

**MEETING NOTICE
MAIZE CITY COUNCIL
REGULAR MEETING**

TIME: 7:00 P.M.
DATE: MONDAY, NOVEMBER 21, 2016
PLACE: MAIZE CITY HALL
10100 W. GRADY AVENUE

AGENDA

MAYOR CLAIR DONNELLY PRESIDING

- 1) Call to Order
- 2) Roll Call
- 3) Pledge of Allegiance/Moment of Silence
- 4) Approval of Agenda
- 5) Public Comments
- 6) Consent Agenda
 - a. Approval of Minutes – Regular Meeting of October 17, 2016.
 - b. Cash Disbursements from November 1, 2016 thru November 30, 2016 in the amount of \$ 458,882.42 (Check #63289 thru 63452)
 - c. Approval of Busby, Ford & Reimer LLC engagement letter for auditing services for the year ending December 31, 2016 in the amount of \$15,500.

**** Recess Regular Council Meeting & open Public Hearing**

- 7) Public Hearing - 2016 Amended Budget

**** Close the Public Hearing & reconvene the Regular Council Meeting**

- 8) 2016 Old Business
 - A. Amended 2016 Budget
- 9) New Business
 - A. Cornejo Paving Contract
 - B. Westar Easement Agreement
 - C. Zoning Case (404 Irma)
 - D. Rescind the Snow Removal, Two-Way Radio, Cable Television Policies
 - E. Personnel Policy Manual Revisions

- 10) Reports
 - Police
 - Public Works
 - City Engineer
 - Planning & Zoning
 - City Clerk
 - Legal
 - Operations
 - Mayor's Report
 - Council Member's Reports

11) Executive Session

12) Adjournment

**MINUTES-REGULAR MEETING
MAIZE CITY COUNCIL
Monday, October 17, 2016**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **September 19, 2016** in the Maize City Hall, 10100 Grady Avenue, with *Mayor Clair Donnelly* presiding. Council members present were *Karen Fitzmier, Pat Stivers, Donna Clasen* and *Alex McCreath*. *Kevin Reid* was absent.

Also present were: *Richard LaMunyon*, City Administrator, *Rebecca Bouska*, Deputy City Administrator, *Jocelyn Reid*, City Clerk, *Matt Jensby*, Police Chief, *Ron Smothers*, Public Works Director, *Bill McKinley*, City Engineer, *Kim Edgington*, Planning Administrator, *Tom Powell*, City Attorney, and *Larry Kleeman*, Financial Advisor.

APPROVAL OF AGENDA:

The Agenda was submitted for approval.

MOTION: *Clasen* moved to approve the Agenda as submitted.
Stivers seconded. Motion declared carried.

CONSENT AGENDA:

The Consent Agenda was submitted for approval including:

- a) Approval of minutes – Regular Council Meeting of September 19, 2016
- b) Receive and file Planning Commission Meeting Minutes of September 1, 2016.
- c) Cash Disbursements from September 1, 2016 through September 30, 2016 in the amount of \$1,129,828.93 (Check #63159 through #63288).

MOTION: *Clasen* moved to approve the Consent Agenda as submitted.
McCreath seconded. Motion declared carried.

2016 BUDGET AMENDMENT:

Staff recommended an amendment to the 2016 budget to reflect additional expenditures in the general, street, wastewater and water funds.

MOTION: *Clasen* moved to approved the recommendation to amend the 2016 budget, set the public hearing for 7:00 pm on November 21, 2016 and publish in *The Clarion*.
Stivers seconded. Motion declared carried.

FLOODPLAIN MANAGEMENT AMENDING ORDINANCE:

An ordinance amending an existing part of the City Code relating to the revised FEMA floodplain maps was submitted for Council approval.

MOTION: *Clasen* moved to approve the amending floodplain ordinance subject to the approval of the Chief Engineer of Water Resources.
Fitzmier seconded. Motion declared carried.

City Clerk assigned Ordinance #925.

EAGLES NEST PHASE 2B WATER BIDS AND CONTRACT:

Bids and a construction contract for water improvements in Eagles Nest Phase 2B were submitted for Council approval.

MOTION: *Stivers* moved to accept the low bid and approve the construction contract with Wilks Underground Utilities, LLC in an amount not to exceed \$79,304 and authorize the Mayor to sign.
Fitzmier seconded. Motion declared carried.

REVISED JOB DESCRIPTIONS, ADDITIONS AND CHANGES TO THE ORGANIZATIONAL CHART:

Changes and additions to the City of Maize Personnel Policy Manual were submitted for Council approval.

MOTION: *Clasen* moved to approve the following changes to the Personnel Policy Manual:

1. Addition of the Police Administrative Sergeant Job Description
2. Addition of the Police Patrol Sergeant Job Description
3. Removal of the Sergeant Job Description
4. Addition of the PT Customer Service Clerk Job Description
5. Amendment to the Organizational Chart

Fitzmier seconded. Motion declared carried.

