



**CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, MAY 9, 2022**

**The City Council will meet in a Closed Executive Session at 5:00 pm Monday, May 9, 2022, Gladstone City Hall, 7010 North Holmes, Gladstone, Missouri. The Closed Executive Session is closed pursuant to RSMo. Open Meeting Act Exemption 610.021 (1) for Litigation and Confidential or Privileged Communications with Legal Counsel, 610.021(2) Real Estate, 610.021(3) Personnel, and 610.021(9) Employee Groups.**

**Open Study Session: 5:20 PM**

1. Fiscal Year 2023 Budget Presentation (All Funds). North and South Conference Rooms.
2. Chapter 2300 Detached Accessory Structure Regulations. City Council Chambers.

**REGULAR MEETING 7:30 PM**

**TENTATIVE AGENDA**

1. Meeting Called to Order.
2. Roll Call.

3. **Pledge of Allegiance to the Flag of the United States of America.**
4. **Approval of the Agenda.**
5. **Approval of the April 25, 2022, Closed City Council Meeting Minutes.**
6. **Approval of the April 25, 2022, Regular City Council Meeting Minutes.**
7. **PROCLAMATION: Emergency Medical Services Week.**
8. **Communications from the Audience:** *Members of the public are invited to speak about any topic not listed on the agenda. While speaking, please state your name and address for the record and limit comments to 5 minutes.*
9. **Communications from the City Council.**
10. **Communications from the City Manager.**
11. **CONSENT AGENDA**

**CONSIDER SPECIAL EVENT PERMITS:**

The Teeter Family is hosting a birthday party to be held at the Atkins-Johnson Farm and Museum on Saturday, June 4, 2022 from 5:00 pm to 9:00 pm.

Michael Corwin is hosting A Tribute to Our Heroes event. The event is a time for retired, former, and current law enforcement officers and their families to catch-up and relax. The event will be held at Linden Square on Saturday, June 11, 2022 from 2:00 pm to 6:00 pm.

The Parks, Recreation and Cultural Arts Department will be hosting the City's Annual July 4<sup>th</sup> Celebration at Oak Grove Park beginning at 5:00 pm to 11:30 pm.

The Parks, Recreation and Cultural Arts Department will be hosting the Annual Children's Garden Day at the Atkins-Johnson Farm and Museum in partnership with the Master Gardeners of Greater Kansas City. The event will take place on Saturday, July 9, 2022 from 9:00 am to 12:00 pm.

The Parks, Recreation and Cultural Arts Department will be hosting the City's Annual Theatre in the Park series at Oak Grove Park. July 8, 9 & 10, 2022 and August 12, 13 & 14, 2022. The Park will open at 5:00 pm and close at 11:30 pm. The shows begin at 8:30 pm and conclude around 10:30 pm.

## **REGULAR AGENDA**

12. **CONTINUED PUBLIC HEARING:** Amending Section 6.110.570, Levying sewer service charges and commodity rate charges in the city.
13. **FIRST READING BILL NO. 22-15** An Ordinance amending Section 6.110.570 of the Code of Ordinances of the City of Gladstone, Missouri, levying sewer service charges and commodity rate charges in the city.
14. **RESOLUTION R- 22-18** Amending the Employee Handbook for the City of Gladstone, Missouri.
15. **Other Business.**
16. **Adjournment.**

Representatives of the News Media may obtain copies of this notice by contacting:  
Kris Keller, City Clerk  
City of Gladstone  
7010 North Holmes  
Gladstone, MO 64118  
816-423-4096

Date: May 5, 2022  
Posted at: 10:30 am



**OFFICE OF THE CITY MANAGER**  
**MEMORANDUM**

**DATE:** MAY 3, 2022

**TO:** BILL GARNOS, MAYOR  
JEAN MOORE, MAYOR PRO TEM,  
R. D. MALLAMS, COUNCILMAN  
TOM FRISBY, COUNCILMAN  
TINA SPALLO, COUNCILMEMBER

**FROM:** SCOTT WINGERSON, CITY MANAGER  
DOMINIC ACCURSO, DIRECTOR OF FINANCE  
CHARLENE LESLIE, HUMAN RESOURCES ADMINISTRATOR

**SUBJECT:** 2023 FISCAL YEAR BUDGET STUDY SESSION

The purpose of this memorandum is to transmit to the City Council information and exhibits specifically discussing the General Fund, Community Center/Parks Sales Tax Fund (CCPT), Public Safety Sales Tax Fund (PSST), Capital Equipment Replacement Fund (CERF), the Combined Waterworks and Sewerage System Fund (CWSS), Capital Improvement Sales Tax Fund (CIST), and Transportation Sales Tax Fund (TST) revenues and expenditures for fiscal year 2023 (FY23). The presentation of the budgeted funds will be done in a single study session for the City Council's consideration. The public hearing for the budget will be scheduled for the May 23<sup>rd</sup> meeting, with the 2023 fiscal year budget resolution scheduled for the June 13<sup>th</sup> meeting. This correspondence is not intended to be the annual budget message; it is merely intended to provide a narrative explanation and summary of the information contained in the attached reports.

**CITY COUNCIL GOALS**

As in past years, the Budget Team began with City Council goals as the guiding policy to develop the budget. The proposed budget seeks to implement these goals through the reallocation of existing resources and to program new resources when they become available.

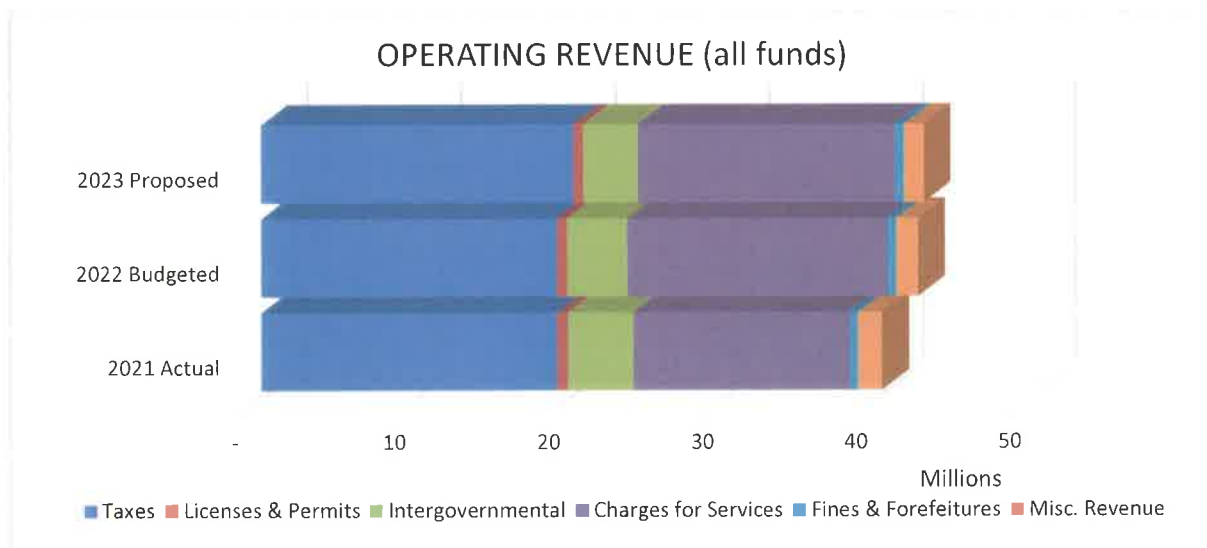
**2022 CITY COUNCIL GOALS**

1. Keep Gladstone as a safe place with a focus on crime reduction, traffic enforcement, and the recruitment and retention of high-quality police officers, firefighters and EMS personnel.
2. Continue implementation of parks, cultural arts, facilities, streets, sidewalks, storm water, water distribution and production, and comprehensive master plans.

3. Continue commitment to downtown and commercial corridors through effective and innovative development and redevelopment strategies.
4. Prioritize the proactive residential and commercial code enforcement program.
5. Create a long-term development and programming plan for Atkins-Johnson Farm and Museum to make it sustainable.
6. Prioritize infrastructure for neighborhood revitalization to meet the needs of our residents, encourage quality residential density and homeowner investment to preserve and increase housing values.
7. Promote diversity, equity, and inclusion in all that we do to continue to be a welcoming city to everyone.
8. Develop a branding strategy to effectively promote Gladstone.

### **BUDGET CONSIDERATIONS**

In creating the 2023 fiscal year budget, the budget team considered multiple external and internal factors. One of the largest external factors was inflation. The U.S. Bureau of Labor Statistics states that the CPI for all items increased 1.2% in March of 2022 and 8.5% over the last 12 months. Although operating revenues as a whole have increased (see graphic below), they are being outpaced by the increases in costs. For example, by law, property tax revenue may increase by the lesser of 5% or CPI, set by the state auditor. Gross receipts taxes have also continued to decline over the years. The Missouri Legislature recently passed a bill that will decrease the amount of cable gross receipts .5% per year for the next 5 years (\$30,000 budget impact with an additional \$30,000 each year) further eroding the revenue line item.



The pandemic has had a significant effect on the City's budget over the past few years. The 2022 fiscal year has realized increases in revenue from sales and use tax revenue as we transition from pandemic to endemic. Revenues from charges for services (recreation, memberships, EMS services) are rebounding back to pre-pandemic levels. Intergovernmental revenue increased in FY20 and FY21 due to federal pandemic relief funding (as well federal funding for transportation projects).

ARPA funding was released in August of 2021 (\$5.5 million). With guidance not finalized until April 1, 2022, the City chose to take a conservative approach by using the interim period to plan projects and implement after guidance was finalized. Projects will include funding for certain Community Center expenditures, City Hall interior renovations, funding for price escalations on the police headquarters, sidewalk repair, mill and overlay, equipment for Happy Rock Park, Shelters at Oak Grove Park, and neighborhood and business grants. An additional \$1.8 million in ARPA funding has been requested from Clay County to fund a co-located dispatch to be added to the new police headquarters (\$1,000,000) and additional water main replacement (\$800,000). These funds must be obligated by December 31, 2024 and spent by December 31, 2026. The majority of ARPA funding (\$5,200,000) is being proposed for use in the CCPT, CIST, and TST funds for the 2023 fiscal year.

Before fiscal year 2023 budget discussions commenced, the leadership team held a discussion on where resources should be focused to carry out the vision and goals of the City. Staff came to the conclusion that resources should be focused on the first goal of the City Council, recruitment and retention of high quality employees. The 2023 fiscal year budget is proposing significant changes to the compensation and employee benefit package that will assist in achieving this goal. Additional information on changes to employee compensation and benefit packages are below in the Personnel Changes section of the memo.

Following this introduction are summaries and narrative for recommendations for the budgeted funds for the City of Gladstone for the 2023 fiscal year. The summaries and narrative provide additional detail on more specific revenue and expenditure line items.

## **GENERAL FUND**

### **REVENUES**

Revenue projections for FY23 are based on FY22 mid-year revenue projections, revenue trends, and the current local economy. Please reference Tables 1 and 2 on the next pages. Additional revenue detail is also included in Exhibit A, Comparative Revenue Detail.

Total budgeted revenues are projected to be \$21,483,512, a net decrease of \$101,976. Total operating revenues are projected to be \$20,934,012, an increase of \$377,774 from midyear projections. The increase is mostly due to increases from sales and use tax.

Property tax revenue is projected to be \$3,932,000 representing an increase of \$47,950. This year is a non-assessment year. Revenue estimates were projected using the valuation amounts for the 2022 fiscal year with a revenue increase to the current portion of real and personal property of 3%. CPI information from the state auditor has not been released as of the date of the memo.

Table 1

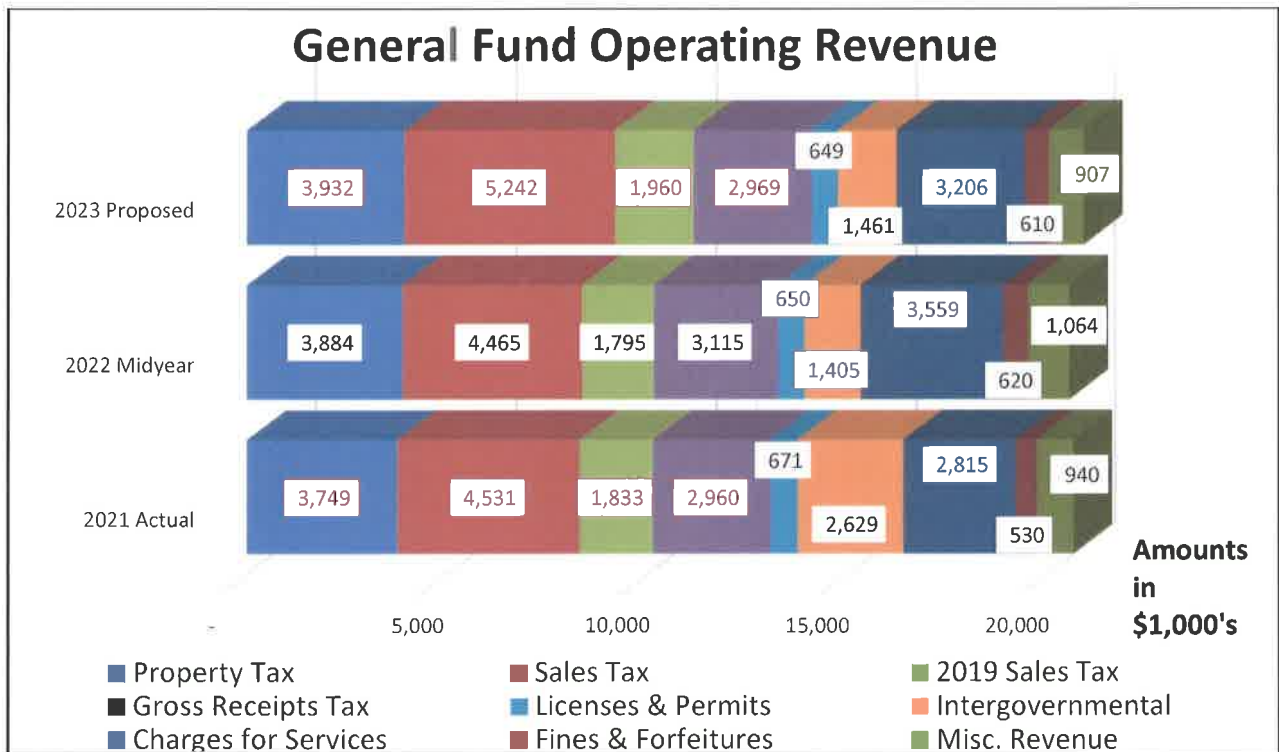
<u>Revenue</u>	<u>2022 Expected</u>	<u>2023 Budget</u>	<u>Incr/(Decr) Over 2022 Expected</u>
Property Tax	\$ 3,884,050	\$ 3,932,000	\$ 47,950
Sales/Use Tax	4,465,000	5,242,000	777,000
2019 Sales Tax	1,795,000	1,960,000	165,000
Gross Receipts Tax	3,115,000	2,968,567	(146,433)
Licenses & Permits	649,530	648,530	(1,000)
Intergovernmental	1,405,000	1,460,500	55,500
Charges for Service	3,559,146	3,205,915	(353,231)
Fines & Forfeitures	620,000	610,000	(10,000)
Misc. Revenue	1,063,512	906,500	(157,012)
<b>Operating Revenue</b>	<b>\$ 20,556,238</b>	<b>\$ 20,934,012</b>	<b>\$ 377,774</b>
Transfers	207,250	293,000	85,750
Equity Adjustment	822,000	256,500	(565,500)
<b>Non-Operating Revenue</b>	<b>1,029,250</b>	<b>549,500</b>	<b>(479,750)</b>
<b>Total Revenue</b>	<b>\$ 21,585,488</b>	<b>\$ 21,483,512</b>	<b>\$ (101,976)</b>

General Fund Sales Tax Revenue is projected to increase \$942,000 (\$777,000 for the 1% general sales tax and \$165,000 for the 2019 sales tax) to \$7,202,000. The increase is due a full year of sales tax collections from new businesses/industries, local businesses recovery from the pandemic, and the increased collection of use tax.

Gross Receipts Tax revenue is projected to be \$2,968,567 or \$146,433 below FY22 midyear projected. Gross Receipts revenue are based on historical trends and anticipated rate adjustments. Gross receipts are expected to continue to decline in future years due to changes in patterns and

legislation. For example, the number and cost of phone land lines continue to decrease as well as the number of people and businesses switching from cable television services to streaming services.

Table 2



License and Permit revenue is projected to be \$648,530 for a decrease of \$1,000. Staff is expecting a slight decrease from permitting due to the number of expected projects during the fiscal year.

Intergovernmental Revenue for FY23 is expected to increase by \$55,500. These revenues are projected to be \$1,460,500 or 7% of total operating revenue. The increase is due to the incremental increases from the gas tax. Intergovernmental revenues are mainly composed of grants, gasoline taxes, vehicle registration taxes, motor vehicle sales taxes, and Special Road District revenues.

Charges for Services total \$3,205,915 or 15% of the fund's total revenue. The projected decrease of \$353,231 is due to the City no longer acting as a "pass through" for travel agencies for senior overnight trips. There is a corresponding decrease in the Parks & Recreation expenditure line item.

Fines and Forfeitures revenue account for 3% of total revenues and is estimated to be \$610,000 in FY23. Legislation and open positions have had a major impact on fines and forfeitures over the past years.

Miscellaneous Revenue is projected to be \$906,500 for FY23. This is a decrease of \$157,012 from FY22. The decrease is mainly due the number and types of vehicles disposed of during the 2022 fiscal year.

Total Non-Operating Revenues are projected to be \$549,500, a decrease of \$479,750 due to a decrease in the equity transfer.

### EXPENDITURES

General Fund FY23 projected expenditures are \$21,483,512. This represents a \$101,976 decrease compared to FY22 expected expenditures. Table 3 provides a budget comparison of the FY22 Expected Budget and the FY23 Proposed Budget, by object classification and department.

Additional detail is also provided in Exhibit B. The following narrative provides an explanation of the changes in each category of expenditures found in Table 3.

Table 3

<b>Expenditures</b>	<b>2022 Expected</b>	<b>2023 Budget</b>	<b>Over 2022</b>	<b>% of Total</b>
<u>Object Classification</u>				
Personnel Services	\$ 14,046,721	\$ 14,655,350	\$ 608,629	68.2%
Supplies	1,084,370	1,125,865	41,495	5.2%
Services	4,143,644	3,629,797	(513,847)	16.9%
Debt/Capital/Transfers	2,310,753	2,072,500	(238,253)	9.6%
<b>Total Expenditures</b>	<b>\$ 21,585,488</b>	<b>\$ 21,483,512</b>	<b>\$ (101,976)</b>	<b>100.0%</b>
<u>Department</u>				
General Administration	\$ 1,375,814	\$ 1,393,009	\$ 17,195	6.5%
Finance	1,512,303	1,560,337	48,034	7.3%
Police	5,625,026	5,954,383	329,357	27.7%
Fire/EMS	3,877,651	4,106,371	228,720	19.1%
Public Works	2,359,867	2,299,562	(60,305)	10.7%
Community Development	777,665	745,421	(32,244)	3.5%
Parks & Recreation	2,742,820	2,424,109	(318,711)	11.3%
Non-Departmental	1,003,589	927,820	(75,769)	4.3%
<b>Operating Expenditures</b>	<b>19,274,735</b>	<b>19,411,012</b>	<b>136,277</b>	<b>90.4%</b>
Capital & Supplemental	785,500	601,500	(184,000)	2.8%
Debt Requirements	323,253	296,000	(27,253)	1.4%
Transfers	1,202,000	1,175,000	(27,000)	5.5%
<b>Total Non-Operating Expenditures</b>	<b>\$ 2,310,753</b>	<b>\$ 2,072,500</b>	<b>\$ (238,253)</b>	<b>9.6%</b>
<b>Total Expenditures</b>	<b>\$ 21,585,488</b>	<b>\$ 21,483,512</b>	<b>\$ (101,976)</b>	<b>100.0%</b>

**Personnel Services** Personnel services make up over 68% of total General Fund expenditures. To address the City Council goal of recruitment and retention, the FY23 budget contains significant changes in the compensation and classification plan. Projected expenditures are estimated to be \$14,655,350 (an increase of \$608,629). Additional information on changes to personnel services can be found in the Personnel Changes section of the memo.

**Supplies and Services** Supplies and Services are proposed to decrease from FY22 expected. This is mainly due to the change in procedures for senior overnight activities. Supplies have increased by \$41,495, due to increases in the cost of fuel. Services are expected to decrease by \$513,847. The decrease in services is due to senior overnight activities (with the corresponding decrease in Charges for Service revenue) and the subtraction of FY22 supplemental (heavy equipment maintenance in Public Works, weed mowing in Community Development, and comprehensive plan in Non-departmental).

**Debt Capital and Transfers** Debt, Capital, and Transfers have decreased by \$238,253. Debt payments will decrease \$27,253 due to 2016 lease purchase falling off the debt schedule. Capital decreased \$184,000 due to the purchase of a new fire truck during the 2022 fiscal year. Transfers from the General Fund will decrease by \$27,000.

#### **DEPARTMENT CAPITAL AND SUPPLEMENTAL REQUESTS**

General Fund Budget capital and supplemental requests by department are detailed in Exhibit C. The proposed budget attempts to address the top budget priorities of all departments. Capital and supplemental request in the amount of \$1,001,672 were made with \$682,802 being recommended for funding for FY23. Details are provided in the following narrative for the recommended capital and supplemental requests.

**General Administration** No requests were submitted.

**Finance** Technology requests from all departments (\$19,045) made up over half of the Finance requests. The top recommendations from the technology committee are the funding of E-Citation printers for police patrol vehicles (to be split with PSST), and laptops/docking stations for the detectives (to be split with PSST). Additional supplemental requests from the finance department include continued annual funding for GASB 87 and debt software (this amount will be added into the base budget as it is a reoccurring expenditure). Total recommended capital and supplemental items from the Finance department amount to \$17,525.

**Police** Requests and recommended capital and supplemental items for Police Department totaled \$220,000. This will provide funding for two patrol vehicles with emergency equipment (two patrol vehicles are proposed in the PSST Fund) and 4 additional vehicles for detectives and command staff.

**Fire/EMS** Requests for the Fire/EMS department totaled \$56,500. The budget team is recommending funding for the replacement of 2 chest compression systems (\$41,500) and the continuance of the vehicle lease for the Fire Chief (\$7,500).

**Public Works** Requests totaled \$471,000. A request for increases in the contractual line item is being recommended (\$55,500) to fund annual additional costs of the Spring Beautification event and the FuelMaster system. Recommendations for capital items include \$7,500 to continue with the Enterprise vehicle lease, \$65,000 for a new Animal Control vehicle, and \$180,000 for a new bucket truck. Total recommended capital and supplemental items for the Public Works Department is \$308,000.

**Community Development** Requests totaled \$41,500. The budget team is recommending funding to continue with the Enterprise vehicle lease (\$22,500 for 3 trucks).

**Parks and Recreation** Requests totaled \$134,127, and \$15,777 is being recommended for funding. The funding includes annual supplemental increases for additional property mowing (\$1,925), engineered mulch for parks (\$1,352), and VIP Whiskey Fest (\$5,000). Capital recommendations are funding the vehicle lease for the Parks, Recreation, and Cultural Arts Director (\$7,500). Larger parks projects will be considered for funding by CIST.

**Non-Departmental** The budget team is recommending funding for Time and Attendance hardware and software (\$50,000).

### **PERSONNEL CHANGES**

In the proposed FY23 Budget, personnel related expenditures of \$14,655,350 comprise 68.2% of the General Fund. Personnel services continue to represent the largest expenditure in the General Fund.

Base salary costs in FY23 include recommendations to address the challenges of recruiting and retaining high quality employees with a competitive benefit and compensation structure by the implementation of a market pay study adjustment and the continuation of a competitive benefit structure.

The new Compensation & Classification strategy recommends processing a pay increase of approximately 7% to the general full-time employee population with the exception of the Leadership Team members which is limited to 5%. These increases and the applicable equity adjustments to certain positions are recommended to be effective July 13, 2022. This would reset all current employees to a common date evaluation period. Those employees hired after October 31, 2022 would have a date of hire anniversary date evaluation period. In FY24, it anticipates the continuation of the modified merit "pay for performance plan" and the Police and Fire Departments Structured Proficiency-based Performance Compensation Plan. The Structured Proficiency-based Performance Compensation Plan demonstrates an emergency services infrastructure investment and supports the recruitment and retention of high quality police officers and paramedic/firefighters. During the latter part of FY22, the City was able to move several of the front-line emergency services staff to the "master" compensation level which represents a minimum of 5 years of professional experience and the attainment of specific skill-sets.

The new compensation structure recognizes that employees may be absorbing some increases in health care costs while dealing with escalating inflation. The Consumer Price Index rose 8.5%

year over year in March, the highest inflation rate since 1981. Therefore, the goal is to compensate the benchmark positions near the top of the competitive marketplace in “this moment in time.”

A survey conducted early this year by staffing firm Robert Half found that sixty-two percent of employers are increasing salaries for current staff recognizing that market conditions have shifted dramatically. The U.S. Bureau of Labor Statistics reported in its April quarterly Economic Cost Index summary that wages and salaries for workers rose 5.6% for the 12-month period ending in March. Employment costs are being driven up by widespread labor shortages and inflation leading to increased wage demands.

### **Benefits**

According to recent surveys, U.S. employers expect their group health plan premiums to increase 5% on average even after taking cost-management initiatives into account. Mercer’s Survey of Employer-Sponsored Health Plan forecast the premium increase figure at 4.7% for 2022, while Willis Towers Watson’s Best Practices in Health Care Survey project a 5.2% premium increase. HR consultancy Segal recently released its 2022 Health Plan Cost Trend Survey which shows that health plan cost trend to have increased from 5 to 7 percent each year over the past 10 years.

Midwest Public Risk (MPR), the public entity risk pool trust, reported an initial drop in healthcare spending in 2021 which may reflect a decrease in utilization for non-COVID medical care. It appears many individuals delayed or went without medical care they otherwise would have received, particularly early in the COVID-19 pandemic. However, healthcare use appears to be picking up toward the end of the current policy year. Most insurers expect spending and utilization to return to pre-pandemic levels in 2022 and 2023. Therefore, staff is recommending an overall average health insurance premium increase forecast of five percent to the High Deductible Health Plans (HDHPs). During the 2021/2022 Open Enrollment process, nearly 90% of eligible employees chose one of the two HDHP coverage options. The proposed rates anticipate that the City of Gladstone will not experience a loss ratio surcharge this fiscal year.

Within the proposed budget, employees may elect among several combinations of medical, dental and vision coverage or they may enroll in the dental and/or vision coverage while waiving the medical coverage. The proposed budget includes a minimal employee increase to the dental and vision plans. The marketplace supports an employer contribution strategy of 75% for dental and 50% for vision coverages. Therefore, the proposed employee contribution amounts for the dental and vision insurance are as noted below:

#### **Dental**

Coverage Level	Current Contribution	Proposed Contribution
Employee only	\$6.00/mo.	\$9.00/mo.
Family	\$13.14/mo.	\$22.00/mo.

#### **Vision**

Coverage Level	Current Contribution	Proposed Contribution
Employee only	\$1.96/mo.	\$4.00/mo.

Employee + Spouse	\$4.42/mo.	\$8.00/mo.
Employee + Child(ren)	+\$4.42/mo.	\$8.00/mo.
Family	\$4.96/mo.	\$11/mo.

### Medical

The budget recommends the continued practice of offering employees the option to participate in either one of the following five plans – Open Access (OAP) 2000, In-Network Only 500 Local Network (INO 500), In-Network Only Plan Buy-Up, the Choice Fund 2000 High Deductible Health Care Plan (HDHP) or the Choice Fund 2500 High Deductible Health Care Plan (HDHP).

The HDHP plans offer low up-front premiums paired with a tax-free health savings account to purchase medical and pharmacy services. Staff recommends continuing to fund contributions to participant accounts to encourage employee engagement and health care consumerism utilizing the same employer contribution strategy as previous years – the City contributing the same amount to all plans regardless of the chosen plan by coverage levels.

The Choice Fund 2000 has an individual only coverage deductible of \$2,000 with a \$4,000 out of pocket maximum and a family coverage deductible of \$4,000 with an \$8,000 out of pocket maximum. The Choice Fund 2500 has an individual only coverage deductible of \$2,500 with a \$5,000 out of pocket maximum and a family coverage deductible of \$5,000 with a \$10,000 out of pocket maximum. The later plan proposes to provide a higher shared cost of care for active employees and offer a cost effective plan option for retirees who are paying the full cost of health insurance.

Staff recommends that, under the wellness discount, the City provide employee only coverage at no cost through the Choice Fund 2500 plan. It includes the flat dollar cost of the employer contribution for the HDHP plan with Health Savings Account (H.S.A.) being applied to the other plan options. Employees then pay the difference in the premium differential for the open access and copayment plans. Furthermore, the proposed employee only contribution of the HDHPs and INO 500 Local Plus plan options meets the ACA affordability requirements.

The following table reflects estimated or proposed changes in employee contribution amounts for each health care plan (under the wellness component):

Coverage Level	Choice Fund 2000/4000 HDHP		Choice Fund 2500/5000 HDHP	
	Current Contribution HDHP 2000	Proposed Contribution HDHP 2000	Current Contribution HDHP 2500	Proposed Contribution HDHP 2500
Employee only	\$5/mo.	\$10/mo.	\$0.00/mo.	\$0.00/mo.
Employee + Spouse	\$25/mo.	\$43/mo.	\$6.50/mo.	\$8.50/mo.

Employee	+\$20/mo.	\$29/mo.	\$6.00/mo.	\$8.00/mo.
Child(ren)				
Family	\$30/mo.	\$58/mo.	\$7.00/mo.	\$9.00/mo.

Employers are typically offering a high deductible plan paired with either a tax-free health savings or health reimbursement account. The HDHP meets the qualified IRS requirements and permits participants to utilize a portable Health Savings Account (H.S.A.) to purchase routine medical and pharmacy services. Staff recommends continuing to fund contributions to participant accounts. The following table reflects estimated or proposed changes in employer contribution H.S.A. amounts for each HDHP health care plan (under the wellness component):

#### Health Savings Accounts

Coverage Level	Current Employer Contribution Choice Fund 2000	Proposed Employer Contribution Choice Fund 2000	Current Employer Contribution Choice Fund 2500	Proposed Employer Contribution Choice Fund 2500
Employee only	\$118/mo.	\$103/mo.	\$148/mo.	\$129/mo.
Employee + Spouse	\$30/mo.	\$28/mo.	\$97/mo.	\$70/mo.
Employee + Child(ren)	\$30/mo.	\$28/mo.	\$97/mo.	\$70/mo.
Family	\$30/mo.	\$28/mo.	\$97/mo.	\$70/mo.

Staff recommends the continuation of the other three health plan options – two different co-payment in-network only plans; an enhanced and a base option. Also the Open Access 2000, which functions similar to a preferred provider 70 percent co-insurance plan.

The following table reflects estimated or proposed changes in employer contribution amounts for each additional health care plan (under the wellness component):

Coverage Level	Enhanced Co-Payment Plan		Base Co-Payment Plan	
	Current Contribution Buy Up INO (	Proposed Contribution Buy Up INO	Current Contribution INO 500 Sure Fit	Proposed Contribution INO 500 Local Plus
Employee only	\$181.00/mo.	\$199.00/mo.	\$51.00/mo.	\$65.00/mo.
Employee + Spouse	\$696.00/mo.	\$724.00/mo.	\$386.00/mo.	\$404.00/mo.
Employee + Child(ren)	+\$569.00/mo.	\$590.00/mo.	\$313.00/mo.	\$326.00/mo.
Family	\$825.00/mo.	\$858.00/mo.	\$461.00/mo.	\$484.00/mo.

	Open Access Plans	
Coverage Level	Current Contribution OAP 2000	Proposed Contribution OAP 2000
Employee only	\$93.00/mo.	\$109.00/mo.
Employee Spouse	+\$482.00/mo.	\$504.00/mo.
Employee Child(ren)	+\$395.00/mo.	\$410.00/mo.
Family	\$575.00/mo.	\$602.00/mo.

MPR anticipates providing telehealth - medical and mental health services - at no charge to covered individuals through December 31, 2022 in compliance with the Coronavirus Aid, Relief and Economic Security Act (CARES) Act. MPR also anticipates moving the INO500 to a Local Plus Network (in lieu of the Sure Fit program). There are plans to consider the addition of a couple of voluntary wellness programs that employees may participate in for certain orthopedic care and certain specialty medications. Due to IRS limitation, these may not be available for Choice Fund plans currently. No other changes are anticipated in the FY23 medical plan provisions. The City continues to provide comprehensive and affordable benefits to its employees, while generally mirroring health plans that are commonly available in the marketplace.

