

BOARD OF ALDERMEN MEETING
Kearney City Hall 100 East Washington
6:30 p.m., Tuesday, June 20, 2023

Those desiring to observe the meeting from home may watch the YouTube live stream video found at:
<https://www.youtube.com/channel/UCYdRhAShDOj2qL9GQMrswVA?>

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

2. PUBLIC HEARINGS

- A. Public Hearing to Receive Public Comments Regarding Rezoning 278 Acres at the Northwest Quadrant of Nation Road and West 19th Street from R-P-1 – Low Density Residential Planned District (248 Acres) and R-P-3 – Medium Density Residential Planned District (30 Acres) to R-1 – Low Density Residential District (270 acres) and C-1 – Neighborhood Commercial District (8 Acres).**

3. PERSONAL APPEARANCES

- A. Pat Englant, 1000 Regency Court - Pitbulls**

4. CONSENT AGENDA

One motion, non-debatable, to approve the “recommendations” noted. Any member of the Board may ask for an item to be taken from the consent agenda for discussion and separate action.

- A. Motion approving the minutes of the June 5, 2023 Board of Aldermen Meeting.**

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- B. Motion approving Resolution 33-2023
A Resolution Amending the Personnel Policy for the City of Kearney, Missouri.**

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5. ORDINANCES

- A. Motion approving Bill No. 23-2023
An Ordinance Amending Chapter 400 of the Municipal Code (the Comprehensive Zoning Regulations) of Kearney, Missouri, Rezoning Approximately 278 Acres at the NW Corner of Nation Road & West 19th Street to R-1 – Low Density Residential District and C-1 – Neighborhood Commercial District, as Requested by Timothy D Harris and Star Acquisitions.**

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6. RESOLUTIONS

- A. Motion approving Resolution 34-2023
A Resolution Authorizing the City Administrator to Sign an Engagement Letter with Troutt, Beeman & Co., P.C. to Audit the City’s Financial Records for Fiscal Year 2023.**

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7. ITEMS FOR REVIEW AND PRESENTATION

- A. Monthly Financial Report – May 2023, Kathy Harper, Finance Director**

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8. MAYOR’S COMMUNICATIONS

- A. Pork 4 Parks**

9. CITY ADMINISTRATOR’S REPORT

- A. The next regular Board Meeting will be Wednesday July 5, 2023 at 6:30pm.**

10. ALDERMEN DISCUSSION

11. EXECUTIVE SESSION

Closed Session per RSMO 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys; 610.021 (2) Leasing, purchase, sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor; and 610.021 (12) to discuss matters pertaining to negotiated contracts and the meeting adjourned from there.

- 1) Consider Motion to go into Executive Session
- 2) Roll Call Vote

June 5, 2023

The Board of Aldermen, City of Kearney, Missouri, met in regular session at City Hall, 100 East Washington, and thru the Zoom meeting app, June 5, 2023 at 6:30 P.M. with Mayor Pogue presiding. Members present were Kathy Barger, Gerri Spencer and Dan Holt. David Lehman attended by zoom. Staff members present were Shirley Zimmerman, Eric Marshall, Donnie Smith, David Pavlich, Tom O’Leary, Kathy Harper, Carolyn Yatsook and Sheila Erzen. Ryan Marcotte attended by zoom.

PLEDGE OF ALLEGIANCE Mayor Pogue opened the meeting with the Pledge of Allegiance.

PERSONAL APPEARANCES

PROCLAMATION HONORING DR. DAVID LEIGHR Sheila Erzen, City Administrator, read a proclamation honoring Dr. David Leighr for his outstanding work and contribution to the City of Kearney.

Mayor Pogue presented Dr. Leighr a copy of the proclamation and a key to the City.

Officer Garton, Police Department, said Dr. Leighr provides all the shots, etc. needed for the K-9 dogs with the police department. He also is always available for vet care when needed. In the last year both dogs have had serious issues. He helped tend to the dogs and helped arrange for their care.

Dr. Leighr said he started out working for two years with the clinic in Holt. He then came to Kearney and started out with Dr. Long, eventually buying the business. He said his order of importance is God, family, coworkers, clients and community. He said he received very good mentorship from Sam and Jack Barr to help mold his business ethics.

GARY HALL – HALL PARK Gary Hall, oldest son of Jim and Geri Hall, said his family was a pillar of this community. He said 2012 to 2013 he worked with David Pavlich, Jim Eldridge and Mayor Dane to gift his parents’ property to the City to build a park for seniors.

He said there have been improvements to the property. He said it is a safer corner and sidewalks have been added. He said then the Use Tax was passed with provisions for the park. He said the City has applied for a grant application.

He said he is thankful to get it this far along and wants to keep being informed and inform the public on the progress.

CONSENT AGENDA

CONSENT AGENDA The following items were submitted for the Board of Aldermen to approve:

- 3-A Minutes for the May 15, 2023 Board of Aldermen meeting
- 3-B Minutes for the May 23, 2023 Board of Aldermen meeting
- 3-C Approval of Paid Warrant Report for May 2023
- 3-D Authorize disposal and recycling of broken/obsolete City electronics Equipment
- 3-E **Resolution No. 30-2023** authorizing Mayor to sign a Corporate Sponsorship Agreement for the 2023 Amphitheater and Festival Season between North Kansas City Beverage Company, Inc. and the City of Kearney, Missouri, St. Michaels Knights of Columbus, Council 8915 and Jesse James Festival,

Inc. relative to Corporate Sponsorship of the Amphitheater and Jesse James Festival Events held at Jesse James Park.

- 3-F **Resolution No. 31-2023** authorizing the City Administrator to Sign an Agreement with Lamp Rynearson, Inc. to Complete a Transportation Master Plan in an Amount Not to Exceed \$199,559

A motion was made by Alderman Barger and seconded by Alderman Holt to approve the Consent Agenda as presented. The motion carried unanimously.

RESOLUTIONS

AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KEARNEY, MISSOURI, AND ANDREW AND NICOLE FOX (FOX & FIRE BBQ) APPROVING THE CONDITIONAL USE OF A TEMPORARY STRUCTURE AT 102 WEST LAWRENCE STREET A Resolution, authorizing a Memorandum **RESOLUTION NO. 32-2023** of Understanding between the City of Kearney, Missouri, and Andrew and Nicole Fox (Fox & Fire BBQ) approving the conditional use of a temporary structure at 102 West Lawrence Street, was presented and read by Title only.

Alderman Holt asked how soon they would be building a permanent facility. Andrew Fox said he hoped to be started on it by the end of the year.

A motion was made by Alderman Spencer and seconded by Alderman Lehman to approve the Resolution authorizing a Memorandum of Understanding between the City of Kearney, Missouri, and Andrew and Nicole Fox (Fox & Fire BBQ) approving the conditional use of a temporary structure at 102 West Lawrence Street. The motion carried unanimously.

MAYOR'S COMMUNICATION

BBQ AT SECOND SATURDAY Mayor Pogue said he and the Park Department are having a BBQ Stand at the Second Saturday event, June 10, 2023. They will have pulled pork sandwich, chips and drink for \$8. Price Chopper donated the meat. All proceeds will go to the Scholarship Fund for children who can't afford to pay to play youth sports in the City programs.

BACKYARD CHICKENS – FOLLOW UP Mayor Pogue said he had been asked to do a follow-up on allowing backyard chickens so he wanted to get feedback from the Aldermen on whether City Staff should move forward on this.

Alderman Spencer said she was a country girl and she feels they are farm animals. She said when you have them on small lots in subdivisions, they keep the local dogs on edge. She said she isn't enthusiastic about the idea.

Alderman Holt said he didn't think they should be on small lots and he said most HOA's won't allow them. He said on areas like Paddock Drive it would be okay.

Alderman Lehman said we have chickens in town. He said when his son lived in James Pointe, his son had a neighbor with chickens. He said dogs tend to bark at them and there is an odor to them. He said

BACKYARD CHICKENS – FOLLOW UP they maybe have a place in town but not sure it should be in small neighborhoods. He said they need to be heavily regulated such as how many, where placed, etc.

Alderman Barger said they do need to be regulated and spacing is important. She said when she lived in Regency Park her neighbor had them. She said the space should be regulated and no roosters. She said you could have a permit to have them and that cost could be used to help regulate. She said she wasn't totally opposed to chickens.

Mayor Pogue said he would have Staff look at what surrounding communities do.

CITY ADMINISTRATOR REPORT

NEXT MEETING Sheila Erzen, City Administrator, said the next regular meeting would be Tuesday, June 20, 2023 at 6:30 PM.

ALDERMEN DISCUSSION

ALDERMAN HOLT Alderman Holt said he is so glad to hear the noise from the pickleball courts at his house. He said they are well used and he hopes we start hosting some tournaments.

ALDERMAN SPENCER Alderman Spencer said she wanted to congratulate all the graduates at the various parties going on in the community.

EXECUTIVE SESSION At 7:01 PM a motion was made by Alderman Holt and seconded by Alderman Barger to go into Closed Session per RSMO 610.02 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and the meeting will adjourn from there. The motion carried by a four to zero vote.

Approved: _____ Attest: _____

Randy Pogue, Mayor

Sheila Erzen, City Clerk

RESOLUTION NO. 33-2023

A RESOLUTION AMENDING THE PERSONNEL POLICY FOR THE CITY OF KEARNEY, MISSOURI.

WHEREAS, the Board of Aldermen desires make updates to its employee handbook to reflect recent changes to federal and state law, retain and attract talented, qualified and capable employees and to clearly communicate City policies to employees.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF KEARNEY, MISSOURI, AS FOLLOWS:

Section 1. The Kearney Board of Aldermen hereby amends its personnel policy to incorporate the following changes:

- A. Add the Vision Statement and Value Statements to the Employee Handbook.
- B. Update the Anti-Discrimination Policy to reflect federal law.
- C. Amend the Vacation Policy, effective January 1, 2024, accelerating the current schedule.
- D. Amend the Holiday Schedule, adding Christmas Eve.
- E. Amend the Bereavement Leave Policy, to expand qualifying relatives.
- F. Amend the Probationary Period Policy, extending it to one year.
- G. Amend the Drug and Alcohol Policy to reflect changes as a result of the legalization of adult use recreational marijuana in Missouri.
- H. Correct typographical and grammatical errors and simplify and/or correct confusing language.

Section 2. This resolution shall be effective immediately upon passage.

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF KEARNEY, MISSOURI, AND APPROVED BY THE MAYOR THIS 20th DAY OF JUNE, 2023.

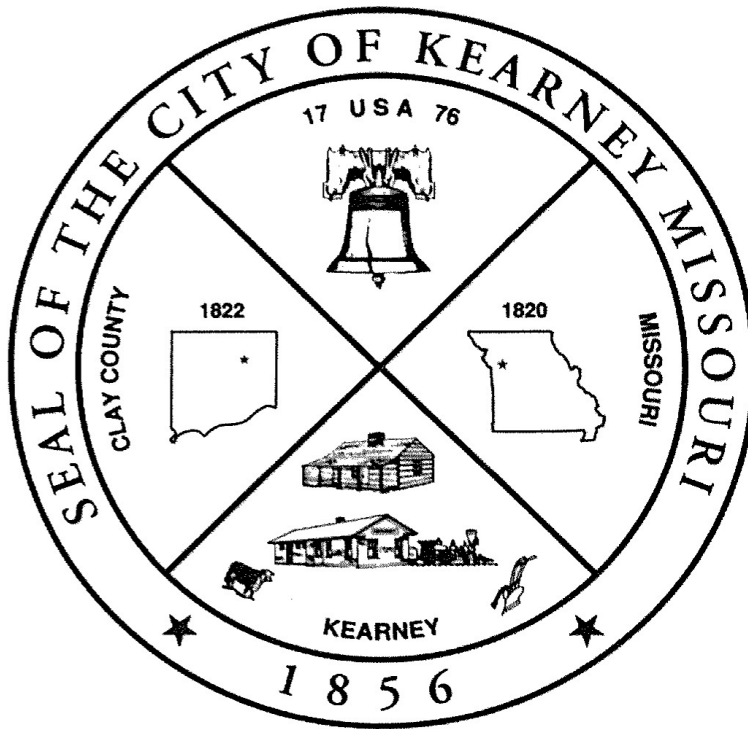
APPROVED:

Randy Pogue, Mayor

ATTEST:

Sheila Ernzen, City Clerk

City of Kearney



Employee Handbook

Resolution 3-2020

~~Amended Resolution~~ 46-2020

~~Amended Resolution~~ 34-2021

~~Amended Resolution~~ 1-2022

~~Amended Resolution~~ 55-2022

~~Amended Resolution~~ 61-2022 & 33-2023

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CITY OF KEARNEY VISION & VALUES

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VISION STATEMENT:

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Create a thriving, sustainable and desirable community.

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HOW WE SERVE:

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Integrity

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We are honest and transparent in our communications and operations.

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We treat all people with respect and dignity.

We express ourselves in a genuine and honest way.

We apply the laws and rules that govern us to every decision we make and every action we take.

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Compassion

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We are kind, friendly and considerate towards the community and our colleagues, regardless of their status or disagreement with us.

We listen well and seek to understand before responding.

We nurture and embrace differing perspectives to make better decisions.

We care about our community and are sensitive to its needs.

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Service

We work towards mutually beneficial solutions to get to yes for positive outcomes.

We believe learning never stops and are committed to continuous improvement.

We admit mistakes freely and openly so that we can learn and become better.

We are passionate about helping others and making Kearney a better place to live, work and visit.

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Teamwork

We recognize and appreciate that our differences make us stronger and smarter, allowing us to do amazing things for Kearney.

We question actions inconsistent with our values and we provide candid, helpful and timely feedback to our colleagues.

We take responsibility for our actions and decisions and we follow through on our commitments and promises.

We value creativity, a positive attitude and enjoying ourselves at work.

INTRODUCTION

This booklet is designed to acquaint cCity employees with the benefits, expectations and working environment of the City of Kearney, Missouri. The City of Kearney is proud to have you become a part of our exciting work and we hope that as you become more familiar with your department, you will feel the excitement and camaraderie that helps make our City Kearney a great place to live and work. Take pride in your work, no matter what job you are doing, and your department will show the results.

It is the responsibility of every city employee ~~for the City~~ to familiarize himself/herself with the contents of this booklet and observe and comply with all policies, procedures, rules and regulations contained herein. Any questions that you may have should be directed to your immediate supervisor.

Nothing herein should be construed to be a contractual relationship between the cCity and any employee. This Handbook is subject to change at any time. The cCity also reserves the right to add, change or modify any of its rules, regulations or policies at any time without prior notice.

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DISCRIMINATION PROHIBITED

It is the intent of the City that all personnel activities be conducted in a manner that will assure equal employment opportunity for all persons, without regard to political affiliation, race, color, religion, national origin, sex (including pregnancy, sexual orientation, or gender identity), age, military or veteran status, certain genetic conditions or disability. This policy shall include all personnel practices related to the employment process, promotions, demotion, transfer, layoff, termination, compensation, benefits, training, and general treatment of employees. Harassment of any employee in the protected classes identified herein is illegal and is prohibited in the workplace by any person and in any form.

Applicants, employees and former employees are also protected from retaliation (punishment) for filing a charge or complaint of discrimination, participating in a discrimination investigation or lawsuit, or opposing discrimination (for example, threatening to file a charge or complaint of discrimination).

Sexual harassment of employees is a serious matter and is prohibited in the workplace by any person and in any form. No department head, supervisor or other employee shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, performance appraisal, wages, advancement, assigned duties, or any condition of employment or career development. Other sexually harassing conduct, whether committed by department heads, supervisors, or non-supervisory personnel, is also prohibited. Such conduct includes but is not limited to: sexual actions, advances or propositions, verbal or written abuse of a sexual nature, or sexually degrading words used to describe an individual.

Any department head, supervisor, or other employee who is found, after appropriate investigation, to have discriminated against an employee or harassed any employee as prohibited in the preceding paragraphs shall be subject to appropriate disciplinary actions up to and including ~~discharge~~ termination.

It is the policy of the City to provide an environment free from unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication constituting sexual harassment. The purpose of this policy is to establish clearly and unequivocally that the City prohibits sexual harassment by and of its employees.

Sexual harassment is misconduct which interferes with work productivity and deprives employees of the opportunity to work in an environment free of unsolicited and unwelcome sexual overtones. Sexual harassment includes all unwelcome sexual advances and sexually oriented communication, requests for sexual favors, and such other verbal or physical misconduct. Sexual harassment is a prohibited practice and ~~is~~ a violation of the law. The U. S. Equal Employment Opportunity Commission has issued guidelines interpreting Section 703 of Title VII of the Civil Rights Act prohibiting sexual harassment. The Missouri Commission on Human Rights has also issued regulations regarding sexual harassment under the Missouri Human Rights Act.

SEXUAL HARASSMENT:

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical misconduct of a sexual nature when

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

HARASSMENT COMPLAINT PROCEDURE:

An aggrieved person should directly inform the person engaging in sexually harassing conduct or communication that such conduct or communication is offensive and must stop. If the aggrieved person does not wish to communicate directly with the person whose conduct or communication is offensive or if direct communication with the offending person has been ineffective, the aggrieved person should report the conduct or communication to any supervisor. If the supervisor is the offending person, the aggrieved person should report to the next higher level of management.

Regardless of the means selected for resolving the problem, the initiation of a complaint of sexual harassment will not adversely reflect on the person complaining nor will it affect the employee's employment, compensation or work assignments.

Employees are encouraged to use the City's complaint procedure to address sexual harassment problems.

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BENEFITS:

PAY POLICY:

~~Prior to January 1, 2023, there are 24 pay periods in each year. Employees are paid on or before the 15th and last day of each month.~~

Effective January 13, 2023, payroll checks will be issued every two weeks, and employees will receive checks every other Friday. In the event Friday is a holiday, checks will be distributed on Thursday or Monday. Every effort will be made to pay on Thursday. ~~And Any~~ deviations from this schedule will be at the discretion of the City Administrator. Your paycheck stub shows your total wages, deductions and take-home pay. Other deductions, when authorized by you, are also shown on this stub. A part of your pay is withheld, as required by law, to pay:

1. Social Security (FICA)
2. State Income Tax (SIT)
3. Federal Income Tax (FIT)
4. Garnishments/Wage Assignments

Any questions regarding your paycheck should be directed to the ~~City Clerk~~ Finance Department.

MEDICAL CARE BENEFITS:

All full-time (~~non-seasonal~~) employees ~~who have completed the first 60 days of employment~~ will be eligible for group medical benefits ~~on the first day of the calendar month following 30 days of employment~~. For purposes of medical benefits, full time is defined as regularly working 30 hours in a work week. An employee may elect ~~not to accept~~ decline this coverage when the benefit first becomes available. ~~The City pays the employee cost and the employee pays for coverage of the family.~~

Employee and/or family insurance coverage summary of benefits:

1. Major Medical Health Insurance ~~with~~
2. Dental
3. Vision
4. \$20,000 Term Life on Employee Only
5. Premium Only Benefit Plan-section 125 Internal Revenue Code

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TERMINATION BENEFITS: (COBRA)

Federal law requires employers sponsoring group health plans to offer employees temporary coverage called continuation coverage. Complete information concerning this right/benefit ~~will be provided upon the termination of service with the City~~ of the health benefits provided by the ~~City~~ will be provided upon an employee's separation of service. Under ~~Cobra~~ COBRA, the employee or a family member has the responsibility to notify the Plan Administrator upon a divorce, legal separation, or a child losing dependent status. You or a family member must provide this notice no later than 60 days after the last day of the month of the divorce, legal separation, or a child losing dependent status.

VACATION:

~~Prior to January 1, 2024, e~~Employees are eligible for forty (40) hours of vacation after completion of a 90-day probationary period. Employees who have completed one year of continuous service are eligible for eighty (80) ~~hours of hours of~~ vacation. Employees who have completed ten (10) full years of continuous service are eligible for one hundred twenty (120) hours of vacation. Employees who have completed twenty (20) full years of continuous service are eligible for one hundred sixty (160) hours of vacation. Vacation accrual is based on number of full years of continuous service completed prior to December 1 of the year vacation is to be taken.

Effective January 1, 2024, full-time (non-seasonal) employees with less than 5 full years of continuous service will earn 80 hours of vacation time each calendar year. Employees who have completed 5 full years of continuous service and less than 11 full years of continuous service will earn 120 hours of vacation time each calendar year. Employees who have completed 11 full years of continuous service will earn 128 hours of vacation time each calendar year. Employees who have completed 12 full years of continuous service will earn 136 hours of vacation time each calendar year. Employees who have completed 13 full years of service will earn 144 hours of vacation time each calendar year. Employees who have completed 14 full years of service will earn 152 hours of vacation time each calendar year. Employees who have completed at least 15 full years of service will earn 160 hours of vacation each calendar year.

An employee shall be considered eligible to use vacation leave after 90 days of full-time (non-seasonal) employment. The employee will earn vacation leave in the first 90 days but cannot use it until they have 90 days of regular full-time service with the city, unless approved by the city Administrator. Vacation time used may not exceed eligible vacation time accrued.

~~Vacations will be scheduled to be taken from January 1 through December 31.~~ A maximum of eighty (80) hours may be carried over into the following calendar year and may be split or taken one day at a time only with the recommendation of the department head and approved by the City Administrator. Vacations extending longer than three weeks in length may only be approved by the Board of Aldermen.

Employees, who separate from the city and who have used holiday time before it has accrued, shall have their last paycheck adjusted to reimburse the city for any used, but unaccrued

holiday time. Any employee separating from the city shall not be allowed the use of vacation leave in the last two (2) calendar weeks of employment.

Upon separation of service from the city, employees may be paid 100 percent of any unused, accrued vacation leave. Employees who have accumulated more than the maximum of (80) hours that may be accumulated shall have the excess accumulated amount of vacation liquidated by the City at the employee's rate of pay when liquidated in order to reduce the amount of accumulated time to the maximum permitted. The date of liquidation of excess vacation time shall be at the discretion of the Board and subject to available appropriations.

HOLIDAYS:

Full-time (non-seasonal) employees who have completed their new hire probationary period will be eligible for the following holidays with pay: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving, Friday after Thanksgiving, Christmas Eve, & 1/2 day prior to Christmas.

Vacation may be taken to coincide with a holiday with the recommendation of the department head and approved by the City Administrator. When a holiday falls on a non-working day, the preceding day or the following day shall be observed as the holiday for city employees at the discretion of the City Administrator.

In departments when an employee works a holiday, he or she will be granted a day off to be taken at a future date which must be approved by his or her supervisor.