SEWER EXTENSION-HAMPTON LAKES 3RD ADDITION:

A resolution of advisability authorizing the extension of sanitary sewer along Maize Road and creating a benefit district and a sewer basin ordinance creating a sewer basin for two out-of-city tracts in the benefit district were submitted for Council approval.

MOTION: *Fitzmier* moved to adopt the resolution of advisability and the sewer basin ordinance for the Hampton Lakes 3rd Addition Sewer Extension.

Stivers seconded. Motion declared carried.

City Clerk assigned Resolution #588-16 and Ordinance #926.

ADJOURNMENT:

With no further business before the Council,

MOTION: *Fitzmier* moved to adjourn.

Stivers seconded. Motion declared carried.

Meeting adjourned.

Respectfully submitted by:

Jocelyn Reid, City Clerk

CITY OF MAIZE
Bank Reconciliation Report
For October 2016

Fund Balances

FUND	NAME	BEGIN		END	
		PERIOD	RECEIPTS	DISBURSEMENTS	PERIOD
01	General Fund	\$ 402,928.21	\$ 261,403.72	\$ 243,263.02	\$ 421,068.91
02	Street Fund	135,777.30	57,598.54	27,458.95	165,916.89
04	Capital Improvements Fund	118,741.27	40,858.80	13,875.26	145,724.81
05	Long-Term Projects	(15,997.05)	-	32,647.73	(48,644.78)
10	Equipment Reserve Fund	85,217.08	19,191.08	-	104,408.16
11	Police Training Fund	2,410.34	253.16	-	2,663.50
12	Municipal Court Fund	28,527.54	1,808.39	3,199.03	27,136.90
16	Bond & Interest Fund	(149,363.73)	154,907.83	-	5,544.10
19	Wastewater Reserve Fund	149,621.26	3,000.00	-	152,621.26
20	Wastewater Treatment Fund	614,036.99	163,364.07	65,295.38	712,105.68
21	Water Fund	473,137.74	202,571.53	60,847.93	614,861.34
22	Water Reserve Fund	140,148.81	3,000.00	-	143,148.81
23	Water Bond Debt Reserve Fund	268,000.00	-	-	268,000.00
24	Wastewater Bond Debt Reserve Fund	147,800.09	-	-	147,800.09
32	Drug Tax Distribution Fund	2,404.57	-	-	2,404.57
38	Cafeteria Plan	3,956.92	1,180.90	1,827.47	3,310.35
76	Bond Refundings	-	-	40,881.37	(40,881.37)
98	Maize Cemetery	160,774.89	4,122.07	4,519.95	160,377.01
Totals All Fund		\$ 2,568,122.23	\$ 913,260.09	\$ 493,816.09	\$ 2,987,566.23

Bank Accounts and Adjustments

Halstead Checking Account	\$ 1,249,804.20	\$ 757,577.54	\$ 1,281,936.03	\$ 725,445.71
Outstanding Items				\$ (52,963.69)
Halstead Bank Money Market Account	1,254,155.55	900,551.65	-	2,154,707.20
Maize Cemetery CD 85071	91,071.06	231.63	-	91,302.69
Maize Cemetery Operations	69,703.83	3,890.44	4,519.95	69,074.32
Totals All Banks	\$ 2,664,734.64	\$ 1,662,251.26	\$ 1,286,455.98	\$ 2,987,566.23