The proposed contribution strategy continues to give participants greater financial stake in their health and health care purchasing decisions. Although an increase is noted in the employee contribution amount for some of the health coverage plan options, the budget does propose alternative plan design options. The proposed increases maintain affordable health care options for our employees, yet allow the City to more effectively manage rising health care costs. Additionally, the City continues to work to reduce health plan costs through wellness initiatives, health risk assessments, health status improvement and disease management programs.

The FY23 budget reflects no substantial increases in Life, Accidental Death or Dismemberment, or Long-Term Disability insurances. Projected premiums are not expected to increase. Overall, the proposed benefits represent a notable commitment by the City to employees, while supporting the City's market-based total compensation system.

**Insurance** The City of Gladstone, as a founding principal, is a member of the public entity risk pool, Midwest Public Risk (MPR), for Employee Benefits, Workers' Compensation, and Property and Liability programs. Projected premiums for FY23 were not available for evaluation in conjunction with the City's annual budget process. However, the FY 23 recommended budget includes an estimated average 4.5% increase to the property and casualty/liability coverage and a 7% differential in the worker's compensation coverage. This is somewhat in line with Willis Towers Watson PLC's Commercial Lines Insurance Pricing survey, which shows an average forecasted rate increase across property/casualty/liability lines of coverage of 6% while recognizing MPR loss history.

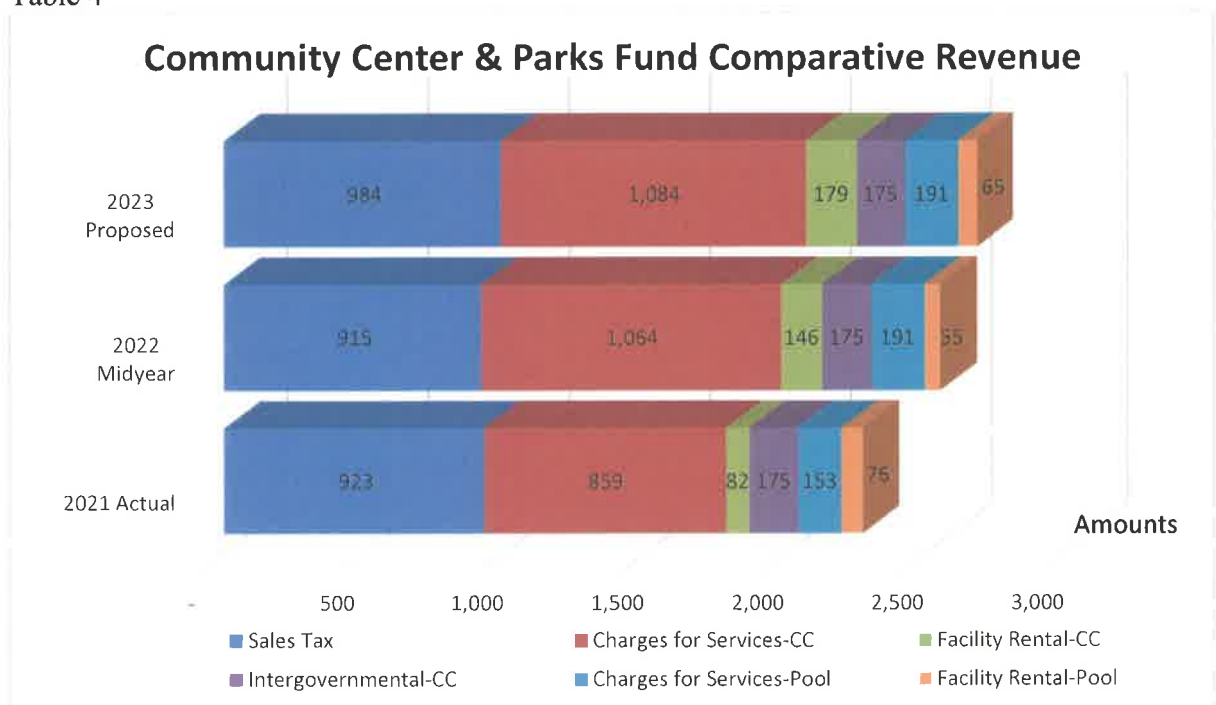
## COMMUNITY CENTER AND CITY PARKS FUND

In February of 2005, the citizens of Gladstone approved a .25% Parks Sales Tax to be used to construct a community center. In a partnership with the North Kansas City School District, a natatorium was added to the project to be funded by shared expenses and bonds. The Community Center offers aerobic exercise and dance areas, weight, strength, and cardio training areas, regulation basketball courts, walking/jogging track, meeting areas for up to 300 people, 25 meter competitive pool, dive well, and seating for 1,500 spectators in the competition pool/dive area.

**Revenue** As mentioned in the introduction of the memo, revenue streams for the Community Center and Parks Fund were greatly affected by COVID-19. Table 4 (next page) displays operating revenues by category for 2021 actual, 2022 midyear, and 2023 proposed. During the pandemic, charges for services (memberships, day passes, and swim fees) and facility rental declined. For the 2023 fiscal year, staff is anticipating revenues for the Community Center (and activities) to rebound to pre-COVID levels.

Exhibit D, Community Center and Park Fund - Estimated FY23 Revenues and Expenditures, itemizes the estimated revenues and expenditures for the fund. Details are provided in the following narrative.

Table 4



Total revenues for the Community Center/Natatorium are projected to be \$5,009,081. Operating revenue is projected to be \$2,677,831. This is an increase of \$132,000 over 2022 midyear projections. Revenues projected for the fund reflect pre-COVID activity levels. Sales tax is projected

to increase \$69,000 or 7%. Charges for services for the Community Center are projected to increase \$20,000 over midyear estimates. Facility rental for the Community Center is expected to increase \$33,000. Revenues for the Municipal Pool are also expected to increase over midyear 2022 projections. Both charges for services and facility rental are projected to increase an additional \$10,000 for fiscal year 2023.

Non-operating revenues total \$2,331,250, a decrease of \$185,259 from 2022 midyear projections. The decrease is mainly attributed to the decrease in the equity transfer (\$1,181,509) due to the completion of the 2020 COP projects in the 2022 fiscal year. Non-operating revenues for the fund include the NKCSO capital user fee (\$525,000), ARPA funding (\$1,000,000), interest earnings and other miscellaneous revenue (\$17,700), an annual infrastructure transfer for Community Center from TST Fund (\$100,000) and annual debt transfer from the CIST Fund (\$688,550).

**Expenditures** Total proposed FY23 expenditures for the CCPT Fund amount to \$4,409,870. This is a decrease of \$652,470. The decrease is due to HVAC repairs in the natatorium (FY22 midyear budget amendment) and capital projects from the 2020 COP. Total operating expenditures amount to \$2,151,870. Operating expenditures for the Community Center, Natatorium, and Municipal Pool are projected to be \$895,618, \$947,989, and \$184,224 respectively. Non-Departmental expenditures are projected to be \$124,039. Insurance and miscellaneous costs that are difficult to specifically assign to operating centers are accounted for in Non-Departmental. Debt requirements total \$2,197,000 in FY23.

**Personnel and Benefits** The FY23 proposed budget reflects total personnel costs of \$1,251,864: \$534,482 for the Community Center, \$594,293 for the Natatorium, and \$123,089 for the Municipal Pool. This Budget includes support of the compensation and classification plan that is consistent with the General Fund FY23 Budget. Benefit adjustments are also consistent with the General Fund FY23 Budget.

**Supplemental Requests** FY23 Supplemental Requests for CCPT are listed in Exhibit E. Total requests amounted to \$250,045. Recommendations include a supplement for additional pool chemicals for both indoor and outdoor pools (\$14,850 and \$5,475) will be added to the base budget. The budget team is also recommending capital expenditures for painting of the competition pool (\$61,000).

#### **PUBLIC SAFETY SALES TAX FUND**

The proposed Public Safety Sales Tax Fund (PSST) FY23 Budget will provide for all operating costs and debt service requirements promised to the voters in 2010. Total revenues are estimated at \$1,091,512. Total expenditures are estimated at \$1,091,512. Fund balance is projected to be \$182,025 at the end of FY23. The historic programming of the PSST Fund has been to fund six law enforcement officers and related equipment expenses, fund two squad cars, and to pay the debt service on the radio system project. This budget funds these priorities, and provides replacement cost related to previously purchased PSST equipment. See Exhibit G.

## **Revenue**

The proposed revenues for the PSST Fund amount to \$1,005,500. Revenue projections for sales tax (\$984,000) are based on expected sales tax collections consistent with all other funds. Miscellaneous revenues are projected to be \$21,500 for interest earnings and the sale of assets.

## **Expenditures**

Total proposed FY23 expenditures for the PSST Fund are \$1,091,512. Operating expenditures are projected to be \$762,376. Non-operating expenditures are projected to be \$329,136.

## **Personnel and Benefits**

The FY23 proposed budget reflects total personnel costs of \$557,685. This includes funding for compensation and benefits consistent with the General Fund FY23 Budget.

## **Supplemental Requests**

FY23 Supplemental Requests for PSST are listed in Exhibit G. Total requests amounted to \$148,736 and of this amount \$140,711 was recommended for funding. This includes two patrol vehicles with emergency equipment, 4 WatchGuard in car camera systems, 15 WatchGuard WIFI body cameras, E-citation printers (split with the General Fund), and laptops and docking stations (split with the General Fund).

## **CAPITAL EQUIPMENT REPLACEMENT FUND (Exhibit H)**

The Capital Equipment Replacement Fund (CERF) was established in 2001. This fund provides funds for capital purchases and projects.

**Revenue** The Equipment Replacement Fund is projecting total revenue of \$639,000 from interest earnings, taxes and transfers. An equity transfer of \$293,000 will provide funding for additional capital equipment.

**Expenditures** Expenditures proposed for FY23 total \$639,000. This amount covers projected capital expenditures (\$255,000), and debt service of \$91,000. The majority of the capital and supplemental requests for General Fund will be funded by a transfer from CERF (\$293,000).

The estimated ending fund balance for FY23 will be \$496,434.

## **COMBINED WATERWORKS AND SEWERAGE SYSTEM FUND (CWSS) (Exhibit I-K)**

The proposed budget for FY23 will provide for all operating costs and debt service requirements. Total revenues are estimated at \$12,324,296 and total expenses are estimated at \$12,311,796. Exhibit I CWSS Fund Estimated Statement of Revenues and Expenses, itemizes the estimated revenues and expenses for the fund.

**Revenue** Operating revenues for the fund are \$12,324,296 for FY23, an increase of \$153,096 over FY22 expected operating revenues. Water usage is projected to decrease (calculated by using a 5 year monthly median usage). The increase for sanitation is due to an increase in sewer rates. Miscellaneous revenues include interest revenue, interest subsidy, and other receipts. The decrease is due to decreases in the sale of assets and conservative budgeting of delinquent fees. No equity transfer is budgeted for the 2023 fiscal year.

The current water rate is \$4.90 per thousand gallons with a monthly administration fee of \$9.27 per month. Staff is recommending no change in fees for water for the 2023 fiscal year. The average household uses 5,000 gallons of water per month, so the average cost of water would stay the same at \$33.77.

The City's sewer treatment services are provided by Kansas City, Missouri and subject to their rate structure. Collection and treatment of sewerage is currently \$10.82 per 1,000 gallons and the sewer service charge is \$15.26 per monthly bill. Kansas City's new sewer fees have increased both the service charge and usage rate. The new sewer rate and fee changes to the City of Gladstone are effective as of May 1, 2022. The proposed new sewer charges are \$11.50 per 1,000 gallons with a service charge of \$16.18 per month. The average household produces 4,000 gallons of sewage per month, so the increase would take the average cost for sewer from 58.66 to \$62.18 or an increase of \$3.52 per month.

Exhibit J, Water and Sewer Rates of Metropolitan Cities, compares Gladstone's water and sewer rates to those rates charged in comparable area communities for a monthly bill. **Something to consider is that many cities are in the budget process at this point in time and new rates may not be available.** At the proposed rate, a Gladstone monthly average water bill will be \$33.77 compared to an average water bill of \$37.44 for the metro area. This is \$3.67 below the average water bill for the listed cities after recommended adjustments. After factoring in the sewer portion, Gladstone total water and sewer bill is slightly above average by \$8.74.

**Expenses** Budget Comparison by Object Classification, indicates total expenses of \$12,311,796 in FY23, a decrease of \$1,790,642 from FY22. The decrease is due changes to staffing and to the water main projects completed in the previous fiscal year (funded by the 2020A COP).

The proposed FY23 operating expenses have increased by 3%. Additional details for personnel are provided below. Operational personnel, supplies, and services increased by \$344,908. The majority of the increase is due to payment for sewer treatment (\$316,000).

Debt payments total \$1,600,000, a decrease of \$82,300. Debt payments are as follows: \$646,000 for the 2020A COP, \$613,000 for the 2010 Bond Series, \$45,000 for the 2017 Lease Purchase (2011 COP plus new debt of \$167,398), \$268,000 for the 2013 lease purchase, \$28,000 for the 2016 First Bank lease. Debt that will be falling of the schedule are as follows: 2010 Bond and 2013 lease purchase in fiscal year 2023, 2017 lease purchase in fiscal year 2032, 2016 lease purchase in fiscal year 2037, and the 2020A COP in the 2040 fiscal year.

**Personnel and Benefit Changes** The FY23 proposed budget reflects an increase in personnel services compared to FY22 Expected. This includes continued support for the Compensation and Classification Plan which is consistent with the General Fund FY23 Budget. Benefit adjustments are also consistent with the General Fund FY23 Budget.

**Supplemental Requests** (Exhibit K) Capital and supplemental requests for CWSS amounted to \$882,500 and are listed in Exhibit K. A total of \$172,500 is recommended for funding. This consists of \$22,500 to continue the Enterprise vehicle lease (3 ½ ton trucks), \$150,000 for a new 2 ton service truck.

A request for an ARPA project has been submitted to Clay County. The project would provide \$800,000 in additional ARPA funding to the City from the County. The City plans to match the award from the County using the remainder of the proceeds from the 2020A COP. Total project costs are estimated to be \$1,600,000 and would provide for 9,100 feet of new water main infrastructure. Staff anticipates a decision from the County on the project soon. It has not been included in this budget presentation.

### **CAPITAL IMPROVEMENT PROGRAM**

The Capital Improvement Program (CIP) is an important policy document considered by the City Council. Capital project construction is critical to maintaining the quality of life and economic vitality of any community. The City of Gladstone's 2023-2027 CIP was developed to plan effectively for future needs given current resources and City Council Goals.

The CIP document provides the City Council, Capital Improvement Program Committee, staff, and public with a framework for planning and scheduling capital projects. The plan presents a clear picture of projects scheduled for the current year. The process of updating the plan annually also provides an opportunity to revise the document based on changing community needs and priorities, economic conditions, revised cost estimates, or alternative funding sources.

The capital funds are comprised primarily of debt service. As in the past several years, minimal discretionary funding is available which impacts the ability to address every concern. The following paragraphs highlight proposed expenditures.

**Capital Improvement Sales Tax Fund (CIST)** Regular funding for the CIST fund comes from a ½ cent sales tax. Additional funding for projects come from various granting sources and issuing debt.

As in previous years, this fund carries a significant amount of debt that has proven to be financially prudent given historically low interest rates (see Exhibit L). Parks, storm water, facility, and roadway projects were completed at a pace that was not possible on a pay-as-you-go basis. Highlights of this year's program include:

- **Storm Water Projects (\$310,000)**
  - 68<sup>th</sup> & Bellefontaine
  - Santerra detention basin
  - 2403 NE 57<sup>th</sup> Terrace
  - N Holmes & NE 68<sup>th</sup> Street
  - Misc. storm water projects
- **Parks Projects (\$900,000)**
  - Oak Grove Park Shelters (ARPA)
  - Happy Rock Softball complex (ARPA)
  - Parks Trail Replacement at Happy Rock
- **Facility Projects (\$9,800,000 in FY2023 and \$4,325,000 in FY2024)**
  - Public Safety Headquarters
  - City Hall exterior and interior renovation
- **Funding for Art (\$19,700)**

**Transportation Sales Tax Fund (TST)** This fund is used for transportation related improvements including the street maintenance program, major street projects, sidewalks, and trails (see Exhibit M). The fund revenues are comprised of a ½ cent sales tax, transfers from the General and CWSS Funds, various granting sources, and the Special Road District. Staff has done an exemplary job obtaining federal grants to maximize the scope of many projects. Highlights include:

- **Road Projects (\$1,880,000)**
  - Street mill & overlay
  - Intermediate maintenance
  - N Oak design (69<sup>th</sup> Street to 72<sup>nd</sup> Street)
- **Sidewalk & Trail Projects (\$925,000)**
  - Curb, gutter, and sidewalk
  - Linden Connector Trail

Projects programmed in the FY23 Capital Improvement Budget are funded without altering current property tax structure or existing fiscal policies of the City. Overall, the health of the capital funds is positive. An important note is the City continues to be successful in leveraging local dollars with federal funds. The 5 year program includes over \$ 975,000 in federal transportation grant funds.

## **CONCLUSION**

In summary, the General Fund, CCPT, PSST, CERF, CWSS, CIST, and TST FY23 budget continues the emphasis on achievement of Council and Budget Team goals, sustainable budget practices, and support and funding for a competitive Compensation & Classification Plan.

The FY23 Budget is fiscally responsible and continues to support the provision of outstanding citizen services, programs, and staffing levels necessary to provide enhanced citizen services. The enclosed attachments present an illustration of the City of Gladstone's budgeted funds financial condition.

The contents of the fiscal year 2023 Budget are inclusive of various staff committee recommendations, department priorities, and review by the Budget Team comprised of City Manager Scott Wingerson, Assistant City Manager Bob Baer, Finance Director Dominic Accurso, Human Resource Administrator Charlene Leslie, and Community Development Director Austin Greer. Thank you for your support and consideration of the proposed fiscal year 2023 Budgets. If you have any questions, please feel free to contact me.

## GENERAL FUND COMPARATIVE REVENUE DETAIL

Taxes	2021 ACTUALS		2022 Expected			2023 Proposed		
	Amount	% of Total Revenue	Amount	% Change	% of Total Revenue	Amount	% Change	% of Total Revenue
Real Estate Current	2,769,356	12.9%	2,827,000	2.1%	13.1%	2,928,000	3.6%	13.6%
Personal Current	613,080	2.9%	625,000	1.9%	2.9%	644,000	3.0%	3.0%
Real Estate Delinquent	29,401	0.1%	60,000	104.1%	0.3%	55,000	-8.3%	0.3%
Personal Delinquent	64,836	0.3%	60,000	-7.5%	0.3%	50,000	-16.7%	0.2%
Spec Assessments County	26,205	0.1%	47,500	81.3%	0.2%	20,000	-57.9%	0.1%
Real Estate Railroad	133,148	0.6%	125,000	-6.1%	0.6%	125,000	0.0%	0.6%
Interest Penalty Property	26,126	0.1%	25,000	-4.3%	0.1%	25,000	0.0%	0.1%
Weed Mowing	8,808	0.0%	40,000	354.1%	0.2%	10,000	-75.0%	0.0%
Demolitions	600	0.0%	-	0.0%	0.0%	-	0.0%	0.0%
Sur Tax Current	58,550	0.3%	56,000	-4.4%	0.3%	56,000	0.0%	0.3%
Surtax Delinquent	2,101	0.0%	750	-64.3%	0.0%	1,000	33.3%	0.0%
PILOT	16,858	0.1%	17,800	5.6%	0.1%	18,000	1.1%	0.1%
<b>Total Property Tax</b>	<b>3,749,070</b>	<b>17.5%</b>	<b>3,884,050</b>	<b>3.6%</b>	<b>18.0%</b>	<b>3,932,000</b>	<b>1.2%</b>	<b>18.3%</b>
Sales Tax	3,933,286	18.3%	3,905,000	-0.7%	18.1%	4,205,000	7.7%	19.6%
Sales Tax-Additional General Sales Tax	1,833,205	8.5%	1,795,000	-2.1%	8.3%	1,960,000	9.2%	9.1%
Use Tax	597,933	2.8%	560,000	-6.3%	2.6%	1,037,000	85.2%	4.8%
<b>Total Sales Tax</b>	<b>6,364,424</b>	<b>29.7%</b>	<b>6,260,000</b>	<b>-1.6%</b>	<b>29.0%</b>	<b>7,202,000</b>	<b>15.0%</b>	<b>33.5%</b>
Cigarette Tax	121,411	0.6%	125,000	3.0%	0.6%	125,000	0.0%	0.6%
Electric Gross Receipts	1,636,584	7.6%	1,750,000	6.9%	8.1%	1,675,000	-4.3%	7.8%
Natural Gas Gross Receipts	606,521	2.8%	635,000	4.7%	2.9%	610,000	-3.9%	2.8%
Telecom Gross Receipts	100,732	0.5%	80,000	-20.6%	0.4%	90,067	12.6%	0.4%
Wireless Gross Receipts	184,753	0.9%	175,000	-5.3%	0.8%	150,000	-14.3%	0.7%
Cable Gross Receipts	310,363	1.4%	330,000	6.3%	1.5%	262,500	-20.5%	1.2%
Transient Tax	-	0.0%	20,000	0.0%	0.1%	56,000	180.0%	0.3%
<b>Total Gross Receipts Tax</b>	<b>2,960,364</b>	<b>13.8%</b>	<b>3,115,000</b>	<b>5.2%</b>	<b>14.4%</b>	<b>2,968,567</b>	<b>-4.7%</b>	<b>13.8%</b>
<b>Total Taxes</b>	<b>13,073,858</b>	<b>60.9%</b>	<b>13,259,050</b>	<b>1.4%</b>	<b>61.4%</b>	<b>14,102,567</b>	<b>6.4%</b>	<b>65.6%</b>
<b>Licenses &amp; Permits</b>								
Liquor Sales Licenses	24,570	0.1%	25,000	1.8%	0.1%	25,000	0.0%	0.1%
Liquor Dispensing License	4,805	0.0%	10,000	108.1%	0.0%	10,000	0.0%	0.0%
Animal License	15,485	0.1%	17,500	13.0%	0.1%	17,500	0.0%	0.1%
General Business License	251,132	1.2%	280,000	11.5%	1.3%	280,000	0.0%	1.3%
Electrician License	10,812	0.1%	12,000	11.0%	0.1%	12,000	0.0%	0.1%
Plumber License	7,750	0.0%	7,000	-9.7%	0.0%	7,000	0.0%	0.0%
Cigarette License	27	0.0%	30	11.1%	0.0%	30	0.0%	0.0%

## GENERAL FUND COMPARATIVE REVENUE DETAIL

Taxes	2021 ACTUALS		2022 Expected			2023 Proposed		
	Amount	% of Total Revenue	Amount	% Change	% of Total Revenue	Amount	% Change	% of Total Revenue
Penalties & Interest	2,552	0.0%	2,500	-2.0%	0.0%	2,500	0.0%	0.0%
Building Permits	192,975	0.9%	150,000	-22.3%	0.7%	160,000	6.7%	0.7%
Plumbing Permits	36,155	0.2%	27,000	-25.3%	0.1%	28,000	3.7%	0.1%
Electrical Permits	36,588	0.2%	30,000	-18.0%	0.1%	32,000	6.7%	0.1%
Mechanical Permits	43,471	0.2%	28,000	-35.6%	0.1%	29,000	3.6%	0.1%
Sign Permits	8,665	0.0%	10,000	15.4%	0.0%	10,000	0.0%	0.0%
Special Event Permits	2,600	0.0%	500	-80.8%	0.0%	500	0.0%	0.0%
Inspection Permits	13,228	0.1%	10,000	-24.4%	0.0%	5,000	-50.0%	0.0%
Right of Way Permits	20,511	0.1%	40,000	95.0%	0.2%	30,000	-25.0%	0.1%
Miscellaneous Permits	10	0.0%	-	0.0%	0.0%	-	0.0%	0.0%
<b>Total Licenses &amp; Permits</b>	<b>671,334</b>	<b>3.1%</b>	<b>649,530</b>	<b>-3.2%</b>	<b>3.0%</b>	<b>648,530</b>	<b>-0.2%</b>	<b>3.0%</b>
<b>Intergovernmental</b>								
Heart of Am Regional Cybercrimes Forensic Lab	13,754	0.1%	10,000	-27.3%	0.0%	-	-100.0%	0.0%
State Gasoline Tax	666,839	3.1%	707,000	6.0%	3.3%	775,000	9.6%	3.6%
State Motor Vehicle Sales Tax	284,512	1.3%	240,000	-15.6%	1.1%	235,000	-2.1%	1.1%
State Vehicle Registration Tax	128,594	0.6%	115,000	-10.6%	0.5%	117,500	2.2%	0.5%
State Financial Institution Tax	12,339	0.1%	5,000	-59.5%	0.0%	5,000	0.0%	0.0%
Special Road District	182,121	0.8%	175,000	-3.9%	0.8%	175,000	0.0%	0.8%
NKC School Dist. SRO	45,000	0.2%	45,000	0.0%	0.2%	45,000	0.0%	0.2%
Oaks Service Agreements	107,350	0.5%	108,000	0.6%	0.5%	108,000	0.0%	0.5%
CARES	1,188,576	5.5%	-	-100.0%	0.0%	-	#DIV/0!	0.0%
<b>Total Intergovernmental</b>	<b>2,629,086</b>	<b>12.3%</b>	<b>1,405,000</b>	<b>-46.6%</b>	<b>6.5%</b>	<b>1,460,500</b>	<b>4.0%</b>	<b>6.8%</b>
<b>Charges for Services - General</b>								
Admin Services	1,438,146	6.7%	1,438,146	0.0%	6.7%	1,512,915	5.2%	7.0%
Admin Svcs-Road District	63,195	0.3%	60,000	-5.1%	0.3%	60,000	0.0%	0.3%
Zoning / Subdivision Fees	3,791	0.0%	5,000	31.9%	0.0%	5,000	0.0%	0.0%
Maps Reports Other	7,843	0.0%	8,000	2.0%	0.0%	8,000	0.0%	0.0%
Sunshine Requests Fees Received	56	0.0%	-	0.0%	0.0%	-	0.0%	0.0%
<b>Total Charges for Services - General</b>	<b>1,513,032</b>	<b>7.1%</b>	<b>1,511,146</b>	<b>-0.1%</b>	<b>7.0%</b>	<b>1,585,915</b>	<b>4.9%</b>	<b>7.4%</b>
Emergency Medical Services	962,854	4.5%	990,000	2.8%	4.6%	1,000,000	1.0%	4.7%
<b>Total Charges for Services - Fire/EMS</b>	<b>962,854</b>	<b>4.5%</b>	<b>990,000</b>	<b>2.8%</b>	<b>4.6%</b>	<b>1,000,000</b>	<b>1.0%</b>	<b>4.7%</b>
Animal Control Fees	10,609	0.0%	11,000	3.7%	0.1%	11,000	0.0%	0.1%
Animal Control Microchipping	3,746	0.0%	2,000	-46.6%	0.0%	2,000	0.0%	0.0%
Animal Control Adoption Fees	1,996	0.0%	2,000	0.2%	0.0%	2,000	0.0%	0.0%

## GENERAL FUND COMPARATIVE REVENUE DETAIL

Taxes	2021 ACTUALS		2022 Expected			2023 Proposed		
	Amount	% of Total Revenue	Amount	% Change	% of Total Revenue	Amount	% Change	% of Total Revenue
Animal Control Donations	737	0.0%	-	0.0%	0.0%	-	0.0%	0.0%
Animal Control Adoption-Vet Fees	36,682	0.2%	30,000	-18.2%	0.1%	15,500	-48.3%	0.1%
<b>Total Charges for Services -Police</b>	<b>53,770</b>	<b>0.3%</b>	<b>45,000</b>	<b>-16.3%</b>	<b>0.2%</b>	<b>30,500</b>	<b>-32.2%</b>	<b>0.1%</b>
Brush Disposal	36,607	0.2%	30,000	-18.0%	0.1%	40,000	33.3%	0.2%
<b>Total Charges for Services -Public Works</b>	<b>36,607</b>	<b>0.2%</b>	<b>30,000</b>	<b>-18.0%</b>	<b>0.1%</b>	<b>40,000</b>	<b>33.3%</b>	<b>0.2%</b>
Program activities revenue-Linden Square	60	0.0%	30,000	50109.2%	0.1%	25,000	-16.7%	0.1%
Recreation Concessions	25,166	0.1%	55,000	118.5%	0.3%	55,000	0.0%	0.3%
Athletic Leagues	126,258	0.6%	212,000	67.9%	1.0%	175,000	-17.5%	0.8%
Classes & Craft Fees	11,454	0.1%	38,000	231.8%	0.2%	25,000	-34.2%	0.1%
Senior Activities - Day Trip	25,499	0.1%	76,000	198.1%	0.4%	82,500	8.6%	0.4%
Senior Activities - Overnight	50,681	0.2%	550,000	985.2%	2.5%	165,000	-70.0%	0.8%
AJ Crops	-	0.0%	12,000	0.0%	0.1%	12,000	0.0%	0.1%
Other - Recreation Income	9,732	0.0%	10,000	2.8%	0.0%	10,000	0.0%	0.0%
<b>Total Charges for Services -PRCA</b>	<b>248,849</b>	<b>1.2%</b>	<b>983,000</b>	<b>295.0%</b>	<b>4.6%</b>	<b>549,500</b>	<b>-44.1%</b>	<b>2.6%</b>
<b>Total Charges for Services</b>	<b>2,815,111</b>	<b>13.1%</b>	<b>3,559,146</b>	<b>26.4%</b>	<b>16.5%</b>	<b>3,205,915</b>	<b>-9.9%</b>	<b>14.9%</b>
<b>Fines &amp; Forfeitures</b>								
Fines / Municipal Court Fines	427,394	2.0%	500,000	17.0%	2.3%	500,000	0.0%	2.3%
Fines / Municipal Court Costs	47,806	0.2%	50,000	4.6%	0.2%	50,000	0.0%	0.2%
Fines / Bond Forfeitures	34,865	0.2%	50,000	43.4%	0.2%	45,000	-10.0%	0.2%
Fines / DUI Recoupment	12,591	0.1%	10,000	-20.6%	0.0%	7,500	-25.0%	0.0%
Fines / Inmate Security Fund	7,786	0.0%	10,000	28.4%	0.0%	7,500	-25.0%	0.0%
<b>Total Fines &amp; Forfeitures</b>	<b>530,442</b>	<b>2.5%</b>	<b>620,000</b>	<b>16.9%</b>	<b>2.9%</b>	<b>610,000</b>	<b>-1.6%</b>	<b>2.8%</b>
<b>Misc. Revenue</b>								
Interest Revenue	12,356	0.1%	20,000	61.9%	0.1%	20,000	0.0%	0.1%
Public Buildings	37,602	0.2%	37,000	-1.6%	0.2%	37,000	0.0%	0.2%
Party Rental	-	0.0%	1,500	0.0%	0.0%	1,500	0.0%	0.0%
Tower Rental	365,190	1.7%	380,000	4.1%	1.8%	360,000	-5.3%	1.7%
Rental of Buildings - Downtown	309,270	1.4%	377,012	21.9%	1.7%	348,000	-7.7%	1.6%
Linden Sponsorship	5,400	0.0%	10,000	85.2%	0.0%	10,000	0.0%	0.0%
Sale of Assets	51,698	0.2%	140,000	170.8%	0.6%	90,000	-35.7%	0.4%
Insurance Settlements	22,654	0.1%	20,000	-11.7%	0.1%	20,000	0.0%	0.1%
Safety/Loss Control	73,773	0.3%	25,000	-66.1%	0.1%	-	0.0%	0.0%
Cash Short/Over	117	0.0%	-	0.0%	0.0%	-	0.0%	0.0%
Miscellaneous Revenue	61,578	0.3%	53,000	-13.9%	0.2%	20,000	-62.3%	0.1%

## GENERAL FUND COMPARATIVE REVENUE DETAIL

	<u>2021 ACTUALS</u>		<u>2022 Expected</u>			<u>2023 Proposed</u>		
	<u>Amount</u>	<u>% of Total Revenue</u>	<u>Amount</u>	<u>% Change</u>	<u>% of Total Revenue</u>	<u>Amount</u>	<u>% Change</u>	<u>% of Total Revenue</u>
<b>Taxes</b>								
<b>Total Misc. Revenue</b>	<u>939,637</u>	<u>4.4%</u>	<u>1,063,512</u>	<u>13.2%</u>	<u>4.9%</u>	<u>906,500</u>	<u>-14.8%</u>	<u>4.2%</u>
<b>Other Financing Sources</b>								
Loan Proceeds	584,937	2.7%		0.0%	0.0%	-	0.0%	0.0%
Transfer In - Tech	64,500	0.3%	11,750	-81.8%	0.1%	-	-100.0%	0.0%
Transfer In - CERF	150,000	0.7%	195,500	30.3%	0.9%	293,000	49.9%	1.4%
Equity Adjustment	-	0.0%	822,000	0.0%	3.8%	256,500	-68.8%	1.2%
<b>Total Other Financing Sources</b>	<u>799,437</u>	<u>3.7%</u>	<u>1,029,250</u>	<u>28.7%</u>	<u>4.8%</u>	<u>549,500</u>	<u>-46.6%</u>	<u>2.6%</u>
<b>Total Revenue</b>	<u>21,458,904</u>	<u>100.0%</u>	<u>21,585,488</u>	<u>0.6%</u>	<u>100.0%</u>	<u>21,483,512</u>	<u>-0.5%</u>	<u>100.0%</u>