Police officers Employees who are assigned to work a 10-hour or 12-hour shift schedule, or otherwise determined by the City Administrator, will be credited with eight (8) hours of holiday time for each city paid holiday at the beginning of each year to be taken as time off during the calendar year, subject to their supervisor's initial approval and final approval by the City Administrator. Employees, who separate from the City and who have used holiday time before it has accrued, shall have their last paycheck adjusted to reimburse the City for any used, but unaccrued holiday time.

MERIT PROGRAM:

An annual performance review will be conducted for all employees on their job anniversary date. Performance reviews s will also be considered if there is a prominent change in the employee's level of performance.

This appraisal will include a review of the employee's performance and should be used to accomplish the following:

1. Assess and measure level of performance

2. Establish and clarify objectives and expectations
3. Determine job responsibilities
4. Identify strengths and weaknesses
5. Provide direction for improving deficiencies
6. Recognize achievement
7. Provide a basis for salary advancement and promotional opportunities.

Merit consideration for salary increases will be ~~based on the overall evaluation of the performance review as determined by the Board of Aldermen~~ determined by the City Administrator, based on available salary appropriations, the employee's on-job performance and recommendations received by the employee's direct supervisor and department director within the salary classification plan approved by the Board of Aldermen.

SERVICE AWARDS:

~~Upon completion of the probationary period, an~~An employee's seniority will be recognized in the following manner:

- For the first 3-6 months of continuous service = \$25
- For the first 6-12 months of continuous service = \$50
- For every year of continuous service thereafter = \$25

Payment of service awards will be made annually at the end of each year.

TRAINING & CONFERENCE ATTENDANCE:

Training and conference attendance expenses incurred in the development of an employee's skills, knowledge, and abilities to assist the employee in staying abreast of the employee's field and to perform more effectively the duties of the employee's position in the ~~c~~City service shall be paid by the ~~c~~City, subject to approval by the Board of Aldermen and within the limits of authorized appropriations.

EDUCATIONAL BENEFITS:

City employees may be reimbursed for 100 percent of their expenses for tuition and 25 percent of the cost of books in courses taken at any public educational institution. Employees taking courses at private educational institutions will be reimbursed an amount equal to the same number of credit hours in an equivalent public institution. Attendance must be approved by the Board of Aldermen prior to enrollment. All courses must be directly related to the work of the employees. The employees must achieve a final grade of C or higher, or the employee is obligated to repay the ~~c~~City any advance payments for the course.

However, if the cCity shares in the cost, the employee must remain in the cCity service for three (3) years after completion of the course. Employees will be required to sign a repayment agreement prior to receiving a tuition reimbursement.

If the employee fails in this obligation, the cCity's portion of the tuition will be deducted from the employee's last paycheck and any balance due remaining must be repaid by the employee.

This schedule is measured from the date when reimbursement for each course was made.

Employee separates from the city before 12 months: _____ 100% must be repaid

Employee separates from the city between 12—24 months: ___67% must be repaid

Employee separates from the city between 24—36 months: ___ 33% must be repaid

Employee separates from the city any time after 36 months: ___No repayment due

SICK LEAVE:

All full-time cCity employees shall ~~earn-accrue~~ sick leave ~~with full day pay~~ at the rate of ~~one workday-8 hours~~ for each calendar month of service. ~~Sick leave shall accrue from the date of employment but shall not be taken until the successful completion of the 90-day probationary period except with permission of the Board of Aldermen.~~

Sick leave may never be taken in advance of earning the time.

An employee may be eligible for sick leave for the following reasons:

1. Personal illness or physical incapacity.
2. Quarantine of an employee by a physician.
3. Illness in the immediate family requiring the employee to remain at home.

An employee who is unable to report to work because of the above reasons, shall report the reason for the employee's absence to the employee's supervisor within four hours from the time the employee is expected to report for work. Sick leave with pay in excess of three (3) working days shall be allowed only after presenting a written statement by a physician or other acceptable health care practitioner certifying that the employee's condition prevented the employee from appearing for work.

An employee ~~terminating-separating~~ from cCity service shall not be allowed the use of sick leave in the last two calendar weeks of employment. Unused sick leave may be compensated at the time of resignation or dismissal at the discretion of the Board of Aldermen, but shall not exceed

~~the amount at~~ the rate of 50 percent of the employee's current pay times the number of unused sick ~~days~~ hours accrued. Abuse of sick leave privileges can result in termination of employees. ~~Employees shall accrue 8 hours of sick leave per month.~~

As of January 1, 2020, accrued sick leave ~~days~~ shall not accumulate more than a total of 480 hours. Commencing on January 1, 2020, employees who have accumulated more than 480 hours of sick leave shall ~~have such leave capped at their existing level~~ not forfeit any hours already accrued and shall not accrue sick time until their accrued sick time balance has fallen below 480 hours. Once the employee's accrued sick time balance has fallen below 480 hours, accrued sick leave shall not accumulate more than a total of 480 hours.

~~Upon separation of service from the city, employees~~ Employees who have unused sick leave of accumulated more than the maximum of (480) hours may be compensated at the time of resignation or dismissal at the discretion of the Board of Aldermen, but shall not exceed the amount at the rate of 50 percent of the employee's current pay times the number of unused sick hours accrued. ~~that may be accumulated shall have the excess accumulated amount of sick leave liquidated by the City at the employee's rate of pay when liquidated in order to reduce the amount of accumulated time to the maximum permitted. The date of liquidation of excess sick leave time shall be at the discretion of the Board and subject to available appropriations.~~

Unless otherwise provided, leave time shall be counted against an employee's accrued sick leave, accrued vacation leave or, when available, accrued holiday leave. If an employee has exhausted their accrued leave time, they may take up to two (2) days unpaid time off work during a calendar year. Employees needing to take additional unpaid time off work must apply for a leave of absence.

FUNERAL-BEREAVEMENT LEAVE:

Any full-time (non-seasonal) employee may be granted three (3) consecutive working days leave, ~~by the Board of Aldermen as needed, because of their~~ in the event of death of a member of the employee's immediate family (spouse, child, step-child, parent, step-parent, sibling, step-sibling, grandparent, step-grandparent, grandchild, step-grandchild, aunt, step-aunt, uncle, step-uncle, first cousin, step-first cousin, and in-laws of the same mother, father, sister, brother, mother-in-law, father-in-law, grandmother or grandfather. Such leave shall not be deducted from ~~either~~ accrued sick leave, ~~accrued~~ or vacation leave or, when available, accrued holiday leave.

JURY LEAVE:

An employee may be granted leave with pay when required to be absent from work for jury duty or as a trial witness. Compensation for such leave shall be limited to the difference between pay received for this service and normal ~~c~~City pay.

MILITARY SERVICE:

Employees entering military service will be granted a leave of absence and entitled to reemployment upon completion of the military service in accordance with ~~the~~ applicable law. All

employees actively involved in reserve training will also be given excused time off for training periods which are required by the Armed Services for which the employee is serving.

SICK LEAVE INCENTIVE:

~~Effective January 1, 2023, if~~ When an employee who has been employed for the full calendar year uses less than twenty-four (24) hours of Sick Leave in a calendar year, they will be granted eight (8) hours of additional Vacation time to be used the next calendar year.

PERSONNEL FILES:

An employee will, upon request, be given the opportunity to review his/her personnel file. This request will be granted by the City Clerk and will take place in the presence of a member of management or those authorized to grant such approval. Copies may be provided of any information contained therein. However, the employee may not alter, modify, or remove any original or copied items from the file.

SENIORITY:

Seniority is the length of continuous service with the ~~City~~ City from date of hire adjusted as necessary for any periods of inactivity. Employees rehired will receive a new seniority date effective with the new date of hire.

Seniority may be used when determining ~~vacation~~ the following: ~~Vacation~~ selections.

RESIGNATIONS & RETIREMENT:

~~(a), (a)~~ Notice required. ~~Any~~ Any employee who is in good standing may resign from the service of the ~~City~~ City by presenting a resignation in writing. Employees holding positions which are covered by the Fair Labor Standards Act must present such notice of resignation not less than two (2) weeks prior to the effective date. Employees holding positions which are exempt from coverage under the Fair Labor Standards Act must present notice of resignation no less than four (4) weeks prior to the effective date. ~~Such resignation may be withdrawn by the employee at any time prior to the effective date with the approval of the City.~~ Department heads must present notice of resignation no less than sixty (60) days prior to the effective date.

~~(b), (b)~~ Failure to give notice. ~~Any~~ Any employee who fails to provide notice as set out in paragraph (a) shall be deemed to have relinquished all accrued vacation time, accrued sick time and, when available, accrued holiday time and non-FLSA compensatory time and shall no longer be eligible for any benefits related to payment for hours not worked, including holiday pay.

~~—~~ All full-time (non-seasonal) employees are eligible for retirement benefits at the age and length of service requirements specified by the retirement plan in which they are enrolled. Notice of retirement shall be in the same manner as for resignations.

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POLICIES AND PROCEDURES:

DEFINITION:

Where weeks are referred to in this Handbook, it shall mean a week being 40 hours of worked time for all employees not working a ~~12-hour~~ 12-hour shift. Where days are referred to in this Handbook it shall mean 8 hours of worked time for 5 working days for all employees in a continuous ~~168-hour~~ 168-hour period except for police officers who are assigned to ~~12-hour~~ 12-hour shifts.

PROBATIONARY PERIOD:

All new employees, regardless of position, are on probation during the first ~~90 days~~ 12 months from date of hire. This policy also applies to personnel promoted into new jobs or placed on special assignments and shall be based on date of promotion or transfer. During this period, attendance, attitude, skill development, and job performance of the employee are closely monitored. Any problems in these areas during probation may be cause for termination, demotion or reassignment of the employee. ~~During the probationary period for new hire employees, credit for holiday and vacation pay will not accrue.~~

TIME SHEETS:

All hourly employees are required to ~~sign~~ complete and review their time sheet before and after their assigned shift.

Employee time and attendance records will be maintained by the ~~city clerk~~ Finance Department based on information furnished by the department director. ~~Beginning December 25, 2022,~~ The pay period ~~will span ten working days or~~ 14 calendar days starting on Sunday and ending on Saturday. Time and attendance reports are required to be ~~certified~~ reviewed by the employee and approved by the employee's supervisor one day after the end of the pay period, i.e., every other Monday. The attendance reports will be used to record all regular attendance, paid overtime, sick leave, annual leave or other absence which may affect the pay of the individual.

WORKING HOURS:

The ~~c~~City will establish shifts (fixed or variable) in accordance with operational requirements. Because operation schedules often require that shifts and hours be altered, employees are expected to be available to work the variable hours and shift assignments that may occur. If a change in an employee's schedule becomes necessary, the employee's supervisor will notify ~~an~~ the employee as soon as possible.

OVERTIME:

Overtime assignments are a requirement of the job. When an important job must be completed without delay, overtime work may be necessary. Hourly employees will be paid at the rate of

time and one half for approved time worked in excess of 40 hours per week. in a fixed seven-day (168-hour) work week other than police employees assigned to work a 12-hour shift schedule.

For police employees assigned to work a 12-hour shift schedule, overtime shall be paid at the rate of time and one half for approved time worked in excess of 84 hours in a fixed fourteen-day (336-hour) two-week work period.

Vacation time, sick time, and holiday time is not considered time worked for overtime pay. Overtime shall not be authorized except with the approval of an employee's supervisor. Employees may not authorize their own overtime regardless of position.

Whenever a non-exempt employee is called back to work on an emergency after his or her regular working hours and after he or she has left the work site, the minimum overtime payment shall be for two hours of work at the rate of time and one-half. The two-hour minimum shall not apply and overtime compensation shall end if the employee's regular shift begins during the emergency call back.

EMPLOYEE INFORMATION:

Employees have an obligation to keep the City Finance Department informed of any changes in the employee's name, address or telephone number. Employees are required to provide the cCity with updated information as these changes occur. ~~Simply-Employees may give this information to your-their supervisor who will pass it on to the City Clerk~~ complete a personnel action request so that the cCity may update the City's records or employees may update the information themselves, using the payroll website or app.

ATTENDANCE:

It is essential to the success of the cCity and for the security of an employee's job that the cCity meet its operating schedules. In order to accomplish this objective, employees are required to maintain prompt and ~~regulate-regular~~ attendance by avoiding tardiness, absences, early departure, and shall observe time limitations during breaks.

If it becomes necessary for an employee to be absent, whatever the reason it is an employee's responsibility to notify the employee's supervisor prior to the start of an employee's scheduled shift. When notifying the employee's supervisor of an employee's absence, an employee must provide the following information:

1. Reason for absence,
2. Expected date of return, and
3. Telephone contact where you can be reached.

It is advisable for an employee to obtain an employee's supervisor's home phone number should it become necessary for an employee to contact the supervisor at home. Failure to report an

absence will be classified as unexcused. Two consecutive unexcused absences will be considered as employee resignation without notice.

You are required to maintain daily contact with your supervisor during any period of absence. This allows for coverage of work schedules.

Unless otherwise provided, leave time shall be counted against an employee's accrued sick leave, accrued vacation leave or, when available, accrued holiday leave. If an employee has exhausted their accrued leave time, they may take up to two (2) days unpaid time off work during a calendar year. Employees needing to take additional unpaid time off work must apply for a leave of absence.

Unexcused absences will be treated by the progressive discipline system. In addition, the absence will count against the employee's accrued sick leave, accrued vacation leave, and, when available, accrued holiday leave. Employees may also be required to document an employee's absences with a doctor's certificate. If required to do so ~~you~~ an employee must provide the following information:

1. Date and time seen by the physician,
2. Description of the illness, and
3. Reason an employee is unable to perform the employee's duties,

TERMINATION:

Discharge may result for any violation of ~~c~~City policies, rules, regulations, unsatisfactory job performance, or any other conduct which is improper or unbecoming. This applies whether specifically written or not. The ~~c~~City reserves the right to add to, modify or change any or all of its policies, rules or regulations at any time without prior notice to its employees.

Employees being considered for termination with cause will be done with the approval of the ~~Board of Aldermen~~City Administrator.

Employees resigning without notice may result in disqualification for rehire and shall be deemed to have relinquished all accrued vacation time, accrued sick time and, when available, accrued holiday time and non-FLSA compensatory time and shall no longer be eligible for any benefits related to payment for hours not worked, including holiday pay.

LEAVE OF ABSENCE:

Employees who have completed their probationary period may be eligible for a leave of absence pursuant to the following guidelines:

1. A leave of absence may be granted for a specified period of time at the discretion of the ~~C~~ity and only with approval of the Board of Aldermen.

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2. An employee desiring a leave of absence shall make application in writing to the City Clerk at least a week in advance, unless otherwise approved. Application must state the reason for the leave and desired length of time. If approved, the City Clerk will respond in writing indicating the reasons for leave and duration granted. By accepting the leave, the employee is not guaranteed re-employment upon expiration of the leave period.
3. Each leave will be granted on the basis of individual merit as determined by the Board of Aldermen. Re-employment will be at the discretion of the cCity and may take into account such factors as employee's previous work record, availability, and suitability for a position with or without accommodation.
4. Employees requesting a leave of absence must utilize any accrued sick leave, accrued vacation leave, and, when available, accrued holiday leave while on a leave of absence.
- 4.5. Employees returning from a medical leave of absence must have a health care practitioner's certificate indicating the employee may return to work without any restrictions or limitations or with suggested accommodations to be considered by the cCity. Waivers to this policy may only be approved by the Board of Aldermen.
- 5.6. Employees will not accrue cCity seniority, accrue leave time, be eligible for cCity benefits, or be entitled to pay (other than accrued sick leave, accrued vacation leave, and, when available, accrued holiday leave) continuance while on leave status.

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CITY PROPERTY:

City-owned equipment, no matter how large or small, is to be used only for city business or projects, and by city employees. Employees are expected to exercise care in the use of cCity property and to utilize such property only for authorized purposes. Negligence in the care and use of cCity property may be cause for disciplinary action up to and including termination.

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All materials, equipment, etc. issued by the cCity to an employee are the property of the cCity and are provided for the employee to perform properly in an employee's position. Any change in employment status will cause those items to be returned to the city-City.

City-owned vehicles and equipment will be assigned by the City Administrator in writing to those employees who are required, by the nature of their job, to make use of a city vehicle or other city equipment on an emergency call basis. Only that equipment that has been assigned directly to an employee, in writing by the City Administrator, may be taken to an employee's place of residence. Written assignment of a take home vehicle and any other take home equipment by the City Administrator will be filed in the employee's personnel file.

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Employee's having been assigned a vehicle shall park the vehicle on the employee's property, during times other than normal working hours, and not in the street right-of-way. Department Heads shall be responsible for the enforcement of this policy and to preserve the intent of this policy.

PERSONAL PROPERTY:

The City cannot assume financial responsibility for the damage or theft of personal property. Therefore, employees are requested to bring to work only those items that are needed for performing an employee's duties.

HEALTH AND SAFETY:

The control of all types of losses within the City is a vital link to City costs and the security of an employee's job. If an employee is injured while on the job, the accident must be reported to the employee's supervisor or the City ~~Clerk~~ Administrator immediately. Failure or delay in reporting the employee's injury may jeopardize Worker's Compensation Benefits.

The major problem in accident prevention in any municipality is generally not one of hazardous conditions, but of injuries that result from careless work habits. Employees are reminded to use care and caution in performing their duties.

The following safety rules apply to all employees and are subject to the progressive discipline procedures:

1. Machinery and vehicles should be operated in a safe manner at all times. Only those designated to operate specific items shall do so.
2. Guards and protective devices shall be in place on all machinery before it is operated.
3. All employees who work in areas where hearing protection devices are required shall wear such devices at all times while working in those designated areas.
4. Lifting and carrying jobs can be done without injury. First check to see if the object is too big to handle alone. If it is, then get help. If it isn't, ~~then~~ follow ~~the diagram shown~~ below safe lifting practices.
5. Use good judgment. If something appears to be unsafe for work to proceed then make it safe before work is performed.
6. Follow specific safety rules for each department.
7. All work-related accidents and injuries must be reported immediately. Any injury that requires medical treatment will be treated by a ~~City~~ designated physician.

Lost time and increased insurance rates are expensive. REMEMBER: Think of the SAFE approach both BEFORE and DURING job assignments. The employee's support and awareness of this aspect of the job will make the City of Kearney a safe and pleasant place to work.

THINK SAFETY FIRST. . .

POLITICAL ACTIVITIES:

City employees shall not be appointed or retained on the basis of their political activity. City employees shall not be caused to take part in political campaigns, to solicit votes, to levy, contribute or solicit funds or support, for the purpose of supporting or approving the appointment or election of candidates for any municipal office. No City employee shall actively advocate or oppose the candidacy of any individual for nomination or election to any municipal office, but an employee may participate in political affairs at other levels of government, provided such participation does not adversely affect the employee's performance as a City employee.

CITY RULES:

It is the employees' responsibility to familiarize themselves with all City policies, rules, regulations, job duties and to observe the rules at all times. The following rules of conduct are established:

1. Supplies, equipment or vehicles will be used for only City purposes and assignments. Any personal use is prohibited without prior approval of the Board of Aldermen.
2. Reporting to work under the influence or impaired by alcohol or drugs, or in possession of such substance on City premises is prohibited.
3. Horseplay, fighting, acts of violence, destruction of City property, threatening or interfering with other employees at any time while on City property or while engaged in City-related activities is prohibited.
4. Misconduct or neglect of responsibilities will not be tolerated.
5. No employee shall knowingly submit false or misleading information for, or on, any City report, record or document.
6. Every employee has a responsibility for the care and safeguard of City property.
7. Every employee will observe and comply with all safety rules and regulations established by the City.
8. All employees are required to perform their duties, assigned or otherwise, in a professional and business-like manner.
9. The City may require an independent medical examination, if deemed necessary, for the welfare of the City or its employees.
10. The City will not tolerate any form of harassment related to sex, color, race, creed, national origin, religion or disability or for any other prohibited reason. In the event the City finds such an occurrence has taken place, the City will take strict measures to

prevent such situations through disciplinary action. Such occurrences should be reported immediately in writing to the City Administrator, who will notify the Board of Aldermen.

11. No employee shall sign another employee's time sheet with or without permission of another employee.
12. Employees will maintain prompt and regular attendance by avoiding tardiness, absences, early departures and shall observe time limitations during break periods.
13. All employees are required to work, act, and dress in compliance with good sanitary and housekeeping principles. Trash should be disposed of properly. Restroom and breakroom facilities should be kept clean, picked up and orderly. Rules of personal hygiene should be followed before coming to and during work hours.

These rules are subject to the progressive discipline system.

TRAVEL POLICY:

The purpose of this policy is to provide guidelines and procedures for reimbursement of allowable expenditures for employees conducting business on behalf of the City of Kearney. The list of allowable expenditures is intended to cover all reasonable and necessary travel costs, while providing the lowest and best cost of travel to the City. The City offers two options of reimbursement for employees traveling outside the metropolitan area and requiring employees to stay outside the Kansas City Metropolitan area overnight: the Reimbursement by Receipts Policy or the Federal Per Diem Rates as established by the Internal Revenue Service.

TRAVEL AUTHORIZATION:

For travel outside the Kansas City Metropolitan area, an employee must complete a "Travel Request/Expense Form" which must be approved by the appropriate Department head prior to the travel occurring. (In cases of travel by a Department head or the City Administrator, the form must be approved by the City Clerk.) and included in the annual budget approved by the Board of Aldermen.

Travel within the Kansas City Metropolitan area must be approved by the appropriate Department Head. A Travel Request/Expense Form is not required.

TRAVEL REQUEST/EXPENSE FORM:

Travel Request/Expense forms must be submitted to the City Clerk Finance Department at least fourteen (14) days prior to the departure date or the date the employee needs to receive an advance/per diem check.

Documentation explaining the purpose of the trip should be attached to the Travel Request/Expense form. Conference advertisements, seminar schedules or letters pertaining to the necessity of a meeting are examples of appropriate documentation.

The Travel Request/Expense form should present all costs associated with the trip, even if some items are prepaid or will be paid using a ~~City~~ credit card and are not being requested as part of the advance/per diem.

City employees shall submit to the ~~City Clerk~~ Finance Department the Travel Request/Expense Form within two weeks upon returning from a business trip. All appropriate receipts shall be attached, ~~i.e.~~, registration fees, hotel/motel bills, meals, transportation tickets, etc. Travel advances not reconciled within thirty (30) days of return will result in the entire advance amount being deducted from the employee's pay.