CITY OF MAIZE
Cash and Budget Position
Thru October 31, 2016

FUND	NAME	BEGINNING	MONTH	MONTH	END MONTH	ANNUAL	YTD	YTD	REMAINING	REMAINING
		CASH BALANCE	RECEIPTS	DISBURSEMENTS	CASH BALANCE	EXPENSE BUDGET	REVENUE	EXPENSE	EXPENSE BUDGET	BUDGET PERCENTAGE
01	General Fund	\$ 402,928.21	\$ 261,403.72	\$ 243,263.02	\$ 421,068.91	\$ 3,369,786.00	\$ 3,137,290.54	\$ 3,105,411.72	\$ 264,374.28	7.85%
02	Street Fund	135,777.30	57,598.54	27,458.95	165,916.89	294,100.00	286,538.28	271,611.10	22,488.90	7.65%
04	Capital Improvements Fund	118,741.27	40,858.80	13,875.26	145,724.81	665,000.00	409,085.50	615,811.97	49,188.03	7.40%
05	Long-Term Projects	(15,997.05)	-	32,647.73	(48,644.78)	-	929,426.30	696,445.74		
10	Equipment Reserve	85,217.08	19,191.08	-	104,408.16	230,000.00	195,171.03	205,325.98	24,674.02	10.73%
11	Police Training Fund	2,410.34	253.16	-	2,663.50	2,000.00	3,167.01	1,772.50	227.50	11.38%
12	Municipal Court Fund	28,527.54	1,808.39	3,199.03	27,136.90	-	25,525.40	15,547.59		
16	Bond & Interest Fund	(149,363.73)	154,907.83	-	5,544.10	2,552,350.00	2,120,763.33	2,384,032.69	168,317.31	6.59%
19	Wastewater Reserve Fund	149,621.26	3,000.00	-	152,621.26	-	30,000.00	10,764.68		
20	Wastewater Treatment Fund	614,036.99	163,364.07	65,295.38	712,105.68	714,000.00	776,494.38	662,937.13	51,062.87	7.15%
21	Water Fund	473,137.74	202,571.53	60,847.93	614,861.34	769,500.00	850,408.25	669,074.25	100,425.75	13.05%
22	Water Reserve Fund	140,148.81	3,000.00	-	143,148.81	-	30,000.00	-	-	
23	Water Bond Debt Reserve Fund	268,000.00	-	-	268,000.00	-	-	-		
24	Wastewater Bond Debt Reserve Fund	147,800.09	-	-	147,800.09	-	-	-		
32	Drug Tax Distribution Fund	2,404.57	-	-	2,404.57	-	-	-		
38	Cafeteria Plan	3,956.92	1,180.90	1,827.47	3,310.35	-	10,113.10	11,435.89		
76	Bond Refundings	-	-	40,881.37	(40,881.37)					
98	Maize Cemetery	160,774.89	4,122.07	4,519.95	160,377.01	161,706.00	32,864.46	29,335.42	132,370.58	81.86%
Report Totals		\$ 2,568,122.23	\$ 913,260.09	\$ 493,816.09	\$ 2,987,566.23	\$ 8,758,442.00	\$ 8,836,847.58	\$ 8,679,506.66	\$ 813,129.24	9.28%



BUSBY FORD & REIMER, LLC

CERTIFIED PUBLIC ACCOUNTANTS

October 24, 2016

**To the Mayor & City Council
City of Maize, Kansas**

We are pleased to confirm our understanding of the services we are to provide the **City of Maize, Kansas** for the year ending **December 31, 2016**. We will audit the financial statement prepared in accordance with the *Kansas Municipal Audit and Accounting Guide* of the **City of Maize, Kansas Financial Reporting Entity** as of and for the year ending **December 31, 2016**.

We have also been engaged to report on regulatory-required supplementary information that accompanies the **City of Maize, Kansas**' financial statement. We will subject the following regulatory-required supplementary information to the auditing procedures applied in our audit of the financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statement or to the financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and the *Kansas Municipal Audit and Accounting Guide*, and we will provide an opinion on it in relation to the financial statement as a whole:

1. Summary of expenditures-actual and budget.
2. Individual funds schedules of cash receipts and expenditures-actual and budget.
3. Individual funds schedules of cash receipts and expenditures-actual.
4. Schedule of cash receipts and expenditures-Maize Public Building Commission.
5. Schedule of cash receipts and expenditures-Capital Projects.
6. Schedule of cash receipts and expenditures-Agency Funds.

Audit Objective

The objective of our audit is the expression of opinions as to whether your financial statement is fairly presented, in all material respects, in conformity with the *Kansas Municipal Audit and Accounting Guide* and the accounting practices prescribed by the State of Kansas to demonstrate compliance with the cash basis and budget laws of the State of Kansas, which is a regulatory basis of accounting, the practices of which differ from accounting principles generally accepted in the United States of America and to report on the fairness of the regulatory-required supplementary information referred to in the second paragraph when considered in relation to the financial statement as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the *Kansas Municipal Audit and Accounting Guide* and will include tests of the accounting records and other procedures we consider necessary to enable us to express such an opinion.

AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS / KANSAS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS

We will issue a written report upon completion of our audit of the **City of Maize, Kansas'** financial statement. Our report will be addressed to the Mayor and City Council of the **City of Maize, Kansas**. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or add emphasis-of-matter or other-matter paragraphs. If our opinion on the financial statement is other than unmodified, we will discuss the reasons with you in advance. If for any reason we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or to issue a report as a result of this engagement.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statement. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statement is free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with auditing standards generally accepted in the United States of America. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statement. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include direct confirmation of certain assets and liabilities by correspondence with selected funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about your responsibilities for the financial statement and other responsibilities required by the *Kansas Municipal Audit and Accounting Guide*.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatements of the financial statement and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to

identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under American Institute of Certified Public Accountants professional standards.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statement is free of material misstatement, we will perform tests of the **City of Maize, Kansas'** compliance with applicable laws, regulations, contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion.

Other Services

We will also prepare the financial statement of the **City of Maize, Kansas** in conformity with the *Kansas Municipal Audit and Accounting Guide* based on information provided by you. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statement of the of the respective Summary of Receipts, Expenditures and Unencumbered Cash of the **City of Maize, Kansas** in conformity with the *Kansas Municipal Audit and Accounting Guide*, and the practices prescribed by the State of Kansas to demonstrate compliance with the cash basis and budget laws of the State of Kansas, which is a regulatory basis of accounting, the practices of which differ from accounting principles generally accepted in the United States of America.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statement, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statement to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statement taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the entity involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statement. Your responsibilities include informing us of your

knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, regulators, or others.