**GENERAL FUND**  
**DEPARTMENT OBJECT CLASSIFICATION EXPENDITURE SUMMARY**  
**FISCAL YEAR 2020-2022**

	2021 <u>Actual</u>	2022 <u>Midyear</u>	2023 <u>Proposed</u>
<b>GENERAL ADMIN</b>			
Personnel Services	932,607	1,002,709	1,039,904
Supplies	85,027	25,703	15,657
Services	335,909	347,402	337,448
<b>TOTAL</b>	<b>1,353,543</b>	<b>1,375,814</b>	<b>1,393,009</b>
<b>FINANCE</b>			
Personnel Services	952,515	1,040,236	1,069,799
Supplies	25,812	36,859	48,610
Services	379,012	435,208	441,928
Capital	65,701	7,500	-
<b>TOTAL</b>	<b>1,423,040</b>	<b>1,519,803</b>	<b>1,560,337</b>
<b>POLICE</b>			
Personnel Services	5,324,832	5,217,822	5,505,879
Supplies	155,191	188,396	215,056
Services	181,703	218,808	233,448
Capital	23,139	90,000	220,000
Debt	9,118	-	-
<b>TOTAL</b>	<b>5,693,983</b>	<b>5,715,026</b>	<b>6,174,383</b>
<b>FIRE/EMS</b>			
Personnel Services	3,796,564	3,675,997	3,934,717
Supplies	203,977	158,944	128,884
Services	33,479	42,710	42,770
Capital	38,367	634,000	49,000
Debt	60,719	-	-
<b>TOTAL</b>	<b>4,133,106</b>	<b>4,511,651</b>	<b>4,155,371</b>
<b>PUBLIC WORKS</b>			
Personnel Services	1,261,551	1,217,602	1,168,797
Supplies	237,319	278,950	295,850
Services	763,511	863,315	834,915
Capital	8,315	6,750	252,500
Debt	970	-	-
<b>TOTAL</b>	<b>2,271,666</b>	<b>2,366,617</b>	<b>2,552,062</b>
<b>COMM DEVELOPMENT</b>			
Personnel Services	599,736	569,941	606,697
Supplies	14,705	16,314	16,314
Services	109,730	191,410	122,410
Capital	6,218	20,250	22,500
<b>TOTAL</b>	<b>730,389</b>	<b>797,915</b>	<b>767,921</b>

**GENERAL FUND**  
**DEPARTMENT OBJECT CLASSIFICATION EXPENDITURE SUMMARY**  
**FISCAL YEAR 2020-2022**

	2021 <u>Actual</u>	2022 <u>Midyear</u>	2023 <u>Proposed</u>
<b>PARKS &amp; RECREATION</b>			
Personnel Services	1,083,552	1,287,945	1,295,655
Supplies	199,502	311,809	337,099
Service	599,189	1,143,066	791,355
Capital	4,700	27,000	7,500
Debt	4,647	-	-
<b>TOTAL</b>	<b>1,891,590</b>	<b>2,769,820</b>	<b>2,431,609</b>
<b>NONDEPARTMENTAL</b>			
Personnel Services	-	34,469	33,902
Supplies	13,079	67,395	68,395
Service	694,390	901,725	825,523
Capital	-	-	50,000
Debt	417,104	323,253	296,000
Transfers	1,350,457	1,202,000	1,175,000
<b>TOTAL</b>	<b>2,475,030</b>	<b>2,528,842</b>	<b>2,448,820</b>
<b>Total General Fund</b>			
Personnel Services	13,951,357	14,046,721	14,655,350
Supplies	934,612	1,084,370	1,125,865
Service	3,096,923	4,143,644	3,629,797
Capital	146,440	785,500	601,500
Debt	492,558	323,253	296,000
Transfers	1,350,457	1,202,000	1,175,000
<b>TOTAL GENERAL FUND</b>	<b>19,972,347</b>	<b>21,585,488</b>	<b>21,483,512</b>

# CITY OF GLADSTONE - FY2023 CAPITAL & SUPPLEMENTAL REQUESTS

Narrative	Dept. Rank	Justification Amount	Budget Team recommend	Comment
		-	-	
<b>Total General Administration</b>		-	-	
Continue GASB 87	1	9,500	9,500	add to base
E-citation printers for Police Vehicles	2	9,000.00	4,500	Split w PSST
Detective laptop/docking stations	3	7,050.00	3,525	Split w PSST
Asadtec scheduling workforce management	4	2,995	-	Addressed with City wide time and attendance software
<b>Total Finance</b>		<b>28,545</b>	<b>17,525</b>	
2 Police Vehicles	1	100,000	100,000	
4 vehicles	2	120,000	120,000	
<b>Total Police</b>		<b>220,000</b>	<b>220,000</b>	
Replace previous leased vehicle (1)	1	7,500	7,500	
Chest Compression System (2)	2	41,500	41,500	
Truck for Fire Marshal (leased)	3	7,500	-	
<b>Total Fire/EMS</b>		<b>56,500</b>	<b>49,000</b>	
Replace previous leased vehicles (1)	1	7,500	7,500	
Increase line item for Contractual	2	50,000	50,000	add to base
Additional fuel master cost	3	5,500	5,500	add to base
Increase line item for Automotive Supplies	4	25,000	-	Address at midyear if needed
F-250 or equivalent with animal control insert	5	65,000	65,000	
F-550 or equivalent bucket truck	6	180,000	180,000	
F-350 or equivalent 4x4 DRW with spreader/plow	7	58,000	-	
F-350 or equivalent 4x4 with dump bed, spreader/plow	8	80,000	-	
<b>Total Public Works</b>		<b>471,000</b>	<b>308,000</b>	
Replace previous leased vehicles (3)	1	22,500	22,500	
Additional Funding for Home Improvement Program Grants	2	10,000	-	Funded with ARPA grant
ASANA annual fee increase	3	1,500	-	
Replace Code vehicle (2014 Escape) with leased Truck	4	7,500	-	
<b>Total Community Development</b>		<b>41,500</b>	<b>22,500</b>	

# CITY OF GLADSTONE - FY2023 CAPITAL & SUPPLEMENTAL REQUESTS

Narrative	Dept. Rank	Justification Amount	Budget Team recommend	Comment
Truck for PRCA Director (leased)	1	7,500	7,500	
Add'l Mowing @ 69th St. Lot (\$55x\$35 mows per yr.)	2	1,925.00	1,925	Add to base
Increase Contract Acct for youth program officials	3	2,400.00	-	
Increase Program Activities Acct for TIP Production Stipends	4	3,350.00	-	GEBC
Increase Travel Services Acct for training travel expenses	5	200.00	-	
Increase Training Services Acct for trainings and/or MPRA Conf	6	3,000.00	-	
Increase Membership Services Acct for MPRA & NPRA Memberships	7	1,500.00	-	
Engineered Mulch for Hobby Hill West, Central Park & Little Gully play areas	8	1,352.00	1,352	Add to base
One New Side by Side ATV	9	20,000.00	-	
Disc Golf Instruction	10	3,500.00	-	GEBC
VIP Whiskey Fest Event - offset by \$7,500 revenue	11	5,000.00	5,000	add to base
Convert the 2 Tennis Cts. at 72nd St. to 6 Pickleball Crts.	12	84,400	-	Address in CIST
<b>Total Parks and Recreation</b>		<b>134,127</b>	<b>15,777</b>	
 Time and Attendance software and equipment	1	50,000	50,000	
<b>Total Non-Departmental</b>		<b>50,000</b>	<b>50,000</b>	
 <b>Total General Fund</b>		<b>1,001,672</b>	<b>682,802</b>	

**COMMUNITY CENTER PARKS SALES TAX FUND**  
**STATEMENT OF REVENUES & EXPENDITURES**

	2021 <u>Actual</u>	2022 <u>Midyear</u>	2023 <u>Proposed</u>	<u>Variance</u>
<b>Revenue Sources</b>				
Community Center/Natatorium				
Sales Tax	923,164	915,000	984,000	69,000
Charges for Services	859,255	1,064,331	1,084,331	20,000
Facility Rental	82,234	146,000	179,000	33,000
Intergovernmental	175,000	175,000	175,000	-
<b>Total Community Center/Natatorium</b>	<b>2,039,653</b>	<b>2,300,331</b>	<b>2,422,331</b>	<b>122,000</b>
Outdoor Pool				
Charges for Services	152,907	190,500	190,500	-
Facility Rental	75,899	55,000	65,000	10,000
<b>Total Outdoor Pool</b>	<b>228,806</b>	<b>245,500</b>	<b>255,500</b>	<b>10,000</b>
<b>Operating Revenue</b>	<b>2,268,459</b>	<b>2,545,831</b>	<b>2,677,831</b>	<b>132,000</b>
Intergovernmental	525,000	525,000	1,525,000	1,000,000
Misc. Revenue	10,396	21,700	17,700	(4,000)
Transfers in	777,700	788,300	788,550	250
Debt Proceeds	954,371	-	-	-
Equity Transfer	-	1,181,509	-	(1,181,509)
<b>Non-Operating Revenue</b>	<b>2,267,468</b>	<b>2,516,509</b>	<b>2,331,250</b>	<b>(185,259)</b>
<b>Total Revenue</b>	<b>4,535,927</b>	<b>5,062,340</b>	<b>5,009,081</b>	<b>(53,259)</b>
<b>Expenditures</b>				
Community Center	881,843	882,095	895,618	13,523
Natatorium	802,687	1,024,168	947,989	(76,179)
Outdoor Pool	134,809	178,888	184,224	5,336
Non-Departmental	119,780	138,739	124,039	(14,700)
<b>Total Operating Expenditures</b>	<b>1,939,119</b>	<b>2,223,890</b>	<b>2,151,870</b>	<b>(72,020)</b>
Capital	158,658	638,200	61,000	(577,200)
Debt Requirements	2,197,420	2,200,250	2,197,000	(3,250)
<b>Total Non-Operating Expenditures</b>	<b>2,356,078</b>	<b>2,838,450</b>	<b>2,258,000</b>	<b>(580,450)</b>
<b>Total Expenditures</b>	<b>4,295,198</b>	<b>5,062,340</b>	<b>4,409,870</b>	<b>(652,470)</b>

**Analysis of Funds Available**

	2021 <u>Actual</u>	2022 <u>Midyear</u>	2023 <u>Proposed</u>
Beginning Funds Available	1,118,960	1,359,689	178,179
Revenues	4,535,926	5,062,339	5,009,081
Equity Adjustment	-	(1,181,509)	-
Net Funds Available	5,654,886	5,240,519	5,187,260
Expenditures	(4,295,197)	(5,062,340)	(4,409,870)
<b>Ending Funds Available</b>	<b>1,359,689</b>	<b>178,179</b>	<b>777,390</b>
Revenue Over(Under) Expenditures	240,729	-	599,211

## City of Gladstone - FY 2023 Supplemental and Capital Budget Requests

Narrative	Dept. Rank	Justification Amount	Budget Team recommend	Comment
<b>CCPT</b>				
Prep and paint comp pool	1	61,000	61,000	
Prep and Paint diving well	2	33,000	-	Planned for FY24
Prep and paint outdoor lap area	3	103,000	-	Planned for FY25
Additional cost associated with increase and Clay Co DOH	4	14,850	14,850	
Additional cost associated with increase and Clay Co DOH	5	5,475	5,475	
Refurbish outdoor pool playground structure and life guard chairs	6	18,000	-	
Install submersible pump for drop slide at outdoor pool	7	9,400	-	
Additional monthly cost	8	1,760	-	
Additional monthly cost	9	1,760	-	
Annual maintenance to outdoor pool	10	1,800	-	
		<b>250,045</b>	<b>81,325</b>	

**PUBLIC SAFETY SALES TAX FUND**  
**STATEMENT OF REVENUES & EXPENDITURES**

	2021 <u>Actual</u>	2022 <u>Midyear</u>	2023 <u>Proposed</u>	<u>Variance</u>
<b>Revenue Sources</b>				
Sales Tax	922,872	915,000	984,000	69,000
Misc. Revenue & Transfers	<u>49,445</u>	<u>32,775</u>	<u>21,500</u>	<u>(11,275)</u>
Operating Revenue	972,317	947,775	1,005,500	57,725
Debt Proceeds	-	850,000	-	(850,000)
Equity Transfer	<u>-</u>	<u>89,243</u>	<u>86,012</u>	<u>(3,231)</u>
<b>Total Revenue</b>	<u><b>972,317</b></u>	<u><b>1,887,018</b></u>	<u><b>1,091,512</b></u>	<u><b>(737,781)</b></u>
<b>Expenditures</b>				
PSST Law	557,414	672,791	693,574	20,783
Non Departmental	<u>25,803</u>	<u>46,527</u>	<u>68,802</u>	<u>22,275</u>
<b>Total Non-Operating Expenditures</b>	<b>583,217</b>	<b>719,318</b>	<b>762,376</b>	<b>43,058</b>
Capital	91,242	935,000	118,136	(816,864)
Debt Requirements	<u>207,328</u>	<u>232,700</u>	<u>211,000</u>	<u>(21,700)</u>
<b>Total Non-Operating Expenditures</b>	<b>298,570</b>	<b>1,167,700</b>	<b>329,136</b>	<b>(838,564)</b>
<b>Total Expenditures</b>	<u><b>881,787</b></u>	<u><b>1,887,018</b></u>	<u><b>1,091,512</b></u>	<u><b>(795,506)</b></u>

**Analysis of Funds Available**

	2021 <u>Actual</u>	2022 <u>Midyear</u>	2023 <u>Proposed</u>
Beginning Funds Available	266,750	357,280	268,037
Revenues	972,317	1,887,018	1,091,512
Equity Adjustment	<u>-</u>	<u>(89,243)</u>	<u>(86,012)</u>
Net Funds Available	1,239,067	2,155,055	1,273,537
Expenditures	<u>(881,787)</u>	<u>(1,887,018)</u>	<u>(1,091,512)</u>
<b>Ending Funds Available</b>	<b>357,280</b>	<b>268,037</b>	<b>182,025</b>

Revenue Over(Under) Expenditures

-

-

## City of Gladstone - FY 2023 Supplemental and Capital Budget Requests

Narrative	Justification Amount	Budget Team recommend	Comment
<b>PSST</b>			
E-citation printers for Police Vehicles	9,000.00	4,500	
Detective laptop/docking stations	7,050.00	3,525	
4 WatchGuard in car camera systems	18,136.00	18,136	
WatchGuard Wifi body cameras (15)	14,550.00	14,550	
2 Police Vehicles	100,000	100,000	
	<b>148,736</b>	<b>140,711</b>	

**CAPITAL EQUIPMENT REPLACEMENT FUND**  
**STATEMENT OF REVENUES & EXPENDITURES**

	2021	2022	2023	
	<u>Actual</u>	<u>Midyear</u>	<u>Proposed</u>	<u>Variance</u>
<b>Revenue Sources</b>				
Taxes/Transfers	637,193	536,000	282,000	(254,000)
Misc. Revenue	335,478	64,000	64,000	-
Equity Transfer	-	87,947	293,000	205,053
<b>Total Revenue</b>	<b>972,671</b>	<b>687,947</b>	<b>639,000</b>	<b>(48,947)</b>
<b>Expenditures</b>				
Capital Expenditures	232,440	300,000	255,000	(45,000)
Debt Requirements	88,906	192,447	91,000	(101,447)
Transfers out	150,000	195,500	293,000	97,500
<b>Total Expenditures</b>	<b>471,346</b>	<b>687,947</b>	<b>639,000</b>	<b>(48,947)</b>

**Analysis of Funds Available**

	2021	2022	2023
	<u>Actual</u>	<u>Midyear</u>	<u>Proposed</u>
Beginning Funds Available	376,056	877,381	789,434
Revenues	972,671	687,947	639,000
Equity Adjustment	-	(87,947)	(293,000)
Net Funds Available	1,348,727	1,477,381	1,135,434
Expenditures	(471,346)	(687,947)	(639,000)
<b>Ending Funds Available</b>	<b>877,381</b>	<b>789,434</b>	<b>496,434</b>
Revenue Over(Under) Expenditures		-	-

**COMBINED WATERWORKS & SEWER SYSTEM FUND**  
**STATEMENT OF REVENUES & EXPENDITURES**

	2021 <u>Actual</u>	2022 <u>Midyear</u>	2023 <u>Proposed</u>	<u>Variance</u>
<b>Revenue Sources</b>				
Water	3,889,037	4,499,300	4,335,500	(163,800)
Sanitation	6,379,520	7,617,500	7,945,000	327,500
Misc. Revenue	74,900	54,400	43,796	(10,604)
<b>Operating Revenue</b>	<b>10,343,457</b>	<b>12,171,200</b>	<b>12,324,296</b>	<b>153,096</b>
Debt Proceeds	2,500,000	-	-	-
Equity Transfer	-	1,931,238	-	(1,931,238)
<b>Non-Operating Revenue</b>	<b>2,500,000</b>	<b>1,931,238</b>	<b>-</b>	<b>(1,931,238)</b>
<b>Total Revenue</b>	<b>12,843,457</b>	<b>14,102,438</b>	<b>12,324,296</b>	<b>(1,778,142)</b>

<b>Expenditures</b>				
Water Production	1,445,770	1,403,271	1,301,870	(101,401)
Water Operations & Maintenance	836,392	1,005,826	1,129,777	123,951
Sewer Collection	295,406	463,746	387,721	(76,025)
Non Departmental	6,336,993	7,171,545	7,569,928	398,383
<b>Operating Expenditures</b>	<b>8,914,560</b>	<b>10,044,388</b>	<b>10,389,296</b>	<b>344,908</b>
Capital & Supplemental	1,241,112	1,875,750	272,500	(1,603,250)
Debt Requirements	1,720,689	1,682,300	1,600,000	(82,300)
Transfers	50,000	500,000	50,000	(450,000)
<b>Total Non-Operating Expenditures</b>	<b>3,011,801</b>	<b>4,058,050</b>	<b>1,922,500</b>	<b>(2,135,550)</b>
<b>Total Expenditures</b>	<b>11,926,362</b>	<b>14,102,438</b>	<b>12,311,796</b>	<b>(1,790,642)</b>

**Analysis of Funds Available**

	2021 <u>Actual</u>	2022 <u>Midyear</u>	2023 <u>Proposed</u>
Beginning Funds Available	3,284,539	4,201,634	2,270,396
Revenues	12,843,457	14,102,438	12,324,296
Equity Adjustment	-	(1,931,238)	-
Net Funds Available	16,127,996	16,372,834	14,594,692
Expenditures	(11,926,362)	(14,102,438)	(12,311,796)
<b>Ending Funds Available</b>	<b>4,201,634</b>	<b>2,270,396</b>	<b>2,282,896</b>
20% Fund Balance Requirement		2,008,878	2,077,859
Over/(Under)		261,519	205,037
Revenue Over(Under) Expenditures		-	12,500

**Proposed Water & Sewer Rates of Metropolitan Cities  
Based on Average Household Usage  
As of March 2022**

Assumption: Average water and sewer bill based on  
5,000 gallons water and 4,000 sewer monthly

<u>City</u>	<u>Water Amount</u>	<u>Sewer Amount</u>	<u>Total Amount</u>	
Kansas City	\$ 47.79	\$ 75.58	\$ 123.37	
Liberty	34.31	64.36	98.67	No change
<b>Gladstone (proposed 6/1/22)</b>	<b>33.77</b>	<b>62.18</b>	<b>95.95</b>	
<b>Gladstone (proposed 6/1/21)</b>	<b>33.77</b>	<b>58.66</b>	<b>92.43</b>	
Parkville	40.24	55.22	95.46	
Raytown	43.35	48.71	92.06	No change
Grandview	58.22	31.06	89.28	
Lee's Summit	35.26	40.42	75.68	
Blue Springs	40.55	30.95	71.50	
Independence	28.02	42.25	70.27	
North Kansas City	16.56	38.04	54.60	No change

**Gladstone Comparison to Average Rate of Metropolitan Cities**

<b>Current</b>	<b>Water</b>	<b>Sewer</b>	<b>Total</b>
Average Rate	\$ 37.44	\$ 49.77	\$ 87.21
\$ Below/ (Above) Average	\$ 37.44	\$ 49.77	\$ 87.21
% Below (Above) Average	\$ 3.67	\$ (12.41)	\$ (8.74)
\$ Below/ (Above) Highest	0.10	(0.25)	(0.10)
	\$ 14.02	\$ 13.40	\$ 27.42

**Gladstone Comparison to Average Rate of Metropolitan Cities**

	<b>Water</b>	<b>Sewer</b>	<b>Total</b>
Average Rate as of 7/1/	\$ 37.44	\$ 49.77	\$ 87.21
\$ Below/ (Above) Average	\$ 3.67	\$ (12.41)	\$ (8.74)
% Below (Above) Average	0.10	(0.25)	(0.10)
\$ Below/ (Above) Highest	\$ 14.02	\$ 13.40	\$ 27.42

## City of Gladstone - FY 2023 Supplemental and Capital Budget Requests

Narrative	Dept. Rank	Justification Amount	Budget Team recommend	Comment
<b>CWSS</b>				
Replace previous leased vehicles (3)	1	22,500	22,500	
Freightliner M2 10850 or equivalent (replace asset 1411)	2	150,000	150,000	
Caterpillar 420 Fit or equivalent backhoe (Replace asset 1388)	3	150,000	-	
Case 621 E or equivalent loader with forks (replace asset 1447)	4	250,000	-	
F-450 or equivalent with dump bed (replace asset 1456)	5	60,000	-	
Water Meter Replacement Program	6	250,000	-	
		<b><u>882,500</u></b>	<b><u>172,500</u></b>	

**CITY OF GLADSTONE**  
**Capital Improvement Sales Tax Projects Five Year Plan**

	<b>FY23</b>	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>
<b>Est Funds Available at 7/1/22</b>	<b>\$ 12,212,835</b>	<b>\$ 4,577,635</b>	<b>\$ 152,940</b>	<b>\$ 150,712</b>	<b>\$ 151,436</b>
<b><u>Budgeted Revenues</u></b>					
Sales Tax	1,970,000	1,999,550	2,029,543	2,059,986	2,090,886
2019 Sales Tax Transfer	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Interest	2,500	3,750	5,625	8,438	12,656
ARPA Funds	3,000,000	-	-	-	-
<b>Total Budgeted Revenue</b>	<b>5,972,500</b>	<b>3,003,300</b>	<b>3,035,168</b>	<b>3,068,424</b>	<b>3,103,542</b>
<b><u>Budgeted Expenditures</u></b>					
Debt Service					
2021 COP	870,000.00	900,000.00	890,000.00	886,000.00	870,000.00
2020 COP (Ends 3/1/40)	133,000.00	105,000.00	125,000.00	125,000.00	145,000.00
2017 Lease Purchase (Ends 6/1/32)	71,000	125,000	125,100	125,100	125,100
2011 COP - Refinanced 2017 (Ends 6/1/23)	369,000				
2016 Lease Purchase (Ends 1/22/30)	97,000	97,000	97,000	97,000	97,000
2015 COP - Refinanced 2017 (Ends 6/1/26)	689,000	686,000	690,000	690,000	-
2015 COP (Ends 6/1/30)	113,000	153,000	149,000	153,000	149,000
The Heights - (Ends 7/1/36)	136,000	136,000	136,000	136,000	136,000
Engineering Transfer	100,000	100,000	100,000	100,000	100,000
Arts Council	19,700	19,996	20,295	20,600	20,909
<b><u>Storm water Projects</u></b>					
Storm water Master Plan Implementation	-	200,000	300,000	325,000	800,000
NE 68th St & N. Bellefontaine - Phase 1	150,000	-	-	-	-
Santerra Detention Basin Modification	25,000	-	-	-	-
2403 NE 57th Terr. Storm Sewer	25,000	-	-	-	-
N Holmes & NE 68th Street Storm Sewer	25,000	-	-	-	-
Misc. Storm water Projects	85,000	75,000	75,000	75,000	75,000
<b><u>Park Projects</u></b>					
Parks Master Plan Implementation	-	150,000	300,000	300,000	545,000
Oak Grove Park Shelters	400,000	-	-	-	-
Happy Rock Park Softball Complex	480,000	-	-	-	-
NE 72nd Tennis Courts	-	150,000	-	-	-
Parks Trail Replacement Program - Happy Rock	20,000	25,000	30,000	35,000	40,000
AJ Farm Improvements	-	181,000	-	-	-
<b><u>Facility Projects</u></b>					
Police Headquarters (est. \$1,000,000 expended in FY22)	9,000,000	3,025,000	-	-	-
City Hall (Exterior)	800,000	300,000	-	-	-
City Hall (Interior)	-	1,000,000	-	-	-
<b>Total Budgeted Expenditures</b>	<b>13,607,700</b>	<b>7,427,996</b>	<b>3,037,395</b>	<b>3,067,700</b>	<b>3,103,009</b>
<b>Est Funds Available at 6/30*</b>	<b>\$ 4,577,635</b>	<b>\$ 152,940</b>	<b>\$ 150,712</b>	<b>\$ 151,436</b>	<b>\$ 151,970</b>

\* Includes \$150,000 required reserve

\* County ARPA funding has been applied for but not yet approved by the County Commissioners for City Hall projects

**CITY OF GLADSTONE**  
**Transportation Sales Tax Projects Five Year Plan**

	<b>FY23</b>	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>
<b>Est Funds Available at 7/1/22</b>	<b>\$ 50,373</b>	<b>\$ 54,728</b>	<b>\$ 56,129</b>	<b>\$ 55,531</b>	<b>\$ 53,205</b>
<b><u>Budgeted Revenues</u></b>					
Sales Tax	1,970,000	1,999,550	2,029,543	2,059,986	2,090,886
Interest	2,500	3,750	5,625	8,438	12,656
Transfer from GF-Prop Tax (sidewalks)	50,000	50,000	50,000	50,000	50,000
Transfer from GF-Prop Tax (transit)	50,000	50,000	50,000	50,000	50,000
Transfer from CWSS	50,000	50,000	50,000	50,000	50,000
Special Road District Funds	350,000	350,000	350,000	350,000	350,000
Recovery Zone Bonds (RZB) Subsidy	7,000	-	-	-	-
ARPA Funds	1,200,000	-	-	-	-
Evergy Reimbursement (72nd Street)	37,000	-	-	-	-
Linden Connector TAP Grant	-	475,000	-	-	-
Vivion Road Trail TAP Grant	-	-	-	250,000	250,000
<b>Total Budgeted Revenue</b>	<b>3,716,500</b>	<b>2,978,300</b>	<b>2,535,168</b>	<b>2,818,424</b>	<b>2,853,542</b>
<b><u>Budgeted Expenditures</u></b>					
Debt Service					
2020 COP (Ends 3/1/34)	50,000	36,000	90,000	95,000	105,000
2017 Lease Purchase (Ends 6/1/32)	111,000	256,000	258,000	258,000	258,000
2011 COP - Refinanced 2017 (Ends 6/1/23)	63,000	-	-	-	-
2015 COP (Ends 6/1/30)	34,000	46,000	45,000	46,000	46,000
2015 COP - Refinanced 2017 (Ends 6/1/26)	100,000	100,000	100,000	100,000	-
2010 GO (Ends 3/1/23)	209,000	-	-	-	-
The Heights - (Ends 7/1/36)	115,000	115,000	115,000	115,000	115,000
Engineering Transfer	100,000	100,000	100,000	100,000	100,000
Local Transit	53,045	54,636	56,275	57,964	59,703
KCATA & Stop Improvements	72,100	74,263	76,491	78,786	81,149
<b><u>Road Projects*</u></b>					
Street Mill & Overlay Program	1,235,000	525,000	725,000	725,000	790,000
Intermediate Maintenance	200,000	150,000	200,000	200,000	200,000
City Intermediate Maintenance	20,000	20,000	20,000	20,000	20,000
Road District Project - TBD	350,000	350,000	350,000	350,000	350,000
N. Oak Design - NE 69th to NE 72nd	75,000	200,000	-	-	-
<b><u>Sidewalk/Trail Projects*</u></b>					
Curb, Gutter, Sidewalk Replacement	800,000	150,000	200,000	150,000	200,000
ADA/Curb cut Sidewalks	50,000	50,000	50,000	50,000	50,000
NE 72nd Sidewalk (N Olive to N Park)	25,000	-	-	-	-
Traffic/Ped Signal Upgrades	-	50,000	50,000	50,000	50,000
Linden Connector Trail	50,000	700,000	-	-	-
Vivion Road Trail - N. Mulberry to N. Bellevue	-	-	100,000	425,000	425,000
<b>Total Budgeted Expenditures</b>	<b>3,712,145</b>	<b>2,976,899</b>	<b>2,535,766</b>	<b>2,820,749</b>	<b>2,849,852</b>
<b>Est Funds Available at 6/30**</b>	<b>54,728</b>	<b>56,129</b>	<b>55,531</b>	<b>53,205</b>	<b>56,896</b>

\* Any remaining unused balances to be directed to the street mill & overlay program

\*\* Includes \$50,000 required reserve



## ***Community Development Memorandum***

**TO:** Scott C. Wingerson, City Manager

**FROM:** Alan D. Napoli, Community Development Administrator | Building Official

**Cc:** Austin Greer, Assistant to the City Manager | Community Development Director

**DATE:** May 3, 2022

**RE:** Chapter 2300 Detached Accessory Structure Regulations

The Code Board of Appeals and the Board of Zoning Adjustments asked staff to look into Chapter 2300 Detached Accessory Structure Regulations, looking into allowing for more than one (1) detached accessory structure and revise some potential ambiguity in the requirements.

Staff reviewed the current regulations and felt that it was better served to rewrite the entire Chapter, particularly Division 3. Divisions 1 and 2 did not really change, as these are the administrative and definition portions of the regulations. Division 3 was completely rewritten to address the Code Board of Appeals and Board of Zoning Adjustment request, to allow for more than one (1) detached accessory structure.

In the current regulations, Division 3 Requirements, Section 9.2300.301 Detached Accessory Structures, is broken into three (3) sections: General, Garages, and Accessory Structures. This section is somewhat ambiguous, as a detached garage is also an accessory structure, which in this division, accessory structure was never really quantified.

In the new regulations, Division 3 Residential Detached Accessory Structures is broken into two (2) Sections: General and Requirements, each of which have subsections. The first section, General, breaks down Scope, Use, and Residential detached accessory structures. The second section, Requirements, breaks down the Appearance, Number of, Footing/foundation, Area, Height, and Setbacks. These sections address all Residential Detached Accessory Structures equally. The setbacks in the new regulations are the same as the current regulations.

The revised Regulations were presented to the Code Board of Appeals, 5-0 in favor; Board of Zoning Adjustment, 5-0 in favor; and Neighborhood Commission, 7-0 in favor.

**CHAPTER 2300**  
**DETACHED ACCESSORY STRUCTURE REGULATIONS**

**DIVISION 1**  
**SCOPE AND ADMINISTRATION**

**PART 1 – SCOPE AND APPLICATION**

**SECTION 9.2300.101**  
**GENERAL**

**9.2300.101.1 Title.**

These regulations shall be known and cited as the Detached Accessory Structure Regulations of the City of Gladstone, Clay County, Missouri hereinafter referred to as “this chapter”.

**9.2300.101.2 Scope.**

The provisions of this chapter are to provide general and specific requirements related to the construction, installation, re-installation, alteration, replacement, repair, location, maintenance, and removal of detached accessory structures.

**9.2300.101.3 Intent.**

The purpose of this chapter is to provide minimum requirements to safeguard life, health, property, and public welfare, by regulating and controlling the construction and location of detached accessory structures to provide aesthetically compatible and pleasing urban environment, and solidify the City of Gladstone’s position as a livable suburban community.

**SECTION 9.2300.102**  
**APPLICABILITY**

**9.2300.102.1 General.**

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this chapter specify requirements, the most restrictive shall govern.

**9.2300.102.2 Other laws.**

The provisions of this chapter shall not be deemed to nullify any provisions of local, state, or federal law.

**9.2300.102.3 Application of references.**

References to division or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such division, section or provision of this chapter.

#### **9.2300.102.4 Partial invalidity.**

In the event that any part or provision of this chapter is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

### **PART 2 – ADMINISTRATION AND ENFORCEMENT**

#### **SECTION 9.2300.103 DUTIES AND POWERS OF BUILDING OFFICIAL**

##### **9.2300.103.1 General.**

The *building official* is hereby authorized and directed to enforce the provisions of this chapter. The *building official* shall have the authority to render interpretations of this chapter and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this chapter. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this chapter.

##### **9.2300.103.2 Applications and permits.**

The *building official* shall receive applications, review construction documents and issue *permits* for the placement and use of detached accessory structures, inspect the *premises* for which such *permits* have been issued and enforce compliance with the provisions of this chapter.