Option 1: Reimbursement ~~b~~By Receipts

Under this option receipts must be kept and submitted for reimbursement of expenses.

The following is a list of allowable expenditures for travel outside the Kansas City Metropolitan area.

Transportation - The ~~C~~ity pays the lowest of air or ground transportation.

Ground Transportation - Use of private vehicles will be allowed when a ~~c~~ity owned vehicle is not available and upon the approval of the Department Head. Reimbursement for mileage allowance will be computed on the basis of the current standard allowance accepted by the Internal Revenue Service. If more than one ~~c~~ity employee travels in the same vehicle, mileage will be paid only to the owner of the vehicle. When travel is by a ~~c~~ity owned vehicle, the cost of gasoline and oil will be allowed. Other expenditures related to automobile operations will be allowed when justified. Travelers using ~~c~~ity owned vehicles are expected to ~~leave the~~ ~~C~~ity return the vehicle with a full tank of gasoline.

Airfare - Authorization will be given for the most economically available flight to and from the conference location, using the day immediately prior to the conference that includes trade shows, pre-conference seminars and exhibits (or the first day of the conference if it begins after 1:00 p.m.) and the day immediately following (or the last day of the conference if it ends by 1:00 p.m.) as "travel days". The only exception to this policy is if a lower airfare is available if the employee extends the trip and the employee elects to schedule the additional time as personal vacation. The cost of the additional days' lodging and meal allowances must be less than the savings on the airfare in order for the extension to be granted. If there is a net savings, the ~~C~~ity will pay for those additional days' lodging and meal allowances. All airline tickets should be ordered at least thirty (30) days in advance to secure the lowest fare available. When calling for airfares, employees should check with multiple travel agencies and airlines to secure the best rate.

Lodging - Lodging will be paid for the nights the person is on ~~c~~ity business, including "travel days". An itemized check-out receipt is required for reimbursement. Check-out times must be adhered to. Lodging generally includes the cost of a single room and any taxes and governmental charges, but does not include personal items such as movies, etc. When staying in hotels and motels in Missouri, the ~~C~~ity can avoid paying sales tax by paying the hotel/motel

direct. The hotel/motel can be paid in advance, or the employee may take a check payable to the hotel/motel.

Any additional charges due to a guest, such as a spouse staying in the room shall be paid by the individual. When making reservations for lodging, inquiries should be made about governmental discounts. Some hotel and motel chains offer a 10 - 20% discount to persons on government business.

Meals - Meals will be ~~reimbursed at actual costs, up to maximum paid based on the size of the city and cost of living of the area. In order to accommodate those traveling for partial days or those receiving meals as part of the registration, the meal allowance is broken down by meal (tips are included in the meal allowance).~~

~~Cities (including metropolitan area*) under 500,000 population \$36.00 per day (Breakfast \$7.00, Lunch \$11.00, Dinner \$18.00)~~

~~Cities (including metropolitan area*) over 500,000 population \$42.00 per day (Breakfast \$8.50, Lunch \$12.50, Dinner \$21.00)~~

~~A few selected cities (Appendix B) qualify for a meal allowance of \$50.00 per day (Breakfast \$10.00, Lunch \$15.00, Dinner \$25.00)~~

~~New York City qualifies for a meal allowance of \$64.00 per day (Breakfast \$13.00, Lunch \$19.00, Dinner \$32.00) amounts, allowed under the Federal per diem guidelines.~~

Breakfast will be paid if leaving prior to or returning after 9:00 a.m.
Lunch will be paid if leaving prior to 11:00 a.m. or returning after 2:00 p.m.
Dinner will be paid if leaving prior to or returning after 5:00 p.m.

Any meals that are included with the conference registration should be deducted from the meal allowance. Banquets will be paid at actual cost with a paid receipt in place of the meal allowance amount.

~~*To determine whether a city is within a particular metropolitan area, contact the City Clerk.~~

Registration - The cost of registration is a reimbursable expense. Entertainment type activities that are included as additional registration fees are the individual's responsibility.

Other Reimbursable Expenses:

~~Phone Calls - A maximum amount of \$5.00 per day is allowable for personal calls. Phone calls to the office in a reasonable amount are also reimbursable. Hotel/motel access charges normally range from \$.50 to \$.75 per telephone call for local and long distance calls. A reasonable amount of these charges is reimbursable when itemized on the hotel/motel receipt.~~

Taxi or Shuttle Service to or from airports, hotels/motels and convention centers are allowable expenses. Receipts are required.

Parking and Toll Fees for business activities are allowable expenses. Receipts are required.

Valet Parking - normally listed on hotel/motel receipt.

Fuel when driving a ~~City~~ vehicle. Receipts are required.

Tips for personal services in a reasonable and customary amount are allowable.

Laundry for extended leaves lasting longer than five days. Receipts are required.

Car Rental expense is allowable only if adequate local mass transportation is not available and the cost for taxi service exceeds the car rental fees. Prior approval must be obtained through the "Travel Request/Expense Form" for reimbursement. Receipts are required.

Option 2: Federal Per Diem Rates

Employees may choose to use the Federal Per Diem Rates for any approved overnight business travel outside the Kansas City Metropolitan area. Receipts are not required for any eligible expenses under the Federal Per Diem guidelines. Eligible expenses include: Lodging, Meals (including tips for meals) and incidentals (incidental expenses include costs for laundry, cleaning and tips for services). A list of rates for lodging, meals and incidentals for various cities ~~is~~ [attached \(see Appendix A\)-can be found at www.gsa.gov.](#)

Employees may choose to be reimbursed for meals and incidentals using the Federal Per Diem Rate and submit receipts for lodging or be reimbursed for lodging using the Federal Per Diem Rate and submit receipts for meals and incidentals. If receipts are submitted for either lodging or meals and incidentals, the guidelines in "Option 1: Reimbursement by Receipts" apply to such expenditures.

Expenses incurred other than lodging, meals and incidentals require the submission of receipts as detailed in "Option 1: Reimbursement by Receipts".

Travel Days – If an employee is not traveling for the entire 24-hour day, an employee must prorate the meal allowance. An employee may do so by dividing the day into 6-hour quarters. An employee can claim one-fourth of the full day meal allowance for each 6-hour quarter of the day during part of which an employee is traveling away from home. The 6-hour quarters are:

1. Midnight to 6 a.m.
2. 6 a.m. to noon
3. Noon to 6 p.m.

4. 6 p.m. to midnight

Allowable Expenditures Within ~~the~~ The Kansas City Metropolitan Area

Mileage expense to seminars and training sessions within the six county (Cass, Clay, Jackson, Johnson, Platte and Wyandotte) metropolitan area will be reimbursed at the current mileage rate set by the Internal Revenue Service only when a ~~c~~City-owned vehicle is not available.

Employees receiving a car allowance are not eligible for reimbursement for mileage within the metropolitan area.

Meals will be reimbursed at actual costs not to exceed the meal allowance. The meal allowance for the metropolitan area is \$42.00 (Breakfast \$8.50, Lunch \$12.50, Dinner \$21.00). Receipts are required. The IRS requires that meals reimbursed by the city when no overnight lodging has been required be included in the employee's taxable wages and reported on the employee's W-2.

Luncheon seminars or professional organization meetings will be paid at actual cost which may be in excess of the meal allowance when supported by a copy of the meeting agenda or a paid receipt.

Parking and toll fees for business activities are reimbursable. Receipts are required.

RESPONSIBILITY FOR ENFORCEMENT:

The City Administrator will have the overall responsibility for enforcement of the administrative policy. Department heads will be entrusted with the responsibility of enforcing the policy within their departments and the ~~City Clerk~~Finance Department will ensure the compliance of the specified procedures before reimbursement.

~~DRUG AND ALCOHOL AND SUBSTANCE ABUSE~~ POLICY:

~~The City is a Drug-Free Workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The use of illegal drugs and alcohol is inconsistent with the behavior expected of employees. The use of illegal drugs and alcohol subjects employees and visitors to unacceptable safety risks that undermine the City's ability to operate safely, effectively and efficiently.~~

~~DRUG-FREE WORKPLACE POLICY~~

~~Purpose~~

~~City of Kearney values its employees and recognizes the employees' need for a safe and healthy work environment. Furthermore, employees abusing drugs and alcohol are less productive and are often a risk to the safety and productivity of the City. The establishment of a Drug-Free Workplace Policy is consistent with the City's desire to promote a safe and accident-free workplace.~~

Policy

It is the policy of the City of Kearney to maintain a workplace free from the use and abuse of illegal drugs and alcohol. Compliance with this policy is a condition of continued employment.

To maintain a Drug-Free Workplace, the City of Kearney has established the following policy with regard to the use, possession, and sale of illegal drugs and alcohol. Drug and alcohol testing practices will be adopted to identify employees or applicants using drugs and/or alcohol.

Drug & Alcohol Prohibitions

"Illegal Drug" means: any drug (1) which is not legally obtainable, or (2) which is legally obtainable but has not been legally obtained, or (3) which is a non-prescribed controlled drug, or (4) which is medical marijuana. In addition, "illegal drug" means prescribed drugs not being used in prescribed manner.

Any employee involved in any of the following activities at any time during the hours between the beginning and end of the employee's work shift, whether or not on City business, premises, or property, is in violation of City policy and subject to disciplinary action:

- a) Bringing illegal drugs onto City property or premises.
- b) Having possession of or having any amount of illegal drugs or alcohol in employee's body during working hours or during any City-related activity.
- e) Using, consuming, transforming, distributing, or attempting to distribute or dispense illegal drugs.

Policy

Under Federal law the city is required to provide its employees with a drug-free workplace. The city recognizes that drug and alcohol abuse are disorders which can be treated. It is the purpose of the city to encourage employees to seek prompt professional assistance in order to resolve drug and alcohol abuse problems before work performance is affected. The city intends to give the same consideration to employees who suffer from drug or alcohol abuse as it would give to employees suffering from any other illness or injury, subject to the further provisions of this Policy.

Definitions

Unless the context specifically indicates otherwise, the following terms as used in this Policy, are defined as follows:

1. **Alcohol** means alcohol consumed for beverage purposes; alcoholic, spirituous, vinous, or fermented, malt, or other liquors; a combination of liquors, a part of which is spirituous,

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vinous, or fermented; and all preparations or mixtures for beverage purposes containing alcohol.

2. **Alcohol-related or drug-related offense** means any violation of a State statute or local ordinance which involves physically driving or operating or being in actual physical control of a motor vehicle while under the influence of alcohol, an illegal drug or controlled substance, or drug, or any combination thereof, or the possession, manufacture, transportation, use or sale of alcohol or drugs which possession, manufacture, transportation, use or sale is prohibited by state or federal statute or local ordinance.
3. **Applicant** means any individual who has submitted an application for employment with the city, whether written or oral, including any current employee of the city who has submitted an application for a position not currently held by the employee, whether or not being hired into the position would be a promotion for the employee.
4. **Drug** means any controlled substance, alcohol, steroids, and any other drug or medication that can interfere with employment performance.
5. **Employee** means any person being paid directly by the city to perform services for the city-on-city property or under supervision by the city, including individuals performing services directly under contract with the city, and any person paid by another entity to perform work on city property and who is directly supervised by city staff, whether full-time or part-time, and whether temporary, probationary or permanent.
6. **Illegal drug** means any drug which is (a) not legally obtained, or (b) which is legally obtainable but has not been legally obtained. This definition further includes any drug requiring a medical prescription, to include medical marijuana as allowed for by State law (for non-DOT regulated positions), for which an employee does not have a lawful medical prescription; and any other drug listed as controlled substances in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812), and further defined in regulation 21 CFR 1308.11-13.08.15. (This definition explicitly excludes the legal use under Missouri State Law of Medical Marijuana for non-DOT regulated positions).
7. **Impaired employee** means any employee who exhibits behavior in the workplace which gives the employee's supervisor reasonable cause to believe that the employee is unable to perform the essential functions of his or her job as a result of drug or alcohol use, or whose behavior while conducting business for the city gives an HR representative or a Supervisor, who have completed the required training on identifying the symptoms of alcohol or drug impairment, or a law enforcement officer reasonable cause to believe the employee is under the influence of alcohol or illegal drugs or impaired by the use of alcohol or drugs (legal or illegal), or whose behavior when reporting for a work-related physical gives the attending physician reasonable cause to believe that the employee is under the influence of alcohol or illegal drugs or impaired by the use of alcohol or drugs (legal or illegal).

a. Reasonable cause to believe that an employee is impaired by drugs or alcohol may consist of:

(1) a severe decline in job performance;

(2) abnormal or erratic behavior;

(3) actions exhibiting impaired judgment or reflexes;

(4) direct observation of drug or alcohol possession or use;

(5) physical symptoms of drug or alcohol use, such as glassy or bloodshot eyes, odor of intoxicants on breath, slurred speech, poor balance, poor coordination, dilated pupils or impaired reflexes;

(6) an accident where the employee's impairment appears to be a contributory factor;

(7) behavior which creates a risk of injury to the employee, co-workers, the public or property;

(8) behavior which disrupts the conduct of city business;

(9) or any other symptom or combination of symptoms covered in required alcohol or drug impairment training but not specifically mentioned in this section.

8. Legal drug means both prescribed, over the counter, and those drugs deemed legal by State or Federal law, which have been obtained in a legal manner.

9. Motor vehicle means any self-propelled vehicle.

10. Negative drug test means that initial testing or confirmation testing does not show evidence of an Illegal Drug or any drug that could disqualify the individual from holding their current position of employment or obtaining employment with the city.

11. Positive drug test means that a confirmation drug test shows positive evidence of the presence of an Illegal Drug or any drug that could disqualify the individual from holding their current position of employment or applying for.

12. Safety sensitive function means any of those on-duty functions set forth in 49 CFR 395.2, including, but not limited to, waiting to be dispatched; inspecting, servicing, or conditioning a commercial motor vehicle; all driving time; all time in or upon any city motorized vehicle; all time loading and unloading a vehicle; and all time repairing, obtaining assistance, or remaining with a disabled vehicle. For the purposes of this policy, safety-sensitive functions shall also include operation of any motor-driven equipment whether or not such operation requires a CDL.

13. **Safety sensitive position** means DOT-regulated positions, any position that requires the regular performance of safety sensitive tasks, and any position involving the performance of duties that could have a direct and immediate impact on the safety of the public and other public employees, including, but not limited to operating a city vehicle, operating a personal vehicle while engaging in city business, operating motor-driven equipment, working directly with children, guarding a pool or waterfront, working with power tools, equipment, or machinery, working with hazardous or caustic chemicals, or performing a function where significant injury could result from employee error. Examples include, but are not limited to CDL drivers, police officers, emergency medical service providers, firefighters, law enforcement officers, any position of which public safety emergency dispatch operations are, or may be, required, childcare providers, lifeguards, chemists, and any position which involves the regular performance of safety sensitive functions.

14. **Substance abuse** means the use of any substance (alcohol, legal and illegal drugs) to the degree that the user experiences physical, emotional or social complications which threaten the health, safety, well-being or performance of the individual or fellow employees.

15. **Under the influence** means employees detected with drugs (legal or illegal) within the established limits. Employees will be deemed under the influence of alcohol where the alcohol level is at or above .04 percent.

Use, Possession or Sale of Alcohol and/or Drugs Prohibited

Employees are forbidden to report for work while under the influence of alcohol or illegal drugs or impaired by the use of alcohol or drugs (legal or illegal). Employees are forbidden to use or possess alcohol or drugs or be under the influence of alcohol or illegal drugs or impaired by the use of alcohol or drugs (legal or illegal) on city premises, while using city equipment, while performing city business, or during working hours, except for over-the-counter medications taken as per package directions or medications prescribed by a treating physician. No employee shall manufacture, sell, distribute, or dispense alcohol or drugs while on city premises or during the employee's working hours. This paragraph, however, shall not be applied so as to prevent the consumption or possession of alcohol or the possession of illegal drugs by any police officer when such consumption or possession is necessarily incident to the performance of his or her duties as a police officer.

Any employee convicted of, or who pleads guilty to, an alcohol-related or drug-related offense occurring on city premises, while using city equipment, while performing city business or during the employee's working hours, must notify the Personnel Department no later than five days following such conviction or guilty plea, regardless of the sentence imposed. Failure to notify the Personnel Department of such conviction or guilty plea can be cause for termination.

Any person convicted of, or who pleads guilty to, an alcohol-related or drug related offense occurring while on city premises, or on city business, or during the employee's working hours may be subject to discipline up to and including termination.

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Drug & Alcohol Testing

The City asserts its legal right and prerogative to test any employee for illegal drugs and alcohol use in conjunction with any accident or injury alleged to have occurred within the course and scope of employment. Employees may be asked to submit to a medical examination and/or submit to urine, saliva, breath, blood, and/or hair testing for illegal drugs or alcohol following an alleged accident or injury. The city may require testing of an employee or applicant under the circumstances set out below. Such testing may include blood testing, breath analysis, and urinalysis. Any information obtained through such examinations may be retained by the City and is the property of the City.

In particular, the City reserves the right, in its discretion and within the limits of federal and state laws, to examine and test for the presence of drugs and alcohol in situations such as, but not limited to, the following:

1. Pre-Employment Testing

- a. Every new applicant in the positions listed in paragraph b with the city will be required to submit to a test for illegal drugs prior to employment with the city.
- b. When any city employee is promoted or rehired to any of the positions listed below, that employee will be required to submit to a test for illegal drugs.
 - 1) Police Department: Police Chief, Assistant Police Chief, Police Major, Police Captain, Police Sergeant, Police Corporal, Police Officer, Lead Police Dispatcher, Police Dispatcher, Warrant Service Officer, Police Detention Officer, Parking Enforcement Officer, Police Identification Officer, Police Evidence Technician, Police Chemist, Property Clerk, Reserve Police Officer.
 - 2) All positions in which the employee must maintain a commercial driver's license as a condition of his or her employment with the city.
 - 3) Any position for which a pre-employment physical examination is required.
 - 4) Any position deemed a safety sensitive position.
- c. When any position which requires drug testing as part of the hiring process is posted or advertised, the posting or advertisement shall state that drug testing will be required as part of the hiring process.

2. **Unscheduled (Random) Testing.** Employees in the job positions listed below will be subject to unscheduled (random) testing. Individual employees will be selected for unscheduled testing on a random basis by use of a computerized random selection software process under the direction and control of the Personnel Department. In the selection process, employees will be identified by a number, with no reference to their name.

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a. Police Department: Police Chief, Assistant Police Chief, Police Major, Police Captain, Police Sergeant, Police Corporal, Police Officer, Lead Police Dispatcher, Police Dispatcher, Warrant Service Officer, Police Detention Officer, Parking Enforcement Officer, Police Identification Officer, Police Evidence Technician, Police Chemist, Property Clerk, Reserve Police Officer.

b. All positions in which the employee must maintain a commercial driver's license as a condition of their employment with the city.

c. Any employee who has been convicted of or pleaded guilty to a drug or alcohol related offense may be subject to a reasonable program of unscheduled drug and/or alcohol testing for 12 months immediately following the conviction, guilty plea or return to work.

d. Any position deemed a safety sensitive position.

3. Reasonable Cause. Any employee may be directed to report for drug and/or alcohol testing when the employee's supervisor has reasonable cause to believe that the employee is an impaired employee. A supervisor making a reasonable cause referral must notify the City Administrator. A videotape or audiotape recording, or other nonintrusive physical documentation (such as photographs) of an employee's behavior may be made for purposes of substantiating a reasonable cause determination. The employee must be informed that the videotape or other physical documentation is being made.

4. Post-Accident. An incident occurring while on city business that results in injury (requiring medical treatment) to an employee or others and/or damage to city property will be subject to a drug and/or alcohol test.

Post-Accident

~~An incident occurring while on City business that results in injury (requiring medical treatment) to an employee or others and/or damage to City property will be subject to illegal drug and/or alcohol test.~~

Failure to report any accident, which meets the post-accident testing criteria, is in violation of City policy and subject to disciplinary action.

Employees testing positive, under state law, may be ineligible for or receive up to a 50% reduction in workers' compensation benefits.

Reasonable Suspicion

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~~A Current employee may be asked to submit to a drug and/or alcohol test if cause exists to indicate that their an employee's health or ability to perform work may be impaired.~~

~~Although reasonable suspicion testing does not require certainty, mere "hunches" are not sufficient to meet this standard.~~

~~Therefore, a reasonable suspicion test will only be conducted after careful consideration of surrounding objective facts.~~

Refusal to Consent to and Submit to Testing

An applicant who refuses to submit to a drug and/or alcohol test will not be hired for the position for which the applicant has applied. An employee who refuses to submit to any drug and/or alcohol test required under this policy is subject to disciplinary action up to and including termination. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action.

Drug Testing Procedures

~~Any employee who is tested will have the right, upon request, to see the results of the employee's test. The City will notify an employee whose tests are confirmed positive. If the test is a result of a post accident situation requiring medical care, the City workers' compensation insurance carrier will be notified of the results.~~

~~The drug test will be performed from urine specimens collected at a qualified collection site. The collection site will take the necessary steps to avoid any dilution or alteration of urine specimens. For all post-accident and reasonable suspicion situations to determine substance levels, a blood test or evidential breath test will be performed at the collection site. The collection site will take the necessary steps to avoid any dilution or alteration of urine specimens. Proper handling of the specimens will be maintained so that the specimen results can be traced to the proper individual. A secure, written chain-of-custody process will be implemented from the time of the collection of the specimen until the specimen is disposed of or secured in frozen long-term storage.~~

~~The specimen will be analyzed by a NIDA-certified, professional laboratory for the following controlled substances only:~~

Cocaine	Cannabinoids (marijuana)
amphetamines Opiates	Phencyclidine (PCP)

~~In addition to the above controlled substances, breath test or blood test will be conducted to determine presence of alcohol.~~

~~Any employee who is tested will have the right, upon request, to see the results of the employee's test. The City will notify an employee whose tests are confirmed positive. If the test is a result of a post accident situation requiring medical care, the City workers' compensation insurance carrier will be notified of the results.~~

Confidentiality of Testing Information

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All information regarding the testing of applicants and employees shall be a closed record. Laboratory and test results shall not be placed in an employee's general personnel file but shall be kept in separate folders that will be kept under lock and key under the control of the city Administrator. Test results will be released to the tested employee, upon the employee's request. Test results may be released to the following persons to the extent necessary for them to carry out their duties with the city: The employee's department director, the City Administrator, a hearing officer appointed as part of the city's formal grievance procedure and the Law Department.