In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations. You are responsible for the preparation of the regulatory-required supplementary information, which we have been engaged to report on, in conformity with the *Kansas Municipal Audit and Accounting Guide* and the accounting practices prescribed by the State of Kansas to demonstrate compliance with the cash basis and budget laws of the State of Kansas, which is a regulatory basis of accounting, the practices of which differ from accounting principles generally accepted in the United States of America. You agree to include our report on the regulatory-required supplementary information in any document that contains, and indicates that we have reported on the regulatory-required supplementary information. You also agree to [include the audited financial statement with any presentation of the regulatory-required supplementary information that includes our report thereon OR make the audited financial statement readily available to users of the regulatory-required supplementary information no later than the date the regulatory-required supplementary information is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the regulatory-required supplementary information in accordance with the *Kansas Municipal Audit and Accounting Guide*; (2) that you believe the regulatory-required supplementary information, including its form and content, is fairly presented in accordance with the *Kansas Municipal Audit and Accounting Guide*; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reason for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the regulatory-required supplementary information.

Management understands and acknowledges the following with regards to the financial statement:

- The purpose of using the *Kansas Municipal Audit and Accounting Guide* regulatory basis framework is to comply with the statutory provisions applicable to the entity for preparation of the financial statement on a basis of accounting other than accounting principles generally accepted in the United States of America;
- The financial statement is intended for general use;
- Management has taken appropriate steps to determine that the *Kansas Municipal Audit and Accounting Guide* regulatory basis framework is acceptable in the circumstances for meeting its annual financial statement reporting needs;
- Informative disclosures will be included in the financial statement that are appropriate to the *Kansas Municipal Audit and Accounting Guide* regulatory basis framework, including:
 - A description of the *Kansas Municipal Audit and Accounting Guide* regulatory basis framework, including a summary of significant accounting policies, and how the framework differs from accounting principles generally accepted in the United States of America;
 - Informative disclosures similar to those required by accounting principles generally accepted in the United States of America for items contained in the financial statement that are the same as, or similar to, those in a financial statement prepared in accordance with accounting principles generally accepted in the United States of America; and

- Any additional disclosures beyond those specifically required by the *Kansas Municipal Audit and Accounting Guide* regulatory basis framework that may be considered necessary to achieve fair presentation of the financial statement.
- Management has chosen to include the financial information of the following related municipal entity in its financial statement:
 - Maize Public Building Commission

You agree to assume all management responsibilities for our assistance with the preparation of your financial statement and related notes and any other nonattest services we provide; oversee the services by designating an individual with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services and accept responsibility for them.

Audit Administration, Fees, and Other

Randall G. Ford, CPA is the engagement partner and is responsible for supervising the engagement and signing the report.

Our fees for these services will be **\$15,500**. Invoices for these fees will be rendered each month as work progresses and are payable on presentation. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Our engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

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

This letter will continue in effect until canceled by either party.

Sincerely,

Busby Ford & Reimer, LLC

Busby Ford & Reimer, LLC

RESPONSE:

This letter correctly sets forth the understanding of the **City of Maize, Kansas**:

By: _____

Title: _____

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, November 21, 2016**

AGENDA ITEM #8A

ITEM: ADOPTION OF THE 2016 AMENDED BUDGET

BACKGROUND:

On October 17, 2016, the Council accepted the 2016 amended budget and directed staff to publish the notice of budget hearing in *The Clarion*.
In accordance with State Law, the notice was published October 20, 2016.

A public hearing was conducted earlier during this Council meeting.

This budget amendment increases the budget authority as follows:

- General fund from \$3,369,786 to \$3,534,297
- Street fund from \$294,100 to \$302,000
- Wastewater fund from \$714,000 to \$763,200
- Water fund to (\$769,500 to \$837,540

This amended 2016 budget satisfies the City's financial requirements and is in compliance with State Law.

FINANCIAL CONSIDERATIONS:

Each fund has sufficient revenues to cover the increased budget authority required.
The increase in budget authority will have minimal impact on the projected 2016 carryover amounts (\$200,000 for General Fund, \$170,00 for Streets, \$677,400 for Wastewater and \$466,000 for Water).

LEGAL CONSIDERATIONS:

Compliance with Kansas State Law has been accomplished.

RECOMMENDATION/ACTION:

Adopt the amended 2016 budget as published.

2016

**Amended
Certificate
For Calendar Year 2016**

To the Clerk of Sedgwick, State of Kansas
We, the undersigned, duly elected, qualified, and acting officers of
Maize
certify that: (1) the hearing mentioned in the attached publication was held;(2) after the Budget Hearing this Budget was duly approved and adopted as the maximum expenditure for the various funds for the year.