##### **9.2300.103.3 Notices and orders.**

The *building official* shall issue all necessary notices or order to ensure compliance with this chapter.

##### **9.2300.103.4 Inspections.**

The *building official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. Reports of such inspections shall be in writing and be certified by a reasonable officer of such *approved* agency or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.

##### **9.2300.103.5 Identification.**

The *building official* shall carry proper identification when inspecting *premises* in the performance of duties under this chapter.

##### **9.2300.103.6 Right of entry.**

Where it is necessary to make an inspection to enforce the provisions of this chapter, or whenever the *building official* has reasonable cause to believe that there exists upon a *premises* or private property a condition in violation of this chapter, the *building official* is authorized to enter the *premises* at reasonable times to inspect or perform the duties imposed by this chapter, provided that if such *premises* is occupied the *building official* shall present credentials to the *premises* or private property owner and request entry. If

such *premises* or private property is unoccupied, the *building official* shall first make a reasonable effort to locate the *owner*; owner's authorized agent, or other person having charge or control of the *premises* or private property and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.

#### **9.2300.103.7 Department records.**

The *building official* shall keep official records of all business and activities of the department specified in the provisions of this chapter. Such records shall be retained in the official records for the period required for retention of public records.

### **SECTION 9.2300.104**

#### **PERMITS**

#### **9.2300.104.1 Required.**

Any *owner* or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a detached accessory structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this chapter, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*.

#### **9.2300.104.2 Work exempt from permit.**

Exemption from *permit* requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

##### **9.2300.104.2.1 Emergency repairs.**

Where equipment replacements and *repairs* must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.

##### **9.2300.104.2.2 Repairs.**

Application or notice to the *building official* is not required for ordinary *repairs* to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such *repairs* shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting

of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

#### **9.2300.104.3 Application for permit.**

To obtain a *permit*, the applicant shall first file an application in writing on a form furnished by the Department for that purpose. Such application shall:

1. Describe the land on which the proposed event shall be located by legal description, street address, or similar description that will readily identify and definitely locate the proposed location.
2. Company's name, address, phone numbers and other pertinent information as deemed necessary.
3. Property owner's name, address, phone numbers, and other pertinent information as deemed necessary.
4. Date of delivery.
5. Be accompanied by construction documents and other information as required by Section 9.2300.105.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Be signed by the *owner* or *owner's* representative.
8. Give such other data and information as required by the *building official*.

#### **9.2300.104.3.1 Action on application.**

The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application does not conform to the requirements or pertinent laws, the *building official* shall reject such application. If the *building official* is satisfied that the application conforms to the requirements of this chapter, codes, laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefore as soon as practicable.

#### **9.2300.104.3.2 Time limitation of application.**

An application for a *permit* for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

#### **9.2300.104.4 Validity of permit.**

The issuance or granting of a *permit* shall not be construed to be a *permit* for, or approval of, any violation of any of the provisions of this chapter or of any other ordinances of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this chapter or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on information given shall not prevent the *building official* from requiring the corrections of errors in the information given. The *building official* is also authorized to prevent use of *detached accessory structure*, in violation of this chapter or any other ordinances of this jurisdiction.

#### **9.2300.104.5 Expiration.**

Every *permit* issued shall become invalid 180 days from the date of issuance. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

#### **9.2300.104.6 Suspension or revocation.**

The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this chapter wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation, or any other provisions of this chapter.

#### **9.2300.104.7 Placement of permit.**

The building *permit* or a copy shall be kept on the site of the work until the completion of the project.

#### **9.2300.104.8 Responsibility.**

It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this chapter is applicable, to comply with this chapter.

#### **9.2300.104.9 Preliminary inspection.**

Before issuing a *permit*, the *building official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

### **SECTION 9.2300.105 CONSTRUCTION DOCUMENTS**

#### **9.2300.105.1 Submittal documents.**

Submittal documents consisting of *construction documents*, and other data shall be submitted in two or more sets with each application for a *permit*. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

**Exception:** The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that reviewing of *construction documents* is not necessary to obtain compliance with this chapter.

##### **9.2300.105.1.1 Information on construction documents.**

*Construction documents* shall be drawn upon suitable material. Electronic media documents are permitted to be submitted where approved by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of

this chapter and relevant laws, ordinances, rules and regulations, as determined by the *building official*.

**9.2300.105.1.2 Manufacturer's installation instructions.**

Manufacturer's installation instructions, as required by this chapter, shall be available on the job site at the time of inspection.

**9.2300.105.1.3 Information on braced wall design.**

For buildings and structures utilizing braced wall design, and where required by the *building official*, braced wall lines shall be identified on the construction documents. Pertinent information including, but not limited to, bracing methods, location and length of braced wall panels and foundation requirements of braced wall panels at top and bottom shall be provided.

**9.2300.105.1.4 Information for construction in flood hazard areas.**

For buildings and structures located in whole or in part in flood hazard areas as established by Table R301.2(1), of the International Residential Code as adopted by the jurisdiction, construction documents shall include:

1. Delineation of flood hazard areas, floodway boundaries and flood zones and the design flood elevation, as appropriate.
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO Zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade.
3. The elevation of the bottom of the lowest horizontal structural member in coastal high -hazard areas (V Zone) and in Coastal A Zones where such zones are delineated on flood hazard maps identified in Table R301.2(1), of the International Residential Code as adopted by the jurisdiction, or otherwise delineated by the jurisdiction.
4. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

**9.2300.105.2 Site plan or plot plan.**

The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *building official* is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

### **9.2300.105.3 Examination of documents.**

The *building official* shall examine or cause to be examined *construction documents* for code compliance.

#### **9.2300.105.3.1 Approval of construction documents.**

Where the *building official* issues a *permit*, the *construction documents* shall be approved in writing or by a stamp that states “REVIEWED FOR CODE COMPLIANCE.” One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

#### **9.2300.105.3.2 Previous approvals.**

This chapter shall not require changes in the *construction documents*, construction or designated occupancy of a structure for which a lawful *permit* has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this chapter and has not been abandoned.

#### **9.2300.105.3.3 Phased approval.**

The *building official* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this chapter. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder’s own risk with the building operation and without assurance that a permit for the entire structure will be granted.

### **9.2300.105.4 Amended construction documents.**

Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*.

### **9.2300.105.5 Retention of construction documents.**

One set of *approved construction documents* shall be retained by the *building official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

## **SECTION 9.2300.106**

### **FEES**

#### **9.2300.106.1 Payment of fees.**

A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fees, if any, have been paid.

### **9.2300.106.2 Permit fee.**

*Permit* fees shall be in accordance with the adopted schedule of fees and charges; and shall be paid at time permit is issued. *Detached accessory structures* constructed/places prior to obtaining a *permit* shall be assessed a penalty fee equal to the permit fee in addition to the require permit fee.

### **9.2300.106.3 Related fees.**

The payment of the fee for the *permit* shall not relieve the applicant or permit holder from the payment of other fees that are prescribed by law.

## **SECTION 9.2300.107 INSPECTIONS**

### **9.2300.107.1 Types of inspections.**

For on-site construction, from time to time the *building official*, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with this chapter.

#### **9.2300.107.1.1 Foundation inspection.**

Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.

#### **9.2300.107.1.2 Plumbing, mechanical, gas and electrical systems inspection.**

Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

#### **9.2300.107.1.3 Floodplain inspections.**

For construction in flood hazard areas as established by Table R301.2(1), of the International Residential Code as adopted by the jurisdiction, upon placement of the lowest floor, including basement, and prior to further vertical construction, the *building official* shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including basement, required in Section R322, of the International Residential Code as adopted by the jurisdiction.

#### **9.2300.107.1.4 Frame and masonry inspection.**

Inspection of framing and masonry construction shall be made after the roof, masonry, framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved.

**9.2300.107.1.5 Other inspections.**

In addition to inspections in Sections 9.2300.107.1.1 through 9.2300.107.1.4, the *building official* shall have the authority to make or require any other inspections to ascertain compliance with this chapter and other laws enforced by the *building official*.

**9.2300.107.1.5.1 Fire-resistance-rated construction inspection.**

Where fire-resistance-rated construction is required between dwelling units or due to location on property, the *building official* shall require an inspection of such construction after lathing or gypsum board or gypsum panel products are in place, but before any plaster is applied, or before board or panel joints and fasteners are taped and finished.

**9.2300.107.1.6 Final inspection.**

Final inspection shall be made after the permitted work is complete and prior to occupancy.

**9.2300.107.1.6.1 Elevation documentation.**

If located in a flood hazard area, the documentation of elevations required in Section R322.1.10 of the International Residential Code as adopted by the jurisdiction, shall be submitted to the *building official* prior to the final inspection.

**9.2300.107.2 Inspection agencies.**

The *building official* is authorized to accept reports of *approved* agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**9.2300.107.3 Inspection requests.**

It shall be the duty of the permit holder or their agent to notify the *building official* that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this chapter to provide access to and means for inspection of such work.

**9.2300.107.4 Approval required.**

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this chapter. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

**SECTION 9.2300.108**  
**APPEALS**

**9.2300.108.1 General.**

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

**9.2300.108.2 Application for appeal.**

*Persons* directly affected by a decision of the *building official* or a notice issued under this chapter shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determination therefore made by the *building official*.

**9.2300.108.3 Authority on appeals.**

See Title I, Chapter 110, Article 4 of the City of Gladstone's Code of Ordinances.

**9.2300.108.4 Variance for hardship.**

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Board of Zoning Adjustments is hereby authorized to conduct said appeals.

**9.2300.108.5 Application for hardship variance.**

Persons directly affected by a decision of the *building official* or a notice issued under this chapter shall have the right to appeal to the Board of Zoning Adjustments, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determinations therefore made by the *building official*.

**9.2300.108.6 Authority on hardship variance.**

See Title VII, Chapter 190 of the City of Gladstone's Code of Ordinances.

**SECTION 9.2300.109**  
**VIOLATIONS**

**9.2300.109.1 Unlawful act.**

It shall be unlawful for any *person*, firm, or corporation to be in conflict with or in violation of any of the provisions of this chapter.

**9.2300.109.2 Notice of violation.**

The *building official* shall serve a notice of violation or order in accordance with Section 9.2300.110.

### **9.2300.109.3 Prosecution of violation.**

Any *person* failing to comply with a notice of violation or order, served in accordance with Section 9.2300.110, shall be deemed guilty of a misdemeanor or civil infraction as determined by this *jurisdiction*, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *building official* shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful condition in violation of the provisions of this chapter or of the order or direction made pursuant thereto. Any action taken by this *jurisdiction* on such premises shall be charged against the real estate upon which the violation is located and shall be a lien upon such real estate.

### **9.2300.109.4 Violation; penalties.**

Any *person*, firm, or corporation who violates a provision of this chapter or fails to comply with any order made thereunder, and from which no appeal has been taken, or who shall fail to comply with such order affirmed or modified by the Uniform Code Board of Appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in Section 1.100.140 of the City of Gladstone, Clay County, Missouri's Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation, or permit it to continue; and all such person, firm, or corporation shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that a prohibited condition is maintained shall constitute a separate offense.

## **SECTION 9.2300.110 Notices and Orders**

### **9.2300.110.1 Notice to person responsible.**

Whenever the *building official* determines that there has been a violation of this chapter or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 9.2300.110.2 and 9.2300.110.3 to the *owner*, owner's authorized agent and/or *person(s)* responsible for the violation as specified in this chapter.

### **9.2300.110.2 Form.**

Such notice prescribed in Section 9.2300.110.1 shall be in accordance with the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *premises* or private property into compliance with the provisions of this chapter.
5. Inform the property *owner* or owner's authorized agent of the right to appeal.

6. Include a statement of the right to file a lien in accordance with Section 9.2300.109.3.

**9.2300.110.3 Method of service.**

Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. Posted in a conspicuous place in or about the *premises* affected by such notice.

**9.2300.110.4 Unauthorized tampering.**

Signs, tags, or seals posted or affixed by the *building official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *building official*.

**9.2300.110.5 Penalties.**

Penalties for noncompliance with orders and notices shall be as set forth in Section 9.2300.109.4.

**9.2300.110.6 Transfer of ownership.**

It shall be unlawful for the *owner* of any *premises* or private property thereof, who has received a compliance order upon whom a notice of violation or order has been served, to sell, transfer, mortgage, lease or otherwise dispose of such *premises* or private property thereof to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *building official* and shall furnish to the *building official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## **DIVISION 2 DEFINITIONS**

### **SECTION 9.2300.201 GENERAL**

#### **9.2300.201.1 Scope.**

Unless otherwise expressly stated, the following words and terms shall, for the purpose of this chapter, have the meaning shown in this division.

#### **9.2300.201.2 Interchangeability.**

Words used in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

#### **9.2300.201.3 Terms defined in other codes.**

Where terms are not defined in this chapter such terms shall have the meanings ascribed in publications of the International Code Council.

**9.2300.201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

### **SECTION 9.2300.202 GENERAL DEFINITIONS**

**ACCESSORY STRUCTURE.** A structure, that is accessory to and incidental to that of the dwelling(s) and that is located on the same *lot*.

**ACCESSORY USE.** A use subordinate to and incidental to the primary use of the main building or to the primary use of the premises.

**ADDITION.** An extension or increase in floor area, number of stories or height of a building or *structure*.

**APPROVED.** Acceptable to the *building official*.

**BUILDING.** Any structure utilized or intended for supporting or sheltering any occupancy.

**BUILDING LINE.** The line established by law, beyond which a building shall not extend, except as specifically provided by law.

**BUILDING OFFICIAL.** The officer or other designated authority charged with the administration and enforcement of this chapter, or a duly authorized representative.

**CONSTRUCTION DOCUMENTS.** Written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a project necessary for obtaining a building *permit*.

**COSMETIC REPAIRS.** The renewal of any part of the exterior of an existing *accessory structure* for the purpose of its maintenance.

**DETACHED ACCESSORY STRUCTURE.** Any *accessory structure* of any size detached from the primary structure.

**EASEMENT.** That portion of land or property reserved for present or future use by a *person* or agency other than the legal fee *owner(s)* of the property. The *easement* shall be permitted to be for use under, on, or above said *lot* or *lots*.

**EXISTING BUILDING.** A building erected prior to the date of adoption of the appropriate code, or one for which a legal building *permit* has been issued.

**EXTERIOR PROPERTY.** The open space on the *premises* and on adjoining property under the control of *owners* or operators of such *premises*.

**FLOODPLAIN.** Any land area susceptible to being inundated by water from any source.

**FLOODWAY.** The channel of a river, creek, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**IMMINENT DANGER.** A condition, that could cause serious or life-threatening injury or death at any time.

**LIGHT-FRAMED CONSTRUCTION.** Construction whose vertical and horizontal structural elements that are primarily formed by a system of repetitive wood or cold-formed steel framing members.

**JURISDICTION.** The governmental unit that has adopted this chapter.

**LOT.** A portion or parcel of land considered as a unit.

**LOT LINE.** A line dividing one *lot* from another, or from a street or any public place.

**OCCUPIED SPACE.** The total area of all buildings or *structures* on any *lot* or parcel of ground projected on a horizontal plane, excluding permitted projections as allowed by the International Building Code or International Residential Code as adopted by the *jurisdiction*.

**OWNER.** Any *person*, agent, firm or corporation having legal or equitable interest in the property.

**PERMIT.** An official document or certificate issued by the *building official* that authorizes performance of a specified activity.

**PERSON.** An individual, heirs, executors, administrators or assigns, and a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

**PREMISES.** A *lot*, plot, or parcel of land, *easement* or *public way*, including any *structures* thereon.

**PUBLIC WAY.** Any street, alley or other parcel of land open to the outside air leading to a public street, which has been deeded, dedicated or otherwise permanently appropriated to the public for public use and that has a clear width and height of not less than ten (10) feet.

**REGISTERED DESIGN PROFESSIONAL.** An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state or *jurisdiction* in which the project is to be constructed.

**REPAIR.** The reconstruction, replacement or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

**STRUCTURE.** That which is built or constructed.

**YARD.** An open space, on the same lot with a *structure*.

**DIVISION 3**  
**RESIDENTIAL DETACHED ACCESSORY STRUCTURES**

**SECTION 9.2300.301**  
**GENERAL**

**9.2300.301.1 Scope.**

The provisions of this division govern residential zoned districts R-1, R-2, RP-1 and RP-2.

**9.2300.301.2 Use.**

Residential detached accessory structures are to be used exclusively by the owners or occupants of the house or main building. Residential detached accessory structures are not permitted to be used as sleeping quarters. Also, can't be used to store commercial vehicles.

**9.2300.301.3 Residential detached accessory structures.**

The following are considered residential detached accessory structures:

1. Garages,
2. Sheds,
3. Storage Buildings,
4. Pergolas,
5. Garden structures,
6. Greenhouses,
7. Private studios,
8. Boathouses,
9. Pool house,
10. Cabanas, and
11. Other similar residential buildings or structures.

**SECTION 9.2300.302**  
**REQUIREMENTS**

**9.2300.302.1 Appearance.**

Residential detached accessory structures shall be constructed of quality materials to provide for a sturdy and durable structure. Residential detached accessory structures larger than two-hundred (200) square feet in must be compatible in design and character with the primary residential structure.

**9.2300.302.2 Number of.**

No more than two (2) residential detached accessory structure are allowed per lot, tract or parcel. Only one (1) detached garage or covered carport is allowed per lot, tract or parcel.

**9.2300.302.3 Footing/foundation.**

Residential detached accessory structures greater than two-hundred (200) square feet shall have an approved footing/foundation.

**9.2300.302.3 Area.**

Detached accessory structures shall not exceed the following area limitations.

1. Not more than thirty (30) percent of a lot, tract or parcel shall be covered with the primary structure including appurtenance and *detached accessory structures*.
2. A maximum of 250 square feet of detached accessory structure is permitted for each 3,000 square feet of lot area.
3. All detached accessory structures shall not exceed fifty (50) percent of the dwelling square footage; excluding the basement.
4. The maximum area of all detached accessory structures cannot exceed 1,200 square feet.

**9.2300.302.5 Height.**

Residential detached accessory structures shall be no taller than twenty-five (25) feet measure from the floor, which incorporates the primary front door; but in no case shall exceed the height of the primary structure.

**9.2300.302.5 Setbacks.**

Setbacks for Residential Detached Accessory Structures*					
Front Yard	Street Side Yard	Interior Side Yard	Rear Yard	Primary Structure	Adjacent Primary Structure
35' but in no case be located forward of the primary structure	25'	9'	9'	10'	20'

**\*Note:** Residential detached accessory structures shall not be located within an easement; nor established prior to the primary structure.



**MINUTES  
REGULAR CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, APRIL 25, 2022**

**PRESENT:** Mayor Bill Garnos  
Mayor Pro Tem Jean Moore  
Councilman R.D. Mallams  
Councilman Tom Frisby  
Councilmember Tina Spallo

City Manager Scott Wingerson  
Assistant City Manager Bob Baer  
City Attorney Chris Williams  
City Clerk Kris Keller  
Deputy City Clerk Becky Jarrett

**Item No. 1. On the Agenda.** Meeting Called to Order.

Mayor Garnos opened the Regular City Council Meeting Monday, April 25, 2022, at 7:30 pm.

**Item No. 2. On the Agenda.** Roll Call.

Mayor Garnos stated that all Councilmembers were present.

**Item No. 3. On the Agenda.** Pledge of Allegiance to the Flag of the United States of America.

Mayor Garnos asked all to join in the Pledge of Allegiance to the Flag of the United States of America, and thanked VFW Post 10906 for presenting the colors: Jim Zimmerman, Carla Gleaton, Stanley Stoner, Dennis Perkins, and Gordon Harris.

**Item No. 4. On the Agenda.** Approval of Agenda.

The agenda was approved as published.

**Item No. 5. On the Agenda.** Approval of the April 11, 2022, Regular City Council Meeting Minutes.

**Councilman Mallams** moved to approve the minutes of the April 11, 2022, Regular City Council meeting as presented. **Councilman Frisby** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 6. On the Agenda. PROCLAMATION:** Older Americans Month.

**Mayor Garnos** read the Proclamation and presented it to Su Bacon.

**Item No. 7. On the Agenda. PROCLAMATION:** Building Safety Month.

**Mayor Garnos** read the Proclamation for Building Safety Month and presented it to Alan Napoli.

**Item No. 8. On the Agenda.** Communications from the Audience.

There were no comments from the audience.

**Item No. 9. On the Agenda.** Communications from the City Council.

**Councilmember Tina Spallo:** Congratulated the Public Works Department for the Electronics collection this past weekend. She reported that the event served about 84 cars and that 15,000 pounds of electronics were collected. Councilmember Spallo heard that the company, Tech Remove, did a great job accepting and hauling the electronics and she hopes it continues in the future.

**Councilman Frisby:** Thanked Justin Merkey and the Parks Department for the removal of the railroad ties on the southeast corner of Central Park and replacement with a very nice stone monument planter.

**Mayor Pro Tem Moore:** Thanked the Public Works Department and Animal Control for a great job of removing deer carcasses from the roads.

**Mayor Garnos:** Attended GEBC (Gladstone Economic Betterment Council) meeting. The Mayor reported that he attended the Parks and Recreation Advisory Board meeting, and received updates on the improvements being made to the outdoor pool. He also expressed his appreciation for the opportunity to dispose of electronics during the City's recycling event.

**Item No. 10. On the Agenda.** Communications from the City Manager.

Scott Wingerson announced the upcoming City events; Walk N Wag, April 30, 2022, Spring Beautification event Friday, April 29 through Sunday, May 1, 2022. Also, Friday, May 6 through Sunday, May 8, 2022, is the Spring Brush Drop-Off. The City's Website offers more information for these upcoming events.

**Item No. 11. On the Agenda.** Consent Agenda.

Following the Clerks' reading:

**Mayor Pro Tem Moore** moved to approve the **SPECIAL EVENT PERMIT:** Afternoon Tea on the front yard of the Atkins-Johnson Farm and Museum, Saturday, May 7, 2022, from 12:00 pm to 1:30 pm. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the **SPECIAL EVENT PERMIT**: Gladstone Classic Car Concours and Historical Vehicle Exhibition. Free car show, Atkins-Johnson Farm and Museum, Sunday, June 12, 2022 (rain date Saturday, June 18, 2022) from 10:00 am to 1:00 pm. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the **SPECIAL EVENT PERMIT**: Gladstone Spring Beautification at Happy Rock Park West, Friday, April 29, through Sunday, May 1, 2022, from 8:00 am to 5:00 pm daily. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the **SPECIAL EVENT PERMIT**: Gladstone Spring Brush Drop-Off, Public Works Facility on Friday, May 6, through Sunday, May 8, 2022, 8:00 am to 5:00 pm daily. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the **FINANCIAL REPORT FOR MONTH END MARCH, 2022**. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

## **REGULAR AGENDA**

**Item No. 12. On the Agenda. CONSIDER BUILDING PERMIT**: Police Headquarters, 7010 North Holmes.

**Councilmember Spallo** moved to approve the **BUILDING PERMIT**: Police Headquarters, 7010 North Holmes. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 13. On the Agenda. CONSIDER BUILDING PERMIT**: Pure Water of Kansas City, 7000 North Oak Trafficway.

**Councilman Mallams** moved to approve the **BUILDING PERMIT**: Pure Water of Kansas City, 7000 North Oak Trafficway. **Councilman Frisby** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 14. On the Agenda. CONTRACTOR AWARD: RESOLUTION R-22-17** A Resolution authorizing the City Manager to execute professional services contracts in the amount of \$14,125,000.00 for construction of a new Police Headquarters and exterior improvements to City Hall.

**Mayor Pro Tem Moore** moved to approve **RESOLUTION R-22-17**. **Councilmember Spallo** seconded.

**Discussion:** Mayor Garnos thanked Hoefer Welker architects for their exceptional leadership, creativity, flexibility, and patience throughout the planning and design process. He also extended his thanks in advance to the construction managers at Turner Construction, for delivery of the facility in a timely and cost effective manner. The Mayor expressed his appreciation for the Police Department personnel, who provided their time and insight into the planning process; Caleb Breedlove, Sabrina Skourtis, Josh East, Eli Dorsey, and Kim Romine. The Mayor gave a special thanks to the City's Leadership team for getting the project to this point. He also extended special thanks to the people of Gladstone for their strong support of our police officers; making sure that the officers have all the resources they need and a base of operations that we can all be proud of.

The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 15. On the Agenda.** Other Business.

There was no further business to come before the City Council.

**Item No. 16. On the Agenda.**

Adjournment.

Mayor Garnos adjourned the April 25, 2022, Regular City Council meeting at 7:52 pm.

Respectfully submitted:

---

Kris Keller, City Clerk

Approved as presented: \_\_\_\_

Approved as modified: \_\_\_\_

---

Bill Garnos, Mayor

# PROCLAMATION

**WHEREAS**, Emergency Medical Service is a vital public service; and

**WHEREAS**, the members of Emergency Medical Service teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, Emergency Medical Service has grown to fill a gap by providing important out of hospital care; including preventative medicine, follow-up care, and access to telemedicine; and

**WHEREAS**, the Emergency Medical Service system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

**WHEREAS**, the members of Emergency Medical Service teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of Emergency Medical Service providers by designating Emergency Medical Services Week.

**NOW, THEREFORE, I, Bill Garnos**, Mayor of Gladstone, Missouri, in recognition of this event, on behalf of the City Council and the citizens of Gladstone, do hereby proclaim the week of May 15-21, 2022, as

## **EMERGENCY MEDICAL SERVICES WEEK**

with the EMS Strong theme, **THIS IS EMS: Rising to the Challenge**, I encourage the community to observe this week with appropriate programs, ceremonies, and activities.



## ***Request for Council Action***

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 4/26/2022

Department: Community Development

Meeting Date Requested: 5/9/2022

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Special Event Permit

Background: The Teeter Family is hosting a birthday party to be held at the Atkins-Johnson Farm and Museum on Saturday, June 4, 2022 from 5:00 pm until 9:00 pm. There will be live music performed by Jason Vavone and the Billy Bats along with a food truck.

Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input: See attached letter of transmittal

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Alan D. Napoli, C.B.O.  
Community Development Administrator | Building Official

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: APRIL 26, 2022**  
**PERMIT NO.: SEP22-00060**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: TEETER BIRTHDAY PARTY**  
**LOCATION OF EVENT: 4109 NE PLEASANT VALLEY ROAD**  
**ATKINS-JOHNSON FARM AND MUSEUM**  
**DATE OF EVENT: SATURDAY, JUNE 4, 2022**  
**TIME OF EVENT: 5:00PM TO 9:00PM**  
**EST. ATTENDANCE: 50±**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.
- ☐ Section 2.130.010(2) Park rules and regulations (hours).
- ☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☐ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☐ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☒ Section 2.100.250(1) Outdoor display, sale and storage
- ☒ Section 2.100.250(3) Sales Transactions
- ☐ Other – Section \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** City staff has reviewed the application and finds that the variance(s) are appropriate for this venue.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator | Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## Gladstone, MO



666.7 0 333.33 666.7 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



### Legend

- KCPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
- Point of Interest
- Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- Villages
- Apartment Polygon

### Notes



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 4/26/2022

Department: Community Development

Meeting Date Requested: 5/9/2022

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Special Event Permit

Background: Michael Corwin is hosting A Tribute to Our Heroes event. The event is a time for retired, former, and current law enforcement officers and their families to catch-up and relax. The event will be held at Linden Square on Saturday, June 11, 2022 from 2:00 pm until 6:00 pm. There will be two (2) 10' x 10' pop-ups on site.

Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input: See attached letter of transmittal

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Alan D. Napoli, C.B.O.  
Community Development Administrator | Building Official

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: APRIL 26, 2022**  
**PERMIT NO.: SEP22-00059**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: A TRIBUTE TO OUR HEROES**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: SATURDAY, JUNE 11, 2022**  
**TIME OF EVENT: 2:00PM TO 6:00PM**  
**EST. ATTENDANCE: 200-500**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.
- ☐ Section 2.130.010(2) Park rules and regulations (hours).
- ☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☐ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☐ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☐ Other – Section \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** City staff has reviewed the application and finds that the variance(s) are appropriate for this venue.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

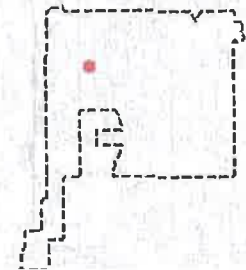
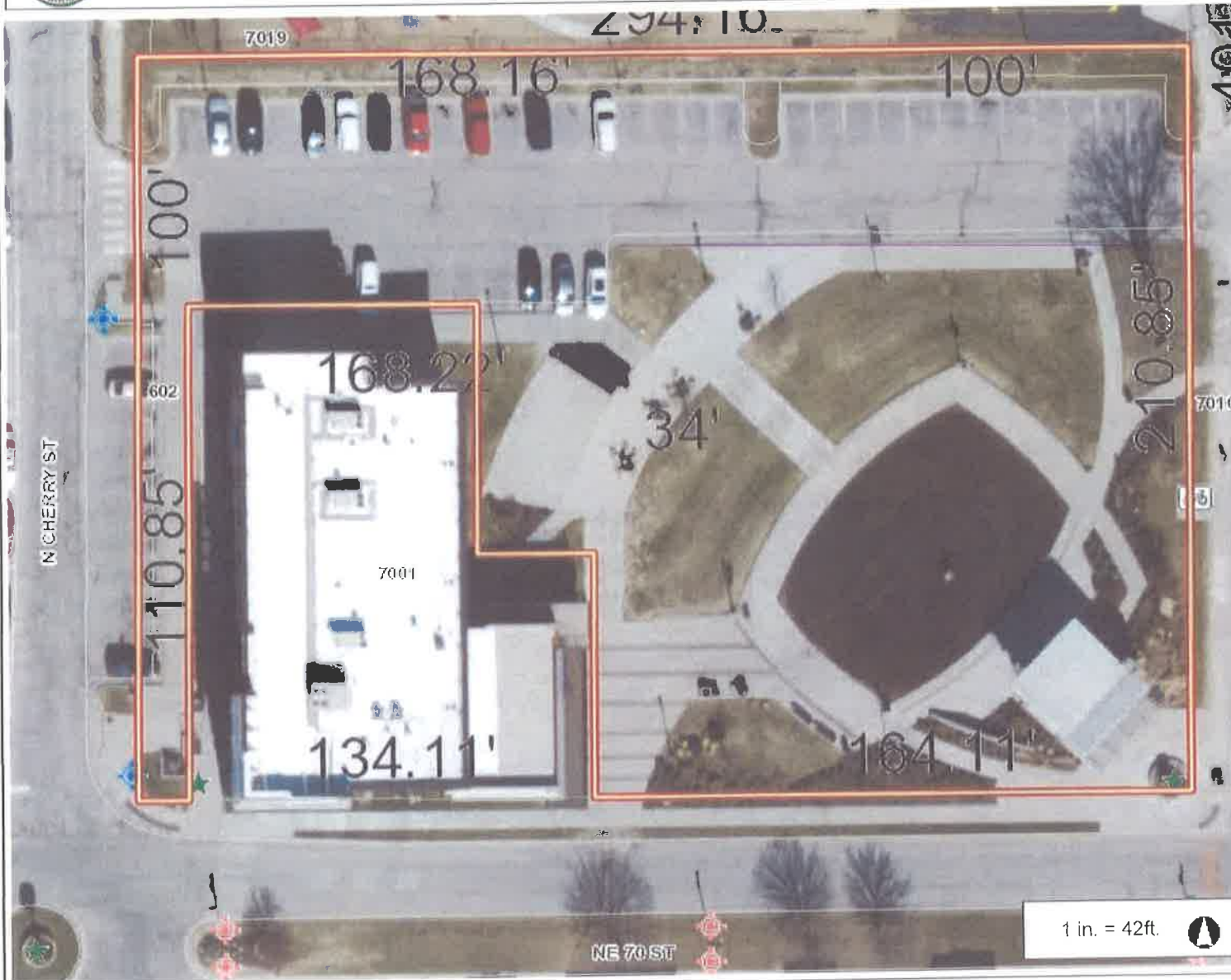
Community Development Administrator | Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## Gladstone, MO



### Legend

- Stop Sign
- KCPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
- Point of Interest
- Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- Villages
- Apartment Polygon

### Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION



## ***Request for Council Action***

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/22/2022

Department: Community Development

Meeting Date Requested: 5/9/2022

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Special Event Permit

Background: The Parks, Recreation and Cultural Arts Department will be hosting the City's Annual July 4th Celebration at Oak Grove Park beginning at 7:00 pm. A pre-band will open the festivities, then the band Suburbans will perform, followed by the Mayor's welcome, presentation of Colors, and the National Anthem. All followed by the fireworks display, presented by Premier Pyrotechnics. Please see attached Letter of Transmittal (Time of Event) for performance time-breakdown.

The Gladstone Rotary Club will work the concessions stand.

Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input: See attached letter of transmittal

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Alan D. Napoli, C.B.O.  
Community Development Administrator | Building Official

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 22, 2022**  
**PERMIT NO.: SEP22-00032**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: INDEPENDENCE DAY CELEBRATION**  
**LOCATION OF EVENT: 7600 N TROOST AVENUE**  
**OAK GROVE PARK**  
**DATE OF EVENT: MONDAY, JULY 4, 2022**  
**TIME OF EVENT: 5:00PM TILL 11:30PM**  
**> 7:00PM PRE-BAND PERFORMS**  
**> 8:15PM BAND SUBURBANS TAKE THE STAGE**  
**> 9:00PM MAYOR'S WELCOME WITH PRESENTATION OF COLORS**  
**FOLLOWED BY THE NATIONAL ANTHEM**  
**> 10:05PM FIREWORKS DISPLAY**  
**EST. ATTENDANCE: 10,000±**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.  
☒ Section 2.130.010(2) Park rules and regulations (hours).  
☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).  
☒ Section 2.135.040 Prohibition of smoking on or within all public park grounds.  
☒ Section 2.140.040 Public fireworks display prohibited, exceptions.  
☐ Section 5.110.1800 Drinking in public.  
☒ Section 5.160.230(a) Street use permit (street use permit allowed).  
☒ Section 9.1600.110 Temporary signs.  
☐ Other – Section \_\_\_\_\_  
☐ Other – Section \_\_\_\_\_

**REMARKS:** City staff has reviewed the application and finds that the variance(s) are appropriate for this venue.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator | Building Official

## ATTACHMENT(S):

- ☒ Map  
☐ Other \_\_\_\_\_



## Gladstone, MO



### Legend

- Stop Sign
- ◆ KCPL Lights
- ◆ Gladstone Lights
- ▲ School Point
- 🚲 Bike Parking
- 🚌 Bus Stop
- ★ Point of Interest
- ✳ Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- Villages
- ▨ Apartment Polygon

1 in. = 167ft.



333.3 0 166.67 333.3 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

### Notes



## ***Request for Council Action***

**RES** ☐ # City Clerk Only

**BILL** ☐ # City Clerk Only

**ORD** # City Clerk Only

Date: 3/25/2022

Department: Community Development

Meeting Date Requested: 5/9/2022

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Special Event Permit

Background: The Parks Recreation and Cultural Arts Department will host the Annual Children's Garden Day at the Atkins-Johnson Farm and Museum in partnership with the Master Gardeners of Greater Kansas City. Attendees will learn about gardening and the importance of growing your own food. Free Children's crafts, activities, recipes and demonstrations will be available. Garden tours will also be available for attendees led by experienced master gardeners.

The event will take place on Saturday, July 9, 2022 from 9:00 am until 12:00 pm.

Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input: See attached letter of transmittal

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Alan D. Napoli, C.B.O.  
Community Development Administrator | Building Official

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 25, 2022**  
**PERMIT NO.: SEP22-00043**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: CHILDREN'S GARDEN DAY**  
**LOCATION OF EVENT: 4109 NE PLEASANT VALLEY ROAD**  
**ATKINS-JOHNSON FARM AND MUSEUM**  
**DATE OF EVENT: SATURDAY, JULY 9, 2022**  
**TIME OF EVENT: 9:00AM TILL 12:00PM**  
**EST. ATTENDANCE: 200±**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.
- ☐ Section 2.130.010(2) Park rules and regulations (hours).
- ☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☐ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☐ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☐ Other – Section \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** City staff has reviewed the application and finds that the variance(s) are appropriate for this venue.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator | Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## Gladstone, MO



1 in. = 333ft.



### Legend

- KCPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
- Point of Interest
- Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- Villages
- Apartment Polygon

### Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/25/2022

Department: Community Development

Meeting Date Requested: 5/9/2022

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Special Event Permit

Background: The Parks, Recreation and Cultural Arts Department will be hosting the City's Annual Theatre in the Park series at Oak Grove Park. This year's productions are Legally Blonde on July 8, 9 & 10, 2022 and Lil' Abner on August 12, 13 & 14, 2022. The Park will open at 5:00 pm and close at 11:30 pm. The shows begin at 8:30 pm and conclude around 10:30 pm.

The Gladstone Rotary Club will be staffing the concessions stand for all six (6) performances.

Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input: See attached letter of transmittal

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Alan D. Napoli, C.B.O.  
Community Development Administrator | Building Official

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 25, 2022**  
**PERMIT NO.: SEP22-00033**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: THEATRE IN THE PARK**  
**LOCATION OF EVENT: 7600 N TROOST AVENUE**  
**OAK GROVE PARK**  
**DATE OF EVENT: LEGALLY BLONDE-**  
**> FRIDAY, JULY 8, 2022**  
**> SATURDAY, JULY 9, 2022**  
**> SUNDAY, JULY 10, 2022**  
**LIL' ABNER-**  
**> FRIDAY, AUGUST 12, 2022**  
**> SATURDAY, AUGUST 13, 2022**  
**> SUNDAY, AUGUST 14, 2022**

**TIME OF EVENT: THE PARK OPENS AT 5:00PM AND CLOSSES AT 11:30PM EACH**  
**NIGHT. SHOWS WILL BEGIN AT 8:30PM AND CONCLUDE AROUND**  
**10:30PM.**

**EST. ATTENDANCE: 2,000 – 4,000**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.  
☒ Section 2.130.010(2) Park rules and regulations (hours).  
☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).  
☒ Section 2.135.040 Prohibition of smoking on or within all public park grounds.  
☐ Section 2.140.040 Public fireworks display prohibited, exceptions.  
☐ Section 5.110.1800 Drinking in public.  
☐ Section 5.160.230(a) Street use permit (street use permit allowed).  
☒ Section 9.1600.110 Temporary signs.  
☐ Other – Section \_\_\_\_\_  
☐ Other – Section \_\_\_\_\_

**REMARKS:** City staff has reviewed the application and finds that the variance(s) are appropriate for this venue.

Signed:   
Alan D. Napoli, C.D.O.  
Community Development Administrator | Building Official

## ATTACHMENT(S):

- ☒ Map  
☐ Other \_\_\_\_\_



## Gladstone, MO



1 in. = 167ft.



### Legend

- Stop Sign
- KCPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
- Point of Interest
- Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- Villages
- Apartment Polygon

### Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**BILL NO. 22-15**

**ORDINANCE NO. 4.592**

**AN ORDINANCE AMENDING SECTION 6.110.570 OF THE CODE OF ORDINANCES OF THE CITY OF GLADSTONE, MISSOURI LEVYING SEWER SERVICE CHARGES AND COMMODITY RATE CHARGES IN THE CITY.**

**WHEREAS**, pursuant to Section 250.233 RSMo., notice of a public hearing regarding proposed sewer rate changes in the City was provided by newspaper publication; and

**WHEREAS**, on May 9, 2022, a public hearing was held on the proposed sewer rate changes; and

**WHEREAS**, the City Council desires to adopt the proposed sewer rate changes as provided in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:**

**SECTION 1.** Section 6.110.570 of the Code of Ordinances of the City of Gladstone, Missouri is hereby deleted in its entirety and replaced with the following:

**Sec. 6.110.570 Sewer Service Charges and Commodity Charges.**

There is hereby levied a charge against every person occupying property having a sewer connection with the city sewer system or having sewers available for connection, or otherwise, discharging sewage, industrial waste, water or other liquid into the city's sewer system, such charge to be used to pay the cost of operating, maintaining, repairing, or enlarging the existing or future sewer systems. Such charge is to be the sum of a monthly service charge and a commodity rate charge to be computed and levied as follows:

- (a) **Domestic Users.** For residential water service accounts (one and two-family residences), a monthly service charge and a commodity rate charge each as established in subsection (c) of this section, except, that for the billing periods April through December, the commodity rate charge shall be based upon the lesser of actual water used or an average of water used during the winter period of December, January, and February, billed in January, February, and March, such charges shall be payable with each bill rendered throughout the year. Where residential water service accounts do not have an acceptable history of winter water use, the commodity rate charge for the period April through November shall be the commodity rate charge established in subsection (c) of this section, or eighty-five dollars and eighteen cents (\$85.18) per monthly billing, whichever is the lesser.
- (b) **Commercial and Industrial Users.** For commercial and industrial users (all persons and corporations other than the occupants of one and two-family residences), a monthly service charge and a commodity rate charge as established in subsection (c) of this section.

(c) Charges

- (1) A monthly service charge of \$16.18.
- (2) A commodity rate charge based on the total volume of water purchased by the customer during the billing period of \$11.50 per 1,000 gallons.

**SECTION 2. Effective Date.** The Sewer Service Charge and Commodity Rate Charges as set forth in this ordinance are effective June 1, 2022.

**SECTION 3. Severability.** The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

**PASSED, SIGNED AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 9TH DAY OF MAY, 2022.**

\_\_\_\_\_  
Bill Garnos, Mayor

Attest:

\_\_\_\_\_  
Kris Keller, City Clerk

First Reading: May 9, 2022

Second Reading: May 9, 2022



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 22-15

ORD # City Clerk Only

Date: 5/9/2022

Department: Finance

Meeting Date Requested: 5/9/2022

Public Hearing: Yes ☒ Date: 5/16/2022

Subject: Water and Sewer Rate Changes

Background: Each year, the budget team and Director of Public Works take the opportunity to discuss past and current performance, revenues, and expenditures for the Combined Waterworks and Sewerage System Fund (CWSS). Items that are taken into consideration to calculate the cost to provide water and sewer services are water usage, personnel, supplies, services, payments for debt, and capital needs. The City produces water from their wells, and Kansas City Water handles the sewer treatment.

Budget Discussion: Funds are budgeted in the amount of \$0 from the N/A Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$

Public/Board/Staff Input: After analysis of the needs of the CWSS fund, the budget team is recommending no change in the water administration fee or per 1,000 gallon fee (\$9.27 per month admin fee, and \$4.90 per 1,000 gallons). Staff received notification from KC Water that the charges for sewer treatment would increase effective May 1, 2022. To keep revenues and expenditures in-line for the fund, staff is recommending an increase to both the monthly administrative fee and per 1,000 gallon charge for sewer. The current monthly cost for sewer service is \$15.26 (monthly admin fee) and \$10.85 per 1,000 of usage. Staff is recommending a change in the monthly administrative fee of \$.92 to \$16.18 and a change in the per 1,000 gallon fee of \$.65 per 1,000 of usage to \$11.50 per 1,000 gallons (increases are in-line with changes from KC Water). For customers with average usage of 5,000 gallons of water and 4,000 gallons of sewage, the monthly payment would increase \$3.52 from \$92.43 per month to \$95.95.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Dominic Accurso  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager

## **RESOLUTION NO. R-22-18**

### **A RESOLUTION AMENDING THE EMPLOYEE HANDBOOK FOR THE CITY OF GLADSTONE, MISSOURI.**

**WHEREAS**, pursuant to Ordinance No. 3.859 and Gladstone City Code section 1.105.640 the City of Gladstone Employee Handbook may be amended from time to time by Resolution; and

**WHEREAS**, amendments to the Handbook have been proposed concerning the following policies: Application and Hiring, Communicable and Life-Threatening Illness, Reasonable Accommodations, Conflict of Interest, Conduct & Employment Outside Work, Whistleblower, Conflicting Employment Relationship, Harassment Free Workplace, Substance Abuse, Personnel Records, Smoking and Tobacco Use, Operation of Vehicles, Use of Equipment, Positive Performance Management, Code of Conduct, Vacation, Holiday, Sick Leave, Overtime and Victims of Domestic and Sexual Violence Leave ; and

**WHEREAS**, the proposed amendments are in the best interest of the employees of the City and in conformance with applicable law.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:**

**THAT** the amendments to the personnel policies attached hereto as Exhibit "A" are hereby adopted and incorporated into the Employee Handbook of the City of Gladstone, to be effective May 10, 2022.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 9TH DAY OF MAY, 2022.**

---

Bill Garnos, Mayor

ATTEST:

---

Kris Keller, City Clerk



## ***Request for Council Action***

RES ☒ # 22-18

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 5/2/2022

Department: General Administration

Meeting Date Requested: 1/10/2022

Public Hearing: Yes ☐ Date: Click here to enter a date.

Subject: Employee Handbook Updates

Background: To address regulatory compliance (such as updates to the Federal Motor Carrier Safety Administration Act, the Missouri Whistleblower's Protection Act, and Missouri's Victim Economic Safety and Security Act) and to clarify expectations that foster an open cooperative work environment. Employee Handbook policy changes are recommended from time to time. Exhibit A denotes recent recommended edits and updates. Generally, it is the intent of the Application and Hiring policy revisions to further outline our practices. The Communicable and Life-Threatening Illness and Reasonable Accommodations policy updates address circumstances that have been brought to our attention with the onset of the COVID-19 virus pandemic. The Conflict of Interest policy and Conduct & Employment Outside Work policy updates and the addition of the Whistleblower policies provide clarification regarding the acceptance of gifts and other conflicts while addressing updates to Missouri law. The Conflicting Employment Relationship policy revisions address the Public Safety separation into Police and Fire/EMS while clarifying prior areas of confusion. The revisions to the Harassment Free Workplace policy encourage employees to inform the offender if they receive behavior is unwelcome and ask that it be stopped. The Substance Abuse Policy updates address amendments to the Federal Motor Carrier Safety Administration and the required reporting and use of the Commercial Driver's License Drug and Alcohol Clearinghouse. Applicable revisions and/or updates have been shared with various employee groups for feedback including but not limited to the City of Gladstone Workplace Improvement Team, the Employee Safety & Wellness Committee, the FOP and IAFF.

Budget Discussion: N/A

Public/Board/Staff Input:

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Charlene Leslie  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager



**General Administration  
Human Resources CML 22-1014003**

DATE: May 1, 2022

TO: Scott Wingerson, City Manager  
Chris Williams, City Counselor

FROM: Charlene Leslie, HR Administrator

RE: Employee Handbook Policy Update

A handwritten signature in dark ink, appearing to read "Charlene Leslie", is written over the "FROM:" line of the memo.

Other the last two years, we have reviewed the policies, practices and procedures outlined in the Employee Handbook. The City values the talents and abilities of our employees and seeks to foster an open cooperative environment in which employees and the City alike can thrive. In line with these efforts, attached please find recommended policy changes (noted in red) to address regulatory compliance and clarify expectations related to recruitment and hiring practices, reasonable accommodations, communicable diseases, whistleblower protection, conflicting employment relationships, harassment-free work environments, substance abuse, general conduct, tobacco use, vehicle operation, personal communication devices, positive performance management, and time off policies. The applicable revisions and/or updates have been shared with various employee groups for feedback including but not limited to the City of Gladstone Workplace Improvement Team (COG-WIT), the Employee Safety & Wellness Committee, the FOP and IAFF.

Generally, it is the intent of the *Application and Hiring* policy revisions to clarify and outline our practices. The *Communicable and Life-Threatening Illness* and *Reasonable Accommodations* policy updates address circumstances that have been brought to our attention with the onset of the COVID-19 pandemic.

The *Conflict of Interest* policy, *Conduct & Employment Outside Work* updates and the addition of the *Whistleblower Protections* provide clarification regarding the acceptance of gifts and other conflicts while addressing updates to Missouri law. The *Conflicting Employment Relationship* policy revisions address the Public Safety Department separation into Police and Fire/EMS while clarifying prior areas of confusion.

The revisions to the *Harassment Free Workplace* policy encourage employees to communicate with a potentially harassing offender informing them to stop unwelcome and unwanted conduct.

The *Substance Abuse* Policy updates address amendments to the Federal Motor Carrier Safety Administration and the required reporting and use of the Commercial Driver's License Drug and Alcohol Clearinghouse. The revisions to the *Operation of Vehicles* also addresses compliance

with the revised Federal Motor Carrier Safety Administration requirements and reinforces the proper use of city fleet vehicles. The *Use of Equipment* updates address the proper use of personal communication devices.

The *Personnel Records* policy revisions specifically confirm compliance with Missouri Statutes.

The *Tobacco Use* policy update provides a correction to a prior Scribner's error.

The *Positive Performance Management* updates enhance and clarify the City's Code of Conduct and further address the processing of second and third level notices.

The *Vacation* and *Holiday* policy updates support the payout of vacation accruals due to unique organizational or operational needs and/or financial hardship circumstances. Additionally, the Holiday Policy revisions add Juneteenth as an observed holiday in lieu of the City Manager's annual discretionary holiday. The addition of this holiday supports the Council goal to promote diversity and inclusion. The Holiday policy also clarifies that employees hired after June 30, 2020 may accrue holiday hours up to a maximum of 192 hours. The *Sick Leave* policy provides an accrual cap of 960 hours for those hired after June 30, 2020 and clarifies the use of accumulated sick leave hours for bonding with a new child. The addition of the *Victims of Domestic and Sexual Violence Leave* policy provides leave and accommodations according to the provisions outlined in the Missouri's Victims Economic Safety and Security Act (VESSA) – generally providing victims of violence two weeks of protected leave per year. This leave, much like the Family and Medical Leave Act protected leave, may be taken intermittently or on a reduced work schedule.

These revisions are respectfully submitted for Council review and approval with the attached resolution and exhibit. Thank you.

## **EXHIBIT A**

### **GENERAL DESCRIPTION OF HANDBOOK**

This Employee Handbook contains information about the employment policies and practices of The City of Gladstone ("City"). We expect each employee to read this Handbook carefully as it is a valuable reference for understanding our organization. During your initial orientation, you will be given an opportunity to sit down and carefully review this Handbook. This Employee Handbook supersedes all previously issued Handbooks and inconsistent verbal or written policy statements. The City reserves the right to revise, delete, and add to the provisions or policies described in this Employee Handbook, except for the policy of at-will employment, which can only be changed by the City Manager in writing. All such revisions, deletions, or additions must be in writing and must be signed by the City Manager. No oral statements or representations can change the provisions of this Employee Handbook.

None of The City's personnel documents and benefit plans, including this Employee Handbook, constitutes or is intended to constitute, an express or implied contract guaranteeing continued employment for any employee. No supervisor has any authority to enter into a contract of employment--express or implied--that changes or alters the at-will employment relationship. Only the City Manager has the authority to enter into an employment agreement that alters the at-will employment relationship and any such agreement must be in writing.

Not all City of Gladstone policies and procedures are set forth in this Employee Handbook. We have summarized only some of the more important ones. If you have any questions or concerns about this Handbook or any other policy or procedure, please ask your supervisor, department director or the Human Resources Division.

With the exception of employment at-will, the terms and conditions of your employment may be modified at the sole discretion of the City with or without cause or notice. No implied contract concerning any employment-related decision or term or condition of employment can be established by any other statement, conduct, policy, or practice. Examples of the types of terms and conditions of employment that are within the sole discretion of the City include, but are not limited to, the following: promotion; demotion; transfers; hiring decisions; compensation; benefits; qualifications; discipline; layoff or recall; rules; hours and schedules; work assignments; job duties and responsibilities; production; subcontracting; reduction, cessation, or expansion of operations; relocation, merger, or consolidation of operations; determinations concerning the use of equipment, methods, or facilities; or any other terms and conditions that the City may determine to be necessary for the safe, efficient, and economic operation of its business.

### **APPLICATION**

Applications for vacant positions will only be accepted during the published open and closing dates and times. Where no specific opening is available, unsolicited applications or resumes will not be accepted and will be considered inquiries.

The City of Gladstone relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the City of Gladstone's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Any applicant, following a job offer, may be required to take and pass a physical examination, functional capacity assessment and drug and alcohol test prior to commencing employment. In addition,

emergency services personnel applicants may also be required to take a written, oral, polygraph, **Computerized Voice Stress Analysis (CVSA)** and/or psychological examination. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

## **EXTENDING OR CANCELING THE RECRUITMENT PROCESS**

If a sufficient number of qualified applicants have not made application for the vacant position, the Human Resources division, after consultation with the appropriate supervisor, may extend the closing date, re-advertise the position or postpone the screening process. The City reserves the right to cancel any screening process at any time.

## **HIRING**

Individuals will be selected for employment with the City who most closely meet all the requirements and needs of the City. After an individual is selected for the position and an offer of employment has been extended, he/she is required to satisfactorily complete the following steps:

### Post-Offer Records Check

Applicants receiving a conditional offer of employment are required to undergo a background investigation. An applicant who refuses to undergo a background investigation will be denied employment with the City. All records checks completed by an outside third party such as employment and credit histories are done in accordance with the Fair Credit Reporting Act (FCRA). In addition, emergency services personnel applicants utilize in-house reviews and database systems for criminal records checks and other such structures. The background/records checks conducted are based upon job related needs analysis.

### Post-Offer Drug test

Applicants for all positions of employment with the City receiving a conditional offer of employment are required to undergo a drug test as part of the hiring process. Before a drug test is administered, job applicants must sign a consent form authorizing the test and permitting release of test results to those City officials with a need to know. All minors must have a release signed by a parent or a guardian. A job applicant who refuses or is unable to submit to or who tampers with a drug or alcohol test will be denied employment with the City. Job applicants will be denied employment with the City if a negative test result is unable to be reported in accordance with the Substance Abuse policy.

### Post-Offer Physical Exam/Functional Capacity Assessment

Regular full-time candidates receiving a conditional offer of employment may take a physical exam based on the requirements of the job and/or functional capacity assessment, after which a determination will be made regarding whether the individual is able to perform the essential functions of the position with or without accommodation.

### Driving Record

For positions that require driving on a regular or intermittent basis as an essential function of the job responsibilities, an individual's driving record will be a factor in consideration for employment.

## **INVESTIGATIONS & REFERENCE VERIFICATIONS**

The City of Gladstone may occasionally find it necessary to investigate applicants or current employees, where behavior or other relevant circumstances raise questions concerning, for example, work performance, reliability, honesty, trustworthiness, or potential threat to the safety of coworkers or others. The City's investigations may, where appropriate, include credit reports and investigations of criminal

records, including appropriate inquiries about any arrest for which the employee is out on bail. Employees subject to an investigation are required to cooperate with the City's lawful efforts to obtain relevant information, and may be disciplined up to and including termination for failure to do so.

## **RESIDENCY REQUIREMENTS**

The City Manager, Assistant City Manager, City Clerk, City Counselor and Department Directors shall live within City Limits or shall establish residency within a reasonable time upon hire. A waiver of the residency requirement for Department directors may be granted for exceptional circumstances, but only by the City Manager.

Certain positions and certain classes of positions may be subject to certain residency or response time requirements. These will be determined by departmental policies.

All other employees do not have to be residents of the City of Gladstone except in any instance where residency is required to conform to city ordinance, state law, or meet job responsibilities. However, residency may be a factor in the selection process of new employees and transfer or promotion of current employees.

## **RE-EMPLOYMENT**

~~Former employees with a satisfactory service record may be considered for re-employment for any position. Former employees will be considered as applicants from outside the organization. An individual who is re-employed with the City is treated as a new employee for purposes of calculating leave accruals and any other seniority type privileges. Access and level of benefits are governed by the specific benefit plan.~~

## **EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER**

The City of Gladstone is committed to fostering a culture of diversity and inclusion. Our employees are one of our most valuable assets. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and the city's achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, gender identity or expression, sexual orientation, national origin, physical and mental ability, race, religion, and other characteristics that make our employees unique.

The City of Gladstone' diversity initiatives are applicable – but not limited – to our practices and preserving a work environment built on the premise of maintaining effective working relationships with coworkers, other city employees and the public that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for the diversity.

All Employees of the City of Gladstone have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other city-sponsored and participative events.

The City is an equal employment opportunity employer and strives to comply with all applicable laws prohibiting discrimination based on race, color, religion, sex, age, national origin, disability, genetics and any other basis protected by federal, state, or local laws. All such discrimination is unlawful and all

persons involved in the operations of the City are prohibited from engaging in this type of conduct. Please contact the Human Resources Division for further information about this program.

The City of Gladstone does not discriminate against any applicant or employee because of that individual's genetic information, and does not conduct any genetic testing on any applicant or employee under any circumstance. Nor does the City of Gladstone request, require, purchase or deliberately acquire any genetic information (including information from genetic tests, the genetic test of family members, family medical history, or information about any employee's, applicant's, or family member's request for or receipt of genetic services) except as specifically allowed. Tests for drug and alcohol are not considered "genetic testing" and may be required by the City of Gladstone in appropriate circumstances. The City may request certain medical information to comply with the Family and Medical Leave Act (FMLA) provisions. The extent the City of Gladstone receive information about an applicant's or employee's family medical history or other genetic information inadvertently (e.g. in the administration of a leave request or accommodation request), that information will not be used except as required for any legitimate purpose (e.g., to consider a leave request for a family member's medical condition), and will be treated and maintained as a confidential medical record and will not be disclosed except as allowed or required by applicable law. Nothing in this policy precludes DNA analysis of employees for law enforcement purposes.

You should report every instance of unlawful discrimination or harassment to your department director, Human Resources Administrator or the City Manager, regardless of whether you or someone else is the subject of the discrimination. Detailed reports--including names, descriptions, and actual events or statements made--will greatly enhance the City's ability to investigate. Any documents supporting the allegations should also be submitted. Based on your report, the City will conduct an investigation. The City prohibits any and all retaliation for submitting a report of unlawful discrimination and for cooperating in any investigation. Any supervisor or employee who retaliates against the accuser or those involved in the investigation will be disciplined, up to and including termination from employment.

If the investigation determines that prohibited discrimination or other conduct that violates the City's policy has occurred, the City will take disciplinary action, up to and including termination of employment, against those who engaged in the misconduct. The City will also evaluate whether other employment practices should be added or modified in order to deter and prevent similar conduct in the future.

~~In accordance with applicable federal and state law protecting qualified individuals with known disabilities, the City will attempt to reasonably accommodate those individuals, unless doing so would create an undue hardship on the City. Any qualified applicant or employee with a disability, who requires an accommodation in order to perform the essential functions of the job, should contact the Human Resources Division and request an accommodation.~~

## **REASONABLE ACCOMMODATION**

In accordance with applicable federal and state law, the City will provide reasonable accommodation for qualified persons with disabilities who are employees or applicants for employment, and who can perform the essential functions of the job with or without accommodation, unless undue hardship to the City would result.

If an employee becomes disabled and needs a reasonable accommodation, the employee shall notify his department director who will work with the employee and Human Resources to determine if a reasonable accommodation can be made. The employee should request and complete a *Request for Reasonable Accommodation* form, which is available via Human Resources.

## **COMMUNICABLE DISEASES**

The City of Gladstone's decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease,

and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis -B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS), including the SARS-CoV-2 (coronavirus) and tuberculosis. The City of Gladstone may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

The City of Gladstone will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. The City of Gladstone reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

The City of Gladstone will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence about persons who have communicable diseases.

## **LIFE-THREATENING ILLNESSES**

An employee with a life-threatening illness is expected to meet the same performance requirements applicable to other employees. If an employee becomes disabled and requires reasonable accommodation, they should contact their department director or the Human Resources Division for assistance. The employee should request and complete a *Request for Reasonable Accommodation* form, which is available via Human Resources.

## **IMMIGRATION COMPLIANCE**

The City of Gladstone will comply with applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. As a condition of employment, every individual must provide satisfactory evidence of his or her identity and legal authority to work in the United States.

If you have any questions or need more information on immigration law issues, please contact the Human Resources Division.

## **CONFLICT OF INTEREST**

No employee shall have a financial interest, direct or indirect, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies, equipment or services. Any employee violating this section shall forfeit his/her office or employment.

No employee shall engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties or that would tend to impair his/her independence of judgment or effectiveness in the performance of his/her official duties. The City Manager shall have the final determination of incompatibility or impairment.

No employee shall sell or barter anything to the City. No employee shall make any contract with the City or purchase anything from the City other than those things which the City offers generally to the public (i.e., utility services), and then only on the same terms as are offered to the public.

Any financial or other private interest in any proposed City legislation by an employee shall be promptly disclosed to the City Manager upon learning of the proposed legislation, regarding the nature and extent of such interest.

No employee shall appear on behalf of a private interest before any officer, department or agency of the City government and no employee shall represent private interests in any action or proceeding against the interest of the City, in any litigation to which the City is a party or in any action or proceeding in the Municipal Court in which the City or any agency or any officer or employee of the City, in the course of his/her duties, is a complainant.

#### INAPPROPRIATE GIFTS

A City employee is not permitted to accept or solicit any gift, favor, or thing of greater than nominal value from any person, company or representative of companies having or seeking business relationship with the City of Gladstone. This shall not include gifts that may be made during holiday, celebratory or recognition times from vendors, such as popcorn, fruit, candy, etc.

City employees may accept give-aways at conferences, professional association meetings, trade shows, etc. that they may be attending on City business. Occasionally drawings or similar contest are held at such events. Employees may enter such contests and may keep any item they may win.

#### **WHISTLEBLOWER PROTECTION**

The City of Gladstone strives to operate in an ethical, honest and lawful manner and expects its staff, administrators, and volunteers to conduct their activities in accordance with City policies and applicable law. A whistleblower is defined by this policy as an employee of the City of Gladstone, who reports an activity that she/he considers illegal or dishonest to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. Appropriate leadership officials are charged with these responsibilities. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered, and any other fraudulent financial reporting.

If an employee has knowledge of, or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her department director or the HR Administrator. The employee must exercise sound judgment and good faith to avoid baseless allegations. An employee who intentionally files a false report of wrong doing will be subject to disciplinary action up to and including termination. Should an employee wish to make a good faith anonymous report, it should be directed to the HR Administrator, Assistant City Manager or City Manager.

Whistleblower protections are provided in two important areas, confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. No employee who makes a good faith report shall be subject to retaliation, including harassment or any adverse employment as a result of making a report. Any employee who believes she/he are being retaliated against must contact the HR Administrator, Assistant City Manager or City Manager. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged or investigated. The City will take whatever action is necessary and appropriate to address a violation of this policy.

#### **HIRING RELATIVES- "CONFLICTING EMPLOYMENT RELATIONSHIPS"**

The employment of relatives or significant others can cause various problems including but not limited to charges of favoritism, conflicts of interest, employee morale or discord concerns and scheduling conflict that may work to the disadvantage of the City and employees. The following guidelines are intended to aid in the avoidance of such circumstances; ~~this within an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships. This policy pertains to all employees and elected officials of the City.~~

Generally, the City will not hire, on a regular full-time or regular part-time basis, another person with whom a present employee or elected official has a conflicting employment relationship. For purposes of

this policy, a conflicting employment relationship includes, but is not limited to, parents, brothers, sisters, sons and daughters- including in-laws and step relations in each case- husband, wife, aunts, uncles, nieces, nephews and cousins, grandparents and grandchildren. In addition, guardians and wards will constitute conflicting employment relationships.

- A. The employment of relatives of current employees in full-time or part-time positions is permitted only when the placement ensures that relatives (or those with conflicting employment relationships) are working in separate departments with the exception of police, fire/ems and support (emergency services) personnel. The employment of relatives in current emergency services positions in full and part-time position is permitted only when the placement ensures that relatives are working in non-emergency services positions.
- B. The employment of relatives (or those with conflicting employment relationships) of current employees in seasonal or variable part time positions within a department may be permitted as long as there is no supervisor/subordinate relationship, it does not create disruption or potential disruption in the work environment, does not create any actual or perceived conflict of interest or is not prohibited by any other law, regulation, or policy.

~~The City will not hire, on a regular full time or regular part time basis, another person with whom a present employee or elected official has a conflicting employment relationship. This restriction does not apply to family members who are both seasonal or part time employees, as long as there is no supervisor/subordinate relationship. This restriction does not apply to family members of regular full-time or regular part-time employees (except for members of the City Council) whose relative is hired as a regular full-time, seasonal or part-time employee in another department.~~

- C. Members of the family (as defined above) of the City Manager, Assistant City Manager, department directors, Municipal Judge, City Clerk, City Attorney, and/or HR Administrator are not eligible for employment, except for seasonal positions. Members of the family (as defined above) of the Police Chief and Fire/EMS Chief are not eligible for employment within any emergency services positions. Immediate family members may not simultaneously hold positions on City Council and/or Leadership Team. Members of the family of an appointee to a City Board or Commission are not eligible for employment if the Board or Commission has assigned duties or provides advisory oversight to the department in which the employment is sought.
- D. If two employees become married to each other, have a conflicting employment relationship or become otherwise related as immediate family members, they may continue to be employed by the City, provided that neither position is in the same department, has direct or indirect supervision over the other position, no special scheduling requirement exists, and the relationship does not create any job performance problems or negatives affect morale in the organization. If a conflicting employment relationship occurs after employment and the employees work in the same department or both hold emergency services positions, one of the affected employees must transfer to another open position (where they have the necessary qualifications to fill the vacancy) with the City or resign. Such transfer or resignation must be made within 30 days from the date the relationship is established. If one of the employees does not resign within this time frame, the employee with the lesser term of service will be terminated. The City is not obligated to create a new or open position to accommodate a transfer required under this section. In the case of an elected municipal official – the employee must resign prior to the elected official assuming office or upon marrying or otherwise establishing a relationship whereby they become members of each other's immediate family.
- E. Employees are expected to keep all aspects of personal relationships with any co-worker out of the workplace. Work-related problems which occur, in whole or in part, due to personal relationships between co-workers will be dealt with as any other performance issue. If a performance problem is not corrected, one or both of the employees, as determined by leadership to be in the best interest of the City, may be subject to discipline up to and including termination from employment.
- F. In order to maintain an atmosphere of impartiality, supervisors are strongly discouraged from developing personal intimate relationships with subordinates.