Disclosure without employee consent is also authorized if:

1. Production of the information is compelled by law, or by judicial or administrative process;
2. the information has been placed at issue in a formal dispute between the city and the employee;
3. the information is to be used in administering an employee benefit plan; or
4. the information is needed by medical personnel for the diagnosis or treatment of the employee, and she or he is unable to authorize disclosure.

Consequences of a Positive Drug and/or Alcohol Test Result

Applicants. Job applicants will be denied employment with the city if drug and/or alcohol tests administered pursuant to this policy show:

1. That the applicant is under the influence of alcohol; or
2. the applicant has a confirmed positive test for the presence of an Illegal Drug; or
3. the applicant has a confirmed positive test for any drug that would disqualify the applicant from the position applied for.

Employees. If an employee is found to be under the influence of alcohol or has a confirmed positive test result for an Illegal Drug or any drug that would disqualify the employee from their current position, the employee is subject to disciplinary action up to and including termination. An employee may be removed from duty with pay pending receipt of the results of any test administered under this policy. Factors to be considered in determining the appropriate disciplinary response include the employee's work history, length of employment, current job performance, severity of the employee's drug and/or alcohol problem as related to job duties, the employee's willingness, and ability to participate in a drug and/or alcohol rehabilitation program, and the existence of past disciplinary actions.

Medical Review Officer

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The city will provide an independent medical review officer, who will be a licensed physician with knowledge of substance abuse disorders, to review confirmed positive test results of an employee or applicant for the presence of a drug tested for under this policy that would disqualify the employee from their current position.

The medical review officer will review and interpret the test results and will examine alternate medical explanations for any positive test result. This action could include:

1. conducting a medical interview with the employee;
2. review of the employee's medical history; and
3. review of any other relevant biomedical factors. The medical review officer will review all medical records made available by the employee when a confirmed positive test could have resulted from legally prescribed medication. The medical review officer will not, however, consider the results of blood or urine samples that are not obtained or processed in accordance with this policy.

The medical review officer will determine whether the employee's confirmed positive test result is:

1. Verified;
2. consistent with legal drug use; or
3. scientifically insufficient.

If the medical review officer determines that a test result is consistent with legal drug use or scientifically insufficient it shall be treated as a negative drug test by the city.

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Temporary Impairment Due to Use of Prescribed Drugs

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Employees who must use a prescription drug that causes adverse side effects, such as drowsiness or impaired motor skills, must inform their supervisor that they are taking such medication on the advice of a physician. The supervisor may place the employee on sick leave or temporarily assign the worker to different duties, as the best interest of the service may dictate.

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DISCIPLINARY ACTION:

The cCity reserves the right to use disciplinary actions, up to and including termination of employment, depending upon the seriousness of the violation, the employee's present job assignment, the employee's record with the cCity, and other factors, including the impact of the violation upon the conduct of cCity business.

Any employee convicted of illegal conduct related to controlled substances, drugs or alcohol or who fails to report such a conviction to the City Aadministrator shall be subject to immediate termination from service.

Any employee whose job performance requires the possession of a valid CDL and who loses the CDL for a violation of or as a consequence of the law shall be subject to disciplinary action up to and including termination from service. The employee shall notify the City Aadministrator and the employee's immediate supervisor of the loss of the CDL. Failure to notify the City Aadministrator of the loss of the CDL shall result in immediate termination from service.

Any employee who is consuming a prescribed or authorized controlled substance or other substance of any kind whose side effects may inhibit or impair the employee's performance shall provide written notice to the City Aadministrator of such consumption upon reporting to work and prior to engaging in any work-related activity, or earlier if possible. Failure to report shall be cause for disciplinary action up to and including termination from service. Medical and recreational marijuana that is used falls within this requirement for reporting.

WATER AND WASTEWATER:

Safety Procedures for Water Treatment Facility

The following procedures for emergency incidents that are likely to be encountered by cCity personnel are recommended for use when such incidents occur. The safety of cCity personnel, as well as the public, is the utmost concern in any emergency. The purpose in the development of a policy is to help insure the safety to those involved.

Although the Ccity has experienced few emergency incidents, the cCity personnel work in an environment that has the potential for emergency incidents on a daily basis. This environment is not limited to any single department; but the following procedures will focus on the Water and Wastewater departments.

When incidents occur that involve injuries to employees, it is of the utmost importance that the procedure for reporting that injury be followed as outlined in the personnel handbook. The incident must be reported to an employee's immediate supervisor without delay. This must be followed to insureensure that the proper chain of notice is in place for insurance purposes. As stated in the personnel handbook "Any injury that requires medical treatment will be treated by a Citycity-designated physician".

Wastewater Treatment Facility

This facility has several methods included in the operation that should be considered when thinking of emergency incidents.

Treatment Basins

The treatment tanks full of water that has been under aeration pose a risk to the personnel when working inside the railing. The person's ability to float will be less than in typical bodies of water. The two types of risk are wet drowning and dry drowning. The difference in the two are whether a person takes on water inside their body when in the water, as well as the temperature of the water and the outside temperature at the time of exposure.

The following precautions will be taken when work is done inside the railing:

1. Anytime there is work to be done that requires personnel to be on the waterside of the railing, that person needs:
 - a. To have a floating device on and/or be tied to a retrieval system.
 - b. Always have a person there to help you get out of the basin and activate a call for help and medical assistance.
 - c. If it is cold weather when the person is out of the basin, get the person inside and remove clothing and activate the call for medical assistance if needed.
 - d. Notify the Supervisor of the exposure to the basin.
2. Remember, if you go into the water to try to help the person in the water you might become a part of the incident rather than part of the solution.

Electrical Shocks

Due to the amount of electrical equipment in the treatment facility, there is risk of electrical shock. Always practice the Lock Out and/or Tagging System when working on electrical equipment. If you are not familiar with electrical tests do not put a test probe on an electrical connection.

As with the basin work, always have someone available to help in case of a medical emergency.

Water Treatment Facility

The Water Plant has several areas that should be considered and recognized as potential hazards to personnel when working around them. Many of them are not recognized as such due to the person working around them every day and never experiencing an accident or medical exposure. Some of the areas that an employee should make a mental note of are:

1. The treatment basins.
2. The electrical equipment; remember the electrical equipment is in a wet environment.
3. Treatment chemicals.

4. Test chemicals for daily water testing.

Treatment Basins

The same potential hazards exist with these basins as the basins at the Waste Treatment Plant. The change in weather temperature will affect the water temperature of the water plant basins more than the other treatment basins due to the aeration of the water prior to going into the basins. The possibility of water exposure

is more probable if a person falls into the basin in the winter months. The following guideline should be considered if a person falls into the basin and is exposed for a long period of time during cold weather. Remember that there are chemicals in the treatment basins that could affect respiratory process.

1. If the person is showing signs of hypothermia when retrieved, the person should be taken into a warm area and clothing removed.
2. If there is a concern of medical treatment being needed, contact the medical personnel. Remember the fast way to do this is by calling 911.
3. Contact supervisor and inform the supervisor of the incident.

Treatment and Test Chemicals

The test chemicals and the treatment chemicals all have MSDS sheets that are in the water plant office that will give exposure treatment. Become familiar with the location of these and how to find exposure treatment.

GAS MAIN BREAKS:

If a gas line is broken during the repair of a water line, the following procedure will be used for incident management:

Anytime a gas line is broken and gas is escaping, the first concern is the safety of the personnel on site and an equal concern should be for the public in the exposed area. If there is any doubt about the danger of the personnel or public, the fire department should be contacted to respond to the area.

The following guidelines are recommended by MCESpire:

Attempts to control the escaping gas prior to the arrival of a City representative should generally be limited to the closure of a service line or stopping of broken pipes. In all cases, however, the prime consideration at the scene should be assessing the hazard and isolating the public and source of ignition from the escaping gas.

Prior to making any physical contact with a plastic pipe, which might draw a spark and ignite the gas, the surface of the pipe should be wetted with water.

Remember the following:

- If a gas line is leaking contact [MCESpire](#).
- If you feel the public may be affected, contact the Fire Department.
- DO NOT attempt to crimp the line if it is not wet.

Each incident will be different in nature and onsite decisions will have to be made. The following are recommendations for safe work practices while performing work duties at the water treatment facility.

1. Lifting: When lifting lime bags and/or water parts, avoid bending at the waist. Also avoid twisting while you have the weight of the object you are lifting in your hands.
2. Razor Knives: When opening lime and alum bags avoid cutting toward your off hand.
3. PPE: Any time you are in the chemical room, a dusk mask should be used when adding lime and/or alum to the feed hoppers. Eye protection and hand protection also should be considered. Alum and lime can cause a skin reaction to some people.
4. Greasing Lime Elevator: Use fixed ladder and maintain three-point contact when climbing and coming down from platform. Also, if possible, perform this task with a second person in area with you.
5. Lime Elevator Belt Replacement: Lock out/Tag Out power supply when performing belt replacement or any work on the motor. Attempt to start motor to ensure that the motor is shut off before beginning work.
6. Changing Chlorine Bottles: Because chlorine is considered an extremely reactive element and its accidental release could be harmful or even fatal, it must be handled with extreme care. Accidental exposure to chlorine can pose some serious health risks. Exposure to chlorine at high levels (>30ppm) results in chest pain, vomiting, toxic pneumonia, pulmonary edema and even death. At lower levels (<3ppm) chlorine is a potent irritant to eyes, the upper respiratory tract and lungs. When chlorine is delivered by truck, the truck should never be allowed to keep its motor running during unloading. If chlorine cylinder develops a leak the combination of chlorine and carbon monoxide from the engine exhaust forms phosgene which is a deadly gas that prevents oxygen uptake into the bloodstream. The following precautions should be taken when connecting cylinders to the manifold:
 - a. Start vent fan before entering room.
 - b. Observe the flexible connector lines and replace if they are cracked, discolored or crimped. The connector lines should be replaced once a year.

- c. Use the buddy system when changing chlorine bottles and performing maintenance on the chlorinator.
- d. Check the system for leaks before putting the system back into service.

If a leak is found and you feel it is major in the amount it is leaking, leave the room. Contact your supervisor and the fire department and stay clear of the room. There is a SCBA in the pump building that can be used to assist the fire department in securing the leak. If you have a leak that requires that the SCBA be used do not put it on and enter the room alone. Wait for emergency personnel to arrive at the scene.

- 7. When changing chemicals in the analyzer units use hand protection, such as latex gloves.
- 8. Working on the water tower: When performing work on the water tower that requires climbing to the top of the tower, use the buddy system while performing this task. While climbing the ladder maintain three-point contact while climbing and descending.
- 9. While working at the water treatment plant be aware of floors that are wet. Falls and slips can occur.
- 10. Meter Setting: While working in any ditch take time to inspect the ditch conditions. If you are required to perform work in a ditch over 4 feet in depth, make sure that the ditch is sloped to a safe condition.
- 11. Wells: While filling oil containers on the wells do not climb on the well and try to hold on while working. Use a truck or ladder to stand on to prevent falling and causing injuries to yourself.

SAFETY PROCEDURES FOR STREET DEPARTMENT PERSONNEL

The following is recommended procedures for the use of the following equipment. It will be the superintendent of the department who makes the following recommendations mandatory or makes changes to this policy.

- 1. Mowers: When using any of the power mowers, eye and ear protection should be used. Seat belts are to be worn when provided.
- 2. Crack Filling Machine: This machine requires the operator(s) to work in the traffic lanes.
 - a. Safety vests and traffic cones should be utilized in the work zone.
 - b. (B) Hand and eye protection should be used to prevent burns from occurring during the operation and use.

3. Chainsaw: As with any power cutting equipment eye and ear protection should be used. Cutting chaps should be used during the operation of this equipment. When working along traffic lanes, safety vests and work zone cones should also be used.
4. Brush Chipper: Protection of the hands, ears and eyes should be used. Also avoid wearing loose fitting clothes when operating this piece of equipment.
5. Lifting and Carrying: Always remember to lift with your legs, avoid bending at your waist. Also avoid twisting when you are carrying and or moving a heavy object.
6. Animal Control: Anytime an aggressive animal is dealt with, use the proper method of controlling the animal. The catch pole and hand protection should be used.
7. Lifting Platform: When using the lifting platform on the back hoe make sure the platform is secured. ~~Also~~Also, personnel working in the platform should be secured to a solid rail on the platform when working off of it. Safety belt and lanyard should be worn by personnel and attached to platform rail.
8. Work zone safety should be of top concern anytime work is being performed in or close to the street.

EMERGENCY NUMBERS:

- | | | |
|----|---------------------------|---|
| 1. | POLICE DEPARTMENT
3700 | Daytime 816.628.3925
After 5 PM 816.407. |
| 2. | FIRE DEPARTMENT | Daytime 816.628.4122 |
| 3. | EMERGENCY | 911 |

PERSONAL NUMBERS

1. Sheila Ernzen – City Administrator
Work 816-903-4738
Cell 816-304-3740

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- ~~2.~~ ~~2.~~ Donnie Smith - Utilities & Street Director
 Work 816.365.1992
 Cell 816.215.9787

~~David Pavlich – Community Development Director~~

- 3. David Pavlich – Community Development Director
 Work 816.903.4731
 Cell 816.215.0999

- ~~4.~~ Tom O’Leary- Police Chief
 Work 816.628.3925
 Cell 816.215.9934

- ~~5.~~ Eric Marshall - Park Director
 Work 816.903.4724
 Cell 816.665.2622

MISCELLANEOUS POLICIES

NEPOTISM:

A ~~C~~City employee or official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion or advancement in or to any position of the ~~C~~ity service over which the employee exercises jurisdiction or control, any person who is a member of the family of the employee within the 4th degree of consanguinity or affinity.

OUTSIDE EMPLOYMENT:

Outside employment is prohibited if such employment would have an adverse effect on the employee's performance of official duties with the ~~C~~ity or be prejudicial to the reputation of the ~~C~~ity. Employees desiring to engage in outside employment shall inform department heads of the request for any outside employment. The City Administrator or ~~his/hers~~ designee shall determine if outside employment is to be permitted.

CONFLICTS OF INTEREST:

No employee in the ~~C~~ity service shall hold a financial interest in a firm, institution, corporation, or other establishment supplying goods or services to the City. No employee shall be employed in any capacity with a firm, institution, corporation, or other establishment supplying goods or services to the ~~C~~ity when that capacity means the possession, direct or indirect, of the powers to direct or cause the direction of the management and policies of that organization. No employee shall receive any payment, gifts, favors, or other consideration from any person, firm, institution, corporation, or other establishment supplying goods or services to the ~~C~~ity. Conflicts also reach to spouses’ and dependent children’s interests.

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Any employee found guilty of any violation of this section shall be subject to any disciplinary action up to and including dismissal as defined by these rules, and such other penalties as may be deemed appropriate and consistent with the laws of the County and the State of Missouri.

INTERNET/ELECTRONIC/SOCIAL MEDIA POLICY:

The purpose of this policy is to ensure the responsible and acceptable use of electronic communication systems including, but not limited to internal and external electronic mail (E-mail), social media methods, and the Internet while continuing to support the needs of citizens and cCity employees.

The City views the legitimate use of the Internet / e-mail system as potentially enhancing a large number of its functions and services being provided to the public. The goal of the policy is to ensure the responsible and acceptable use of these resources. This policy applies to all employees, contractors, volunteers and other individuals who are provided access to these systems.

The City reserves the right to review any and all data, information or computer files stored in or sent to or from computers owned or supplied by the City as well as personal ~~devised devices~~ that are used in conjunction with City business. This includes any type of E-mail, Internet access usage, social media, or other subscription services.

All data and other electronic messages are the property of the City. This includes all of the material and information created, transmitted or stored on this equipment. There should be no expectation of privacy for any of the material or information. All users must realize that material or information that has been deleted can be retrieved and viewed by others. That also includes ~~the~~ E-mail that has been deleted.

The City reserves the right to change this policy at any time.

Eligibility: Department heads and elected officials may provide access to Internet and/or E-mail systems for some employees. This capability will be provided on an as-needed basis and is a revocable privilege. Only the City-approved Internet provider may be used to access the Internet. Any additional hardware or software required for Internet access must be authorized by the City Administrator.

General Guidelines For Internet/E-mail/Social Media Usage:

1. These resources are to be used primarily to conduct City business. However, incidental and occasional personal use during non-working hours is permitted with supervisory approval.
2. The safety and security of the City's network and resources must be considered paramount when using the Internet. User passwords are confidential. It is the user's responsibility to maintain the confidentiality of the user's assigned password(s). Individual users will be held accountable for use of their account by others.

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3. Users must abide by copyright, contract and other local, state and federal laws, cCity administrative directives and policies, as well as individual department guidelines. Downloading files that are not related to conducting business for the cCity is not allowed.

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4. Downloading of application programs or files without consent of the cCity is prohibited. The cCity does not recommend the downloading or installation on cCity computers of application software from the Internet. Such software may not only contain embedded viruses, but also is untested and may interfere with the functioning of standard cCity applications. Any and all material downloaded with written permission of the cCity from the Internet shall be downloaded to the user's local hard drive. No files should be copied to any network drive until after the files have been scanned manually or automatically for computer viruses. If a virus is detected, the information services administrator should be notified immediately. Any and all material downloaded from the Internet should relate to legitimate cCity use.

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5. There shall be no participation in web-based surveys without prior authorization from the cCity. When using the Internet, the user implicitly involves the cCity in his/her expression. Therefore, users should not participate in Web or E-mail surveys or interviews without authorization.

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6. There shall be no use of subscription based services without approval from the cCity. Some Internet sites require that users subscribe before being able to use them. Users should not subscribe to such services without approval. Resources, of any kind, where fees are assessed may not be accessed without prior approval.

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7. There are a number of prohibited activities, which include the following. This list is not intended to be inclusive of all prohibited activities, but only as general guidance.

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- Any illegal, illicit, improper, unprofessional or unethical activity, or any activity that could reasonably be construed to be detrimental to the interests of the cCity.
- Unauthorized attempts to access another's E-mail.
- Transmitting obscene or harassing messages to any other individual.
- Use for access to and distribution of indecent or obscene material, child pornography, inappropriate text or graphic files, or files dangerous to the integrity of the network.
- Use of Internet/E-mail resources for commercial use or profit.
- Extensive use of Internet/E-mail resources for personal use.
- Solicitation of funds.

- Political messages.
- Harassing messages.
- Messages that could be construed as sexually explicit or discriminatory based on race, national origin, sex, age, disability, religious or political beliefs.

8. All E-mail messages must be businesslike, courteous, civil, and written with the expectation that they could be made public at some time in the future. E-mail will enhance overall employee communications. Each user is responsible to process received E-mail appropriately. Confidential information (such as personnel or legal materials) should be communicated via a more secure method.

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9. All E-mail messages are subject to state and federal rules and Human Rights Acts.

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10. A wide variety of information is available on the Internet. Some individuals may find some information on the Internet offensive or otherwise objectionable. Individual users should be aware that the cCity has no control over and can therefore not be responsible for the content of information available on the Internet.

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11. Employees may not intentionally intercept, eavesdrop, record, read, alter, or receive another person's E-mail messages without authorization from the cCity.

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12. Alterations or enhancements shall not be made to the cCity's wWeb pPage without prior approval of the cCity.

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13. Any unlawful use of the i-Internet/eE-mail, or use in violation of this policy may result in discipline up to and including dismissal. Unlawful use may result in referral for criminal prosecution.

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All employees are cautioned that the use of the Internet for any purpose holds certain inherent risks. The iInternet is a vast worldwide collection of networks that remain totally unregulated. Though the Internet provides excellent communications and research capabilities, there is always a possibility that information sent out on the Internet can be retrieved and redistributed. The cCity will provide all available security to protect its users and information, but care should be used whenever out on the iInternet on a cCity account.

This pPolicy describes guidelines regarding access to and disclosure of communications transmitted by computerized electronic mail messages and telephone voicemail messages or stored in word processing documents. It also includes instructions regarding the general use of computer and telephone systems. While we respect the individual privacy of employees outside the workplace, employee privacy does not extend to the employee's work-related conduct or to the use of cCity provided equipment or supplies.

Employees should be aware that the following guidelines affect employee's privacy in the workplace.

U.S. Mail: ~~—~~The cCity reserves the right to open any mail addressed to an employee and delivered to the cCity's business address if the mail is not clearly marked as "personal" or "confidential."

E-mail, Voicemail, and Word Processing: ~~—~~The cCity has installed the e-mail, voicemail and word processing systems to facilitate business communications. Although each employee has access to these systems, the systems belong to the cCity. The contents of stored communications are accessible at all times by the cCity for any purpose. These systems may be subject to periodic unannounced inspections. All stored e-mail and voicemail messages and word processing documents are cCity records. To protect the cCity's interest, the contents of such messages and documents may be reviewed and/or disclosed within the cCity without any employee's knowledge or permission. Therefore, employees should not assume that the communications are confidential. Back-up copies of e-mail and voicemail messages and word processing documents may be maintained and referenced by the cCity.

Professional use of E-mail, Voicemail and Word Processing Systems

Employees may not use the cCity e-mail, voicemail or word processing systems in any way that may be viewed as insulting, disruptive, or offensive by other persons, that might be harmful to morale, that is in the conduct of personal business of the employee, or that violates other cCity policies. Examples of forbidden transmissions or screensavers include sexually explicit messages, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other message that can be construed to be harassment or disparagement of others based on race, national origin, sex, age, disability, or religious or political beliefs. Employees should be aware that all provisions of policy manual concerning employee communications, including the anti-harassment, apply in the same manner to electronic communications as to other oral or written communications.

Use of the e-mail, voicemail or word processing systems in violation of this guideline or other cCity policies may result in disciplinary action, up to and including discharge.

Personal Use of E-mail and Voicemail

Because the cCity provides the e-mail and voicemail systems to assist employees in the performance of their jobs, employees should use them primarily for official cCity business. Incidental personal use of e-mail and voicemail is permitted by the cCity, but these messages will be treated the same as the official business messages. The cCity reserves the right to access and disclose as necessary all messages sent over its e-mail and voicemail systems, without regard to content. Because cCity management without prior notice or consent can access personal messages, employees should not use e-mail or voicemail to transmit any messages employees do not want to be read or reviewed by a third party.

E-mail and voicemail messages are subject to the same policies as and should not be treated differently from other communications. Misuse of the electronic communications systems may result in disciplinary action up to and including discharge.