			2016 Amended Budget		
Table of Contents:		Page No.	Amount of 2015 Tax that was Levied	Adopted 2016 Expenditures	Proposed Amended 2016 Expenditures
Fund	K.S.A.				
General Fund	12-101a	2	1,600,508	3,369,786	3,534,297
Special Highway		3		294,100	302,000
Wastewater		4		714,000	763,200
Water		5		769,500	837,540
Totals		xxxxxxxx	1,600,508	5,147,386	5,437,037
Summary of Amendments		6			

Attested date: _____

County Clerk

Assisted by:

Address:

Email:

Governing Body

Maize

2016

Adopted Budget

General Fund	2016 Adopted Budget	2016 Proposed Budget
Unencumbered Cash Balance January 1	380,157	388,912
Receipts:		
Ad Valorem Tax	1,600,508	1,550,000
Delinquent Tax	20,000	49,853
Motor Vehicle Tax	160,836	210,000
Sales Tax	650,000	690,000
Transient Guest Tax	85,000	98,000
Permits and Licenses	80,000	230,000
Franchise Tax	355,000	361,566
Planning and Zoning Revenue	1,500	1,725
Community Building Rental	5,000	5,000
Fireworks Permits	24,000	24,000
Municipal Court Revenue	64,500	76,200
911 Camp Revenue	17,000	8,525
Liquor Tax	1,000	1,000
Miscellaneous	0	5,600
Interest on Idle Funds	1,500	2,000
Total Receipts	3,065,844	3,313,469
Resources Available:	3,446,001	3,702,381
Expenditures:		
City Council	18,450	26,650
Administration	311,250	341,460
Police Department	636,300	633,559
Municipal Court	85,525	94,000
Community Facilities	68,000	65,751
Planning Commission	105,500	95,500
Audit	16,500	15,600
Employee Benefits	547,500	572,240
Utilities	30,000	25,000
Communtiy Services	10,000	11,899
Building Inspections	30,000	105,500
Contingency Funds	43,000	0
Housing Grant	100,000	280,000
Transient Guest Tax Rebate	85,000	98,000
Commercial Incentive	10,000	11,908
City Hall Lease Payment	175,261	141,878
Economic Development	70,000	5,000
Park & Tree Board Expenses	20,000	14,000
Senior Services	500	500
Transfer to Street Fund	150,000	150,000
Transfer to CIP	488,000	488,000
Transfer to Equipment Reserve	230,000	230,000
911 Camp Expenses	9,000	8,571
Public Works Building Lease Payment	130,000	119,281
Total Expenditures	3,369,786	3,534,297
Unencumbered Cash Balance December 31	76,215	168,084

**Notice of Budget Hearing for Amending the
2016 Budget**

The governing body of
Maize

will meet on the day of November 21, 2016 at 7:00 pm at Maize City Hall for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at Maize City Hall and will be available at this hearing.

Summary of Amendments

Fund	2016 Adopted Budget			2016 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
General Fund	43.030	1,600,508	3,369,786	3,534,297
Special Highway			294,100	302,000
Wastewater			714,000	763,200
Water			769,500	837,540
			0	0
			0	0

Jocelyn Reid
Official Title: City Clerk

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, November 21, 2016**

AGENDA ITEM #9A

ITEM: EAGLES NEST PHASE 2B PAVING BIDS AND CONTRACT

BACKGROUND:

On September 16, 2016, bids were received for Eagles Nest Phase 2B paving improvements.

Cornejo & Sons, LLC submitted the low bid of \$252,786.72.

The engineer's estimate was \$318,154.

The City Engineer has confirmed the bids.

A bid tabulation sheet is attached.

FINANCIAL CONSIDERATIONS:

Eagles Nest Phase 2B will be included in the updated project-funding plan at later date.

LEGAL CONSIDERATIONS:

The City Attorney approves the construction agreement as to form.

RECOMMENDATION:

Accept the low bid and approve the construction agreement with Cornejo & Sons, LLC in an amount not to exceed \$252,786.72 and authorize the Mayor to sign.

CONSTRUCTION AGREEMENT

THIS AGREEMENT (the "Agreement") made and entered into this ____ day of _____, 2016, by and between THE CITY OF MAIZE, KANSAS, a municipal corporation (hereinafter the "City"), and Cornejo & Sons, L.L.C., whose principal office is at P.O. Box 16204, Wichita, KS 67216 (hereinafter the "Contractor").

NOW, THEREFORE, for the consideration, covenants and mutual promises hereafter stated, the parties hereto agree as follows:

SECTION 1. Contract Documents. The "Contract Documents" consist of the Agreement and the documents listed in Section 12 of the Agreement (the "Contract Documents"). The documents listed in Section 12 are hereby incorporated by reference herein and are made a part of the Agreement as though they are fully set forth herein.

