

**BILL NO. 22-11**

**ORDINANCE NO. 4.588**

**AN ORDINANCE AUTHORIZING THE CITY TO PARTICIPATE IN THE MISSOURI HIGHWAY SAFETY PROGRAM AND RECEIVE GRANT FUNDS, UNDER THE TERMS OUTLINED BY THE MISSOURI DEPARTMENT OF TRANSPORTATION, FOR THE PURPOSE OF INCREASED ENFORCEMENT OF TRAFFIC LAWS.**

**WHEREAS**, the City of Gladstone and the Missouri Highways Transportation Commission seek to promote safety on the roadways; and

**WHEREAS**, enforcement of laws governing traffic on roadways creates a safer environment for citizens and visitors to the City of Gladstone; and

**WHEREAS**, effective enforcement of traffic laws reduces injuries and deaths on the roadway as well as property damage; and

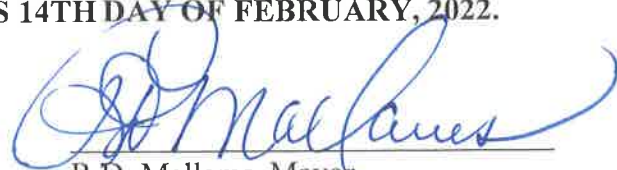
**WHEREAS**, an agreement with the Missouri Department of Transportation to participate in Missouri's Highway Safety Program is in the best interests of residents of the City of Gladstone.

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

**THAT**, the City of Gladstone agrees to approve the "City Council Authorization" form, requiring the signatures of each member of the City Council, and participate in Missouri's Highway Safety Program for Traffic Enforcement.

**FURTHER, THAT**, the City of Gladstone authorizes the use of traffic safety grant funds received by the Missouri Department of Transportation to compensate police officers at the maximum rate authorized by the Missouri Department of Transportation's guidelines governing the use of Highway Safety Program grant funds

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14TH DAY OF FEBRUARY, 2022.**

  
R.D. Mallams, Mayor

ATTEST:

  
Becky Jarrett, Deputy City Clerk

1st Reading: February 14, 2022

2<sup>nd</sup> Reading: February 14, 2022



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 22-11

ORD # 4.588

Date: 2/8/2022

Department: General Administration

Meeting Date Requested: 2/14/2022

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

Subject: An Ordinance authorizing the City to participate in the Missouri Highway Safety Program and receive grant funds, under the terms outlined by the Missouri Department of Transportation, for the purpose of increased enforcement of traffic laws.

Background: See Attached

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: Staff recommends approval of proposed Ordinance

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

Bob Baer  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager

Each year, the police department receives grant funding from MODOT for the purpose of increasing traffic enforcement for impaired drivers, hazardous moving violators, and occupants not using their seatbelts. In past years, officers had the ability to work these grants in addition to their normal schedule at their overtime rate of 1.5 times their normal hourly rate, which the City was reimbursed for through the MODOT grant. The terms of the grant agreement are very specific and officers are required to track their traffic stops and document the issued warnings and citations carefully.

Last year, many departments across Missouri returned unused grant funds due to shift shortages, mandatory overtime and COVID-related agency restrictions on self-initiated activity. In response, MODOT has encouraged grant recipients to expend all of their allotted funds this year and have further authorized cities to compensate officers at two (2) times their hourly rate instead of the customary 1.5. The City of Gladstone policy lists that overtime will be paid a 1.5 times the normal hourly rate, so in order to achieve the higher rate, the following change is proposed to the City personnel manual:

## **OVERTIME**

*When operating requirements or other needs cannot be met during regular working hours, you may be scheduled to work overtime. All overtime work must be authorized or approved in advance by your department director or supervisor. Working overtime without prior authorization may result in disciplinary action. An employee's department director or authorized supervisor may require an employee to work hours in excess of the standard work week, and disciplinary action may be taken should an employee who, without sufficient reason:*

- *Refuses to work; or*
- *Fails to appear when scheduled to work; or*
- *Indicated he/she would work then fails to appear.*

*Most nonexempt employees will be paid time and one-half compensation for all hours worked in excess of 40 in a fixed seven-day work week and as otherwise required by state and federal law. For eligible law enforcement personnel, overtime or compensatory time shall be paid for all hours worked in excess of 80 in a fixed 14-day work period. For all eligible Fire/EMS personnel, overtime or compensatory time shall be paid for all hours worked in excess of 212 in a fixed 28-day work period. See Section 207(k) of the Fair Labor Standard Act.*

*The City reserves the right to grant compensatory time in lieu of overtime at the discretion of the City Manager or Department Director. Sick leave, bereavement, jury duty absence, vacation, comp time taken and holiday leave taken is not considered "hours worked" for the purposes of computing overtime. For the purposes of calculating overtime for general nonexempt employees, the workweek begins at 12:01 a.m. Wednesday and ends at 12:00 midnight Tuesday.*

*Compensatory time off in lieu of immediate overtime pay may be given as an alternative to allow for both operating and budget flexibility. Compensatory time off, at a rate of one and one-half hours for each hour of overtime worked, may be granted at the discretion of the Department Director when work schedules are deemed to allow for such time off. Whenever a non-exempt employee is working beyond their regular scheduled working hours to cover MoDOT Grant work, most nonexempt employees will be compensated at the maximum rate authorized by the Missouri Department of Transportation in the guidelines governing the use of such grants. Compensatory time off, in lieu of immediate pay, for all hours of MoDOT Grant overtime worked may not be granted.*

*Generally, compensatory time shall not be allowed to accumulate in excess of 40 hours for all nonexempt employees except those who work 24-hour shifts in the Fire/EMS division. Generally, nonexempt employees of the Fire/EMS division shall not be allowed to accumulate compensatory time in excess of 48 hours.*

*Any overtime work which will result in accumulation of compensatory time in excess of the limits set above, shall be compensated at the rate of one and one-half times their regular hourly rate. However, maximum compensatory time limits may be reduced within a department at the Director's discretion and based on operational need.*

*To reduce the accumulation of compensatory time a department director may require an employee to take alternative time off during the work week or work period. In the event alternative time off is taken during the workweek or period, the time off will be at one hour for each one hour worked.*

*Exempt employees are expected to work as much of each workday as is necessary to complete their job responsibilities. No overtime, compensatory time or additional compensation is provided to exempt employees.*

In previous grant cycles, the City Council has passed an Ordinance authorizing the City Manager to sign the grant "Authorization Form"; however, this year MODOT has requested that the "Authorization Form" be signed by all members of the City Council. Passage of the proposed Ordinance will allow the City to participate in the Traffic Safety grant initiative and authorize the City to compensate officers working the MODOT grants at the suggested grant schedule of two (2) times the normal hourly rate instead of the traditional 1.5.



## CITY COUNCIL AUTHORIZATION

On February 14<sup>th</sup>, 2022 the Council of Gladstone  
Missouri held a meeting and discussed the City's participation  
in Missouri's Highway Safety Program.

It is agreed by the Council that the City of Gladstone, Missouri  
will participate in Missouri's Highway Safety Program.

It is further agreed by the Council that the Chief of Police will investigate the  
financial assistance available under the Missouri Highway Safety Program for  
Traffic Enforcement and report back to the Council his/her recommendations.  
When funding through the Highway Safety Division is no longer available, the  
local government entity agrees to make a dedicated attempt to continue support  
for this traffic safety effort.

[Signature]  
Council Member

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Council Member

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Council Member

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Council Member

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Mayor