Personal Use of the City Computers Generally

An employee's occasional use of the City computer equipment to type a document for an educational or charitable purpose is acceptable. However, in order to keep these uses to a reasonable level, an employee should obtain prior approval to use the system in this manner. Under no circumstances may personal letters be printed on the City letterhead. Moreover, be aware that the City may purge files on the computer systems at any time without notice. The use of City computers for permitted personal efforts must occur outside business hours, and any files created are to be deleted at the end of the project.

Password [and Encryption Key] Security and Message

Unauthorized use of the passwords [and encryption keys] of other employees to gain access to other employees' e-mail or voicemail messages or computer files is prohibited. Access to libraries and archives not related to the performance of one's job assignment are viewed as inappropriate behavior and may be grounds for disciplinary action up to and including discharge.

Additionally, no e-mail messages should be sent from another employee's computer terminal without that employee's permission. No e-mail or other electronic communications may be sent which attempt to hide the identity of the sender or represent the sender as someone else.

Software Policy

In order to avoid copyright violations and to minimize the risk of exposing City computers to a computer virus, employees are not permitted to install any software whatsoever on any of the City's computers or any device connected to the City network without the prior approval of the department head. The copying of City computer software or software documentation is strictly prohibited.

Social Media

Because of the number of thriving online communities, social networking has become an important form of personal communication. Social media includes blogs, podcasts, message boards, news Web sites, content-sharing sites like YouTube, and social networking sites such as LinkedIn, Facebook, MySpace and Twitter, etc.

The fundamental rules of the road are simple: City policies and standards apply to both the physical and virtual communication world.

This policy covers two areas of employee online conduct: (1) maintaining personal blogs/social networking sites and posting to existing blogs, and (2) blogging as an identified employee

supporting the [cCity](#).

Using social media as an individual

When using social media as an individual, an employee is still an employee of the [Citycity](#). As a result, what you say – and how you say it – reflects on the [Citycity](#). Readers may connect your personal life to your professional life, so your use of social media should be consistent with your role as an employee. Authors of personal blogs must use a disclaimer making it clear that the views expressed are theirs alone and don't necessarily reflect those of the [Citycity](#). The following disclaimer is recommended for use with all blogs created by employees of the [Citycity](#): *'Everything posted on this blog, site or page is my opinion and does not necessarily reflect the views of my employer.'*

Blogging as an identified employee of the [Citycity](#)

There may be occasions when it's appropriate for you to blog or post social media content on behalf of the [Citycity](#). Before doing so, you must first receive authorization from the [Citycity](#). That includes any effort you might make to defend or promote the [Citycity](#).

Social networking, social media and interaction with the blogosphere

When authorized to interact with blogs in a professional capacity, employees should uphold the principle of transparency. When posting professionally, you must identify yourself as a [Citycity](#) employee.

Respectful and considerate postings

Blogs and other social media are global communications. Search engines make much of this information easily accessible. Be thoughtful and professional with all that you post.

Media inquiries/coverage

Blog postings can generate media coverage or significant traffic on a site. Per [cCity](#) policy, refer all questions regarding the [cCity](#) to the City [Administrator, or his/her designee](#).

On you own time

All time spent on personal blogs or other social media channels must be done on personal time and must not interfere with work commitments.

PUBLIC RECORDS:

———All personnel records including investigations, correspondence and data related to the moral character and reputation of applicants for employment or employees of the [cCity](#), files, statements, reports, correspondence, and other data in connection with and related to

investigations of violations of these rules and regulations; examination materials, questions, data, and examinations and tests conducted by the ciCity; and such other confidential papers as specified in these rules or by action of the cCity, personnel records shall be not be public records. Salary range and position classification information, as well as class specifications and basic employment information, shall in all cases be made available to the public on request at reasonable times.

CITY'S RIGHT TO SEARCH:

—When the cCity has reason to believe an employee is violating any policy regarding contraband or controlled substances or other rules, the employee may be asked by the cCity to submit immediately at any time (including breaks and the meal period) to a search of the person and/or to make the employee's locker, lunch box, briefcase, purse, pockets, wallet, personal belongings, desk, vehicles, or any other receptacle the employee uses or has access to, available for inspection. Entry on to cCity premises constitutes consent to searches and inspections. Refusal to consent to a search or inspection when requested by the Ccity constitutes insubordination and a violation of cCity policy which will subject the employee to disciplinary action.

DRIVERS' LICENSE:

—The law requires employers to make certain that drivers of "commercial vehicles," including certain Ccity vehicles, have the required class of drivers' license for the size and type of vehicle an employee may be required to drive. Depending on the particular job requirements, requirements, cCity employees may be required to possess a special class of license. The State may require a written test covering the class of vehicle operated and the applicable endorsements and restrictions.

—Endorsements for hazardous materials, passenger, tank vehicle, double/triple trailer and restrictions for air brakes may also be required. Written testing varies with the class of license and the endorsements and restrictions. The actual driving test must be taken in a vehicle falling in the class applied for.

—Employees shall be required to have and maintain the necessary class of drivers' licenses as a condition of employment. The Citycity may request an employee to exhibit the employee's driver's license. If an employee loses the driver's license for any reason, the employee shall promptly notify the employee's supervisor.

Wellness Reimbursement Policy

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The City of Kearney provides the Wellness Reimbursement Program designed to encourage and support a well-rounded healthy lifestyle for city employees. The program covers expenses for a variety of eligible wellness activities for gym memberships, fitness classes, nutritional counseling, weight loss programs and much more.

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Who is eligible?

All ~~regular~~ full-time ~~(non-seasonal)~~ employees are eligible to participate in the program. You must be employed by the City of Kearney when the eligible expenses are incurred and submitted for reimbursement.

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Benefit amounts

The City of Kearney will pay 75% ~~of up to \$133.33, up to \$100~~ per month for a gym membership for ~~any full-time employee~~ a maximum employee reimbursement of up to \$100 per month.

For those who prefer not to join a gym, the city will pay ~~75% of up to \$1,000 of other qualifying items for a maximum employee reimbursement of up to \$750 per calendar year for other qualifying items. The city will pay 75% of the cost up to the annual amount.~~

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What is covered?

In addition to gym memberships, qualifying items could include:

- **Sports equipment and accessories:** Items such as archery equipment, bicycles, ellipticals, free weights, golf clubs, kayaks, standup paddle boards, treadmills, and yoga mats.
- **Health and fitness related technology** including fitness trackers/rings, pedometers, and smart watches.
- **Memberships and online subscriptions** including fitness apps and meditation apps.
- **Personalized fitness instruction**, coaching and group classes such as dancing, indoor rock climbing, or martial arts.
- **Weight management programs** (excluding the cost of food and supplements) to include the help of a nutritionist, weight management coach and weight management membership programs.

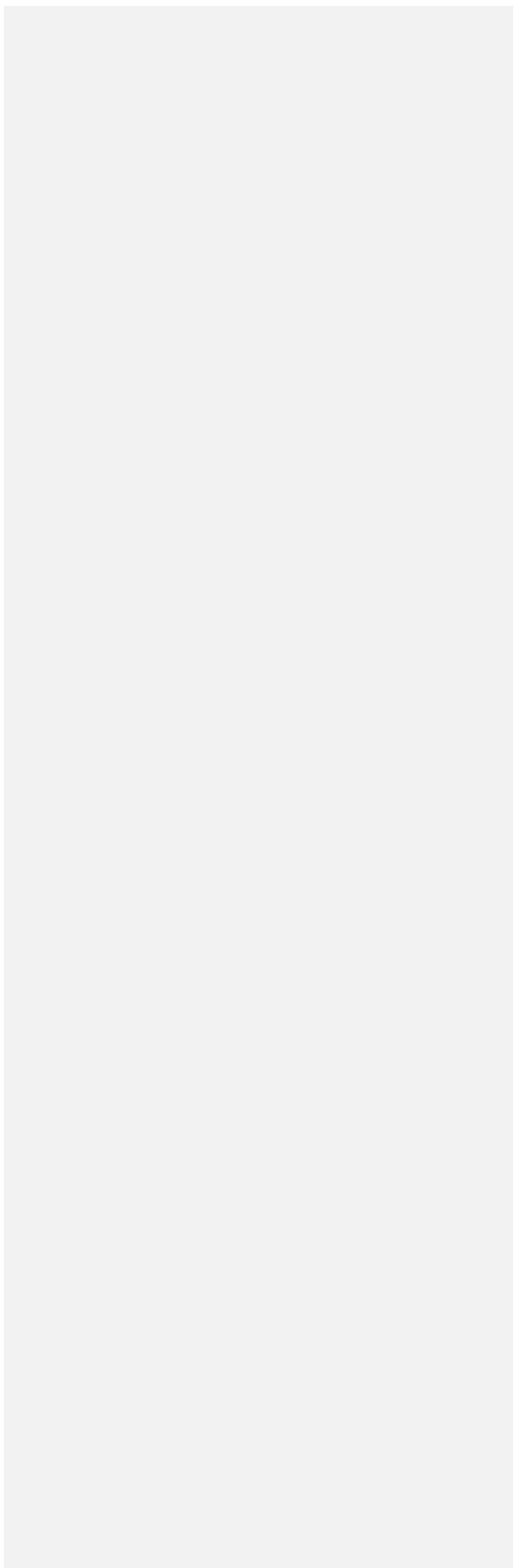
What is not covered?

The subsidy is meant to cover a broad range of products and experiences to support your well-being. However, it is not a clothing allowance. Nor is it meant to cover food-supplements or kitchen appliances. It also does not cover technology that can be used for purposes other than those specific to well-being, including cameras, cell phones, laptops, tablets and desktop computers. If you have a question about a specific ~~item~~, contact the City Administrator ~~or Human Resources~~ for input.

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How to submit for reimbursement

Employees may use and complete the normal expense reimbursement forms and attach paid statements of goods or services. For ongoing monthly gym visits, reimbursement requests will be limited to quarterly submittals in the interest of reducing paperwork. If there is some question on coverage, employee should verify in advance by submitting a copy of the item or service to be purchases with a quote on cost.



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CITY OF KEARNEY – SEXUAL ABUSE AND MOLESTATION PREVENTION POLICY

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~~SEXUAL ABUSE AND MOLESTATION PREVENTION POLICY~~

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PURPOSE:

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This policy establishes how the City of Kearney, will prevent the physical, emotional, and sexual abuse of children and youth by its employees or volunteers. The City of Kearney seeks to create a welcoming and nurturing environment and has “zero-tolerance” for those whose actions may jeopardize the safety, health, or innocence of a minor.

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City of Kearney does not permit or allow sexual abuse or molestation to occur in the workplace or at any activity sponsored by or related to it. In order to make this “zero-tolerance” policy clear to all employees, independent contractors, and volunteers we have adopted mandatory procedures that employees, volunteers, ~~and independent contractors, board~~ independent ~~contractors, board~~ members, individuals, and victims must follow when they learn of or witness sexual abuse or molestation.

DEFINITIONS:

Abuse – Because it takes many forms, abuse can be broken down into the following subtypes, all of which are prohibited within the scope of this policy.

- Physical abuse – Injury inflicted on a child or youth.
- Sexual abuse – Contact or activity of a sexual nature between an adult and a child or youth.
- Emotional abuse – Mental or emotional injury inflicted on a child or youth by the actions of an adult.
- Neglect – Failure to provide adequate care for a child or youth.
- Economic abuse – Deliberate misuse of the money or belongings of a child or youth.
- Child – A child is defined as anyone under the age of 12.
- Youth – A youth is defined as anyone between 12 and 17 years of age.

POLICY GUIDELINES:

Personnel Screenings

Safeguards in the hiring process will be used to eliminate from consideration any candidates who display characteristics that could classify them at a high risk for violating this policy. The required screenings and background information will depend on the positions and its level of involvement with children and youth.

For those who regularly work with or around children or youth:

Candidates for positions that involve regular interaction with children or youth will be screened and selected using the following:

- Standard City of Kearney employment application that includes signed authorization to perform necessary background checks.
- Criminal background checks in any and all states where the candidate has lived in the past seven years.
- Sexual offender registry checks in any and all states where the candidate has lived for the last seven years.
- Driving records and any applicable certification if the position requires the transportation of children.
- In-person interview of the candidate.
- If hired, criminal and sexual offender registry checks will be conducted every five years for those who regularly work with children or youth.

For those who occasionally work with children or youth:

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Candidates for positions that involve occasional contact with children or youth will be screened and selected using the following:

- Standard City of Kearney employment application that includes signed authorization to perform necessary background checks.
- In-person interview of the candidate.
- Driving records and any applicable certification if the position requires the transportation of children.

All information collected about a candidate will be reviewed and used to determine if they are appropriate for the respective position. If hired, all information collected during the hiring process will be included in the employee's permanent file, which will be maintained over the course of their employment with City of Kearney.

Personnel screenings are required regardless of current employment status with City of Kearney. City of Kearney employees seeking to transfer into a position that involves working with children or youth must undergo the same review process as new hires.

Structural Guidelines for Programs

All City of Kearney programs are designed to encourage safe interaction between employees and volunteers and children or youth. The following guidelines are meant to keep established safeguards effective:

- Programs for children and youth must have an established adult to child ratio.
- Employees and volunteers are restricted from being alone with a child or youth where they cannot be easily observed by others.
- Employees are not allowed to implement new activities or programs for children without City of Kearney consent. Request for new activities or programs should be submitted in writing to management.
- Written permission must be obtained from a parent or guardian before any employee transports a child or youth.
- Children under the age of six placed in the care of City of Kearney will only be released to a parent, legal guardian, or a person designated by a parent or legal guardian.

General Conduct

In an effort to provide a safe and healthy environment for both mind and body, the following guidelines are meant to guide City of Kearney employees, independent contractors, and volunteers during their interactions with children and youth. These guidelines do not and cannot outline every situation that may be encountered while on the job, requiring employees, independent contractors, and volunteers to act with a certain degree of personal discretion. Because a certain action is not prohibited in this section does not mean it is acceptable behavior. City of Kearney reserves the right to take disciplinary action against employees whose actions are found to be inappropriate or prevent a person from continuing to volunteer or work as an independent contractor with the City of Kearney regardless of whether they appear in this section.

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- Employees, independent contractors, and volunteers will treat all children and youth with respect and consideration. Treatment must be fair and equal, and must not be based on sex, race, religion, sexual orientation, or economic or social status. All effort must be made to avoid favoritism or the appearance of favoritism.
- Employees, independent contractors, and volunteers must not use harsh or inappropriate language, degrading punishment, or any type of restraining device in the name of behavior management.
- Employees, independent contractors, and volunteers must not participate in or allow others to engage in any form of hazing.
- Employees, independent contractors, and volunteers must not have sexual contact with children or youth.
- Employees, independent contractors, and volunteers must not dress, undress, shower, or bathe with or in the presence of children or youth.
- Employees, independent contractors, and volunteers must not use physical punishment in any form. The only time physical force is allowed to be used against a child or youth is when their actions are placing others at an immediate risk for serious harm.
- Employees, independent contractors, and volunteers are prohibited from sharing sleeping locations with children or youth. This includes beds, tents, hotel rooms, and other similar areas. Employees, independent contractors, or volunteers can sleep in open areas with children or youth as long as the area is large enough for the employee, independent contractor, or volunteer to have their own defined sleeping areas and other employees, independent contractors, or volunteers are also present.
- Employees, independent contractors, and volunteers must not discuss sexual content while in the company of children or youth.
- Employees, independent contractors, and volunteers are not allowed to possess any sexually oriented materials (books, magazines, videos, clothing) when conducting business in the name of City of Kearney.
- When one-on-one discussion or counseling is warranted, employee (and not a volunteer or independent contractor) interaction with a child or youth will take place in an area that allows for private conversation while remaining in the view of others, with a minimum of two (2) adult employees.

If, for any reason, an employee, independent contractor, or volunteer feels there is a need to make an exception to these guidelines, they must submit to their supervisor or management a written description of the incident and why their actions were necessary. Their report will be reviewed for wrongdoing. A copy of the original report along with any additional findings made by the reviewer will be included in the employee's permanent file.

Reporting Procedure

All employees, independent contractors, or volunteers who witness or learn of sexual abuse being committed must immediately report it to a ~~Supervisor~~supervisor who will then report to ~~the~~ City Clerk/Administrator/HR. If the victim is an adult, the abuse will be reported by this designee to the local or state Adult Protective Services (APS) Agency. If a child or youth is the victim, the designee will report it to the local or state Child Abuse Agency. The appropriate family members of the victim must be notified immediately if child abuse is suspected.

Investigation & Follow Up

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We take allegations of sexual abuse seriously. Once the allegation is reported we will promptly, thoroughly, and impartially initiate an investigation to determine whether there is a reasonable basis to believe that sexual abuse has been committed. Our investigation may be undertaken by either an internal team or we may hire an independent third party. We will cooperate fully with any investigation conducted by law enforcement or regulatory agencies and we may, depending on the serious nature of allegations, report directly to law enforcement or other regulatory agency for investigation or refer the complaint, and the result of our investigation to those agencies. We reserve the right to place the subject of the investigation on an involuntary leave of absence or reassigning that person to responsibilities that do not involve personal contact with children or youth. To the fullest extent possible, but consistent with our legal obligation to report suspected abuse to appropriate authorities, we will endeavor to keep the identities of the alleged victims and investigation subject confidential.

If the investigation substantiates the allegation, our policy provides for disciplinary penalties, including but not limited to termination of the actor's relationship with our organization. There are a number of "red flags" that suggest someone is being sexually abused. They take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody, or torn undergarments;
- Genital pain or itching or physical injuries involving the external genitalia;
- Behavioral signals suggestive of sexual abuse include, but are not limited to:
 - Fear or reluctance about being left in the care of a particular person;
 - Recoiling from being touched;
 - Bundling oneself in excessive clothing, especially night clothes;
 - Discomfort or apprehension when sex is referred to or discussed; and
 - Nightmares or fear of night and/or darkness.

Retaliation Prohibited

We prohibit any retaliation against anyone, including an employee, volunteer, board member, and/or individual, who in good faith reports sexual abuse, alleges that it is being committed, or participates in the investigation. Intentionally false or malicious accusations/ allegations of sexual abuse are prohibited.

Anyone who improperly retaliates against someone who has made a good faith allegation of sexual abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.

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**ACKNOWLEDGMENT OF RECEIPT OF SEXUAL ABUSE AND
MOLESTATION PREVENTION POLICY**

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I, (print name) _____, acknowledge that I have received and read the **SEXUAL ABUSE AND MOLESTATION PREVENTION POLICY** immediately preceding my signature below. I understand that I am bound to follow the policy and understand the consequences in the event that I fail to do so.

Dated: _____

Signature of employee: _____

~~If you choose to send the form back electronically, please type in your name starting with "/s/". Example: /s/ John Doe.
This will act as a legal signature.~~

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

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~~Date:—~~

Dear Employee:

This letter confirms your receipt of the EMPLOYEE HANDBOOK with the revision date of ~~11/7/2022~~6/20/2023. This Handbook replaces all previous handbooks issued and it is subject to future change.

It is your responsibility to become thoroughly familiar with the contents of this Handbook and comply with all the policies, procedures, rules and regulations as contained therein.

Nothing herein should be construed to be a contractual relationship between the City and any employee.

If you have any questions or do not understand any of the contents, please contact your supervisor for clarification.

Please sign this acknowledgement letter indicating you have received a copy of the Handbook, then return it to your supervisor immediately.

Acknowledgement

Date

FORM LETTERS NOT REVISED

~~CITY OF KEARNEY
100 East Washington
Kearney, MO 64060~~

~~Drug Test Consent Agreement~~

~~Date : _____~~

~~I voluntarily consent to testing for the detection of the following
Illegal Drugs and Alcohol.~~

- ~~● Cocaine~~
- ~~● Cannabinoides (Marijuana)~~
- ~~● Amphetamines (Methamphetamine) ● Phencyclidine (PCP)~~
- ~~● Opiates~~
- ~~● Alcohol~~

~~I release the City of Kearney from any liability incurred from the
testing requirement.~~

~~Name: _____ Date: _____~~

~~SSN: _____~~

~~Witness: _____ Date: _____~~

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City Of Kearney
100 East Washington
Kearney, MO 64060

~~Employee Consent Form~~

~~I hereby acknowledge receipt of City of Kearney, Drug Free Workplace Policy regarding drugs and alcohol. I have read and understand the Policy. I understand that refusal to submit to any drug test required by this policy or a positive test is ground for disciplinary action up to and including termination. Furthermore, I authorize the release of the test results to my employer, and/or, on post-accident tests the City's worker's compensation insurance carrier and understand the refusal to release these results is ground for disciplinary action up to and including termination. I understand that if I test positive for drugs or alcohol following an on-the-job accident, I may be ineligible for worker's compensation benefits or have benefits reduced by 50% or up to forfeiture as allowed by state law.~~

~~I recognize that the City of Kearney policy on drugs and alcohol does not constitute an expressed or implied contract of employment.~~

~~Employee Name: _____~~

~~Social Security Number: _____~~

~~Employee Signature: _____ Date: _____~~

~~Witness Signature: _____ Date: _____~~

AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE (THE COMPREHENSIVE ZONING REGULATIONS) OF KEARNEY, MISSOURI, REZONING APPROXIMATELY 278 ACRES AT THE NW CORNER OF NATION ROAD & WEST 19TH STREET TO R-1 – LOW DENSITY RESIDENTIAL DISTRICT AND C-1 – NEIGHBORHOOD COMMERCIAL DISTRICT, AS REQUESTED BY TIMOTHY D HARRIS AND STAR ACQUISITIONS.