SECTION 2. Work. The Contractor shall furnish all work as specified or indicated in the Contract Documents. The work to be furnished is generally described as follows:

Street Improvements with Incidental Drainage to serve Eagles Nest Addition - Phase 2B, Maize, Kansas

SECTION 3. The Work. The Work shall be done in accordance with the Contract Documents and under the direct supervision of the Engineer, and the Engineer's decision as to the material used in the Work and the method of the Work shall be final and conclusive. In addition, the Contractor shall execute the Work described in the Contract Documents as necessary to produce the results intended by the Contract Documents or reasonably inferable by the Contract to produce the results intended by the Contract Documents.

SECTION 4. Contract Time. (a) The Work under this Agreement shall be substantially completed to the satisfaction of the Engineer within Forty Five (45) work days after the Notice to Proceed is issued.

(b) **Liquidated Damages.** Liquidated Damages for failure to substantially complete the Work in the time period set in this section will be assessed at the amount and in accordance with the Standard Specifications that are referenced in Section 12 herein.

SECTION 5. Contract Sum. (a) The City shall pay to the Contractor for completion of the Work per unit for quantity in not-to-exceed amounts as set forth in the following chart:

BASE BID Street Paving Improvements

1	AC Pavement 5" (3" Bit. Base)	4,551	S.Y.	\$12.75	\$58,025.25
2	Reinforced Crushed Rock Base (5")	5,785	S.Y.	\$5.75	\$33,263.75
3	RCVG Pavement (7")	77	S.Y.	\$39.00	\$3,003.00
4	Comb. C & G (3 5/8" RL & 1 1/2")	2,953	L.F.	\$8.50	\$25,100.50
5	Mono Edge Curb (3 5/8" & 1 1/2")	53	L.F.	\$3.25	\$172.25
6	Sidewalk Concrete (6")	6,103	S.F.	\$3.50	\$21,360.50
7	Wheelchair Ramp	4	Ea.	\$550.00	\$2,200.00
8	Inlet Hookup	6	Ea.	\$350.00	\$2,100.00
9	Inlet Adjusted	2	Ea.	\$300.00	\$600.00
10	Excavation	1,406	C.Y.	\$5.09	\$7,156.54
11	Compacted Fill (95% Density)	48	C.Y.	\$2.21	\$106.08
12	30" RCP	137	L.F.	\$72.00	\$9,864.00
13	24" RCP	212	L.F.	\$48.00	\$10,176.00
14	18" RCP	255	L.F.	\$38.00	\$9,690.00
15	15" RCP	374	L.F.	\$35.00	\$13,090.00
16	Type 1-A Curb Inlet (10'x3')	4	Ea.	\$4,500.00	\$18,000.00
17	Type 1-A Curb Inlet (5'x3')	2	Ea.	\$4,200.00	\$8,400.00
18	Backyard Inlet	3	Ea.	\$2,400.00	\$7,200.00
19	Sand Backfill, Jetted & Vibrated	126	L.F.	\$5.00	\$630.00
20	BMP, Curb Inlet Protection	6	Ea.	\$65.00	\$390.00
21	BMP, Drop Inlet Protection	9	Ea.	\$85.00	\$765.00
22	BMP, Back of Curb Protection	2,995	L.F.	\$0.90	\$2,695.50
23	BMP, Silt Fence	65	L.F.	\$3.00	\$195.00
24	Maintenance of Erosion Control BMP's	1	L.S.	\$410.48	\$410.48
25	Easement Grading	1	L.S.	\$5,457.87	\$5,457.87
26	Project Seeding	1	L.S.	\$2,230.00	\$2,230.00
27	Street Signage	1	L.S.	\$1,705.00	\$1,705.00
28	Site Clearing & Restoration	1	L.S.	\$8,800.00	\$8,800.00
TOTAL					\$252,786.72

(b) **Payment.** The Contractor shall be entitled to payments of ninety-five percent (95%) of its progress estimated every thirty (30) days during the prosecution of the Work, subject to the Engineer's approval and certification by the City as to progress and completion of the Work. The five percent (5%) retainage, if undisputed, shall be returned no later than the thirtieth (30th) day following substantial completion; however, if any subcontractor is still performing work, the City may withhold that portion of the retainage attributable to such subcontract until not later than thirty (30) days after such work is completed.

SECTION 6. Maintenance of Improvements. The Contractor shall maintain the completed Work for a period of two (2) years from the date of final completion as determined by the Engineer without cost or expense to the City. Such maintenance of the Work shall be done in compliance with the plans and specifications.

SECTION 7. Bond. Before commencement of the Work, the Contractor shall furnish the following bonds:

(a) A Performance and Maintenance Bond that guarantees the completion of the Work and guarantees maintenance of the Work following Final Completion for a two (2) year period in the amount of Two Hundred Fifty Two Thousand, Seven Hundred Eighty Six Dollars and Seventy Two Cents (\$252,786.72), conditioned on the satisfactory completion of the Work and completion of guaranteed maintenance of the Work.