- G. This policy must be considered when hiring, promoting, or transferring an employee. If through a future act of promotion, demotion, transfer or other employment action one of the affected employees assumes a position with direct supervisory authority over another affected employee, one of the affected employees must resign. Such resignation must be made within 30 days from the effective date of the employment action. If one of the employees does not resign within this timeframe, the employee with the lesser term of service will be terminated.

This policy does not apply to employment relationships existing prior to the formal adoption of this policy, provided:

- the affected employees may at no time (through promotion, demotion, transfer or other) have direct supervisory authority one over the other.

A temporary assignment, approved by the City Manager or his/her designee, based on the operational needs of the City that creates a conflicting employment relationship is an exception to this policy. The City reserves the right to exercise the appropriate managerial judgment to take such actions as may be necessary to achieve the intent of this policy. Unusual circumstances will be address on a case-by-case basis.

## **HARASSMENT FREE WORKPLACE POLICY**

Commitment to Harassment-Free Workplace. The City is committed to maintaining a workplace that is free from any form of harassment because of race, color, religion, sex, age, national origin, disability, or any other characteristics protected by law.

Prohibition Against Retaliation. This policy also prohibits retaliation or adverse employment action against any employee who exercises his/her rights under this policy, who cooperates or participates in any City investigation, or who participates in any manner in any investigation or proceeding conducted or pursued by any governmental agency.

### **Supervisory And Employee Responsibilities**

All of our supervisors should ensure that employees are not subjected to harassment and should ensure that employees do not engage in harassment or retaliation. Each supervisor who observes or learns of any possible harassment in the workplace should immediately report it to his or her department director, City Manager or Human Resources Administrator.

The City also believes that cooperation from all employees is the best way to ensure that the work environment remains free of harassment and that any concerns about harassment are immediately addressed. Accordingly, each employee is responsible for conducting himself/herself in a manner that is consistent with this policy. Employees who believe they are being subjected to harassment are encouraged to take reasonable appropriate action to prevent and/or stop such harassment including but not limited to advising the harasser in a respectful manner that his/her conduct is unwelcome and offensive, and asking that he/she stop the behavior.

### **Definition Of Harassment**

Harassment may encompass a wide range of verbal, physical and visual behaviors in the workplace and may be sexual in nature. "Sexual harassment" means unwelcome, unsolicited, uninvited, offensive or undesirable conduct of a sexual or non-sexual nature directed at or affecting an employee on the basis of his/her gender. "Non-sexual harassment " means conduct that is offensive or shows hostility toward an employee because of his/her race, color, religion, age, national origin, disability or other characteristic protected by law.

Forms of harassment that would violate the policy include the following:

1. If the employee is promised or given some favorable employment action or benefit only if the employee will submit to or tolerate the harassing behavior in question.

2. If the employee is threatened with or suffers adverse employment action because he/she rejected or refused to tolerate the harassing behavior in question.
3. If the harassing behavior in question unreasonably interferes with the employee's work performance or creates an intimidating, hostile, abusive or offensive work environment.

It is not possible to define every action or all words that could be interpreted as harassment. Each situation depends on a number of factors (including severity/seriousness, frequency, nature, presence or absence of a tangible job consequence, etc.). Each situation will be reviewed on a case-by-case basis. In some cases, one incident will be sufficient to constitute harassment. In other cases, a pattern or series of incidents may be necessary. In addition, even if the behavior in question may not constitute harassment under this policy, it may still be inappropriate in the workplace.

### Examples

The examples listed below are not meant to be a complete list of behaviors that may be objectionable or that may constitute harassment. They are provided so that employees have a better understanding of the general range of behaviors that might constitute harassment:

Examples of "sexual-harassment" include but are not limited to:

- a) sexual advances, propositions or flirtations; request or pressure of any kind for sexual favors, activities or contact;
- b) sexually explicit, graphic, abusive, degrading, intimidating or offensive jokes, comments, remarks or gestures;
- c) physical contact or touching of a sexual nature, including physical or sexual assault;
- d) display, circulation or communication of any sexually suggestive, explicit, graphic, or offensive objects, pictures or materials of any kind; and
- e) other similar types of unwelcome sexually-related conduct.

Examples of "non-sexual harassment" include but are not limited to:

- a) epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, religious creed, color, national origin, ancestry, citizenship, age, physical disability, mental disability, medical condition, pregnancy, military status and any other characteristics protected by law;
- b) written or graphic materials that denigrate or shows hostility or aversion toward an individual or group because of race, religious creed, color, national origin, ancestry, citizenship, age, physical disability, mental disability, medical condition, pregnancy, military status and any other characteristics protected by law, and that is placed on walls, bulletins boards, E-mail, or elsewhere on City premises or is otherwise circulated in the workplace;
- c) other similar types of unwelcome non-sexual harassment.

### **Reporting and Investigating Violations**

The City encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's position or identity. Multiple avenues of registering complaints are provided so that the employee may contact one or more of the designated individuals. An employee is encouraged and empowered, but not required, to advise the offender that the offender's behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. However, the City recognizes that an individual may prefer to pursue the matter through the formal system as noted below:

What Situations Must Be Reported. Each employee should promptly report the following: (1) if he/she has been harassed by another employee or a non-employee; (2) if he/she has witnessed or observed first-hand the harassment of another employee; (3) if harassment has been reported to him/her by another employee; (4) if he/she has been retaliated against for reporting a violation of this policy or for cooperating or participating in any City or governmental investigation of harassment; and (5) if after reporting harassment, the harassment has continued.

When to Report. Any of the above situations are to be reported immediately. They should be reported as soon as they occur or immediately after an employee obtains knowledge that there has been a violation of this policy.

Where to Report. Any of the above situations may be reported to any of the following individuals: (1) your department director; (2) Human Resources Administrator; or (3) City Manager.

Investigation. Upon receipt of a report or complaint, the City will undertake an objective and thorough investigation.

Determination. Upon conclusion of the investigation, the City will determine if the behavior in question constitutes unlawful harassment or other form of inappropriate behavior (see below). Appropriate action will be taken as warranted under the circumstances.

Confidentiality. Confidentiality will be maintained by the City to the extent possible under the circumstances.

Communication of Outcome. To the extent that it would be appropriate to do so, the City will inform the reporting or complaining employee and others who have a legitimate need to know of the general outcome of the investigation.

Consequences for Violating this Policy. If the City believes that it is more likely than not that a violation has occurred, then the City will take appropriate action. Such action may include disciplinary action, up to and including termination.

Other Inappropriate Behavior. Behavior that is not unlawful harassment under the law or under any of our policies might still be inappropriate behavior for the workplace. Even if the City determines that an individual's behavior does not rise to the level of unlawful harassment, the City may still impose appropriate disciplinary action, up to and including termination. As a general rule, disciplinary action will be imposed if the City believes the behavior was otherwise inappropriate, unprofessional, unbecoming, objectionable, inconsistent with the spirit of the City's harassment-free workplace philosophy or policy, or not in the best interest of the City,

## **POLICIES AGAINST WORKPLACE VIOLENCE**

The City of Gladstone recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response by employers. The costs of workplace violence are great, both in human and financial terms. We believe that the safety and security of City Employees are paramount. Therefore, the City has adopted this policy regarding workplace violence.

We do not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities.

Violations of this policy, by any individual, will lead to disciplinary and/or legal action as appropriate.

This policy is intended to bring the City of Gladstone into compliance with existing legal provisions requiring employers to provide a safe workplace; it is not intended to create any obligations beyond those required by existing law.

### Definitions

Workplace violence is any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created for one or several City employees. Workplace violence may involve any threats or acts of violence occurring within course or scope of employment, regardless of the relationship between the City and the parties involved in the incident. It also includes threats or acts of violence that affect the business interests of the City or that may lead to an incident of violence on City premises. Threats or acts of violence occurring off City premises that involve employees, agents, or individuals acting as a representative of the City, whether as victims of or active participants in the conduct, may also constitute workplace violence. Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

- a. Threats or acts of physical or aggressive contact directed toward another individual;
- b. Threats or acts of physical harm directed toward an individual or his/her family, friends, associates, or property;
- c. The intentional destruction or threat of destruction of City property or another employee's property;
- d. Harassing or threatening phone calls;
- e. Surveillance;
- f. Stalking;
- g. Veiled threats of physical harm or similar intimidation;
- h. Unauthorized possession or use of firearms, weapons or explosives while on city property or city business; or
- i. Any conduct resulting in the conviction under any criminal code provision relating to violence or threats of violence that adversely affects the City's legitimate business interests. Workplace violence does not refer to occasional comments of a socially acceptable nature. These comments may include references to legitimate sporting activities, popular entertainment, or current events. Rather, workplace violence refers to behavior that is personally and physically offensive, threatening, or intimidating.

Individual Situations: While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor or the Human Resources Division if any employee exhibits behavior, which could be a sign of potentially dangerous situations. Such behavior may include:

- Discussing weapons or bringing them to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance;
- Displaying irrational or inappropriate behavior.

## Enforcement

Any person who engages in a validated threat or violent action on City property shall be removed from the premises as quickly as safety permits and may be required, at the City's discretion, to remain off City premises pending the outcome of an investigation of the incident. Violation of Federal, State, or Municipal Law may result in arrest.

When threats are made or acts of violence are committed by employee(s), a judgment will be made by the City management as to what actions are appropriate, including possible medical evaluation or mandatory referral to Employee Assistance Program Services and/or possible disciplinary action.

Once a threat or act has been substantiated, the City of Gladstone will put the offender on notice that he/she will be held accountable for his/her actions and then implement a decisive and appropriate response, which may lead to disciplinary actions.

Under this policy, decisions may be needed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. No existing policy or procedure of the City should be interpreted in a manner that prevents the making of these necessary decisions.

Employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts.

## **POLICY REGARDING VIOLENT CRIME**

### Statement of Policy

The City of Gladstone recognizes the unfortunate reality that violent crimes do occur in the workplace. The potential commission of a violent crime in the workplace may threaten the safety of employees as well as citizens or customers. Therefore, it is the City's policy to provide guidelines to employees about the signs of developing violence and steps to take to prevent or address violence.

### **Guidelines for Protecting Employee and Customer Safety**

Prevention is the threshold measure to protect employee and customer safety. Accordingly, you should make a conscious effort to observe your surroundings and report any suspicious persons or activities to the Public Safety Communications Office (ext. 3547 or 911).

In the unfortunate event of a holdup or robbery, you (except for commissioned law enforcement officers) should obey all orders issued by the perpetrator. Failure to follow the perpetrator's orders jeopardizes your safety as well as the safety of customers and other employees. Therefore, remember to stay calm, move slowly, and cooperate with the perpetrator. Do not argue, fight, display a weapon, or offer any other form of resistance. To the extent possible, employees should attempt to concentrate on the perpetrator's physical features, dress, voice, automobile, et cetera in hope of later identification.

Once the incident is over, you should remain where you are--do not attempt to follow or catch the perpetrator. Once you are certain that the perpetrator has left the immediate area, quickly secure the area and call the Public Safety Communications Office (ext. 3547 or 911). While waiting for the law enforcement personnel to arrive, avoid touching anything or disturbing the area. If possible, write down everything you can remember about the incident and the perpetrator. Employees are expected to cooperate fully with the enforcement authorities after the occurrence of an incident.

## **SUBSTANCE ABUSE POLICY**

### **1. Policy Statement**

The City of Gladstone, Missouri is dedicated to providing safe and efficient service to its citizens and a healthy workplace for its employees. The City believes that use of controlled substances and misuse of alcohol by City employees is detrimental to the achievement of these goals.

In order to meet the goals of providing safe and efficient service and a safe and healthy workplace, the City is implementing this policy to prevent alcohol and controlled substance abuse by its employees. This City will not tolerate unauthorized use, abuse, possession or sale of controlled substances or misuse of alcohol by any of its employees, including part-time and seasonal employees. Drug and alcohol testing will be an integral part of the City's program.

## **2. Purpose**

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risks posed by the use of alcohol and prohibited drugs. This policy is also intended to comply with all applicable federal regulations governing workplace anti-drug programs.

Pursuant to the Omnibus Transportation Act of 1991, the United States Department of Transportation (DOT) has enacted regulations that mandate urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The DOT has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the DOT previously enacted 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses. This policy incorporates those requirements of safety-sensitive employees and others when so noted.

The Federal Motor Carrier Safety Administration's (FMCSA) amended its regulations to establish a database that will contain information about violations of DOT/FMCSA drug and alcohol testing programs for Commercial Driver's License (CDL) holders including test results and test refusals. This database is called the CDL Drug and Alcohol Clearinghouse. The purpose behind forming the clearinghouse and establishing regulations regarding the Clearinghouse is to improve roadway safety by identifying and making readily available information regarding CDL drivers who have committed drug and/or alcohol violations that would render them ineligible to operate a commercial motor vehicle.

## **3. City of Gladstone Safety-Sensitive Employees**

Employees who perform safety-sensitive functions will be subject to random testing. The following is a list of City of Gladstone safety-sensitive positions:

- Any employee required to obtain a Commercial Driver's License (CDL)
- Commissioned Police Officers
- Firefighters/EMS Members
- Communication Officers
- Water Treatment Plant Operators
- Employees who are authorized and required to operate city vehicles, equipment or machinery.
- Swimming Pool/Life Safety employees

## **4. Application**

This policy applies to all safety-sensitive and non-safety-sensitive employees, paid part-time employees and seasonal employees when they are on City property in an official capacity or when performing any City related business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Meetings and functions, which are primarily social in nature, are not defined as performance in an official capacity for the purpose of this policy. Visitors, vendors, and contractor employees are

governed by this policy while on City premises and will not be permitted to conduct City business if found to be in violation of this policy.

## **5. Employee Drug/Alcohol Education (All Employees)**

Each employee shall be given a copy of the City's policy and such other educational matters as may be deemed appropriate from time to time. All new employees shall receive this information upon hiring. Employees receiving this information shall sign a statement certifying they have received this information and this receipt shall be retained by the Human Resources Division.

Employee Drug and Alcohol Educational materials shall have at least the following content:

The identity of the person(s) designated to answer employee questions about the City's policy and testing programs.

Information explaining the effects of alcohol and drugs on health, work and personal life, the symptoms of alcohol or drug problems and available methods of intervention including confrontation, referral to the employee assistance program (EAP) and discipline.

Information explaining when CDL drivers are subject to Federal Drug and Alcohol testing rules, if applicable.

Explanations of Employee conduct which is prohibited by this policy and the circumstances under which an Employee will be tested.

The drug and alcohol test procedures.

An explanation of when testing is required by State and/or Federal rules.

An explanation of what constitutes a refusal to test.

An explanation of the consequences of violations of this policy.

An explanation of the consequences of having an alcohol concentration greater than 0.02% but less than 0.04%.

An explanation of the City of Gladstone's requirement to report certain actions, violations, test results and knowledge to the Commercial Driver's License Drug and Alcohol Clearinghouse.

Supervisors shall receive, in addition to the general Employee information, training in alcohol misuse and training in drug use. The training shall cover physical, behavioral, speech, and performance indicators of drug use and alcohol use and may also cover the physiological and psychological aspects of addiction, how to detect and document early deterioration of job performance, the issues of drug testing and prevention and educational strategies, including how to implement them.

## **6. Prohibited Substances**

Prohibited substances addressed by this policy include the following:

Illegally Used Controlled Substances or Drugs: Federal regulations as outlined by the Department of Transportation identify illegal drugs and substances. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the United States Drug Enforcement Administration or the United States Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medication is not prohibited. However, the use of any substance which carries a warning label that indicates the mental functioning, motor skills, or judgment may be adversely affected should be reported to supervisory personnel and medical advice should be sought, as appropriate, before performing work-related duties.

A legally prescribed drug means that an individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City business is prohibited.

Alcohol: The use of beverages containing alcohol or substances including any medication such that alcohol is present in the body while performing City business is prohibited. The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath-testing device.

## **7. Prohibited Conduct**

Manufacture, Trafficking, Possession, and Use: Any employee engaging in manufacture, distribution, dispensing, possession, or use of prohibited substances on City premises, in City vehicles, in uniform, or while on City business will be subject to disciplinary action up to and including termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

Intoxication/Under the Influence: Any employee who is reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance, or not fit for duty shall be suspended from job duties pending an investigation and verification of condition. Any employee found to be under the influence of prohibited substances or who fail to pass a drug or alcohol test shall be removed from duty and subject to disciplinary action, up to and/or including termination. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in federal regulations administered by the Department of Transportation.

Alcohol Use: No employee should report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol or when his/her blood alcohol concentration is 0.04 or greater. No employee shall use alcohol while on duty. No employee shall have used alcohol within four hours of reporting for duty. No employee shall use alcohol during the hours that they are on compensated stand-by. Violation of these provisions is prohibited and punishable by disciplinary action up to and including termination.

## **8. Employee Responsibilities**

An employee must:

- a) Not report to work or be subject to duty while his/her ability to perform job duties is impaired due to alcohol or drug use, on or off duty;
- b) Not possess or use, or have the odor of alcohol or drugs on his/her breath during work hours, on breaks, during meal periods, while on City property in an official capacity, or while operating any City vehicle, or while on compensated stand-by time;
- c) Not directly or through a third party sell or provide drugs or alcohol to any person or to any other employee while either employee or both employees are on duty or on compensated stand-by;
- d) Consent to and submit immediately to reasonable requests for alcohol and/or drug analysis when requested by a supervisor, department director, and/or the City Manager or their designee;
- e) Notify his/her supervisor, before beginning work, when taking any medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of job duties or operation of City equipment; and

- f) Provide within twenty-four (24) hours of request a current valid prescription for any drug or medication identified when a drug screen/analysis is positive. The prescription must be in the employee's name.

## **9. Supervisor Responsibilities and Guidelines**

The City is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action up to and including termination.

Supervisors may request that an employee submit to a drug and/or alcohol analysis when a supervisor has a reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol. Reasonable suspicion is a belief based on objective and articulate facts sufficient to lead a reasonably prudent supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform his/her job safely is reduced. For example, any of the following, alone or in combination, may constitute reasonable suspicion:

- Slurred Speech
- Alcohol on breath
- Inability to walk a straight line
- An accident involving City property
- Physical altercation
- Verbal altercation
- Behavior which is so unusual that it warrants summoning a supervisor or anyone else with authority
- Use or possession of alcohol or drugs
- Information on use or possession of alcohol or drugs provided either by a reliable and credible source or independently corroborated
- Arrest or conviction for a substance abuse offense or being the subject of a criminal investigation into illegal drug possession, use, or trafficking
- Evidence that the employee has previously tampered with a previous drug test

This list is not intended to be all inclusive of conduct, which constitutes reasonable suspicion.

Drug/alcohol tests are required for employees whenever there is a pattern of on-duty accidents/incidents or an accident/incident resulting in severe property damage or bodily injury.

Any supervisor who has a reasonable suspicion that an employee is impaired on the job by alcohol or other substance will, with the approval of the Department Director and the City Manager or his/her designee, immediately arrange for a substance screening. If a screening is required after normal business hours, the supervisor will make direct contact with the facility that has been designated to perform screenings for the City. The following procedures shall be followed:

- a) The supervisor should document in writing the facts constituting reasonable suspicion that the employee in question is impaired on the job by alcohol or other substances.
- b) Any supervisor requesting an employee to submit to a drug and/or alcohol analysis shall be responsible for the employee's transport to the City's designated facility where a drug and/or alcohol analysis will be performed.
- c) Any supervisor encountering an employee who refuses to submit to a drug and/or alcohol analysis upon request shall remind the employee of the requirements and consequences of this policy. Such continued refusal will constitute grounds for termination.
- d) Supervisors shall not physically search employees.
- e) Supervisors shall notify the Public Safety Department when they have reasonable suspicion to believe that an employee may have illegal drugs in his/her possession or in an area not jointly or fully controlled by the City.
- f) Supervisors shall not confiscate, without consent, prescription drugs or medication from an employee.

Supervisors must produce employees for post-accident drug and alcohol testing within two hours of the accident or explain in writing why the employee was not produced. The employee may be given necessary medical treatment and if such treatment prevents normal drug or alcohol testing, the supervisor shall immediately inform the Human Resources Division.

Whenever drug or alcohol tests are required under this policy, supervisors must produce the employee for those tests, and when current impairment is reasonably suspected, the supervisor shall not allow the employee to drive.

Observations supporting a supervisor's reasonable suspicion of drug or alcohol use must be made just before, during or after the employee performs his/her job. These observations must be reduced to writing within 24 hours of the observation.

Whenever drug or alcohol tests are required by this policy and the employee is not tested within eight (8) hours of notice of the need to test, the supervisor shall explain in writing why the test or tests were not performed.

Supervisors are responsible for maintaining the confidentiality of all substance abuse issues.

## **10. Results of Drug and/or Alcohol Analysis**

Upon a negative result, the employee shall return to work.

If the test result is positive, the employee will then be given the opportunity, at the employee's expense, to have a second screen using a different technique given on the same sample. If the second screen shows a negative result, it will be assumed that the individual is not under the influence of or impaired by alcohol or drugs, and the employee shall return to work. If negative, the City will reimburse the employee for the expense of the second screen.

If all tests indicate a positive result, the following shall apply:

- An employee may be ordered to seek assistance through the Employee Assistance Program. Written notice of referral to the Employee Assistance Program shall be given to the employee. As a condition of continued employment the employee must follow and provide evidence of participation in the rehabilitation program recommended by the Employee Assistance Program. Rehabilitation may consist of, but is not limited to, in-depth

counseling and/or hospitalization all of which is at the employee's expense, and

- Formal disciplinary proceedings may be instituted against an employee up to and including termination.

**Reporting Results:** Under the amended FMCSA regulations, all Medical Review Officers, Substance Abuse Professionals and other service agencies are required to report violations of the DOT drug and alcohol testing regulations by applicants and employees to the CDL Drug and Alcohol Clearinghouse. Additionally, the City of Gladstone is required to conduct a query of the Clearinghouse pursuant to consent from an applicant, as part of the pre-employment driver investigation process, as well as a query for each current CDL driver employee on an annual basis. Essentially, the City must conduct a search of the Clearinghouse to see if the applicant or employee has tested positive for drugs or alcohol in violation of DOT drug and alcohol rules, and if so, if they have completed the required evaluation and treatment before being eligible to operate a commercial motor vehicle.

## **11. Testing for Prohibited Substances**

Analytical urine drug testing and breath testing for alcohol may be conducted when circumstance warrant or as required by federal regulations. All employees shall be subject to testing prior to employment, for reasonable suspicion, and following an accident. In addition, all employees will be tested prior to and after return-to-duty after failing a drug test and/or after completion of rehabilitation treatment. Those employees who perform safety-sensitive functions as defined in this policy shall also be subject to testing on a random, unannounced basis.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities, which have been approved by the U.S. Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in federal regulations administered by the Department of Transportation.

The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. An initial drug screen will be conducted on each specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts present are above the minimum thresholds established in federal regulations administered by the Department of Transportation.

Tests for alcohol concentration will be conducted utilizing a National Highway Safety Administration (NHTSA)-approved evidential breath-testing device (EBT) operated by a trained breath alcohol technician (BAT). If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. An employee who has a confirmed alcohol concentration greater than 0.02 but less than 0.04 will result in removal from his/her position for twenty-four (24) hours unless a re-test results in a concentration measure of less than 0.02. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy.

Any employee that has a confirmed positive drug or alcohol test will be removed from his/her position, informed of educational and rehabilitation programs available, and evaluated by a Substance Abuse Professional (SAP). A positive drug and/or alcohol test will also result in disciplinary action up to and including termination.

The City of Gladstone will report to the Clearinghouse, as required by law:

- A verified positive, adulterated or substituted drug test result
- An alcohol confirmation test with a concentration of 0.04 or higher
- A refusal to submit to a drug or alcohol test
- As defined at 49 CFR 382.107, the City's knowledge regarding:
  - On duty alcohol use pursuant to 49 CFR 382.205
  - Pre-duty alcohol use pursuant to 49 CFR 382.207
  - Alcohol use following an accident pursuant to 49 CFR 382.209
  - Controlled substance (including Cannabis) use pursuant to 49 CFR 382.213
- A Substance Abuse Professional's report of the successful completion of the return-to-duty process

- A negative return-to-duty test
- The report of completion of follow-up testing.

The City of Gladstone affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process.

**Pre-Employment Testing:** All applicants, including part-time and seasonal, shall undergo urine drug testing and breath alcohol testing prior to employment. Receipt by the City of satisfactory test results is required prior to employment and failure of a drug or alcohol test will disqualify an applicant for employment for a period of 120 days. Evidence of the absence of drug and alcohol dependency from a Substance Abuse Professional (SAP) and negative drug and alcohol tests will be required prior to further consideration for employment.

**Reasonable Suspicion Testing:**

All employees may be subject to a fitness for duty evaluation, to include appropriate urine and/or breath testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances, which are consistent with the long or short-term effects of substance abuse. Examples of reasonable suspicion include, but are not limited to the following:

- Adequate documentation of unsatisfactory work performance or on-the-job behavior.
- Physical signs and symptoms consistent with prohibited substance use.
- Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances.
- Occurrence of a serious or potentially serious accident that may have been caused by human error.
- Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operating procedures.

Reasonable suspicion determinations will be made by a supervisor who is trained to detect the signs and symptoms of drug and alcohol use and who repeatedly concludes that an employee may be adversely affected or impaired in his/her work performance due to prohibited substance abuse or misuse.

**Post-Accident Testing:**

Employees will be required to undergo urine and breath testing if they are involved in an accident with a City vehicle that results in a fatality. This includes all employees that are on-duty in the vehicles and any other whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if an accident results in injuries requiring transportation to a medical treatment facility; and/or one or more vehicles incurs substantial damage, and/or the employee receives a citation under state or local law for a moving traffic violation arising from the accident.

Following an accident, the employee will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. Any employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he/she undergoes a post-accident alcohol test. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. Employees tested under this provision will include not only the operations personnel, but also any other covered employees whose performance could have contributed to the accident.

**Random Testing:**

Employees in safety-sensitive positions will be subjected to random, unannounced testing. Employees will be randomly selected for testing from a pool of employees subject to testing. Each employee will have an equal chance of being tested more than once. The testing dates and times will be unannounced and will be conducted throughout the year.

Each year, the number of random tests conducted by the City must equal at least 50% of all the safety-sensitive employees or other percentage as required by the federal regulations.

**Return-to-Duty Testing:**

All employees who previously tested positive on a drug or alcohol test must test negative and be evaluated and released to duty by the Substance Abuse Professional before returning to work. Employees will be required to undergo frequent unannounced random urine and breath testing during the period of their re-entry statement of conditions. The Department of Transportation requires at least six (6) tests within the first twelve (12) months and the return-to-duty testing can be as long as sixty months.

**Employee Requested Testing:**

Any employee who questions the results of a required drug test under this policy may request an additional test be conducted. This must be inducted at a different testing DHHS-certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are paid by the employee unless the second test invalidates the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in federal regulations administered by the Department of Transportation. The employee's request for a re-test must be made to the Medical Review Officer (MRO) within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee and the split sample remains available.

**12. Medical Review Officer**

The City will employ a Medical Review Officer (MRO) to review the drug test results. The MRO shall be licensed physician with knowledge of drug abuse disorders.

Return to Work; Drug Test: In order to recommend return to work after a positive drug test, the MRO shall ensure the employee has subsequently tested drug free, the employee has been evaluated by a Substance Abuse Professional, and the employee is in compliance with rehabilitation conditions.

- The MRO shall determine whether and when a return to duty recommendation shall be made for an employee who has failed a drug test or refused to be tested and shall determine the schedule for return to work drug testing.
- Only the MRO may review and interpret each positive drug test and after meeting with the employee, report the results to the City.

**13. Substance Abuse Professional**

The City will also employ a Substance Abuse Professional (SAP). The SAP shall be a licensed physician (M.D. or D.O.) or a licensed psychologist, social worker, employee assistance professional or an addiction counselor (certified by MHADACCC) with knowledge of and clinical experience in the diagnosis and treatment of alcohol-related disorders.

Return to Work; Alcohol Test: In order to recommend return to work after an alcohol test, which indicates a blood alcohol content greater than 0.04%, the SAP must first evaluate the employee to determine whether the employee has an alcohol problem.

If it is determined by the SAP that an employee has an alcohol problem, which requires assistance, the employee shall be subject to counseling, treatment and follow-up alcohol testing as directed by the SAP. Follow-up testing shall only occur just before, during or just after the employee performs City business.

**14. Actions Taken in Response to Test Results/Refusal to be Tested**

Refusal/What Constitutes Refusal: An employee who refuses to be tested will be treated as having had a positive test. Failure to report to a collection site on a timely basis, sign any required consent form or otherwise fail to fully cooperate with the testing procedure shall be treated as a refusal to be tested.

Employees refusing to be tested shall be subject to immediate disciplinary action up to and including termination.

**Positive Drug Test.** An employee whose drug test result is reported to the City as positive shall be immediately referred to the Substance Abuse Professional for evaluation and may be subject to disciplinary action up to and including termination.

**Positive Alcohol Test.** An employee whose breath test results in a reading of 0.02-0.039% blood alcohol content shall be removed from duty and not returned to work for at least twenty-four (24) hours, and all hours not worked shall be recorded as uncompensated time. An employee who has a continuing pattern of breath test results between 0.02-0.039% blood alcohol content shall be referred to the Substance Abuse Professional for evaluation and may be subject to disciplinary action up to and including termination.

An employee whose breath test results in a reading of 0.04% blood alcohol content or greater shall be removed from duty and not returned to work for at least twenty-four (24) hours, and all hours not worked shall be recorded as uncompensated time. Additionally, the employee shall be referred to a SAP for evaluation and may be subject to disciplinary action up to and including termination.

**Subsequent Positive Test(s).** An employee whose drug test result is reported to the City as positive or whose breath test result is 0.04% blood alcohol content or greater and who has previously had positive drug tests or previous breath tests with a result greater than 0.04% blood alcohol content or who has previously been referred to a rehabilitation program under the provisions of this policy shall be subject to disciplinary action up to and including termination.

**Rehabilitation.** Failure to immediately begin an approved rehabilitation program, successfully complete the program and/or participate in required or recommended after-care may result in disciplinary action up to and including termination. Rehabilitation may consist of, but is not limited to, in-depth counseling and hospitalization and will be paid directly by the employee or their insurance provider. Employees will be allowed to take accumulated sick leave, vacation leave, and compensatory time to participate in the prescribed rehabilitation program.

**City's Right to Discipline.** The above notwithstanding, the City has the right to take immediate disciplinary action for a violation of this policy, including termination, based on the severity of the violation.

**Federal Highway Administration Consequences.** Besides the penalties set out by the City for violations of this policy, the following consequences for those with a CDL are required by FHA rules:

- a) No employee shall drive if they have used a listed drug (marijuana, cocaine, amphetamines, opioids, PCP), and no employee may drive within four hours of using alcohol or at any time when an alcohol test indicates an alcohol concentration of 0.04% or greater.
- b) A driver violating these rules may not return to work until evaluated and released by a SAP, and subsequently tested for alcohol and drugs with negative results.
- c) An employee tested with an alcohol concentration greater than 0.02% and less than 0.04% may not drive or perform other safety sensitive functions for twenty-four (24) hours after the test.
- d) Federal Civil penalties for breach of the federal rules range between \$1,000 to \$10,000 for each offense. Federal criminal penalties for violations of the Federal rules range between \$1 and \$25,000 for each offense or up to 1-year imprisonment for each offense.

## **15. Re-Entry Statement of Conditions**

Employees who re-enter the workforce must comply with a re-entry statement of conditions. The statement may include (but is not limited to):

- a) A release to work statement from an approved Substance Abuse Professional.
- b) A negative test for drugs and/or alcohol.
- c) An agreement to unannounced frequent follow-up testing.
- d) A statement of expected work-related behaviors.
- e) An agreement to follow specified after care requirements with the understanding that violation of the re-entry agreement is grounds for termination.

## **16. Policy Contact**

Any questions regarding this policy or any other aspect of the drug-free and alcohol-free program should contact the Human Resources Division.

## **SECURITY**

You should be alert at all times and should report the presence of any suspicious persons to your supervisor/manager or the Department Director immediately. You should also maintain in a secure location your keys and ~~(for Public Safety Employees)~~ identification badge(s). Do not lend these items to anyone who is not authorized to possess them. Similarly, computer passwords, electronic door codes, and any other security access information should not be disclosed to anyone who is not authorized to have that information.

## **CONFIDENTIALITY**

No employee shall disclose confidential information concerning the property, government or affairs of the City, nor shall he/she use such information to advance the financial or other private interest of himself/herself or others.