WHEREAS, On June 12, 2023, the Planning & Zoning Commission held a public hearing relative to a proposed change in the zoning ordinance from R-P-1 – Low Density Residential Planned District and R-P-3 – Medium Density Residential Planned District with concept plan to R-1 – Low Density Residential District and C-1 – Neighborhood Commercial District on 278 acres, located at the northwest corner of Nation Road and West 19th Street, as requested by Timothy D Harris and Star Acquisitions, and recommended approval of said rezoning by a vote of 5-0 with certain conditions; and

WHEREAS, public notices were mailed to property owners within 185 feet of the subject property and posted in the Courier-Tribune, a newspaper of general circulation in Kearney; and

WHEREAS, on June 20, 2023, the Board of Aldermen held a public hearing relative to said change as recommended by the Planning & Zoning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF KEARNEY MISSOURI, AS FOLLOWS:

Section 1. Chapter 400 of the Municipal Code (The Comprehensive Zoning Regulations) and the Zoning Map which is made a part thereof, is amended by rezoning approximately 278 acres to R-1 – Low-Density Residential District (approx. 270 acres) and C-1 – Neighborhood Commercial District (approx. 8 acres), legally described as follows, and per the following conditions:

R-1: A tract of land in the Northeast Quarter of Section 32, and the Northwest and the Southwest Quarter of Section 33, all in Township 53 North, Range 31 West, Clay County, Missouri, being more particularly described as follows: Commencing at the Southeast corner of said Southwest Quarter; Thence North 89°52'26" West, along the South line of said Southwest Quarter, 743.25 feet to the Point of Beginning; Thence North 89°52'26" West, continuing along said South line, 1869.12 feet to the Southwest corner of said Southwest Quarter; Thence North 00°12'29" West, along the West line of said Southwest Quarter, 2675.70 feet to the Northwest corner of said Southwest Quarter, also being the Southeast corner of the Northeast Quarter of said Section 32; Thence South 89°54'16" West, along the South line of said Northeast Quarter, 1981.98 feet; Thence North 00°08'24" West, 1333.94 feet; Thence North 89°49'20" East, 1986.03 feet to the West line of the Northwest Quarter of said Section 33; Thence South 89°40'06" East, 658.04 feet; Thence South 00°03'50" West, 442.00 feet; Thence South 89°40'06" East, 1532.41 feet; Thence North 00°09'22" East, 15.00 feet; Thence South 89°40'06" East, 411.00 feet to the West Right-of-Way line of Nation Road, as now established; Thence along said West Right-of-Way line the following four courses; Thence South 00°09'22" West, 905.81 feet; Thence South 00°09'15" West, 1853.81 feet; Thence North 89°50'45" West, 18.50 feet; Thence South 00°09'15" West, 151.01 feet; Thence on a curve to the left, having an initial tangent bearing North 73°01'10" West, a radius of 19.00 feet and an arc length of 5.58 feet; Thence North 89°50'39" West, 288.22 feet; Thence North 83°22'26" West, 151.73 feet; Thence on a curve to the left, tangent to the last described course, having a radius of 14.00 feet and an arc length of 20.07 feet; Thence South 14°29'18" West, 181.76 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 425.00 feet and

an arc length of 422.79 feet; Thence South 18°30'52" East, 179.23 feet; Thence South 89°52'26" East, 28.22 feet; Thence South 00°07'34" West, 30.00 feet to the Point of Beginning. Contains 11,769,223 square feet or 270.184 acres more or less.

C-1: A tract of land in the Northeast Quarter of Section 32, and the Northwest and the Southwest Quarter of Section 33, all in Township 53 North, Range 31 West, Clay County, Missouri, being more particularly described as follows: Commencing at the Southeast corner of said Southwest Quarter; Thence North 89°52'26" West, along the South line of said Southwest Quarter, 743.25 feet; Thence North 00°07'34" East, 30.00 feet to the Point of Beginning; Thence North 89°52'26" West, 28.22 feet; Thence North 18°30'52" West, 179.23 feet; Thence on a curve to the left, having an initial tangent bearing North 71°29'08" East, with a radius of 425.00 feet and an arc length of 422.79 feet; Thence North 14°29'18" East, 181.76 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 14.00 feet and an arc length of 20.07 feet; Thence South 83°22'26" East, 151.73 feet; Thence South 89°50'39" East, 288.22 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 19.00 feet and an arc length of 5.58 feet to the West Right-of-Way line of Nation Road, as now established; Thence along said West Right-of-Way line the following seven courses; Thence South 00°09'15" West, 285.08 feet; Thence South 00°42'40" West, 139.55 feet; Thence South 26°48'57" West, 65.19 feet; Thence South 61°50'07" West, 251.61 feet; Thence South 82°05'58" West, 199.63 feet; Thence North 89°52'26" West, 245.00 feet; Thence South 00°07'34" West, 5.50 feet to the Point of Beginning. Contains 356,357 square feet or 8.181 acres more or less.

Section 2. The rezoning is approved with the following conditions:

1. Development of the site per the preliminary plat of Stollings Ranch, as approved by P&Z; and
2. Development of the project in compliance with all city codes, conditions, requirements, plans, and payments of fees and taxes.

Section 3. This Ordinance shall be in full force and effect after its passage by the Board of Aldermen and approval by the Mayor.

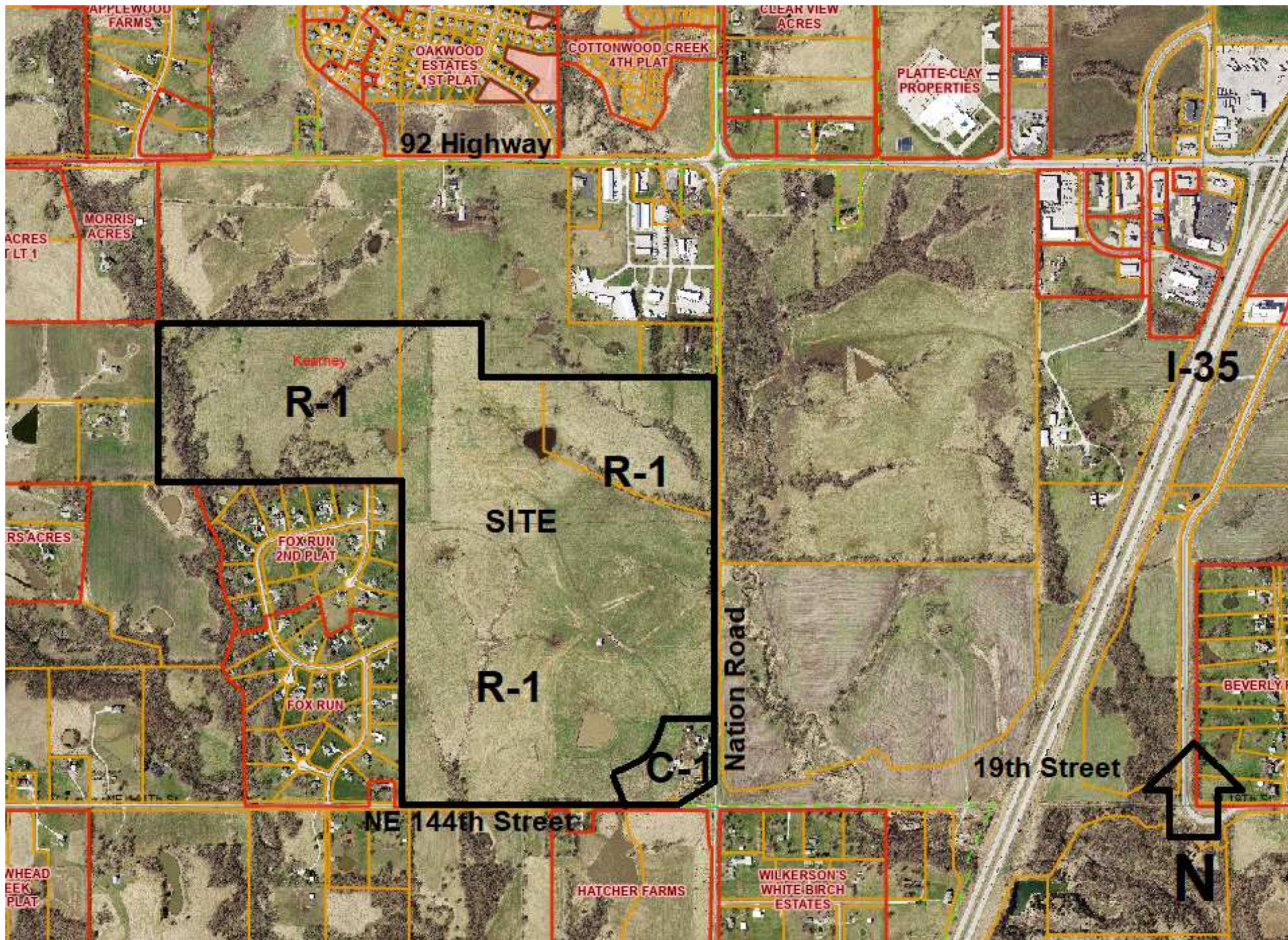
ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN, CITY OF KEARNEY, MISSOURI, THIS 20th DAY OF JUNE, 2023.

APPROVED:

ATTEST:

Randy Pogue, Mayor

Sheila Ernzen, City Clerk



Memo

To: Sheila Ernzen, Mayor & Board of Aldermen
From: David Pavlich, Community Development Director
Date: June 20, 2023
Re: Timothy D Harris & Star Acquisitions – Stollings Ranch property at the NW corner of Nation Road & West 19th Street – Rezone to R-1 Low Density Residential and C-1 Neighborhood Commercial (Public Hearing for Rezoning)

Property owners Timothy D Harris and Star Acquisitions propose to rezone 278 acres at the northwest corner of Nation Road and West 19th Street to R-1 – Low-Density Residential District (270 acres) and C-1 – Neighborhood Commercial District (8 acres). A 2023 Stollings Ranch preliminary plat was also considered by the Planning & Zoning (P&Z) Commission.

The property is currently zoned R-P-1 – Low-Density Residential Planned District (248 acres) and R-P-3 – Medium Density Residential Planned District (30 acres). The existing zoning is consistent with a 2005 Stollings Ranch development plan which included a combination of single-family residential and multi-family residential with 4-plex townhomes.

The Future Land Use Map in the 2016 Comprehensive Plan shows single-family and multi-family, consistent with that 2005 development plan. This land use classification was carried over from the 2004 Comp Plan, which anticipated a new interchange would be located further south on I-35, in the area of Crossroads Community Church on Petty Road. The new interchange currently under construction is located at 19th Street & I-35, rather than a location further south.

Notices were posted in the Courier-Tribune and mailed to property owners within 185 feet.

Rezoning Recommendation:

At their June meeting, the P&Z Commission held a rezoning public hearing and considered the request for rezoning to R-1 – Low Density Residential District and C-1 – Neighborhood Commercial District. By a unanimous 5-0 vote, the Commission recommends approval with the following conditions:

1. Development of the site per the preliminary plat, as approved by P&Z; and
2. Development of the project in compliance with all city codes, conditions, requirements, plans, and payments of fees and taxes.

A rezoning ordinance is attached for your consideration and a public hearing is scheduled.

A location map and staff report for the rezoning and Stollings Ranch preliminary plat are also attached. Note, the Board of Aldermen will only consider rezoning the property. The P&Z Commission is the review board for preliminary plats. Future final plats and commercial site plans would be considered by the Board.

REQUEST: STOLLINGS RANCH – REZONING TO R-1 & C-1 WITH PRELIMINARY PLAT

APPLICANT:	Tim Harris Star Acquisitions, LLC 244 West Mill St, Ste 101 Liberty MO 64068 Phone: 816-781-3322	AGENT:	Ron Cowger AGC Engineering 405 S Leonard, Suite D Liberty MO 64068 Phone: 816-781-4200
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GENERAL DESCRIPTION: Tim Harris and Star Acquisition, propose to rezone 278 acres at the northwest quadrant of Nation Road and West 19th Street from R-P-1 – Low-Density Residential Planned District (248 acres) and R-P-3 – Medium Density Residential Planned District (30 acres) to R-1 – Low-Density Residential District (270 acres) and C-1 – Neighborhood Commercial District (8 acres). Accompanying the rezoning request is an updated preliminary plat for Stollings Ranch.

2005 STOLLINGS RANCH PLAN: The original Stollings Ranch rezoning and development plan were approved in 2005. The plan was approved for 930 dwelling units, including 662 single-family lots and a multi-family element with 67 4-plex buildings (268 dwelling units) at the northeast corner of the property along Nation Road. The property has remained undeveloped since that plan was approved.

2023 STOLLINGS RANCH PLAN: The proposed Neighborhood Commercial area includes eight (8) acres at the intersection of Nation Road & West 19th Street. The 19th Street & Nation Road roundabout is currently under construction, and will provide access from areas streets to the new interchange at I-35. The commercial area identifies four (4) multi-tenant strip buildings, similar to those along Watson Drive next to Price Chopper. Proposed commercial buildings and parking lot layouts are conceptual, as site plan review and approval is required prior to commercial construction.

The remainder of the preliminary plat includes 437 single-family residential lots, divided into six phases, with five (5) open space tracts for a neighborhood pool, detention areas, and an area of floodplain.

The plan also includes a 16-acre “reserved tract” at the northeast corner of the property. This “reserved” area is part of the proposed R-1 zoning area. Potential permitted uses in R-1 include additional single-family residences, church, school, among others.

A copy of the preliminary plat is attached.

ZONING: The property is currently zoned R-P-1 – Low-Density Residential Planned District (248 acres) and R-P-3 – Medium Density Residential Planned District (30 acres) with approved concept plan.

FUTURE LAND USE MAP: The Future Land Use Map designates the property for single-family residential and multi-family residential development.

**SURROUNDING
LAND USE:**

<u>AREA</u>	<u>ZONING</u>	<u>CURRENT USE</u>	<u>FUTURE LAND USE</u>
North	County	vacant farm ground	multi-family
East	R-1 & un-zoned	vacant farm ground	single-family
South	County	vacant farm ground	single-family
West	County	Fox Run subdivision	

PUBLIC NOTICE: A public notice was posted in the Kearney Courier on June 8 and 15, 2023, with letters sent to property owners within 185 feet of the property.

**FLOODPLAIN
INFORMATION:** The north-south tributary at the northwest corner of the property includes 100-year floodplain, per FEMA Flood Insurance Rate Map # 29047C0135E.

**STORMWATER:
REPORT** A preliminary stormwater report was submitted for review by the city engineer. Stormwater detention is required. The development plan identifies four detention areas (in phases 1, 3, 4, 5). Detailed plans for detention will be prepared and submitted as part of the corresponding final plats and/or commercial site plans.

STREET ACCESS: Three street connections are proposed along Nation Road and one connection is proposed along NE 144th Street. Turn lanes are proposed at all four connections, as shown on the preliminary plat, and supported by the traffic report.

Streets will also connections to two stubs in the Fox Run subdivision, providing additional access for the neighborhood. As part of the 2005 review process, there were Fox Run neighbors that requested street connections not be made. The 2005 plan was approved with the street connections in place. Making the connections is beneficial for emergency response, as Fox Run has only one subdivision entrance.

**PEDESTRIAN:
ACCESS** Sidewalks will be constructed along all the streets as part of lot construction. Staff requested and recommends additional sidewalk/trail access through the middle of two long blocks in Phase 3, within Tract E and the block to the east of Tract E. Staff believes such pedestrian connections will improve neighborhood walkability by providing more direct access for kids and families to walk to the proposed shopping area.

Staff believes this request is supported by the Subdivision Regulations, per section 410.055.J.14.4 which states, "Pedestrian ways or crosswalks of not less than ten (10) feet in width shall be provided near the center and entirely across any block which is nine hundred (900) feet or more in length or where deemed essential, in the opinion of the Planning and Zoning Commission to provide adequate pedestrian circulation or access to schools, shopping centers, churches, parks or transportation facilities.

STREETS: Streets will be constructed to city standards. The plan includes conceptual typical street sections for internal streets and along the Nation Road and NE 144th Street frontages. Engineering plans will be submitted as part of each phase.

SANITARY SEWER: Phase 2 of the "West Creek" sewer interceptor line was constructed a few years ago along the east side of Nation Road. Phases 1 & 2 will connect directly that sewer line with gravity lines. Lift stations are proposed as part of Phase 3 and Phase 5 to serve

phases 3-6. Sanitary sewer lines and lift stations will be designed to city standards as part of future engineering plans.

WATER: The developer will extend a water main south along Nation Road to serve the property, as shown on the preliminary plat. The water line will be designed to city standards as part of future engineering plans.

HOMEOWNERS' ASSOCIATION: A draft homeowners' association (HOA) document was submitted, as required, to address minimum subdivision construction standards and the ownership and maintenance of pool, open space, and detention basin tracts. The HOA document will be recorded as part of each final plat.

WATER DISTRICT: The subject property was within the boundary of Public Water Supply District #6. As part of a 2003 agreement with the water district, the City collects an additional fee with each building permit, which is then paid to the water district.

KEARNEY FIRE & RESCUE: The development is served by the Kearney Fire & Rescue Protection District.

RECOMMENDATION: Staff recommends approval of the proposed rezoning to R-1 and C-1, with the following conditions:

1. Development of the site per the preliminary plat, as approved by P&Z; and
2. Development of the project in compliance with all city codes, conditions, requirements, plans, and payments of fees and taxes.

Staff recommends approval of the Stollings Ranch preliminary plat with the following conditions:

1. Preliminary plat revisions to include:
 - Add mid-block pedestrian sidewalk/trail access connecting Timber Springs Road and 17th Street through Tract E and the block east of Tract E;
 - Additional revisions recommended by P&Z, if necessary;
2. Provide adequate stormwater detention, per city engineer review;
3. Provide adequate water service and fire flow, per city engineer review;
4. Provide adequate sanitary sewer service; per city engineer review
5. Submit a final plat(s) and/or commercial site plans for review and approval prior to public improvements and commercial building construction;
6. Develop the project in compliance with all city codes, conditions, requirements, plans, and payments of fees and taxes.

A public hearing is scheduled for the rezoning request.

This application will be forwarded to the Board of Aldermen consideration at their Tuesday, June 20, 2023 meeting.

DRAFT MINUTES - PLANNING AND ZONING COMMISSION

April 10, 2023

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at City Hall, 100 East Washington, and thru the Zoom meeting app, June 12, 2023 with Doyle Riley presiding. Other members present were Wyeth Ervin, Chastain Parks, Kent Porter and Paula Noble. Chuck Davis and Kathy Barger were absent. Staff members present were David Pavlich, Shirley Zimmerman, Carolyn Yatsook and Sheila Erzen.

Doyle Riley opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

The following items were presented for the Planning and Zoning Commission to approve:

- Minutes of the April 10, 2023 meeting

A motion was made by Paula Noble and seconded by Wyeth Ervin to approve the Consent Agenda as presented. The motion carried unanimously.

NEW BUSINESS

STOLLINGS RANCH-REZONING TO R-1-LOW DENSITY RESIDENTIAL DISTRICT AND C-1-NEIGHBORHOOD COMMERCIAL DISTRICT AND STOLLINGS RANCH-PRELIMINARY PLAT

Staff presented an application from Tim Harris and Star Acquisitions, represented tonight by Ron Cowger with AGC Engineers, proposing to rezone approximately 278 acres at the Northwest corner of Nation Road and West 19th Street from R-P-1-Low Density Residential Planned District (248 acres) and R-P-3-Medium Density Residential Planned District (30 acres) to R-1-Low Density-Residential District (270 acres) and C-1-Neighborhood Commercial District (8 acres), with an updated preliminary plat for Stollings Ranch.

2005 STOLLINGS RANCH PLAN: The original Stollings Ranch rezoning and development plan were approved in 2005. It had 930 dwelling units with 662 single-family lots and a multi-family area with 67 4-plexes totaling 268 dwelling units. The multi-family area was at the Northeast corner of the property along Nation Road.

2023 STOLLINGS RANCH PLAN: The proposed plan includes 27- acres of single-family residential and 8 acres of neighborhood commercial at the corner of Nation Road and 19th Street. The plat shows 4 multi-tenant strip buildings, similar to those by Price Chopper. The commercial buildings and layout are conceptual-additional site plan review is required for the commercial area.

STOLLINGS RANCH-REZONING TO R-1-LOW DENSITY RESIDENTIAL DISTRICT AND C-1-NEIGHBORHOOD COMMERCIAL DISTRICT AND STOLLINGS RANCH-PRELIMINARY PLAT-CONT

The single-family portion includes 437 single-family residential lots divided into 6 phases. There are several open space tracts that include a neighborhood pool, detention areas and a drainageway with floodplain at the NW corner of the property.

The plan shows a 16-acre “reserved tract” at the Northeast corner. This area will be zoned R-1, single-family residential. It could be used for additional single-family residences, a church, school, or a few other uses permitted in R-1 zoning.

FUTURE LAND USE MAP: The Future Land Use Map in the Comp Plan shows single-family and multi-family, carried over from the original development plan. The 2004 Comp Plan showed a new interchange would be located further South on I-35, around where Crossroads Community Church on Petty Road is located. The new interchange currently under construction is located at 19th Street and I-35.

A preliminary stormwater report was submitted and stormwater detention is required. The plan identifies four detention areas (in phases 1,3,4,5). Detailed plans for detention will be prepared and submitted as part of the corresponding final plats and/or commercial site plans.

Three street connections are proposed along Nation Road and one connection is proposed along NE 144th Street. Turn lanes are included at all four intersections.

Streets will also connect to two stubs in the Fox Run subdivision, providing better access for emergency response. In 2005, there were Fox Run neighbors that requested street connections not be made, but the plan was approved with the street connections in place.

Sidewalks will be constructed along all the streets. Staff recommends sidewalk or trail access through two long blocks in Phase 3, within Tract E and the block to the East. This will improve neighborhood walkability with a more direct access for residents to walk to the commercial area.

A sewer interceptor line was constructed along the East side of Nation Road. Phases 1 and 2 will connect to that line by gravity sewer. Lift stations are proposed with Phase 3 and Phase 5. Sewer lines and lift stations will be designed to City standards as part of future engineering plans.

City water isn’t currently available. The plan shows a water main will be extended along Nation Road to serve the property.

A draft homeowners association (HOA) document was submitted to address subdivision standards and the ownership and maintenance of the pool and other open space tracts.

STOLLINGS RANCH-REZONING TO R-1-LOW DENSITY RESIDENTIAL DISTRICT AND C-1-NEIGHBORHOOD COMMERCIAL DISTRICT AND STOLLINGS RANCH-PRELIMINARY PLAT-CONT

The property was within the Water District #6 boundary. As part of an agreement with the water district, the City collects an additional fee with each building permit, which gets paid to the water district.

Ron Cowger, AGC Engineers, said Staff did a great job of presenting the project but he would like to add additional information. He said the original Midwest Hunt plan had 930 dwellings and their plan has only 437, which is more than a 50% deduction.

Mr. Cowger said the Preliminary Plat has commercial at the corner of Nation Road and 19th Street. He said the City minimum lot is 75 feet by 110 feet. Their lots will be 90 by 120 feet. He said the 6th Phase will provide secondary access for emergency vehicles.

Mr. Cowger said the drainage study has been revised several times. He said they also studied the flood plain area that wasn't in the FEMA Study.

Mr. Cowger said the City, City Engineer and himself met in regard to the roads. He said in regard to the long block and trails going between and behind homes for access to the commercial area can become problematic with walkers going thru people's property. He said it is 3400 steps if you walk around and 2500 steps using the trail. He said it isn't that much difference. He said in today's world it is a safety issue. He said it will be hard to sell those lots to anyone.