(b) A Statutory Bond of the State of Kansas in the amount of Two Hundred Fifty Two Thousand, Seven Hundred Eighty Six Dollar and Seventy Two Cents (\$252,786.72), conditioned upon the payment of all material and labor bills incurred in the making of the Work.

(c) The Performance and Maintenance Bond and the Statutory Bond shall comply with requirements set forth in the Standard Specifications.

SECTION 8. Arbitration. Notwithstanding anything to the contrary in the Contract Documents, the City shall not be subject to arbitration and any clause relating to arbitration contained in the Contract Documents herein between the parties shall be null and void and either party shall have the right to litigate any dispute in a court of law.

SECTION 9. Assignment. The Contractor, acting herein by and through its authorized agent, hereby conveys, sells, assigns, and transfers to the City all right, title and interest in and to all causes of action it may now or hereafter acquire under the anti-trust laws of the United States and the State of Kansas, relating to the particular product, products or services purchased or acquired by the City pursuant to this Agreement.

SECTION 10. Deferment or Cancellation of Agreement. The Agreement may be deferred or cancelled by the City in accordance with the Standard Specifications.

SECTION 11. Contractor Representations.

(a) The Contractor has familiarized itself with the nature and extent of the Contract Documents, the Work, the site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance, or furnishing of the Work.

(b) The Contractor has studied carefully all physical conditions which are identified on the Plans.

(c) The Contractor has the responsibility to satisfy himself as to any explorations, subsurface tests, reports, or investigations of the subsurface or physical conditions at or contiguous to the site as otherwise may affect the cost, progress, performance or furnishing of the Work as the Contractor considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents.

(d) The Contractor has given the Engineer written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by the Engineer is acceptable to the Contractor.

SECTION 12. Contract Documents. The Contract Documents which comprise the entire Agreement between the City and the Contractor concerning the Work consist of the following:

- (a) This Agreement;
- (b) Construction Plans;
- (c) Proposal Form;
- (d) Performance Bond;
- (e) Statutory Bond;
- (f) The City of Wichita Standard Specifications for Construction of City Projects, 1998 Edition (the "Standard Specifications"), a copy of which is on file with the City Clerk's office of the City; provided that, for purposes of this Agreement, references to "Wichita" in the Standard Specifications shall be replaced with "Maize" and references to addresses in the Standard Specifications that refer to a City of Wichita address shall be replaced with "123 Khedive, Maize, Kansas 67101."

SECTION 13. Governing Law. The Contract and Contract Documents shall be governed by the laws of the State of Kansas.

SECTION 14. Miscellaneous Provisions. (a) If there is a conflict, the terms and conditions in the Standard Specifications shall prevail over terms and conditions of the Agreement.

(b) No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

(c) The City and the Contractor each bind itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors,

assigns and legal representatives with respect to all covenants, agreements and obligations contained in the Contract Documents.

(d) Where reference is made in this Agreement to a provision of the General Conditions or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

(e) The City's representative is:

Richard LaMunyon, City Administrator
City of Maize, Kansas
10100 Grady Ave.
PO Box 245
Maize, KS 67101

(f) The Contractor's representative is:

Mike Bergeron

P.O. Box 16204

Wichita, KS 67216

316-522-5100

(g) Neither the City's nor the Contractor's representative shall be changed without ten (10) days written notice to the other party.

IN WITNESS WHEREOF, THIS AGREEMENT is entered into as of the day and year first written above and is executed in at least three (3) original copies, of which one (1) is to be delivered to the Contractor, one (1) to the Engineer for use in the administration of this Agreement, and one (1) to the City.

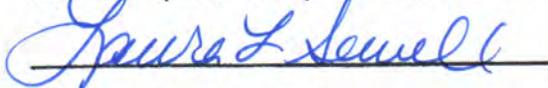
ATTEST:

CITY OF MAIZE, KANSAS

JOCELYN REID, City Clerk

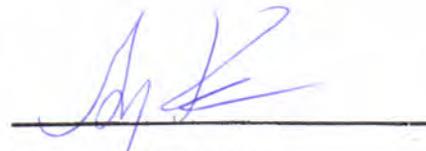
CLAIR DONNELLY, Mayor

ATTEST: (Contractor): Cornejo & Sons, L.L.C.