Confidential information about the City of Gladstone, its employees, customers, and citizens is to be kept confidential and divulged only to individuals within the City with both a need to receive and authorization to receive the information. If in doubt as to whether information should be divulged, err in favor of not divulging information and discuss the situation with your supervisor.

The City protects the privacy and confidentiality of protected health information (PHI) whenever it is used by city employees. The private and confidential use of such information will be the responsibility of all individuals with job duties requiring access to PHI in the course and scope of their job duties. See department policies and guidelines for details. Employees may be required to enter into written confidentiality agreements confirming their understanding of the City's confidentiality policies.

All records and files maintained by the City remain the property of the City. Confidential records and files are not to be disclosed to any outside party without express authorization. Confidential information includes, but is in no way limited to: protected health information and personnel records regarding current and former employees. Confidential information may not be removed from City premises without express authorization.

## **CONDUCT & EMPLOYMENT OUTSIDE WORK**

Prior approval must be obtained from an employee's respective department director for employment outside of city work. It is important to ensure that there is no conflict of interest. Reassurance should be confirmed that the employee's working hours, and the employee's efficiency in his/her City job is not

reduced. Each Department director may be asked to provide a list to the Human Resources Division of employees working outside and where employed.

The City of Gladstone prohibits the off-duty use of the City's work uniform or logo, except in the case of Police Officers as specifically approved.

## **EMPLOYEE DRESS & PERSONAL APPEARANCE**

The City requires all employees to present a professional image to the public, which promotes a productive work environment and complies with health and safety guidelines. You are expected to report to work well groomed, clean, and dressed according to the requirements of your position. Some employees may be required to wear uniforms or safety equipment/clothing. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well-groomed and wearing proper attire.

Please contact your supervisor for specific information regarding acceptable attire and personal appearance for your position. The City of Gladstone recognizes the importance of individually held religious beliefs to persons within its workforce. The City of Gladstone will make reasonable accommodations in accordance with applicable law and unless the accommodation creates an undue hardship. Accommodations of religious beliefs in terms of attire may be difficult in light of safety issues for staff members. Those requesting a workplace attire or personal appearance accommodation based on religious beliefs and/or other protections should contact the Human Resources Division.

All employees who are required to wear uniforms during their normal working hours are not to wear the uniforms into places of business such as taverns or other like establishments after work hours. While wearing City uniforms, employees represent the City; therefore, behavior should be above reproach at all times.

Per IRS Guidelines, City provided clothing or uniforms are excludable from taxable wages of the employee if they are:

1. Specifically required as a condition of employment; and are
2. Not worn or adaptable for general use as ordinary clothing.

If a uniform or clothing allowance qualifies to be excludable from taxable wages, then the cleaning costs are also excludable from taxable wages. Uniforms or clothing, provided by the City or provided through an allowance to the employee are includable in taxable wages if they do not qualify for the above exclusions. Allowances that includable in the taxable wages of an employee will be reimbursed/paid through payroll as miscellaneous pay.

### **General personal appearance guidelines for employees are as follows:**

Shirts and other attire provided by the City are not to be altered, except to achieve appropriate fit. At no time will employees wear clothing or groom themselves in such a way that they appear dirty, ragged or frayed. Sexually provocative or distracting clothing such as tight fitting, revealing or sheer attire is prohibited. Employees are not permitted to wear clothing that is imprinted with illustrations or messages that are insulting or demeaning to co-workers, citizens or the general public. Clothing (including hats- normally worn with bills forward) with political slogans or advertisements for products are prohibited.

#### For Office Personnel:

Unacceptable clothing includes, but is not limited to denim jeans ~~(including denim jeans jackets, skirts, and shirts)~~, shorts, sweat pants, and T- shirts or sweat shirts with offensive slogans or pictures, cutoffs, beach attire, halter and/or spaghetti strap tops, and loose footwear such as flip-flops or thongs. Note: Denim may be deemed acceptable if specifically approved by the City Manager – see "Special Attire Days."

Exposed tattoos, nose rings, rings or jewelry in tongues, or any other form of exposed flesh piercing or body "art" (except moderate earrings) is prohibited. Excessively bright-colored or eccentric hairstyles are not acceptable for employees working in public areas or whose job duties require them to meet or be visible to citizens and visitors in the workplace.

Business or operational reasons might require employees to wear formal business attire regularly or from time to time. Employees should consider the level of public contact and the types of meetings they are scheduled to attend in determining appropriate attire. Please contact your supervisor for specific information regarding acceptable attire and personal appearance for your position.

#### Special Attire Days

Special attire may be designated with the approval of the City Manager. On these days, employees may dress in comfortable, casual attire, as long as it is neat, clean, tasteful, and projects a positive image of the City of Gladstone.

#### For Personnel Working in the Field:

You must wear a firm boot or sturdy work shoe. Thongs, sandals, or other open style footwear that leaves the foot unprotected are prohibited. Provided uniforms, including footwear, are to be worn during work hours.

#### For Emergency Services Personnel:

Please contact your supervisor for specific information regarding acceptable attire and personal appearance for your position and division, at the direction of the Department Director.

## **EMPLOYEE PROPERTY**

Employees should not bring valuables to work. If necessary to do so, all valuables should be kept in a secure location. The City assumes no responsibility for the loss, theft, or damage of employees' personal property.

## **EMPLOYEE PARKING**

The City provides employees with parking on a first-come first-served basis. You may park your vehicle in a non-reserved space. Some parking areas, however, may be reserved for disabled drivers, vendors, citizens, vehicles belonging to the City, and others. The City will not be responsible for any damage to your vehicle or the contents of your vehicle while parked on City property.

## **HOUSEKEEPING**

All employees are expected to maintain their desks and/or work areas in an orderly fashion. Also, please pick up after yourself when you use common areas, such as the break room, locker room, restroom or City vehicles.

## **BULLETIN BOARDS**

Bulletin boards are reserved for the exclusive use of the City for posting work-related notices or notices that must be posted pursuant to local, state, and federal law. From time to time, special notices and information for Employees will be posted by the City on the bulletin boards. Please check the boards

regularly for these notices. Employee postings are permitted on specifically designated bulletin boards only. The City reserves the right to remove any posting at its sole discretion.

## PERSONNEL RECORDS

The information recorded in your personnel file is extremely important. Please report any change of address, phone number, emergency contact, marital status, additional dependents, et cetera, as soon as possible to the Human Resources Division.

In compliance with Section 610.021, RSMo., individually identifiable personnel records are considered closed records. As required, some records pertaining to employees are maintained in separate files relating to medical issues and internal investigations. Only authorized supervisors, and management personnel and authorized entities/agencies will have access to your personnel file. However, the City will cooperate with--and provide access to your personnel file to--law enforcement officials, or local, state, or federal agencies, and to you, in accordance with applicable law. All requests to review an employee's personnel file should be referred to the Human Resources Division.

~~Confidential health/medical records are not included in your personnel file.~~ The City will safeguard confidential health/medical records from disclosure and will divulge that information only (1) as allowed by law; (2) to the employee's personal physician upon written request of the employee; or (3) as required for workers' compensation cases.

## USE OF TECHNOLOGY AND THE INTERNET

The City's technical resources--including desktop and portable computer systems, fax machines, Internet and World Wide Web (Web) access, voice mail, electronic mail (e-mail), electronic bulletin boards, and its intranet--enable employees quickly and efficiently to access and exchange information throughout the City and around the world. When used properly, we believe these resources greatly enhance employee productivity and knowledge. In many respects, these new tools are similar to other City tools, such as stationery, file cabinets, photocopiers, and telephones. Because these technologies are both new and rapidly changing, it is important to explain how they fit within the City and within your responsibilities as an employee.

This policy applies to all technical resources that are owned or leased by the City, that are used on or accessed from City premises, or that are used on City business. This policy also applies to all activities using any City-paid accounts, subscriptions, or other technical services, such as Internet and World Wide Web access, voice mail, and e-mail, whether or not the activities are conducted from City owned premises.

**NOTE:** As you use the City's technical resources, it is important to remember the nature of the information created and stored there. Because they seem informal, e-mail messages are sometimes offhand, like a conversation, and not as carefully thought out as a letter or memorandum. Like any other document, an e-mail message or other computer information can later be used to indicate what an employee knew or felt. You should keep this in mind when creating e-mail messages and other documents. Even after you delete an e-mail message or close a computer session, it may still be recoverable and may even remain on the system.

### Acceptable Uses

The City's technical resources are provided for the benefit of the City and its citizens, vendors, and suppliers. These resources are provided for use in the pursuit of City business and are to be reviewed, monitored, and used only in that pursuit, except as otherwise provided in this policy.

Employees are otherwise permitted to use the City's technical resources for occasional, non-work purposes with permission from their direct supervisor. Nevertheless, employees have no right of privacy

as to any information or file maintained in or on the City's property or transmitted or stored through the City's computer, voice mail, e-mail, or telephone systems.

#### Unacceptable Uses

The City's technical resources should not be used for personal gain or the advancement of individual views. Employees who wish to express personal opinions on the Internet are encouraged to obtain a personal account with a commercial Internet service provider and to access the Internet without using City resources. The City may choose to block or filter Internet content that is unrelated to City business or poses a potential security risk.

Solicitation for any non-City business or activities using City resources is strictly prohibited. Your use of the City's technical resources must not interfere with your productivity, the productivity of any other employee, or the operation of the City's technical resources. Employees ~~may not play games on the City's computers and other technical resources~~ should not use City resources for personal uses including but not limited to social media, shopping or video streaming.

It is prohibited to send e-mail or other communications that either mask your identity or indicate that someone else sent them. You should never access any technical resources using another employee's password. Similarly, you should only access the libraries, files, data, programs, and directories that are related to your work duties. Unauthorized review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other property of the City, or improper use of information obtained by unauthorized means, is prohibited.

Material stored and/or transmitted by computer, voice mail, e-mail, or telephone systems must not contain content that may reasonably be considered offensive to any employee. Offensive material includes, but is not limited to, sexual comments, jokes or images, racial slurs, gender-specific comments, or any comments, jokes or images that would offend someone on the basis of his or her race, color, creed, sex, age, national origin or ancestry, physical or mental disability, as well as any other category protected by federal, state, or local laws. Any use of the Internet/World Wide Web, intranet, or electronic bulletin board to harass or discriminate is unlawful and strictly prohibited by the City. Violators will be subject to discipline, up to and including termination.

The City of Gladstone does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, the City reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

#### Access to Information

The City asks you to keep in mind that when you are using the City's computers you are creating City documents using a City asset. The City respects the individual privacy of its employees. However, that privacy does not extend to an employee's work-related conduct or to the use of City-provided technical resources or supplies.

The City's computer, voice mail, e-mail, or telephone systems, and the data stored on them are and remain at all times the property of the City. As a result, computer data, voice mail messages, e-mail messages, and other data are readily available to numerous persons. If, during the course of your employment, you perform or transmit work on the City's computer system and other technical resources, your work may be subject to the investigation, search, and review of others in accordance with this policy.

All information, including e-mail messages and files, that is created, sent, or retrieved over the City's technical resources is the property of the City, and should not be considered private or confidential. Employees have no right to privacy as to any information or file transmitted or stored through the City's computer, voice mail, e-mail, or telephone systems. Any electronically stored information that you create, send to, or receive from others may be retrieved and reviewed when doing so serves the legitimate business interests and obligations of the City. Employees should also be aware that, even when a file or message is erased or a visit to an Internet or Web site is closed, it is still possible to recreate the message or locate the Web site. City Management reserves the right to monitor your use of its technical resources at any time. All information including text and images may be disclosed to law enforcement or to other third parties without prior consent of the sender or the receiver.

### Confidential Information

E-mail and Internet/Web access are not entirely secure. Others outside the City may also be able to monitor your e-mail and Internet/Web access. For example, Internet sites maintain logs of visits from users; these logs identify which organization, and even which particular person, accessed the service. If your work using these resources requires a higher level of security, please ask your supervisor or the MIS Division for guidance on securely exchanging e-mail or gathering information from sources such as the Internet or World Wide Web.

All employees should safeguard the City's confidential information, as well as that of citizens and others, from disclosure. Messages containing confidential information should not be left visible while you are away from your work area.

E-mail messages containing confidential information should include the following statement, in all capital letters, at the top of the message: **CONFIDENTIAL: UNAUTHORIZED USE OR DISCLOSURE IS STRICTLY PROHIBITED.**

### Security of Information

Although you may have passwords to access computer, voice mail, and e-mail systems, these technical resources belong to the City, are to be accessible at all times by the City, and are subject to inspections by the City with or without notice. The City may override any applicable passwords or codes to inspect, investigate, or search an employee's files and messages. You should not provide a password to other employees (except to MIS professionals for repair purposes) or to anyone outside the City and should never access any technical resources using another employee's password.

In order to facilitate the City's access to information on its technical resources, you may not encrypt or encode any voice mail or e-mail communication or any other files or data stored or exchanged on City systems without the express prior written permission from the MIS Division and your department director. As part of this approval, the MIS Division will indicate a procedure for you to deposit any password, encryption key or code, or software with the MIS Division so that the encrypted or encoded information can be accessed in your absence.

### Software Policy

You are prohibited from installing software on City computers. You must contact the MIS Division and obtain your supervisors approval to have the software installed. Employees are prohibited from installing any software on any City technical resource without the express prior written permission from the MIS Division.

Involving the MIS Division ensures that the City can manage the software on City systems, prevent the introduction of computer viruses, and meet its obligations under any applicable software licenses and copyright laws. Computer software is protected from unauthorized copying and use by federal and state law; unauthorized copying or use of computer software exposes the City and the individual employee to substantial fines and exposes the individual employee to imprisonment. Therefore, employees may not load personal software onto the City's computer system and may not copy software from the City for personal use. If you require specialized software to perform your job duties, work with your supervisor to submit a request to the MIS Division. If the request is approved, MIS will be responsible for installation of software and maintaining the media and licensing material.

### Your Responsibilities

Each Employee is responsible for the content of all text, audio, or images that they place or send over the City's technical resources. Employees may access only files or programs, whether computerized or not, that they have permission to enter. Transmission of audio or video files are prohibited unless approved by the MIS Division and your department director.

Violations of any guidelines in this policy may result in disciplinary action up to and including termination. In addition, the City may advise appropriate legal officials of any illegal violations.

## USE OF COPYRIGHTED MATERIAL POLICY

Much of the information accessible on the Internet is protected by Federal Copyright Laws. Use of copyrighted material without the permission of the author, such as copying and/or distribution, is illegal and may subject you to civil or even criminal penalties. This applies to all types of copyrighted works, including music, movies, software and other literary and artistic works.

Employees must not make, store, transmit or make available unauthorized copies of copyrighted material using the City of Gladstone's computers, networks or storage media. If you have stored unauthorized copies of music, movies, software or other copyrighted works on the City of Gladstone's computer systems, you must delete those copies promptly.

## USE OF STATIONERY & MAIL SERVICES

All engraved or printed City stationery, envelopes, and other work materials are for City business only. These materials may not be used for personal correspondence or non-business matters. When signing business letters on City letterhead, the employee's name and title or position should be used.

Employees are requested to limit the sending or receipt of personal mail using the City's mail services and fax machine. Employees will be asked to reimburse the cost of postage for non-business related materials sent through the City's mail services.

## SMOKING AND TOBACCO USE POLICY

In keeping with the City's intent to provide a safe and ~~healthful environment~~ **healthy workplace**, employees, customers, vendors, and other guests are not allowed to smoke, **vape** or use any form of tobacco products in any City buildings or garage/bay areas. Smoking, **possession of lighted cigarettes, pipes, cigars, vaping (the use of electronic nicotine delivery systems, e-cigarettes, e-hookahs, e-pipes, e-cigars)** or the use of tobacco products is prohibited in front of any city building entrance **or within the grounds of all public parks within the city**. Nor may an employee smoke, **vape** or use any form of tobacco products while operating motor vehicles, maintenance or construction equipment at any time. This policy applies to any City-owned, leased, or rented vehicle(s). This policy may be further restricted if department policy prohibits tobacco use to promote greater public interest.

### Designated Smoking/Tobacco Use Areas:

The designated employee smoking areas where smoking, **vaping** and other forms of tobacco use shall be permitted include (1) outside the Public Works/Animal Control Facility at the outer shed, (2) the patio area of Station I (3) the patio area of Station II, and (4) outside the Water Treatment Plant Building where posted and (5) outside City Hall near the picnic table. Employees are not permitted to smoke or use any tobacco products directly outside the door of any building entrance. The designated smoking/**vaping** area will be located at least ~~20~~ **25** feet from any City building entrance (that has a ventilation system or is occupied by City employees) or garage bay door entrance. All material used for smoking or tobacco use, including cigarette butts and matches will be extinguished and disposed of in appropriate containers. If the designated smoking/tobacco use area is not properly maintained (for example, if cigarette butts are found on the ground), smoking/tobacco may be eliminated in that area.

### Smoking/Tobacco Use Breaks:

In fairness to all employees, individuals who use tobacco products are expected to comply with existing City guidelines regarding break time. Multiple breaks beyond the accepted break time are prohibited.

Smokers who wish to quit are encouraged to contact Human Resources for information on smoking cessation options available to them.

## OPERATION OF VEHICLES

The purpose of this policy is to ensure the safety of those individuals who drive city vehicles and to provide guidance on the proper use of City fleet vehicles. Employees must at their own expense secure and maintain driver's licenses and endorsements appropriate to the types of vehicles they are required to operate for the City. The term "vehicle" as used in this policy, includes, but is not limited to, cars, trucks, backhoes, front-end loaders, and other motorized craft.

All employees authorized to drive City-owned or City-leased vehicles or to rent vehicles for use in conducting City business, must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately. Employees must report any accident, theft or damage involving a city vehicle to their supervisor, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible. From time to time, the City or its insurance trust or carrier will request reports from the Department of Motor Vehicles regarding the license status and driving record of employees whose job responsibilities include driving. In the event that the license status or driving record of any employee whose job responsibilities include driving becomes unacceptable to management or the City's insurance carrier, that employee may be restricted from driving, temporarily reassigned, suspended, or terminated, at management's discretion.

The use of City-leased vehicles and rental of vehicles must only be used in work-related activities and may not be used for personal business or activities without the express prior approval of management. Specific to taking home vehicles, all employees must receive prior authorization to use City vehicles and only those employees that live in the City of Gladstone are allowed to take home a City vehicle. Non-employees shall not be permitted to operate any City vehicle.

Vehicle accidents are costly to the City, but more importantly, they may result in injury to you or others. It is the driver's responsibility to efficiently operate the vehicle in a safe courteous manner and to drive defensively to prevent injuries and property damage. As such, the City endorses all applicable state motor vehicle regulations relating to driver responsibility. All drivers and passengers operating or riding in a city vehicle must wear seat belts. The City expects each driver to drive in a safe and courteous manner pursuant to the all traffic, vehicle safety and parking laws or regulations. The attitude you take when behind the wheel is the single most important factor in driving safely.

No driver shall operate a city vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury or prescription medication. Any employee who has a driver's license revoked or suspended shall immediately notify their department director or Human Resources. Failure to do so may result in disciplinary action up to and including termination of employment.

Employees must comply with state and federal laws regarding the use of electronic devices, included, but not limited to, cell phones, when driving a City vehicle. Drivers need to be aware when use of the cell phone is creating a distraction from safe driving and adjust their usage accordingly, including the use of hands-free appliances and pulling off the road to participate in/finish the conversation if needed. While driving, attention to the road and safety should always take precedence over conducting business over the phone. See Personal Communication Device policy.

In compliance with Federal and State law, it is the Commercial Driver's License (CDL) holder's responsibility to be familiar with the requirement of maintain a valid CDL license, however the City wishes to emphasize the following:

- You are not allowed to hold a mobile phone to conduct a voice communication or dial a mobile phone by pressing more than a single button while driving.
- You are not allowed to send or read text messages while driving.

- You must be properly restrained by a safety belt at all times while operating a commercial motor vehicle.
- The City may not let you drive a commercial motor vehicle if your CDL is suspended or revoked.
- You must notify your supervisor immediately if there has been any action taken against your license for any traffic violations (except parking), including but not limited to suspension, revocation, cancellations, or if you are disqualified from certain driving privileges.
- You must participate in the City's alcohol and controlled substance testing program. Medical marijuana, even if legally prescribed, is an illegal drug under federal law. The use of medical marijuana is prohibited conduct.

Certain employees may drive their own personal vehicles while conducting City business. These employees must possess a current, valid driver's license and maintain adequate personal automobile liability insurance. Employees doing so should promptly submit an expense report detailing the number of miles driven on City business. The City will pay mileage reimbursement in accordance with applicable reimbursement rates. Employees are expected to observe the above policies while on City business, even if driving their own personal vehicles.

## USE OF EQUIPMENT

All City property—including, but not limited to desks, storage areas, work areas, lockers, file cabinets, credenzas, computer systems, office telephones, cellular telephones, modems, facsimile machines, duplicating machines, and vehicles—must be used properly and maintained in good working order. Employees who lose, misuse or take unauthorized possession of City property may be personally liable for replacing or fixing the item and may be subject to discipline, up to and including termination.

The City reserves the right, at all times and without prior notice, to inspect and search any and all of its property for the purpose of determining whether this policy or any other policy of the City has been violated, or when an inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. These inspections may be conducted during or after business hours and in the presence or absence of the employee.

Employees are not to consider any office, desk, or other work area as providing personal privacy, and all employees are assumed, as a condition of employment, to have authorized a search of their work area at the direction or discretion of their department director or the City Manager.

The City maintains a video monitoring system for the protection of its employees' and the City's interests. The City's premises are subject to video surveillance.

Employees are otherwise permitted to use the City's equipment for occasional, non-work purposes with permission from their direct supervisor or department director. Nevertheless, employees have no right of privacy as to any information or file maintained in or on City property or transmitted through the City. For purposes of inspecting, investigating, or searching employees' files or documents, the City may override any applicable passwords, codes, or locks in accordance with the best interests of the City, its employees, or its citizens or visitors. All bills and other documentation related to the use of City equipment or property are the property of the City and may be reviewed and used for purposes that the City considers appropriate.

Employees may access only files or documents that they have permission to enter. Unauthorized review, duplication, dissemination, removal, damage, or alteration of files, or other property of the City, or improper use of information obtained by unauthorized means, may be grounds for disciplinary action, up to and including termination.

## TELEPHONES

While you are at work, you are expected to perform your job duties and responsibilities. Personal calls, both incoming and outgoing, regardless of the phone used, must be kept to a minimum and must not interfere with your work duties and responsibilities or the City policies. In the event it is necessary to make a personal long-distance call, **incur roaming, data or other special charges**, you shall reimburse the City for the cost. Abuse of the long-distance telephone call policy **or incurring special charges** may result in discipline, up to and including termination.

## PERSONAL COMMUNICATION DEVICES

The purpose of this policy is to establish guidelines for the use of City/Department-issued mobile telephones and personal communication devices, and the on-duty use of such devices or when used for authorized work-related purposes.

Because of technical advances and varying manufacturer nomenclature, this policy will generically refer to all Personal Communication Devices (PCD) as such, but is intended to include all mobile or cell phones, Personal Digital Assistants (PDA) and other such wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and micro-blogging, e-mailing, using video or camera features, playing games and accessing sites or services on the Internet.

### Privacy Policy

Any employee utilizing any computer, Internet service, telephone service or other wireless service provided by or funded by the City of Gladstone expressly acknowledges and agrees that the use of such service, whether for city business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communications utilizing such service might otherwise have, including the content of any such communications. The City of Gladstone also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored using such service at any time.

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

### City Issued PCD

Depending on an employee's assignment and needs of the position, the City of Gladstone may, at its discretion, issue a PCD. Such devices shall remain the sole property of the City and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without reason.

Incoming and outgoing calls of personal nature are prohibited, except for essential use, emergencies or 'de minimus' use. Examples of essential personal calls are calls to arrange for unscheduled or immediate care of a dependent, address a family emergency, or to alert others of an unexpected delay due to a change in work, operation or travel schedule, etc. Employees should not expect that any calls made using City-owned or City issued phones, PCDs or systems, even if for "personal" reasons, are "private." City provided cellular device records are subject to public disclosure in accordance with the Missouri Sunshine Law.

### Use of Personal Communication Devices While Driving

The use of a PCD while operating a motor vehicle can cause unnecessary distractions. Employees are required to be familiar with and comply with local, state and federal laws regarding driving and the use of PCDs. Employees who operate city vehicles as commercial vehicle drivers (CDL licensed employee drivers) may not use PCDs while driving city vehicles of any kind and are prohibited from using data services on their device, such as texting, answering a call (no reaching for a call) or accessing the mobile web while driving. Should a personal or work related call be necessary, the CDL licensed employee must

pull off to the side of the road or into a parking lot and safely stop the vehicle before placing or accepting a call.

Employees operating emergency vehicles may use a PCD that is configured to allow hands-free listening and talking to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communication. Employees who are operating non-emergency vehicles or their own vehicle for City business shall not use PCDs while driving unless the device is specifically designed and configured to allow hands-free listening and talking. Employees should restrict the use of these devices while driving to matters of an urgent nature and should where practicable, stop the vehicle at an appropriate safe location while utilizing the device.

Under no circumstances are employees allowed to place themselves or others at risk to utilize a cell phone to fulfill city business or personal needs. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all fines that result from such actions and may be subject to disciplinary action.

#### Use of Personal Communication Devices

PCDs, whether provided by the City of Gladstone or personally owned, should only be used by on-duty employees for legitimate City business except as provided for below.

PCDs may not be used to conduct personal business while on-duty, except when brief personal communications may be warranted by the circumstances (e.g., to inform family of extended hours). While employees may use personally owned PCDs for personal business during authorized breaks, such usage should be limited as much as practicable to areas where the communication will not be seen or heard by the public.

Employees are prohibited from taking pictures, video or making audio recordings or making copies of such picture or recording media unless it is directly related to official city business. Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

The on-duty use of PCDs, including personally owned PCDs, for purposes other than what is specifically permitted within this policy is prohibited and may be subject to discipline up to and including discharge.

#### 1. Personal Use of City-Provided Cellular Phones

~~Where job or operational needs demand immediate access to an employee they may be issued a City-issued cell phone for work-related communications. Such phones should be used for city business reasons only. Phone statements may be audited regularly to ensure no inappropriate or unauthorized use has occurred.~~

~~Employees in possession of company equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested may be expected to incur the cost of a replacement.~~

~~Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.~~

#### 2. Safety Issues for Cellular Phone Use

~~Employees should exercise good judgment in using a cellular phone while driving.~~

~~In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment will be provided to facilitate the provisions of this policy.~~

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all fines that result from such actions.

Violators of this policy will be subject to discipline up to and including termination.

## **CAMERA-EQUIPPED MOBILE DEVICE POLICY**

While the City does not wish to unreasonably constrain the use of camera-equipped phones and other mobile devices capable of taking still and/or moving photos, the City has a more fundamental responsibility to ensure that they are used in a reasonable manner and to ensure the integrity of confidential, proprietary or protected health information. Therefore, the following policy applies to all employees and all visitors while on City premises, except for public City parks. Employees who have visitors on City premises are responsible for ensuring that the visitors are made aware of this policy and that use is prohibited in City facilities.

### **General Rules**

1. Employees with camera-equipped devices are prohibited from taking pictures on the premises except in employee break areas, public City parks or at City-sponsored social events. While at work, employees should plan to keep devices locked in their personal vehicles or maintained in personal storage (unless maintained in their personal bag or purse); camera-equipped devices are not to be used as such in the facility.

2. Camera-equipped devices issued by the City to designated employees are permitted in most work areas with the exceptions noted in rules 3 and 4.

3. No camera-equipped devices are permitted to be used as such in the City's designated storage areas of protected health information or confidential personnel files at any time without the express written permission of the City Manager.

4. No camera-equipped devices are to be used while in any City restroom, in-door exercise area, shower facility or Fire/EMS sleeping chamber at any time.

## **POSITIVE PERFORMANCE® MANAGEMENT GUIDELINES**

### Purpose

This guideline sets forth the organization's commitment to enhance employee performance, stimulate individual accountability and foster commitment through a performance management approach that develops individuals to excel, recognizes exceptional performance and addresses performance problems through proactive, non-punitive measures.

### Accountability

This guideline applies to all regular full- and regular part-time employees of the organization.

#### Overview

A committed workforce is vital to the effective operation of the City. To maintain standards of excellence, supervisors must insure that the organization's expectations of safety, performance and productivity are met. This is done most effectively through strong relationships built on trust, a commitment to developing expertise and a willingness to address deficiencies in a professional manner.

Positive Performance Management is a system that builds individual ownership for results and relationships and acknowledges the supervisor's obligation to actively participate in the development of individuals and teams. Individual and team performance is essential to the accomplishment of organizational goals. Good performers make valuable contributions and should be recognized for their efforts. Unacceptable performance is cause for reminding the employee of job expectations, as well as the need to improve. In all cases, employees deserve to know what is expected, receive feedback on their results and have their supervisor work to create opportunities for them to succeed.

This guideline is not intended as a contract, either expressed or implied, guaranteeing employment for any employee. No supervisor has any authority to enter into a contract of employment – expressed or implied – that changes or alters the at-will employment relationship. Only the City Manager has the authority to enter into an employment agreement that alters the at-will employment relationship and any such agreement must be in writing.

Temporary, seasonal and introductory employees in their training period are excluded from the formal corrective action aspects of this guideline. If counseling is not sufficient to notify such an employee of his/her need to meet performance expectations and formal corrective action is warranted, the employee should be discharged according to the guidelines outlined in this policy.

This guideline does not alter the grievance or appeals procedures for eligible employees.

### **The Positive Performance Management System**

#### **Coaching**

Coaching is the primary tool for insuring commitment to the team/division/department objectives, communicating expectations, removing barriers to good performance, developing skills to insure excellence, providing effective feedback and encouraging good performance. Supervisors will take an active role in coaching employees. Special attention should be given to encouraging good performance through recognition and positive feedback. Coaching is the day-to-day job of every supervisor and the vehicle for building trust, loyalty and commitment.

Examples of effective coaching behaviors include:

- communicating positive expectations and citizen/customer requirements
- helping individuals, or teams, identify and remove barriers to success
- assisting individuals in setting personal performance or professional goals
- providing ongoing feedback
- recognizing performance that exceeds job standards
- encouraging employees and teams to continue their improvement
- insuring employees have the knowledge and skills necessary to accomplish objectives

An important aspect of encouraging good performance is recognizing performance that exceeds expectations. Supervisors should make a special effort to genuinely acknowledge employees who exemplify:

- dedication to safety
- commitment to the highest ethical standards
- initiative and dependability
- innovation and sound problem-solving
- effective and appropriate response to an emergency or crisis
- positive team spirit
- technical or professional excellence

Coaching is not an event that must be documented. Rather, it is a process for developing individuals and teams. Supervisors should document activities and discussions that will assist him/her in the development of individuals or teams. This may include meeting minutes; written memos recognizing individual or team performance placed in an employee's personnel file; training records; or notes about professional or performance goals.

### **Counseling**

Counseling is one-to-one communication between an employee and supervisor to address emerging or minor performance problems before formal corrective action is required.

The purpose of counseling is to bring performance that does not meet expectations to the employee's attention; achieve agreement about causes and responsibility; build ownership for individual results and relationships; and develop action plans for problem resolution. The supervisor and employee are both active participants in the counseling process since each shares a responsibility to the organization and their coworkers.

Documentation of counseling should be at the supervisor's discretion. However, the supervisor should keep notes about the time, date and subject of counseling sessions if it is an ongoing issue or the problem is serious enough that formal discipline could result unless there is immediate improvement.

### **Formal Corrective Action**

#### Administrative Guidelines

Performance problems requiring formal corrective action or discipline are divided into four general categories:

<b>Category</b>	<b>Definition</b>	<b>Examples</b>
<b>Safety/loss control</b>	Those behaviors that are loss control related or violate standards for safe and efficient operation.	Failure to use safety equipment  Reporting to work under the influence
<b>Conduct</b>	Those behaviors that violate work rules, guidelines or department standards.	Sleeping on the job  Smoking in unauthorized areas

		Insubordination or willful failure to follow a direct order  Theft (unauthorized possession)
<b>Job performance</b>	Those behaviors that influence the quality of work, quantity of work, work relationships with team members, team contribution, timely completion of work, etc.	Excessive errors  Not meeting deadlines  Not following procedures  Unacceptable quality of work  Insufficient quantity of work

<b>Attendance/punctuality</b>	Those behaviors that result in being at work on time every scheduled day/shift.	Tardiness  Leaving early  Overstaying lunch periods or breaks  Absences without notification
-------------------------------	---	--

Formal correction action may be taken at three notice levels. (See page 48 for application, approval and documentation details.)

The following guideline should be used:

- No more than three active First Level Notices may be in effect at any time
- No more than two active Second Level Notices may be in effect at any time
- No more than one active Third Level Notice may be in effect at any time.

An employee may have a maximum of three First Level Notices in effect at one time. Each must be in a separate category. Should a performance problem occur which warrants formal discipline in a category where there is already an active First Level Notice, the disciplinary action must escalate to a higher level, usually a Second Level Notice.