The floor was opened to the public.

Kelly Wright, 14709 Fox Run Drive, said Mr. Cowger and the property owner held a public meeting for the Fox Run Subdivision and eleven home owners attended. He said they are concerned about opening their subdivision to traffic. He said people will cut through the subdivision to go west on 144th Street.

He said residents in Fox Run walk through the subdivision all the time and there are no sidewalks. He said he would like to ask the Planning and Zoning Commission to consider not opening up the stubs in Fox Run to connect to the Stollings Ranch subdivision street connections.

Amber Waiser, 14423 NE 144th Terr, said she sees the traffic connections as an advantage. She said it increases the resident's safety by more access for emergency vehicles. She said only one fourth of homes in Fox Run have children so this will allow her children an opportunity to walk to new neighborhood and play with children. She said it will also give them easy access to the commercial area.

Tony Flieg, 14418 Fox Run Drive, said he doesn't like having the stub streets open to the Stollings Ranch subdivision. He said Terri Griffin, Clay County Highway Department, said they just redone the road and it won't last with the additional traffic.

He said they enjoy their privacy and safety now and don't want their street to become a trafficway.

STOLLINGS RANCH-REZONING TO R-1-LOW DENSITY RESIDENTIAL DISTRICT AND C-1-NEIGHBORHOOD COMMERCIAL DISTRICT AND STOLLINGS RANCH-PRELIMINARY PLAT-CONT

He said he is concerned about the run off. He said the new development should put their plan together with the plan in place for Fox Run.

He said he would like to see the phases and dates of completion for each phase. He said he is worried about construction traffic coming through their neighborhood if the connection is made early in the development of the subdivision.

Robert De La Fuente, representing Star Acquisitions, said they will build 78 to 100 homes every two years. He said it would be at least six or seven years before they would get to the phases connecting to Fox Run.

Natilie Howell, 13715 Nation Road, said she lives South of the subdivision. She said she already has run off onto her property and she is concerned about the additional run off with development.

Steve Raye, 14610 NE 147th Street, said he is at the Northeast corner of Fox Run where Phase 5 will connect into the subdivision. He said there is a culvert by his property and he said there is a lot of run off that comes from the Northeast onto his property. He said with the additional concrete this will only increase.

He said the new plan is fantastic compared to the old plan. He said he is concerned about the lots backing up to Fox Run lots and them putting up small sheds and hiding things behind the sheds. Robert De La Fuente said they won't allow sheds in the backyard.

Steve Raye asked if the HOA was elected or ran by a management company. Robert De La Fuente said they usually have a management company. He said Tim Harris is very particular about the upkeep of the property in his HOA.

Steve Raye presented an email from Wade Wagner, Community Development Director in 2005, saying that at least the north stub not be used.

There being no further comments from the public, the floor was closed.

Kent Porter asked if all this property is inside the City limits and Fox Run is County. Staff said that is correct.

Kent Porter asked if there is no multi-family in the Plan. Staff said that is correct.

Kent Porter asked about the extra ground in Tract B, E, and F besides the detention ponds. Ron Cowger said it is open space ground and Tim Harris is very sensitive about mowing and keeping trees, etc. from growing in those area.

STOLLINGS RANCH-REZONING TO R-1-LOW DENSITY RESIDENTIAL DISTRICT AND C-1-NEIGHBORHOOD COMMERCIAL DISTRICT AND STOLLINGS RANCH-PRELIMINARY PLAT-CONT

Kent Porter asked if the houses will be \$650,000 and up. Robert De La Fuente said this will be upper class homes. He said the base line in the City for homes is \$450,000.

Kent Porter said this is 270 residential homes and 8 acres of commercial. He said why isn't there more commercial. Robert De La Fuente said Tim Harris feels like there will be more commercial around Watson Drive and that will better serve the community. David Pavlich, Community Development Director, said there will be a lot of commercial on Watson Drive and there will two commercial areas at the Interchange. He said we are running out of residential lots.

Kent Porter said he is not opposed to residential but we need commercial development to pay the bills. He asked what the plans are for improvements to Nation Road. David Pavlich said there will be turn lanes at all the intersections onto Nation Road. He said we are working on a transportation plan.

Kent Porter said we as residents shouldn't have to pay for improvements. The developers should be paying for that.

Ron Cowger said the developer will be running a water line from Sam Barr Drive and 92 Highway to the property. He said they will be doing some half road turn lanes and some curb and gutter work. He said Nation Road will be an arterial street and usually the City helps pay for that. He said the property on the east side of the road is in flood plan. He said there will be a thru lane going each direction with turn lanes at intersections. He said that can usually handle the traffic.

Kent Porter asked what the commercial area will look like. Robert De La Fuente said they will look like those to the West of Price Chopper.

Wyeth Ervin asked why Walker Street didn't connect out onto 144th Street. Ron Cowger said they did have it doing that but due to site distance they were asked to remove it.

Doyle Riley asked about the water run off onto Steve Raye property. Ron Cowger said a portion of the run off will go behind Mr. Raye. He said there is a storm inlet that will catch the back of lots 4 and 6. He said Phase 5 will send the runoff to the detention area. He said there is an area of 6.9 acres of Fox Run that drains onto the Stollings Ranch. He said a drainage study was done and it will increase the flow less than 2 to 3 percent.

Tony Fleig asked if someone can talk to Clay County Planning and Zoning about the water runoff plan for Fox Run and the two can work together to handle it.

Kent Porter asked if the stubs on Fox Run go to the property lines. Ron Cowger said they do.

Chastain Parks said he lived in a subdivision with only one entrance. He said he had a medical emergency and had the entrance been blocked he would have died.

STOLLINGS RANCH-REZONING TO R-1-LOW DENSITY RESIDENTIAL DISTRICT AND C-1-NEIGHBORHOOD COMMERCIAL DISTRICT A motion was made by Paula Noble and seconded by Wyeth Ervin to recommend to the Board of Aldermen to approve the application from Tim Harris and Star Acquisitions, represented tonight by Ron Cowger with AGC Engineers, proposes to rezone approximately 278 acres at the Northwest corner of Nation Road and West 19th Street from R-P-1-Low Density Residential Planned District (248 acres) and R-P-3-Medium Density Residential Planned District (30 acres) to R-1-Low Density Residential District (270 acres) and C-1-Neighborhood Commercial District (8 acres) for Stollings Ranch, contingent upon meeting all Staff comments. The motion carried unanimously.

STOLLINGS RANCH-PRELIMINARY PLAT A motion was made by Paula Noble and seconded by Wyeth Ervin to approve the updated Preliminary Plat for Stollings Ranch located at the Northwest corner of Nation Road and West 19th Street contingent upon removing item 1 from Staff comments and all other comments being met. The motion carried by a four to one vote with Kent Porter voting nay.

ENCLOSURES AND DISCUSSION

KENT PORTER Kent Porter said he received a call from a long time Kearney resident, Chris Wilkerson. His family owned a lot of the land in the area of the Interchange and his family donated some land for the round about at Nation Road. He would like the round about to be name Wilkerson Circle. He said he would help maintain the area.

NEXT MEETING David Pavlich reminded everyone that the meeting in July will be July 19th.

ADJOURNMENT There being no further business on the agenda, a motion was made by Kent Porter and seconded by Wyeth Ervin to adjourn. The motion carried unanimously.

Approved: _____ Attest: _____
Doyle Riley, Chairperson Kent Porter, Secretary

RESOLUTION NO. 34-2023

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN AN ENGAGEMENT LETTER WITH TROUTT, BEEMAN & CO., P.C. TO AUDIT THE CITY'S FINANCIAL RECORDS FOR FISCAL YEAR 2023.

WHEREAS, the City's continuing disclosure agreements and certificates require the City to provide audited financial statements for the fiscal year ended March 31, 2023; and

WHEREAS, the Federal government requires recipients of Federal grants of at least \$750,000 in a single fiscal year to receive an OMB A-133 compliance audit; and

WHEREAS, the City of Kearney desires to retain the independent, Certified Public Accounting firm of Troutt, Beeman & Co., P.C. to audit the City's financial records for Fiscal Year 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF KEARNEY, MISSOURI, AS FOLLOWS:

Section 1. The City Administrator of the City of Kearney is authorized to sign the engagement letter with Troutt, Beeman & Co., P.C. to conduct the FY2023 audit of the City's financial records.

Section 2. Further Authority. The City Administrator and other city officials and employees of the City are hereby authorized and directed to take such further action, execute such other documents, certificates and instruments as may be necessary to carry out and comply with the intent of this Resolution.

Section 3. This resolution shall be effective immediately upon passage.

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF KEARNEY, MISSOURI, AND APPROVED BY THE MAYOR THIS 20th DAY OF JUNE 2023.

APPROVED:

Randy Pogue, Mayor

ATTEST:

Sheila Ernzen, City Clerk

June 14, 2023

Ms. Sheila Ernzen, City Administrator
City of Kearney, Missouri
100 E Washington St.
Kearney, MO 64060

Dear Ms. Ernzen:

The following represents our understanding of the services we will provide the City of Kearney, Missouri.

You have requested that we audit the modified cash basis financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Kearney, Missouri (the City), as of March 31, 2023, and for the year then ended and the related notes, which collectively comprise the City's basic financial statements as listed in the table of contents.

In addition, we will audit the City's compliance over major federal award programs for the period ended March 31, 2023. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the entity's major federal award programs. The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and, in accordance with Government Auditing Standards will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

The objectives of our compliance audit are to obtain sufficient appropriate audit evidence to form an opinion and report at the level specified in the governmental audit requirement about whether the entity complied in all material respects with the applicable compliance requirements and identify audit and reporting requirements specified in the governmental audit requirement that are supplementary to GAAS and Government Auditing Standards, if any, and perform procedures to address those requirements.

Supplementary information other than RSI will accompany the City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other

records used to prepare the basic financial statements or to the basic financial statements themselves, and additional procedures in accordance with GAAS. We do not intend to provide an opinion or any form of assurance on the supplementary information in relation to the basic financial statements as a whole:

- 1) Budgetary Comparison Schedules
- 2) Combining Statements of Non-major funds
- 3) Management Discussion and Analysis (if presented)
- 4) Missouri LAGERS Pension Schedules (ten-year information)

Schedule of Expenditures of Federal Awards

We will subject the schedule of expenditures of federal awards to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the schedule to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on whether the schedule of expenditures of federal awards is presented fairly in all material respects in relation to the financial statements as a whole.

Data Collection Form

Prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, schedule of expenditure of federal awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the federal audit clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the federal audit clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form is required to be submitted within the earlier of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

Audit of the Financial Statements

We will conduct our audit in accordance with GAAS, the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America; the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). As part of an audit in accordance with GAAS and, in accordance with Government Auditing Standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Kearney, Missouri's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and in accordance with Government Auditing Standards. Please note that the determination of abuse is subjective and Government Auditing Standards does not require auditors to detect abuse.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the City's basic financial statements. Our report will be addressed to the governing body of the City. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of Government Auditing Standards, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over

financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

Audit of Major Program Compliance

Our audit of the City's major federal award program(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; and the Uniform Guidance, and will include tests of accounting records, a determination of major programs in accordance with the Uniform Guidance and other procedures we consider necessary to enable us to express such an opinion on major federal award program compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the entity has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major federal award programs and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the entity's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, Government Auditing Standards, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the entity's compliance with the requirements of the federal programs as a whole.

As part of a compliance audit in accordance with GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks.

Our procedures will consist of determining major federal programs and, performing the applicable procedures described in the U.S. Office of Management and Budget OMB Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs, and performing such other procedures as we consider necessary in the circumstances. The purpose of those procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Also, as required by the Uniform Guidance, we will obtain an understanding of the entity's internal control over compliance relevant to the audit in order to design and perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the entity's major federal award programs. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report. However, we will communicate to you, regarding, among other

matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the entity's major federal award programs, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management Responsibilities

Our audit will be conducted on the basis that management and those charged with governance acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the basic financial statements in accordance with the modified cash basis of accounting;
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements;
- c. For identifying, in its accounts, all federal awards received and expended during the period and the federal programs under which they were received;
- d. For maintaining records that adequately identify the source and application of funds for federally funded activities;
- e. For preparing the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the Uniform Guidance;
- f. For designing, implementing, and maintaining effective internal control over federal awards that provides reasonable assurance that the entity is managing federal awards in compliance with federal statutes, regulations, and the terms and conditions of the federal awards;
- g. For identifying and ensuring that the entity complies with federal laws, statutes, regulations, rules, provisions of contracts or grant agreements, and the terms and conditions of federal award programs, and implementing systems designed to achieve compliance with applicable federal statutes, regulations, and the terms and conditions of federal award programs;
- h. For disclosing accurately, currently, and completely the financial results of each federal award in accordance with the requirements of the award;
- i. For identifying and providing report copies of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented;
- j. For taking prompt action when instances of noncompliance are identified;
- k. For addressing the findings and recommendations of auditors, for establishing and maintaining a process to track the status of such findings and recommendations and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;
- l. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;
- m. For submitting the reporting package and data collection form to the appropriate parties;

- n. For making the auditor aware of any significant contractor relationships where the contractor is responsible for program compliance;
- o. To provide us with:
 - i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the basic financial statements including the disclosures, and relevant to federal award programs, such as records, documentation, and other matters;
 - ii. Additional information that we may request from management for the purpose of the audit; and
 - iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
- p. For adjusting the basic financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole;
- q. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
- r. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
- s. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on the financials;
- t. For the accuracy and completeness of all information provided;
- u. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information; and
- v. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the schedule of expenditures of federal awards referred to above, you acknowledge and understand your responsibility (a) for the preparation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance, (b) to provide us with the appropriate written representations regarding the schedule of expenditures of federal awards, (c) to include our report on the schedule of expenditures of federal awards in any document that contains the schedule of expenditures of federal awards and that indicates that we have reported on such schedule, and (d) to present the schedule of expenditures of federal awards with the audited financial statements, or if the schedule will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the schedule of expenditures of federal awards no later than the date of issuance by you of the schedule and our report thereon.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited

basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

Nonattest Services

With respect to any nonattest services we perform such as the preparation of the financial statements and related notes and the fixed asset depreciation schedules, at the end of the year we will perform the following:

- Prepare the financial statements and related notes to be reviewed and approved by the City of Kearney, Missouri.
- Propose adjusting or correcting journal entries to be reviewed and approved by the City of Kearney, Missouri.
- Prepare the City of Kearney, Missouri's fixed asset depreciation schedules, which will be reviewed and approved by the City of Kearney, Missouri's management.

We will not assume management responsibilities on behalf of the City of Kearney, Missouri. However, we will provide advice and recommendations to assist management of the City in performing its responsibilities.

The City of Kearney, Missouri's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the nonattest services are as follows:

- The nonattest services are limited to the preparation of the financial statements and related notes and the fixed asset depreciation schedules. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries.
- We will perform the services in accordance with applicable professional standards.

Other

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If you intend to publish or otherwise reproduce the basic financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

Provisions of Engagement Administration and Fees

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Michael E. Groszek, CPA is the engagement partner for the audit services specified in this letter. Her responsibilities include supervising Troutt, Beeman & Co., P.C.'s services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

This will be an initial audit for our firm which will require set-up on our system, documentation of your procedures, and a review of the beginning balances based on a review of your prior auditor's working papers. The timing, efficiency, and cost of our audit will be significantly impacted by the responsiveness of your prior auditor, access to their documentation, and the quality of their documentation.

Our fees for your audit are estimated to be as follows:

One-time set-up fee on our systems	\$2,000
Audit fee for the standard audit in accordance with professional standards	23,000
Audit fee for your schedule of federal awards (Single Audit)	<u>5,000</u>
	<u><u>\$30,000</u></u>

If there are issues with your prior auditor's documentation or access to their documentation such as fixed asset records, prior year entries, single audit documentation, etc. this will require

additional procedures by our firm. At this point it is not possible to anticipate what issues may arise. If issues do transpire we will bill for any additional required work at our standard hourly rates. However, we agree to hold any additional billings to \$7,500 or less depending on the time required. If no unusual or unexpected issues arise the City will not incur any additional charges

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel, write-ups on procedures if not yet available, and the assumption that unexpected circumstances will not be encountered during the audit.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the basic financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

At the conclusion of our audit engagement, we will communicate to the Mayor and Board of Aldermen the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of Troutt, Beeman & Co., P.C. and constitutes confidential information. However, we may be requested to make certain audit documentation available to regulators pursuant to authority given to it by law or regulation, or to

peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Troutt, Beeman & Co., P.C.'s personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the regulator. The regulator may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

In accordance with the requirements of Government Auditing Standards, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

We appreciate the opportunity to be of service to the City of Kearney, Missouri and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,



TROUTT, BEEMAN & CO., P.C.
Harrisonville, Missouri

RESPONSE:

This letter correctly sets forth the understanding of the City of Kearney, Missouri.

By: _____

Date: _____

June 14, 2023

Ms. Sheila Ernzen, City Administrator
City of Kearney, Missouri
100 E Washington Street
Kearney, MO 64060

Dear Ms. Ernzen

I have some information for you to consider as you work through your audit evaluation process. If I may be of further assistance please let me know.

We look forward to working with the City of Kearney, Missouri.

Sincerely,

A handwritten signature in cursive script that reads "Mike". The signature is written in black ink and is positioned above a horizontal line that serves as a separator between the signature and the typed name below.

Michael E. Groszek, CPA
TROUTT, BEEMAN & CO., P.C.

IEB/akd

Enclosures

**CITY OF KEARNEY, MISSOURI
PROPOSAL FOR AUDIT SERVICES**

TROUTT, BEEMAN & CO., P.C.

1212 LOCUST

HARRISONVILLE, MISSOURI 64701

CONTACT: MICHAEL E. GROSZEK, CPA

E-MAIL ADDRESS: MGROSZEK@TBCO.NET

PHONE NUMBER: (816) 380-5500

MARCH 31, 2023

CITY OF KEARNEY, MISSOURI

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June 14, 2023

Ms. Sheila Ernzen
City of Kearney, Missouri

The firm of Troutt, Beeman & Co., P.C., Certified Public Accountants, is pleased to submit a proposal to provide professional auditing services to the City of Kearney, Missouri, for the year ending March 31, 2023.

The staff assigned to the City of Kearney will consist of a partner, a quality control partner, a manager, and a senior accountant. You can see their strong experience and qualifications in the resume section of this proposal.

We place a strong emphasis on local governments and non-profits. At least twenty local government and non-profit audits have been performed in each of the past ten years, many of which were subject to Government Auditing Standards (yellow book), the Single Audit Act and OMB Circular A-133, and Uniform Guidance.

Why You Should Chose Us

We recognize the importance of being responsive to clients, and ensuring that their needs are met in a timely fashion. As a local firm, we feel we have the ability to give quality service at reasonable rates.

Our firm has been in business in Cass County for over 50 years and we pride ourselves in long-term relationships, both from a business perspective and from a personal perspective. We don't bid on every possible opportunity, but try to make the right client decisions to ensure a good fit for us and for the client. Historically, we work with clients for several years and follow this business concept instead of looking for the highest possible price and then losing it in a future bidding process.

When we work with a client we make a significant investment in our time and resources getting to know your business and making sure we have the expertise to do the job correctly. We recognize that you also make a significant decision when you select us and that is why we assign our most competent and knowledgeable partner's and staff to your engagement. Additionally, the Partner is very involved in all aspects of your engagement.

Commitment to Timeliness and Quality of Service

As to timeliness, we develop time lines for each audit and then work together with our clients to achieve them. This promotes an atmosphere of teamwork between the City and our firm. And, it provides for the most effective and efficient audit process. When field work begins, be assured that we have scheduled sufficient time to complete the process. Troutt, Beeman & Co., P.C. does not start engagements and then leave the field only to return at some future time. We stay focused on the task through completion.

I am confident that our references and prior experience with governmental entities your size will attest to our timeliness and quality of service. Furthermore, entrance, progress, and exit conferences will be held with the Finance Department personnel and the City Manager to insure that the audit engagement stays on schedule and any items of concern are addressed timely. Plus, I share with you one of our policies from the firm's Quality Control Document, "Once Troutt, Beeman & Co., P.C. undertakes a client engagement, we bring all the resources to that engagement necessary in the circumstances."

We look forward to working with you and the City of Kearney.

Sincerely,

Troutt, Beeman & Co., P.C.

Michael E. Groszek, CPA

TROUTT, BEEMAN & CO., P.C.

GENERAL INFORMATION

ABOUT TROUTT, BEEMAN & CO., P.C.

Troutt, Beeman & Co., P.C. is committed to serving clients with creative, diversified personnel that devote a portion of each year to meeting the educational standards of both the AICPA and our state societies. In addition to meeting the requirement of an average of 40 credit hours per year of continuing education in a variety of fields, we also meet the Yellow Book standard of 24 governmental credit hours in a two-year period for all staff members involved in governmental audits.

As a member of the AICPA's Division for CPA Firms, we are subject to periodic peer reviews of our accounting and auditing engagements. An unqualified report from a peer review is our industry's assurance that a firm adheres to the most rigorous quality standards of our profession.

The combination of professional individuals performing high caliber work has led to our diverse growth. We believe our clients respect the service we provide and recognize the quality of our people.

The overall objective of our firm is to provide the finest services available to our clients at reasonable rates. We believe we have the necessary elements to fulfill our mission.

Some of our municipal clients we serve are listed in this proposal, but we would like to expand on services we have provided for our governmental and non-profit clients. In addition to routine financial audits, we have assisted clients in the hiring of City Administrators and Finance Directors; developed payroll procedures and manuals; developed purchasing policies and procedures with appropriate forms; performed rate analysis; refined inventory procedures; assisted with capital asset inventories, developed capital asset policies and procedures, assisted in fraud investigations, and provided investment advice on deposits and bond refinancing; assisted with budget preparation; prepared projections of cash flows; assisted with analysis of computer needs and procurement of hardware and software.

Troutt, Beeman & Co., P.C. performs approximately 20 peer reviews annually, and we have significant experience reviewing governmental audits performed by other CPA firms. This represents another opportunity to enhance our skills and further serve our clients.

STATEMENT OF INDEPENDENCE

We have reviewed our potential relationship with the City of Kearney, Missouri, and have determined that the firm of Troutt, Beeman and Co., P.C. is independent of the City as defined by generally accepted auditing standards and government auditing standards.

Additionally, our firm has not had any professional relationships involving the City of Kearney, Missouri, for the past five years which would jeopardize our independence on this engagement. If any professional relationships are entered into during the period of this agreement, we will notify the City in writing.

