	6129	DE LAGE LANDEN FINANCIAL SERVICES INC	253.75
03/15/2024	85153	2195	HINZPETER, COURTNEY	30.00
03/15/2024	85154	5465	REYNOLDS, LORI	30.00
03/15/2024	85155	5071	WE ENERGIES	222.86
Grand Totals:				61,216.84

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
11-00-00-21100	.00	45,453.96-	45,453.96-
11-00-00-21340	2,648.69	.00	2,648.69
11-00-00-21555	1,807.12	.00	1,807.12
11-00-00-21562	1,416.35	.00	1,416.35
11-00-00-21564	548.98	.00	548.98
11-00-00-23540	3,500.00	.00	3,500.00
11-10-00-51330	212.60	.00	212.60
11-15-10-54500	50.21	.00	50.21
11-16-10-52220	3,184.24	.00	3,184.24
11-16-10-52240	2,124.67	.00	2,124.67
11-21-00-52210	728.96	.00	728.96

M = Manual Check, V = Void Check

GL Account	Debit	Credit	Proof
11-21-00-52220	85.74	.00	85.74
11-21-00-52620	2,600.00	.00	2,600.00
11-21-00-53310	190.00	.00	190.00
11-22-00-52210	750.30	.00	750.30
11-22-00-52220	1,431.59	.00	1,431.59
11-22-00-52240	1,133.77	.00	1,133.77
11-22-00-53400	253.75	.00	253.75
11-24-00-44300	2,315.90	.00	2,315.90
11-24-00-44310	847.60	.00	847.60
11-24-00-44320	521.00	.00	521.00
11-24-00-44330	478.92	.00	478.92
11-24-00-44400	190.00	.00	190.00
11-24-00-53300	168.17	.00	168.17
11-24-00-53310	32.11	.00	32.11
11-29-00-52220	49.67	.00	49.67
11-32-10-44350	30.00	.00	30.00
11-32-10-52210	189.03	.00	189.03
11-32-10-52220	999.54	.00	999.54
11-32-10-52240	1,997.02	.00	1,997.02
11-32-10-52500	488.06	.00	488.06
11-34-10-52220	435.59	.00	435.59
11-34-10-52230	10,257.21	.00	10,257.21
11-51-10-52220	675.70	.00	675.70
11-51-10-52240	1,039.81	.00	1,039.81
11-52-00-52220	1,017.70	.00	1,017.70
11-52-00-52240	146.55	.00	146.55
11-52-00-59220	204.71	.00	204.71
11-52-01-52220	585.71	.00	585.71
11-52-01-52240	116.99	.00	116.99
40-00-00-21100	.00	4,503.39-	4,503.39-
40-54-10-52220	289.29	.00	289.29
40-55-10-52240	358.66	.00	358.66
40-55-20-53600	283.50	.00	283.50
40-55-30-52220	3,571.94	.00	3,571.94
42-00-00-21100	.00	62.50-	62.50-
42-34-50-46100	62.50	.00	62.50
43-00-00-21100	.00	77.98-	77.98-
43-32-10-17020	77.98	.00	77.98
45-00-00-21100	.00	3,785.00-	3,785.00-
45-00-00-24520	1,690.00	.00	1,690.00
45-00-00-24530	1,865.00	.00	1,865.00
45-00-00-44520	230.00	.00	230.00
47-00-00-21100	.00	5,833.34-	5,833.34-
47-00-00-57212	5,833.34	.00	5,833.34
48-00-00-21100	.00	165.31-	165.31-
48-00-00-52210	17.14	.00	17.14
48-00-00-52240	148.17	.00	148.17
61-00-00-21100	.00	25.73-	25.73-
61-00-00-46670	15.00	.00	15.00
61-00-00-92630	10.73	.00	10.73
62-00-00-21100	.00	28.82-	28.82-
62-00-00-47400	15.00	.00	15.00
62-00-00-92100	.21	.00	.21

M = Manual Check, V = Void Check

GL Account	Debit	Credit	Proof
62-00-00-92630	13.61	.00	13.61
99-00-00-21100	.00	1,280.81-	1,280.81-
99-00-00-52210	47.19	.00	47.19
99-00-00-52220	1,083.62	.00	1,083.62
99-00-00-54110	150.00	.00	150.00
Grand Totals:	61,216.84	61,216.84-	.00

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Report type: Summary

Check.Type = {<>} "Adjustment"

Bank.Bank account = "43257"

[Report].Invoice GL Account = {<>} 61

[Report].Invoice GL Account = {<>} 62

Invoice.Batch = "030524","03082024","03112024","03152024"