An employee may have a maximum of two Second Level Notice in effect at one time. Each must be in a separate category. Should a performance problem occur which warrants formal corrective action in a category where there is already an active Second Level Notice, the disciplinary action must escalate to a higher level, usually a Third Level Notice.

Because the Third Level Notice represents a commitment to maintaining acceptable performance in all areas, there may be only one active Third Level Notice. Should a performance problem occur which warrants formal corrective action while there is an active Third Level Notice, discharge will be recommended.

Leaves of absence sufficient to remove employees from regular work, greater than 2 weeks, will temporarily discontinue the active period for any of the formal corrective action levels. When the employee returns to work, the time for calculating the active period for the formal corrective action level will be extended by the time the employee was off work.

#### Repeat Violations

If an employee commits an offense in the same category as that in which a specific level of formal corrective action is currently active, the second offense would normally escalate to the next level of formal discipline. In such an instance, the first disciplinary action would not deactivate until subsequent disciplinary action(s) deactivate(s).

#### Seriousness of Performance Problems

Performance problems may be organized into three categories of seriousness to facilitate the administration of formal corrective actions with the Positive Performance system. The categories of seriousness help supervisors select the most appropriate level of corrective action for the offense.

The following is a general guideline:

<b>Seriousness</b>	<b>Definition</b>	<b>Example</b>
<b>Minor Offense</b>	<p>Acts that do not:</p> <p>Involve issues of honesty</p> <p>By themselves constitute a threat to the operation of the department or City; and/or</p> <p>Pose a threat to the safety and well being of the individual, fellow employees or persons receiving services.</p>	<p>Poor housekeeping</p> <p>Minor work inefficiency</p> <p>Overstaying lunch periods or breaks</p> <p>Missing report deadlines</p> <p>Infrequent tardiness</p> <p>Making excessive personal phone calls during duty hours</p> <p>Smoking in unauthorized area</p>
<b>Serious Offense</b>	<p>Acts that constitute:</p> <p>A threat to the operation of the department or City; and/or</p> <p>A threat to the safety and well-being of the individual, fellow employees or persons receiving services and/or</p> <p>A serious problem through continued minor offense.</p>	<p>Reporting a false reason for absence</p> <p>Absence without notification</p> <p>Failure to use safety equipment</p> <p>Excessive and/or repeated tardiness</p> <p>Failure to work in harmony with others</p>
<b>Major Offense</b>	<p>Acts that pose a definite, immediate or serious threat to:</p> <p>The operation of the department or City; and/or</p>	<p>Deliberate falsification of records</p> <p>Sleeping on the job</p> <p>Reporting to work under the influence of alcohol or substances</p>

<b>Major Offense Cont.</b>	The safety and well being of the individual, fellow employees, or persons receiving services.	Striking or fighting with another employee  Insubordination or willful failure to follow a direct order  Arson, unauthorized possession of City property or theft  Unauthorized possession of weapons, firearms, or explosives
------------------------------------	---	--

Supervisors use the seriousness of the offense as a guide to select the most appropriate level of corrective action for the infraction committed.

## **FIRST LEVEL NOTICE**

### Application

The First Level Notice is the least serious level of formal corrective action. It is used when an employee does not correct his/her performance after counseling or when the seriousness of the problem warrants this level of discipline. The First Level Notice is often the initial and only level of formal corrective action required to help an employee take responsibility for his/her performance and move back to accepted levels.

The First Level Notice is the supervisor's verbal description of employee performance deficiencies. The supervisor explains to the employee job expectations and the good business or operational reasons for their existence. The employee is told that this is the first level of formal corrective action and is asked to take ownership for his/her performance and make a commitment to correct the problem. The supervisor's role in the First Level Notice is to emphasize the employee's responsibility for performance and create a partnership for problem solving.

### Approvals

The immediate supervisor has the authority to issue a First Level Notice. However, it may be appropriate to consult with their next level supervisor for guidance before taking this action.

### Documentation

The First Level Notice is documented by completing the Performance Discussion Guide, providing a copy to the employee, the next level supervisors and forwarding a copy to Human Resources to be included in the employee's personnel file. The supervisor may wish to retain a copy of the Performance Discussion Guide for his/her reference.

If the employee corrects the problem, the Performance Discussion Guide will be deactivated in the personnel file and the supervisor's working file six months later. In addition, a deactivated copy will be given to the employee with verbal recognition for the improvement. If the employee does not correct the problem, or a similar infraction occurs within six months, the formal level of corrective action should be escalated to the next level unless a higher level of discipline is warranted.

## **SECOND LEVEL NOTICE**

### Application

A Second Level Notice is the next level of seriousness in the formal corrective action system. It is used when an employee does not meet a commitment to improve following a First Level Notice or when a single infraction is serious enough to warrant this level of discipline.

The supervisor (in conjunction with the next level supervisor) describes the performance deficiencies to the employee, explains job expectations and the good business or operational reasons for their existence and the individual outcomes that can be expected if the problem is not corrected. The employee is told that this is the second level of formal discipline and is asked to take ownership for his/her performance and make a commitment to correct the problem. Following the conversation, the supervisor sends a letter to the employee documenting the discussion. The supervisor's role in the Second Level Notice is to emphasize the employee's responsibility for performance and create a partnership for problem solving.

### Approvals

Supervisors shall consult with the next level supervisor before issuing a Second Level Notice.

### Documentation

A Second Level Notice is documented by writing a letter to the employee summarizing the conversation and forwarding a copy to Human Resources to be included in the employee's personnel file. A second copy shall be provided to next level supervisor. The supervisor may wish to retain a copy of the documentation for his/her working reference.

If the employee corrects the problem, the letter will be deactivated in the personnel file and supervisor's file after nine months. In addition, a deactivated copy will be given to the employee with verbal recognition for improving. If the employee does not correct the problem or a similar infraction occurs within nine months, discipline should be escalated to the next level unless a termination is warranted.

## **THIRD LEVEL NOTICE**

### Application

A Third Level Notice is the most serious level of formal corrective action—a one-day paid leave of absence or Decision Making Leave from work. It is used when an employee does not meet a commitment to improve following a Second Level Notice, or when a single infraction is serious enough to warrant this level of discipline.

The department director and/or the designee in conjunction with the supervisor describe the performance deficiencies to the employee, the severity of the problem, and the need for the employee to make a decision concerning continued employment. The employee is told that this is the third and final level of discipline then given the following workday off with pay to make a decision regarding his/her desire to continue employment. The employee reports to the department director on the first workday following the paid Decision Making Leave. The employee is asked to communicate his/her decision to make a total commitment to meeting expectations or to resign. If the employee makes a decision to stay, specific notice should be given that any performance problem requiring formal corrective action during the time the Third Level Notice remains active, may result in discharge. If the employee refuses to make a total commitment to meeting expectations, his/her failure to do so, may result in immediate discharge.

### Approvals

The decision to give a Third Level Notice should be approved by the department director. The Human Resource Administrator is available for consultation before meeting with the employee to announce the action.

## Documentation

If the employee decides to continue employment, the Third Level Notice is documented by writing a letter to the employee outlining the employee's decision and his/her commitment to improve. A copy of the Third Level Notice will be forwarded to Human Resources for inclusion in the employee's personnel file. The supervisor may wish to retain a copy of the documentation for his/her working reference.

If the employee corrects the problem, the letter will be deactivated in the employee's personnel file and the supervisor's file twelve months later, and the department director will give a deactivated copy to the employee with written recognition of the improvement.

If the employee chooses to resign, the department director should initiate the necessary steps to process this resignation. The Third Level Notice should be noted on the discharge record.

## **CODE OF CONDUCT**

In order to assure orderly operations and provide the best possible work environment, the City expects employees to follow rules of conduct that protect the interests and safety of all employees. Employees who violate any City rules of conduct will be disciplined in proportion to the seriousness of the circumstances. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of behavior that may result in disciplinary action, up to and including discharge of employment for the first offense:

- Falsification of employment records, employment information, reports or other records, or other forms of dishonesty.
- Removing or borrowing the City's property without prior authorization. Unauthorized use, neglect or misuse of the City's equipment, vehicles, uniforms, time, materials, or facilities.
- Illegal, dishonest or fraudulent conduct, including but not limited to: fraud, forgery, falsification; offering or accepting a bribe, unlawful kickback, unauthorized disclosure of confidential or proprietary information, conviction of any crime or serious traffic infraction that relates to the duties and responsibilities of the employee's position and affects the employee's ability to perform those duties, or otherwise reflects negatively on the City.
- Working with alcohol or illegal substances in your system. Possessing, distributing, selling, transferring, using, or having alcohol or illegal drugs in the workplace.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of any supervisor or member of management, or refusal to fully disclose information in the course of a City investigation. Willful disregard for or defiance of authority.
- Failing to personally notify the appropriate supervisor when unable to report to work. Failing to obtain permission from your immediate supervisor to leave work for any reason during normal working hours. Abusing sick leave.
- The use of abusive, discourteous, offensive, unlawful discrimination or threatening language, conduct or gestures toward the public, any fellow employee or elected official or citizen while on duty.
- Failure to report immediately to the supervisor any job-related accident or injury or unsafe work condition.
- Failure to report an off-the-job accident or injury which may affect the performance of your job.
- Violating any safety, health, or security policy, rule, or procedure of the City.

Although employment may be terminated-at-will by either the employee or The City at any time, without following any formal system of corrective action or warning, The City may exercise its discretion to utilize

forms of discipline that are less severe than termination. Examples of less severe forms of discipline include First Notice, Second Notice and Third Notice (Decision-making Day).

## **CONTINGENCY LEAVE**

Contingency Leave is used to remove the employee from the workplace while the organization investigates serious or alleged infractions. These infractions may include, but are not limited to, theft, fighting, fitness-for-duty, certain safety violations, insubordination, alleged harassment, violation of alcohol or substance drug policy and alleged criminal involvement.

Immediate supervisors may place an employee on Contingency Leave; however, this leave should be reserved for very serious situations requiring immediate removal from the workplace.

The employee may, or may not, be paid while on contingency leave depending on the outcome of the investigation. The employee will be paid his/her regular straight time wage should the investigation determine that discharge is not the appropriate outcome for this performance. The employee will not be paid for time off on Contingency Leave if the investigation reveals that discharge is the appropriate outcome for this behavior. The discharge will be effective the day of the employee's removal from the workplace and placement on Contingency Leave. Contingency Leave is not a level of formal corrective action and is not to be used in lieu of disciplinary actions.

The length of Contingency Leave may be determined by the seriousness of the alleged infraction. The City will make every effort to complete the investigation in a timely manner. Should an investigation take greater than 2 weeks, an employee may be given the opportunity to take accrued time off, such as vacation, floating holiday, etc.

### **Active Periods For Formal Discipline Levels**

Formal levels of corrective action remain active for a specified time provided the employee satisfactorily corrects the problem and has no further discipline. Discipline levels remain active as follows:

First Level Notice	6 months
Second Level Notice	9 months
Third Level Notice	12 months

Documentation of disciplinary action is deactivated in the personnel file and the supervisor's working file and will not be used as a basis for further disciplinary action unless there is a pattern of entering and exiting the discipline system. In this case, a more serious notice level of the program may be warranted. Additionally, a deactivated copy is returned to the employee when it is no longer active.

Unacceptable performance, inappropriate personal conduct and/or failure to observe applicable rules may subject an employee to a delay in the processing of any annual pay increase. Any employee who receives a 2<sup>nd</sup> level notice within the performance period may have any pay increase delayed for 6 months. An employee who receives a 3<sup>rd</sup> level notice within the performance period may have any pay increase delayed for 12 months.

Supervisors should contact their department directors or Human Resources for assistance in administering this guideline.

### **Exceptions**

Exceptions to any section or standard outlined in this policy will require approval of the City Manager.

## **DISCHARGE/TERMINATION**

Discharge is the result of an employee's failure, refusal or inability to meet acceptable standards of performance. It is not a step in the formal disciplinary or corrective action process. Discharge may occur when an employee fails to show the required improvement during the active period of a Third Level Notice, indicates by word or action that he/she will not commit to improvement, or commits an infraction so serious that progression through the formal levels of discipline is not warranted. If the department director believes the discharge is warranted, the department director should include the reasons for dismissal, the effective date of the dismissal and the employee's opportunity to grieve the stated reasons for dismissal to the City Manager pursuant to Handling of Employee Grievances policy. A copy of this notice should immediately be provided to the City Manager and the Human Resources Department.

An employee may be placed on Contingency Leave (see this section of the policy) if, in the opinion of the department director or their designee, the employee represents a danger to self, others or property or department policy warrants it.

## VACATIONS

Regular full-time employees accrue paid vacations in accordance with the schedule below. Part-time and temporary/seasonal employees do not accrue paid vacation time.

**Regular Full-time Employees** except Fire/EMS personnel assigned to a 24-hour shift:

Years of Service	Hours Accrue Each Pay Period	Hours Accrue Annually	Maximum Accrual
Less than 5 years	3.08	80 hours	160 hours
5 years to less than 7 years	4.62	120 hours	240 hours
7 years to less than 9 years	4.93	128 hours	256 hours
9 years to less than 11 years	5.24	136 hours	272 hours
11 years to less than 13 years	5.54	144 hours	288 hours
13 years to less than 15 years	5.85	152 hours	304 hours
15 years or more	6.16	160 hours	320 hours
20 to less than 25 years	7.08	184 hours	368 hours
25 years or more	7.7	200 hours	400 hours

Fire/EMS/EMS personnel, with the exception of those on regular eight-hour shifts, shall accrue vacation leave as noted below:

**Regular Full-time Employees Assigned to a 24 hour Shift:**

Years of Service	Accrue Each Pay Period	Accrue Annually	Maximum Accrual
Less than 5 years	3.70	96 hours	192 hours
5 years to less than 7 years	5.56	144 hours	288 hours
7 years to less than 9 years	6.47	168 hours	336 hours
9 years to less than 11 years	6.92	180 hours	360 hours
11 years to less than 13 years	7.39	192 hours	384 hours
13 years to less than 15 years	7.85	204 hours	408 hours

15 years or more	8.31	216 hours	432 hours
20 years to less than 25 years	9.27	241 hours	482 hours
25 or more years	9.93	258 hours	516 hours

Regular full-time employees will earn and accrue vacation leave from their initial employment date, but are not authorized to use the accumulated vacation leave until they have completed six months of service.

#### Regular Part-time Employees

Regular Part-time Employees will be granted paid vacation leave each year in accordance with the schedule below:

#### **Regular Part-time Employees except Fire/EMS personnel:**

Years of Service	Hours Accrue Each Pay Period	Hours Accrue Annually	Maximum Accrual
Less than 5 years	1.15	30 hours	60 hours
5 years or more	2.30	60 hours	120 hours

The vacation period of a former part-time employee who becomes a full-time employee is determined by the date of the regular full-time employment transfer.

#### Vacation Scheduling

Employees are encouraged to take their accrued vacation each year. You must request vacation as far in advance as possible. Vacations will be scheduled so as to provide adequate coverage of job and staff requirements. The Department Director will make the final determination in this regard. Vacation may not be taken in periods exceeding more than ten (10) continuous days of leave, without first obtaining special permission from his/her department director who must consider the requirements of the entire department.

When an employee overstates his/her vacation without getting an extension, or for causes determined by the Department Director to be unsatisfactory, the City assumes that the employee is absent without leave.

Employees must use vacation for otherwise unexcused time away from work during their regularly scheduled hours. Vacation does not accrue during unpaid leaves of absence or other periods of inactive service, except during the first 6 months.

#### Vacation Accumulation

Vacation leave for regular full time employees will be accruable to a maximum of two (2) times the amount earned in a year of employment. Any vacation earned over this accrual limit will be lost. Exceptions to this rule may be when the employee's scheduled vacation becomes non-compatible with the needs of the City. Once an exceptional situation has been granted through his/her chain of command and the Human Resources Division an extended ninety (90) calendar days will be given to the employee to take vacation prior to losing the amount earned over his/her accrual limit. It is the employee's

responsibility to monitor their vacation bank and the corresponding accrual limit. Any accrued vacation leave that is greater than the maximum limit, which is earned but not taken, will be forfeited.

Should an employee be on approved absence from work when his/her vacation is scheduled to begin, he/she will be permitted to change his/her vacation to a subsequent period, which is not to be in conflict with another employee's vacation. Any employee who shall become ill during his/her vacation may cancel the remaining period of such vacation and reschedule it for a period not to be in conflict with another employee's vacation, provided the employee notifies his/her respective department director at the onset of the illness and present appropriate written evidence of such illness upon return to work. An employee may substitute accumulated sick leave for vacation pay.

#### Holiday During Vacation

Any official City observed holiday which occurs during an employee's scheduled vacation period will not count as vacation hours taken and the employee's accrual accounts will not be charged for those hours.

#### Waiving Vacation Prohibited

Employees will not be permitted to waive vacation for the purposes of receiving pay. However, with the approval of the City Manager, if an employee is unable to take their vacation due to unique organizational situations, operational need or financial hardship circumstances, vacation accruals may be paid out to the applicable employee.

#### Payment at Termination

Any employee leaving the City's service will be compensated for all vacation leave that has accrued but not been used as of the date of his/her separation, provided that he/she has been with the City for at least six (6) full months. If a person is reemployed, his/her new employment date will be the basis for computing vacation leave.

### **FUNERAL OR BEREAVEMENT TIME OFF**

Any regular full-time employee may take up to twenty-four (24) hours (twelve (12) hours for regular part-time employees) of time off with pay per occurrence following the death of the employee's current spouse, parent, child, sister, or brother – including step relations and in-laws in each case - grandparents and grandchildren.

Bereavement pay is calculated based on the base pay rate at the time of the absence and will not include any special forms of compensation. Bereavement pay is not counted as hours worked for the purpose of calculating an employee's overtime.

### **VOTING TIME OFF**

If you cannot vote in a public state or any primary election before or after working hours due to your standard work schedule, then you will be allowed sufficient time off to go to the polls. The City will pay you for up to the first two hours of absence from regularly scheduled work that is necessary to vote in any public or primary election. Any additional time off will be without pay. You must give reasonable notice (at least 3 days but no less than 1 day) in advance to your department director or supervisor of the need to have time off to vote. Employees may be required to show current eligible voter registration cards to their department director or supervisor prior to release for voting purposes and no employee shall be granted time off with pay for voting who is not eligible to participate in a given election.

This policy does not apply to employees who on the day of the election have three consecutive hours while the polls are open in which he/she is not on duty.

## JURY DUTY

The City of Gladstone encourages employees to fulfill their civic responsibilities by serving jury duty when required. You must notify your department director of the need for time off for jury or witness duty as soon as a notice or summons from the court or a subpoena is received.

Regular full-time and regular part-time employees shall be granted leave with pay when required to be absent from work for jury duty. You may also keep any jury pay provided. Employees must show the jury duty summons to their supervisor as soon as possible to accommodate your absence. Verification from the court clerk of having served may be required, and you will be expected to report or return to work for the remainder of your work schedule on any day you are dismissed from jury or witness duty.

Either the City of Gladstone or the employee may request an excuse from jury duty if in the City's judgment, the employee's absence would create serious operational difficulties.

Part-time employees may request unpaid jury duty leave for the length of absence required.

## HOLIDAYS

The City of Gladstone observes the following paid holidays:

➤ New Year's Day	January 1
➤ Martin Luther King's Birthday	3 <sup>rd</sup> Monday in January
➤ President's Day	3 <sup>rd</sup> Monday in February
➤ Memorial Day	Last Monday in May
➤ Juneteenth Day	June 19
➤ Independence Day	July 4
➤ Labor Day	1 <sup>st</sup> Monday in September
➤ Thanksgiving Day	4 <sup>th</sup> Thursday in November
➤ Day after Thanksgiving Day	Friday following the 4 <sup>th</sup> Thursday in November
➤ Christmas Day	December 25

All Regular Full-time employees except for nonexempt law enforcement, Fire/EMS and water treatment personnel, are granted eight (8) hours pay for the above holidays. Nonexempt law enforcement, Fire/EMS and water treatment personnel shall accrue seventy-two (72) hours of holiday annually. Accrual will take place in the month the holiday falls. Generally, regular full-time employees hired after June 30, 2020 may accrue holiday hours up to a maximum of 192 hours. Any new holiday accruals above the 192 hours will be paid out to the employee (at their regular base rate). Holiday leave will begin to accrue again when the banked hours fall below the maximum.

The scheduling and the use of the accrued holiday hours shall be approved by the Department Director and be in accordance with the department's policy pertaining to scheduling of holiday leave. If a holiday falls on a weekend day, it is usually observed on the preceding Friday or the following Monday. Holiday observance will be announced in advance. When a holiday occurs during an employee's vacation period, that day will not be charged as a vacation day. When a holiday occurs during an authorized sick leave, that day is not charged as a sick leave day. When the actual holiday and the City-observed holiday are on a regular full-time employee's regularly scheduled day off, the employee will be granted eight hours of regular pay.

An observed holiday will not be considered "hours worked" for the purpose of calculating weekly overtime. Non-exempt employees responding to call-out on a holiday are subject to overtime provisions and/or compensatory time.

### Regular Part-Time

Regular Part-time employees normally scheduled to work the day of the holiday shall receive holiday pay for their standard workday. Holiday pay will be calculated on your straight time pay rate (as of the date of the holiday) times the number of hours you would have otherwise worked on that day, not to exceed eight (8) hours of pay.

### Floating Holidays:

Some employees may wish to observe, as periods of worship or commemoration, certain days that are not included in the above City holiday schedule. Accordingly, all regular full-time employees will be granted 16 hours annually to be known as "floating holidays" after completing six months of active employment. Hours will be credited in January each year and may be carried over to the next calendar year if the need arises.

All regular part-time employees will be granted two corresponding (2) "floating holidays" annually. The corresponding hours will be equivalent to the average number of hours worked per day multiplied by two. Hours will be credited in January of each year and may be carried over to the next calendar year.

### Payment at Termination

Any employee leaving the City's service will be compensated for all holiday leave that has accrued but not been used as of the date of their separation, provided that he/she has successfully completed their introductory period. Floating holiday hours cannot be taken once employment separation is announced without City Manager approval.

## **SICK LEAVE POLICY**

The City of Gladstone provides paid accrued sick leave to all eligible employees for periods of temporary absence due to illness or injury including doctor/healthcare and dental appointments. Sick leave may be taken only for an employee's own illness or injury, or that of the employee's immediate family. For the purposes of this policy, immediate family includes, but is not limited to, spouse, parents, brothers, sisters, sons and daughters, grandparents and grandchildren – including in-laws and step relations in each case. Sick leave is not for "personal" absences.

Regular full-time employees (including those employees within introductory status) except Fire/EMS personnel assigned to a 24/7 schedule shall accrue sick leave without limit at a rate of 8 hours per active month or 96 hours per year (credited at approximately 3.7 hours per pay period). Employees hired on July 1, 2020 and after, who have reached the sick leave cap of 960 hours will cease to accrue additional sick leave. Sick leave will begin to accrue when the leave balance falls below the cap.

Regular full-time Fire/EMS employees (including those employees within introductory status) assigned to a 24/7 schedule shall accrue sick leave without limit at a rate of 12 hours per active month or 144 hours per year (credited at approximately 5.5 hours per pay period). Employees hired on July 1, 2020 and after, who have reached the sick leave cap of 1280 hours will cease to accrue additional sick leave. Sick leave will begin to accrue when the leave balance falls below the cap.

Regular part-time employees accrue sick leave at a rate of 30 hours per year (credited at approximately 1.15 hours per pay period). Regular part-time employees may accrue sick leave to a maximum of 30 hours. Any accrued sick leave that is greater than 30 hours, which is earned but not taken, will be forfeited. Regular part-time employees will not be paid for unused sick leave at separation from the City.

In the event an employee's work schedule is modified the sick leave accrued pursuant to this policy will be subject to the following conversion factors:

Sick Leave Accrued within 40-hr work week or 80-hr work period	Sick Leave Accrued on 24/48 Schedule	Conversion Ratio 40-hr week to 24-hr shift	Conversion Ration 24-hr shift to 40-hr week
96	144	1.5	.6666

Sick leave may not be advanced except by special action of the City Manager.

#### Notification

The employee's department director shall determine the form and time of notice of absence due to sickness. Employees who are unable to report to work due to illness or injury should notify their direct supervisor prior to the scheduled start of their workday. Department policy and operation may require a greater notice form or time period. The direct supervisor must also be contacted on each additional day of absence.

Certification by your health care provider - at the employee's expense, may be required for absences of two or more consecutive workdays or for intermittent absences due to the same reason. A health care provider's certification may also be required prior to reinstatement after unpaid or medical leave of absences. It is your responsibility to apply for any disability benefits for which you may be eligible as a result of illness or disability, workers' compensation insurance, and/or any long-term disability insurance benefits for which you qualify.

Sick leave shall not be granted to employees who become ill or injured while absent from work during normal days off, holidays or while taking off for holiday. Employees will not accrue sick leave during unpaid leave of absence, except during the first 6 months.

In the event an employee has used all his/her accrued sick leave and still requires time off due to the illness or injury, he/she may elect to use any or all of his/her accrued vacation leave, floating holiday or compensatory time. Sick leave is paid at the employee's base rate at the time of leave.

#### **Sick Leave for Bonding with New Child**

Employees who are on an approved Family & Medical Leave of absence to care for their child after birth or placement for adoption or foster care may take two weeks of accumulated sick leave hours to bond with their new child, if taken within the first four weeks of the child's birth or placement for adoption or foster care. The leave may be taken over two continuous weeks or intermittently during the first four weeks. If taken intermittently, the employee's department director must pre-approve the schedule for coverage purposes. If a longer leave of absence is requested, the employee must use other accumulated leave and if none is available, the employee will be on unpaid leave. If the employee is eligible to use paid sick leave during that same period for their own health condition or to care for the child or spouse who has a qualifying serious health condition, the use of paid sick leave will be considered to be for both bonding with the child and due to the employee's own health condition.

#### Abuse of Sick Leave

If sick leave is misused, sick pay will not be awarded and you may be disciplined and even terminated. Supervisors, in their discretion may request a health care provider's certification certifying the reason for absence(s) by notifying the employee in writing that future absences will require a medical certificate to verify illness of the employee or family member. Failure to produce such evidence shall be grounds for disciplinary action.

#### Sick Leave Donation

In the event that an ill or injured regular full-time or regular part-time City employee has exhausted all sick leave, accrued vacation, accrued holiday and any accumulated compensatory time and is anticipating being off work for at least one full work week, he/she may be eligible for a donation from any full-time employee of any department. Regular full-time or regular part-time employees who have exhausted their accrual banks to care for an injured or ill immediate family member may also be eligible for sick leave donation. The following guidelines apply:

- ◆ Both the eligible employee and the donating employee must have at least one year of service with the City.
- ◆ Any donated sick leave hours must have been accrued in prior calendar years.
- ◆ The donating employee must maintain a 96 hour sick leave accrual balance in the prior years accrued.
- ◆ The eligible employee may receive sick leave donations until he reaches his/her 91<sup>st</sup> consecutive calendar days of leave or until disability insurance benefits are received.
- ◆ The employee receiving the donation will be credited with one hour's compensation at the employer's normal hourly rate for that employee. Any hour donated will be deducted from the sick leave time available by the donating employee.
- ◆ An employee may donate floating holiday time.
- ◆ An employee may not donate sick leave to an eligible employee who is actively working.
- ◆ Donated time must be in increment of four (4) hours. Names of individuals donating sick leave or floating holiday will remain anonymous.
- ◆ Donated sick leave and floating holiday(s) will be distributed as received and shall not exceed the expected absence duration. Once sick leave and floating holiday hours have been donated, the hours will be given to the eligible employee and not returned to the donating employee.

#### Compensation for Unused Sick Leave

A regular full-time employee may be compensated for unused sick leave in the following manner, provided that he/she has been with the City for at least six (6) full months:

- ◆ At termination or retirement:
  - Most regular full-time employees with five (5) up to ten (10) years of service may receive one hour of regular earnings, at the employee's current base rate, for each five (5) hours of total accumulated unused sick leave. Regular full-time Fire/EMS employees assigned to 24/7 schedule, with five (5) up to ten (10) years of service, will receive one hour of regular earnings, at the employee's current base rate, for each seven and one-half (7.5) hours of total accumulated unused sick leave.
  - Most regular full-time employees with ten (10) up to twenty (20) years of service, may receive one hour of regular earnings, at the employee's current base rate, for each three (3) hours of total accumulated unused sick leave. Regular full-time Fire/EMS employees assigned to 24/7 schedule, with ten (10) up to twenty (20) years of service, will receive one hour of regular earnings, at the employee's current base rate, for each four and one-half (4.5) hours of total accumulated unused sick.
  - Most regular full-time employees retiring with twenty (20) or more years of service, **qualify for a Retirement Health Savings Account (RHS) employer contribution, using a formula of one hour of regular earnings, at the employee's current base rate, for each two (2) hours of total accumulated unused and forfeited sick leave.** The RHS employer contribution formula for Regular Full-time Fire/EMS employees assigned to 24/7 schedule, with twenty (20) or more years of service, **will be formulated on receiving** one hour of regular earnings, at the employee's current base rate, for each three (3.0) hours of total accumulated unused **and forfeited** sick leave.
  - **Most retiring employees with 500 or greater hours of accrued sick will qualify for a RHS employer contribution based on the forfeited sick leave and their years of service.**
  - **Regular full-time employees hired June 30, 2020 and later with five (5) up to twenty (20) years of service will receive a payout up to a maximum of 480 hours. Regular full-time Fire/EMS employees assigned to 24/7 schedule, hired after June 30, 2020 with five (5) up to twenty (20) years of services will receive a payout up to a maximum of 640 hours.**

## VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE LEAVE

The City of Gladstone provides leave and accommodations for Victims of Domestic and Sexual Violence according to the provisions outlined in the Missouri's Victims Economic Safety and Security Act (VESSA). Eligible employees will be granted up to two (2) weeks of unpaid leave per year, though the employee may choose to substitute paid leave from their accrued leave banks. Domestic and Sexual Violence leave (DSVL), however, is not available where such leave would result in an employee taking more leave than the amount of leave allowed under the Family and Medical Leave Act (FMLA). Much like FMLA leave, DSVL leave can be taken intermittently or on a reduced work schedule.

### Qualifying Reasons for Leave

DSVL Leave is available for any of the following reasons:

- Seeking medical attention for or recovering from, physical or psychological injuries caused by domestic or sexual violence against the employee or the employee's family or household member;
- Obtaining victim service for the employee or the employee's family or household member;
- Obtaining psychological or other counseling for the employee or the employee's family or household member;
- Participating in safety planning, including temporary or permanent relocation or other actions to increase the employee or the employee's family or household member's safety from future domestic or sexual violence; and
- Seeking legal assistance to ensure the health and safety of the employee or the employee's family or household member, including participating in court proceedings related to the violence.

### Employee Eligibility

Employees working the City are eligible to DSVL leave if:

1. They are victims of domestic or sexual violence, or
2. They have a family or household member who is a victim of domestic or sexual violence.

DSVL defines the term "family or household member" to include spouses, parents, children and "other blood relatives and relatives through a present or prior marriage."

### Notice of Leave and Documentation Requirements

Employees who wish to take DSVL leave must provide:

1. At least forty-eight (48) hours' advance notice of the need for leave unless such notice is impractical, in which case the notice must be given as soon as possible; and
2. A sworn statement of the employee and documentation showing that the employee is eligible for the leave, such as a police report or document from a victim services organization, or medical professional corroborating eligibility.

### Safety Accommodations

Upon request, the City will attempt to make reasonable accommodations unless such accommodations would result in undue hardship for the City. Such an accommodation shall be made timely to the known limitations resulting from the domestic or sexual violence experiences of an employee or an employee's family or household member.

Reasonable safety accommodations may encompass the following action by the City:

- Adjustment to a job structure, workplace facility or work requirement;
- A transfer or reassignment;
- A modified schedule;
- Leave from work;
- A changed telephone number or seating assignment;
- Installation of a lock or implementation of a safety procedure; or
- Assistance in documenting domestic violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic violence.

An employee requesting such accommodation is required to provide a written statement signed by the employee or someone acting on the employee's behalf certifying the requested accommodation is for purposes authorized under VESSA.

This shall be accomplished through the completion of the DSVL Accommodation Request Form, available from the Human Resource Office. The completed DSVL Accommodation Request Form shall be submitted to the Human Resources Office. All documentation collected in connection with DSVL leave will be maintained separate from the employee personnel files and with the strictest of confidence. The City will maintain health coverage for an employee on DSVL Leave similar to the process under FMLA. This provision does not apply if the employee fails to return to work or because of the continuation, reoccurrence, or onset of domestic violence, sexual violence assault or human trafficking or other circumstances beyond the control of the employee.

#### Retaliation Prohibited

Retaliation against employees for exercising their rights under VESSA is prohibited. Likewise, employees who take DSVL leave shall be restored to their job or an equivalent employment position upon returning from leave.