LICENSE TO PRACTICE IN MISSOURI

The firm of Troutt, Beeman & Co., P.C. and partners, and managers assigned to the City of Kearney, Missouri, are licensed to practice public accounting in the State of Missouri.

FIRM QUALIFICATIONS AND EXPERIENCE

This year, Troutt, Beeman & Co., P.C. celebrates its 51th anniversary. We are a local firm serving clients in Cass County, Bates County, Jackson County, Clay County, St. Clair County, Vernon County, and Johnson County, Missouri. We have operated an office in Olathe, Kansas since 1991, and this office predominantly serves clients in Miami and Johnson County, Kansas.

The special needs of a local governmental audit require the right mix of experience, education, understanding, and commitment. We would like to highlight some items that could have particular significance in your selection process.

- We are familiar with the requirements of the Single Audit Act of 1984, the amendments of 1996, and OMB Circular A-133, and Uniform Guidance. Many of our governmental clients are regularly subject to the requirements of these pronouncements.
- Troutt, Beeman & Co., P.C. has participated in the AICPA's peer review program since 1989. Our quality control procedures are set up to ensure compliance with yellow book requirements, and that our firm receives an unqualified opinion.
- Troutt, Beeman & Co., P.C. has never been the object of any disciplinary action.
- One of the engagements selected during our peer review was a governmental engagement. Our report was accepted as presented with no adjustment or additional documentation required. See a copy of our most recent external peer review. Our firm has not had, to our knowledge, any field or desk reviews from the Inspector General's office during the past three years. However, prior to that, our firm has had desk reviews, and our reports were accepted as presented with no adjustment or additional documentation required.
- At least 20 governmental audits have been performed in each of the past ten years, as well as many audits of non-profit organizations
- We routinely prepare a Comprehensive Annual Financial Report (CAFR) for our governmental clients that require it.
- Troutt, Beeman & Co., P.C. will perform all the work required on your engagement. We will not utilize the services of a subcontractor.
- Troutt, Beeman & Co., P.C. employs twelve people of which seven are members of our professional staff. Five of the professional staff are actively involved in managing and staffing our governmental audits. This audit will be managed and staffed from our Harrisonville, Missouri office.
- We will assign one partner, one quality control partner, and two managers to staff your engagement on a full-time basis. One partner and one computer specialist will be assigned on a part-time basis as needed.

- We have significant experience auditing municipal utilities because virtually all of our municipal clients provide utility services. In addition, we audit six water districts, one water authority, and two fire districts. All of the City's audit team are experienced in municipal utilities.
- As stated earlier, Troutt, Beeman & Co., P.C. meets the Yellow Book standard of 24 governmental credits in a two year period for all staff members.

CITY OF KEARNEY, MISSOURI AUDIT TEAM

We have selected from our strength to propose the following team for your audit this year:

Michael E. Groszek, CPA - Engagement Partner

Ivan E. Beeman, CPA - Quality Control Partner

Brandon Carlson, CPA - Manager

Tina Behl, CPA - Manager

Resumes for each team member are included on the following pages.

Troutt, Beeman & Co., P.C. historically does not experience significant staff turnover. We have several long-time employees. The three partners have been with the firm 44, 30, and 21 years. Our computer specialist has been with the firm 36 years, and our tax manager has been with our firm 22 years.

Our professional audit staff typically stay with us several years. However, like other CPA Firms, we do occasionally have staff turnover. However, in the past two years we have had no staff turnover.

Our philosophy has been to invest in our people for the long-term. We are not a large firm and like our clients, we value long-term relationships. We do not anticipate turning over the staff or partner on your engagement. Efficiencies are gained on both sides with continuity on the job and we embrace this concept.

IVAN E. BEEMAN, CPA

Butch graduated from Missouri State University and moved right into a position in our Harrisonville office. As the firm grew, Butch gained strong experience in the audit area. He began to serve in an in-charge capacity for a number of not-for-profit and local governmental audit clients, including several cities, fire districts and water districts. Three years after joining the firm, Butch was admitted to partnership.

Butch is a member of the AICPA and the Missouri Society of CPAs. He is licensed to practice in both Missouri and Kansas.

He has held several committee positions in his industry's organizations, and is a Past Chairman of the Board for the Missouri Society of CPAs. He is currently completing a three-year term as a member of the Missouri Society of CPAs Education Foundation.

As an active and contributing member of his community, Butch is past president of both the Kiwanis and the Chamber of Commerce. He served three terms as a board member of the Cass R-IX School District, including two years as president. He is currently serving on the board of the Cass Regional Medical Center Foundation Board of Directors where he is a past President.

Butch is also active in the peer review process, performing about 20 reviews annually. He is a former chairman of the West Report Acceptance Body and the Peer Review Executive Committee for the State of Missouri.

MICHAEL E. GROSZEK, CPA

After graduating from Rockhurst College in December 1987, Mike joined the national firm of Grant Thornton. At Grant Thornton, Mike was heavily involved with serving manufacturing and real estate clients.

In 1991, his audit background earned him a position with International Paper as a traveling auditor. At International Paper, Mike participated in several large paper manufacturing audits and was a member of several quality improvement teams. In this capacity, Mike gained a great deal of experience with various manufacturing processes and testing and designing internal controls.

When Mike wanted to return to the public accounting profession in 1992, Troutt, Beeman & Co., P.C. selected him for their audit team. In this capacity, he conducts audits, reviews and compilations for a wide variety of businesses and nonprofit entities. His expertise in the governmental area encompasses counties, municipalities, water districts, and hospitals. Mike has served as field in-charge on all of our municipal clients who apply for the Excellence in Financial Reporting Award.

Mike was admitted to the partnership in July, 1997.

Mike has been active in Junior Achievement, children's charities and his church.

Mike is a member of the AICPA and the Missouri and Kansas Society of CPA's. He is licensed to practice in both Missouri and Kansas.

Mike is also active in the peer review process, performing about 20 reviews annually. He currently serves on the West Report Acceptance Body and is the Peer Review Executive Committee Chair for the State of Missouri.

In 2017 Mike was a speaker at the Missouri Society Governmental Conference in Columbia, MO.

BRANDON CARLSON, CPA

Brandon joined Troutt, Beeman & Co. as a senior auditor in 2013. During his tenure with the firm, he passed the CPA exam, completed a two-year leadership training course, and expanded his expertise in governmental and not-for-profit audits. In January of 2016, he was promoted to Audit Manager. He has over 15 years of experience auditing governmental and not-for-profit entities.

Brandon is licensed to practice in both Missouri and Kansas.

He received his Bachelor of Science degree in Accounting from Emporia State University. Brandon also received a Masters of Business Administration in Accounting from Emporia State University.

He is a member of the American Institute of Certified Public Accountants and Missouri Society of Certified Public Accountants. He is also a member of Toastmasters.

Brandon's involvement with the community includes serving as a volunteer coach in the Olathe Parks & Recreation program.

TINA BEHL, CPA

Tina joined TBCO in March 2017 in a part-time capacity, with her primary focus assisting the audit department with audit planning, field work and drafting of financial statements. She also works on audits, reviews and compilations of business, governmental and not-for-profit entities.

Tina started her career as an Audit Associate at RSM International tax and audit firm, where she worked for five years, working her way to Audit Manager. Her focus while at RSM was governmental, not-for-profit and manufacturing entities. Tina's experience includes audits of cities, counties, municipalities, nonprofits, church organizations, school districts and audits under the Uniform Guidance. After leaving RSM, Tina worked at Cerner Corporation for five years in the Finance Department as a Controller/Finance Manager. While at Cerner, she was responsible for the revenue recognition for all lines of solutions sold within Cerner's largest sales region, as well as assisting in the sales contract writing process and quarterly audit process.

Tina was promoted to Audit Manager in 2023.

She received her Bachelor of Arts in Accounting and Business Administration, Ottawa University. Tina also received her Master of Science in Accounting with Audit Focus, University of Missouri Kansas City.

Tina is a member of the American Institute of Certified Public Accountants (AICPA) as well as the Missouri Society of Certified Public Accountants (MOCPA).

REFERENCES

All of our references listed below are current clients of our firm:

City of Belton Missouri

Audit of financial statements
1996 through 2021, including
preparation of Comprehensive
Annual Financial Report
Engagement Partner: Michael Groszek
Engagement Hours: 400

City of Grain Valley, Missouri

Audit of financial statements
2011 through 2022
Engagement Partner: Michael Groszek and Ivan E. Beeman
Engagement Hours: 250

City of Raytown, Missouri

Audit of financial statements
October 31, 2019 through 2022
Engagement Partner: Michael E. Groszek
Engagement Hours: 325

Little Blue Valley Sewer District

Audit of financial statements
2018 through 2022
Engagement Partner: Ivan E. Beeman
Engagement Hours: 200

Tri-County Water Authority

Audit of financial statements
1994 through 2022
Engagement Partner: Michael E. Groszek
Engagement Hours: 180

Jackson County PWSD No. 2, Raytown, Missouri

Audit of financial statements
2014 through 2022
Engagement Partner: Ivan E. Beeman
Engagement Hours: 140

Thomas H. Sewell, CPA, LLC

P.O. Box 783 • 118 W. Locust • Independence, KS 67301

Phone: (620) 331-2170 • tom@tsewellcpa.com

Thomas H. Sewell, CPA

Keith Stone, CPA

Emily Markham, Staff Accountant

*Members of American Institute and
Kansas Society of Certified Public Accountants*

Report on the Firm's System of Quality Control

To the members of Troutt Beeman & Co., P.C.
and the Peer Review Committee of the Missouri Society of CPA's

We have reviewed the system of quality control for the accounting and auditing practice of Troutt Beeman & Co., P.C. (the firm) in effect for the year ended June 30, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing and complying with a system of quality control to provide the firm with reasonable assurance of performing and reporting in conformity with the requirements of applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the firm's system of quality control based on our review.

Required Selections and Considerations

Engagements selected for review included an engagement performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act.

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Troutt Beeman & Co., P.C. in effect for the year ended June 30, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Troutt Beeman & Co., P.C. received a peer review rating of *pass*.

James V. Ferrell, CPA, LLC

Independence, Kansas
March 30, 2023

City of Kearney, Missouri

Statement of Revenues and Expenditures - Cash Basis For the Month ended May 31, 2023

Fund Number	Fund Name	Revenues	Expenditures	Revenues Over/ (Under) Expenditures
General Fund				
010	General Fund	\$ 912,909.72	\$ 959,863.20	\$ (46,953.48)
Special Revenue Funds				
011	DWI/ Drug Fund	-	12.00	(12.00)
012	Use Tax Fund	156,843.39	275,446.41	(118,603.02)
013	Sales Tax Fund	288,612.73	312,948.32	(24,335.59)
014	Park Capital Improvements Fund	27,732.88	116.00	27,616.88
015	Cemetery Fund	10,801.44	176.00	10,625.44
016	Police Training Fund	177.13	12.00	165.13
017	Park Fund	106,460.19	192,422.19	(85,962.00)
018	Transportation Sales Tax Fund	223,455.79	207,186.76	16,269.03
019	Capital Improvements Sales Tax Fund	131,527.34	169,373.15	(37,845.81)
061	Inmate Security Fund	225.60	6.00	219.60
065	Wireless Capital Improvement Fund	24,263.57	296.00	23,967.57
066	ARPA/ CARES Act Fund	11,603.40	-	11,603.40
073	Shoppes at Kearney TIF Fund	83,865.68	82,637.69	1,227.99
Proprietary Funds				
020	Water & Sewer Revenue Fund	13,944.22	1,225,264.25	(1,211,320.03)
022	Meter Deposit Fund	1,371.80	604.71	767.09
030	Water & Sewer Sinking Fund	8,714.29	-	8,714.29
031	Water & Sewer Reserve Fund	170.58	-	170.58
032	Water & Sewer Depreciation Fund	94.85	-	94.85
033	Water Fund	495,381.81	336,709.08	158,672.73
035	Sewer Fund	396,076.96	199,241.34	196,835.62
Capital Projects Funds				
024	Water Capital Improvements Fund	507,840.37	8,500.00	499,340.37
025	Sewer Capital Improvements Fund	600,819.78	23,285.10	577,534.68
026	Water Construction Fund	-	23,042.25	(23,042.25)
028	Highway Construction Fund	48,387.52	762,741.85	(714,354.33)
029	2015 Street Bond Fund	859.60	3,033.00	(2,173.40)
051	Park Construction Fund	84,100.00	18,487.00	65,613.00
052	Storm Water Projects	33,772.00	13,693.17	20,078.83
053	Sidewalk & Trail Construction	33,290.00	6,800.00	26,490.00
Debt Service Funds				
055	2015 GO Highway Bond Debt Fund	123,713.65	1,160.00	122,553.65
056	I-35 and 19th Street Interchange Bond Fund	307,669.37	16,650.00	291,019.37
		<u>\$ 4,634,685.66</u>	<u>\$ 4,839,707.47</u>	<u>\$ (205,021.81)</u>

City of Kearney, Missouri

Statement of Revenues and Expenditures - Cash Basis For the Month ended May 31, 2023

			Portion of Year Elapsed:		16.7%
	One Month ended 5/31/23	YTD ended 5/31/23	FY 2024 Budget	Amount (Under) Over Budget	Percent of Budget
010 General Fund					
REVENUES					
Taxes	\$ 37,920.07	\$ 200,925.64	\$ 2,457,388.00	\$ (2,256,462.36)	8.18%
Licenses & Permits	12,789.30	22,283.37	113,500.00	\$ (91,216.63)	19.63%
Intergovernmental	-	1,030.72	5,000.00	\$ (3,969.28)	20.61%
Charges for Services	175,865.25	351,754.31	2,144,804.00	\$ (1,793,049.69)	16.40%
Fines	4,315.73	9,038.72	60,450.00	\$ (51,411.28)	14.95%
Interest & Other	8,642.21	20,988.72	62,500.00	\$ (41,511.28)	33.58%
Interfund Transfers	154,212.76	306,888.24	1,900,858.00	\$ (1,593,969.76)	16.14%
Total General Fund Revenues	<u>393,745.32</u>	<u>912,909.72</u>	<u>6,744,500.00</u>	<u>(5,831,590.28)</u>	13.54%
EXPENDITURES					
City Hall	103,919.57	211,605.14	1,542,325.00	\$ (1,330,719.86)	13.72%
Non-Departmental	60,391.00	120,782.00	724,687.00	\$ (603,905.00)	16.67%
Municipal Court	7,367.50	17,425.31	113,450.00	\$ (96,024.69)	15.36%
Community Development	26,316.92	48,523.10	411,065.00	\$ (362,541.90)	11.80%
Economic Development	-	5,000.00	20,000.00	\$ (15,000.00)	25.00%
Firehouse Center	251.14	28,279.40	125,000.00	\$ (96,720.60)	22.62%
Historic Museum	1,117.76	1,573.99	16,100.00	\$ (14,526.01)	9.78%
Police	215,322.84	363,877.75	2,842,790.00	\$ (2,478,912.25)	12.80%
Public Works	9,674.20	19,319.91	340,720.00	\$ (321,400.09)	5.67%
Solid Waste	66,570.95	124,576.60	724,320.00	\$ (599,743.40)	17.20%
Capital Outlay	-	18,900.00	478,400.00	\$ (459,500.00)	3.95%
Total General Fund Expenditures	<u>490,931.88</u>	<u>959,863.20</u>	<u>7,338,857.00</u>	<u>(5,919,493.80)</u>	13.08%
011 DWI/ Drug Fund					
Revenues	-	-	1,400.00	\$ (1,400.00)	0.00%
Expenditures	6.00	12.00	70.00	\$ (58.00)	17.14%
012 Use Tax Fund					
Revenues	61,479.35	156,843.39	720,000.00	\$ (563,156.61)	21.78%
Expenditures	198,575.93	275,446.41	1,878,969.00	\$ (1,603,522.59)	14.66%
013 Sales Tax Fund					
Revenues	135,889.19	288,612.73	2,007,600.00	\$ (1,718,987.27)	14.38%
Expenditures	160,455.96	312,948.32	2,000,902.00	\$ (1,687,953.68)	15.64%
014 Park Capital Improvements Fund					
Revenues	13,923.99	27,732.88	157,687.00	\$ (129,954.12)	17.59%
Expenditures	58.00	116.00	62,447.00	\$ (62,331.00)	0.19%
015 Cemetery Fund					
Revenues	4,727.45	10,801.44	11,000.00	\$ (198.56)	98.19%
Expenditures	46.00	176.00	30,550.00	\$ (30,374.00)	0.58%

016 Police Training Fund					
Revenues	83.33	177.13	1,420.00	\$ (1,242.87)	12.47%
Expenditures	6.00	12.00	6,570.00	\$ (6,558.00)	0.18%
017 Park Fund					
Revenues	63,121.90	106,460.19	731,670.00	\$ (625,209.81)	14.55%
Expenditures	75,579.55	192,422.19	845,754.00	\$ (653,331.81)	22.75%
018 Transportation Sales Tax Fund					
Revenues	106,617.76	223,455.79	1,810,398.00	\$ (1,586,942.21)	12.34%
Expenditures	88,946.09	207,186.76	3,078,985.00	\$ (2,871,798.24)	6.73%
019 Capital Improvements Sales Tax Fund					
Revenues	63,878.19	131,527.34	999,000.00	\$ (867,472.66)	13.17%
Expenditures	86,677.48	169,373.15	1,042,490.00	\$ (873,116.85)	16.25%
061 Inmate Security Fund					
Revenues	109.84	225.60	800.00	\$ (574.40)	28.20%
Expenditures	3.00	6.00	40.00	\$ (34.00)	15.00%
065 Wireless Capital Improvement Fund					
Revenues	11,928.36	24,263.57	142,500.00	\$ (118,236.43)	17.03%
Expenditures	148.00	296.00	144,206.00	\$ (143,910.00)	0.21%
066 ARPA/ CARES Act Fund					
Revenues	5,998.91	11,603.40	-	\$ 11,603.40	100.00%
Expenditures	-	-	1,422,713.00	\$ (1,422,713.00)	0.00%
073 Shoppes at Kearney TIF Fund					
Revenues	51,553.98	83,865.68	1,226,640.00	\$ (1,142,774.32)	6.84%
Expenditures	81,387.69	82,637.69	1,256,098.00	\$ (1,173,460.31)	6.58%
020 Water & Sewer Revenue Fund					
Revenues	7,610.98	13,944.22	-	\$ 13,944.22	100.00%
Expenditures	106,141.04	1,225,264.25	1,171,000.00	\$ 54,264.25	104.63%
022 Meter Deposit Fund					
Revenues	749.95	1,371.80	-	\$ 1,371.80	100.00%
Expenditures	370.32	604.71	-	\$ 604.71	100.00%
030 Water & Sewer Sinking Fund					
Revenues	4,782.23	8,714.29	254,070.00	\$ (245,355.71)	3.43%
Expenditures	-	-	-	\$ -	100.00%
031 Water & Sewer Reserve Fund					
Revenues	5.79	170.58	-	\$ 170.58	100.00%
Expenditures	-	-	193,680.00	\$ (193,680.00)	0.00%
032 Water & Sewer Depreciation Fund					
Revenues	4.17	94.85	-	\$ 94.85	100.00%
Expenditures	-	-	60,390.00	\$ (60,390.00)	0.00%
033 Water Fund					
Revenues	259,160.38	495,381.81	8,132,750.00	\$ (7,637,368.19)	6.09%
Expenditures	163,976.61	336,709.08	8,104,506.00	\$ (7,767,796.92)	4.15%
035 Sewer Fund					

Revenues	201,187.39	396,076.96	2,459,990.00	\$ (2,063,913.04)	16.10%
Expenditures	104,756.65	199,241.34	2,459,841.00	\$ (2,260,599.66)	8.10%
024 Water Capital Improvements Fund					
Revenues	6,867.71	507,840.37	525,000.00	\$ (17,159.63)	96.73%
Expenditures	8,000.00	8,500.00	500,000.00	\$ (491,500.00)	1.70%
025 Sewer Capital Improvements Fund					
Revenues	454.09	600,819.78	625,000.00	\$ (24,180.22)	96.13%
Expenditures	14,587.55	23,285.10	644,311.00	\$ (621,025.90)	3.61%
026 Water Construction Fund					
Revenues	-	-	5,915,095.00	\$ (5,915,095.00)	0.00%
Expenditures	18,191.25	23,042.25	5,915,095.00	\$ (5,892,052.75)	0.39%
028 Highway Construction Fund					
Revenues	25,098.88	48,387.52	80,382.00	\$ (31,994.48)	60.20%
Expenditures	498,741.97	762,741.85	5,995,148.00	\$ (5,232,406.15)	12.72%
029 2015 Street Bond Fund					
Revenues	469.81	859.60	-	\$ 859.60	100.00%
Expenditures	3,033.00	3,033.00	38,246.00	\$ (35,213.00)	7.93%
051 Park Construction Fund					
Revenues	42,050.00	84,100.00	1,084,100.00	\$ (1,000,000.00)	7.76%
Expenditures	11,267.00	18,487.00	1,084,100.00	\$ (1,065,613.00)	1.71%
052 Storm Water Projects					
Revenues	16,886.00	33,772.00	1,052,630.00	\$ (1,018,858.00)	3.21%
Expenditures	13,693.17	13,693.17	1,052,630.00	\$ (1,038,936.83)	1.30%
053 Sidewalk & Trail Construction					
Revenues	16,645.00	33,290.00	199,740.00	\$ (166,450.00)	16.67%
Expenditures	-	6,800.00	199,740.00	\$ (192,940.00)	3.40%
055 2015 GO Highway Bond Debt Fund					
Revenues	61,825.86	123,713.65	801,000.00	\$ (677,286.35)	15.44%
Expenditures	421.00	1,160.00	872,163.00	\$ (871,003.00)	0.13%
056 I-35 and 19th Street Interchange Bond Fund					
Revenues	146,823.11	307,669.37	1,998,000.00	\$ (1,690,330.63)	15.40%
Expenditures	8,325.00	16,650.00	1,511,519.00	\$ (1,494,869.00)	1.10%
Total of All Funds Revenues	1,703,678.92	4,634,685.66	37,682,372.00	(33,047,686.34)	12.30%
Total of All Funds Expenditures	2,134,326.14	4,839,707.47	48,911,020.00	(44,071,312.53)	9.89%
All Funds Revenues Over (Under)					
Expenditures	<u>\$ (430,647.22)</u>	<u>\$ (205,021.81)</u>	<u>\$ (11,228,648.00)</u>		