Name: Laura L. Sewell

Title: Contracts Administrator



Name: Greg Kinser

Title: General Manager

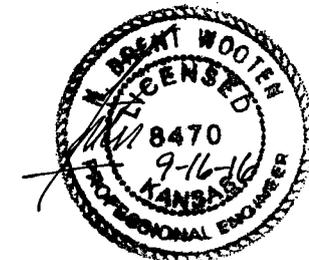
CA-5

TABULATION OF BIDS

Street Improvements with Incidental Drainage
Eagles Nest Addition - Phase 2B
Maize, Kansas

Bid Date: September 16, 2016 REVISED

Street Improvements with Incidental Drainage Eagles Nest Addition - Phase 2B	Quantities	Unit	Engineer's Estimate		Cornejo & Sons, LLC		APAC-Kansas, Inc-Shears Div		Conspec, Inc. DBA Kansas Pave.		Bid Price	Total
			Bid Price	Total	Bid Price	Total	Bid Price	Total	Bid Price	Total		
AC Pavement 5" (3" Bit. Base)	4551	SY	\$21.00	\$95,571.00	\$12.75	\$58,025.25	\$15.00	\$68,265.00	\$14.00	\$63,714.00		
Reinforced Crushed Rock Base (5")	5785	SY	\$8.00	\$46,280.00	\$5.75	\$33,263.75	\$9.00	\$52,065.00	\$6.00	\$34,710.00		
Reinforced Concrete Valley Gutter (7")	77	SY	\$60.00	\$4,620.00	\$39.00	\$3,003.00	\$42.00	\$3,234.00	\$32.00	\$2,464.00		
Combined C & G (3 5/8" RL & 1 1/2")	2953	LF	\$11.00	\$32,483.00	\$8.50	\$25,100.50	\$10.00	\$29,530.00	\$8.00	\$23,624.00		
Monolithic Edge Curb (3 5/8" RL & 1 1/2")	53	LF	\$4.00	\$212.00	\$3.25	\$172.25	\$5.00	\$265.00	\$1.00	\$53.00		
Sidewalk Concrete (6")	6103	SF	\$5.00	\$30,515.00	\$3.50	\$21,360.50	\$3.25	\$19,834.75	\$3.00	\$18,309.00		
Wheelchair Ramp	4	EA.	\$800.00	\$3,200.00	\$550.00	\$2,200.00	\$700.00	\$2,800.00	\$500.00	\$2,000.00		
Inlet Hook-up	6	EA.	\$750.00	\$4,500.00	\$350.00	\$2,100.00	\$400.00	\$2,400.00	\$300.00	\$1,800.00		
Inlet Adjusted	2	EA.	\$1,500.00	\$3,000.00	\$300.00	\$600.00	\$300.00	\$600.00	\$300.00	\$600.00		
Excavation	1406	CY	\$2.00	\$2,812.00	\$5.09	\$7,156.54	\$8.00	\$11,248.00	\$3.00	\$4,218.00		
Compacted Fill (95% Density)	48	CY	\$3.00	\$144.00	\$2.21	\$106.08	\$1.00	\$48.00	\$1.00	\$48.00		
30" RCP	137	LF	\$60.00	\$8,220.00	\$72.00	\$9,864.00	\$72.00	\$9,864.00	\$72.00	\$9,864.00		
24" RCP	212	LF	\$50.00	\$10,600.00	\$48.00	\$10,176.00	\$48.00	\$10,176.00	\$48.00	\$10,176.00		
18" RCP	255	LF	\$40.00	\$10,200.00	\$38.00	\$9,690.00	\$38.00	\$9,690.00	\$38.00	\$9,690.00		
15" RCP	374	LF	\$30.00	\$11,220.00	\$35.00	\$13,090.00	\$35.00	\$13,090.00	\$35.00	\$13,090.00		
Type 1-A Curb Inlet (10'x3')	4	EA.	\$4,000.00	\$16,000.00	\$4,500.00	\$18,000.00	\$4,500.00	\$18,000.00	\$4,500.00	\$18,000.00		
Type 1-A Curb Inlet (5'x3')	2	EA.	\$3,000.00	\$6,000.00	\$4,200.00	\$8,400.00	\$4,200.00	\$8,400.00	\$4,200.00	\$8,400.00		
Backyard Inlet	3	EA.	\$2,000.00	\$6,000.00	\$2,400.00	\$7,200.00	\$2,400.00	\$7,200.00	\$2,400.00	\$7,200.00		
Sand Backfill, Jetted & Vibrated	126	LF	\$2.00	\$252.00	\$5.00	\$630.00	\$5.00	\$630.00	\$5.00	\$630.00		
BMP, Curb Inlet Protection	6	EA.	\$100.00	\$600.00	\$65.00	\$390.00	\$65.00	\$390.00	\$3.00	\$18.00		
BMP, Drop Inlet Protection	9	EA.	\$400.00	\$3,600.00	\$85.00	\$765.00	\$85.00	\$765.00	\$5.00	\$45.00		
BMP, Back of Curb Protection	2995	LF	\$1.00	\$2,995.00	\$0.90	\$2,695.50	\$0.90	\$2,695.50	\$0.05	\$149.75		
BMP, Silt Fence	65	LF	\$2.00	\$130.00	\$3.00	\$195.00	\$3.00	\$195.00	\$0.10	\$6.50		
Maintenance of Erosion Control BMP's	1	LS	\$2,000.00	\$2,000.00	\$410.48	\$410.48	\$400.00	\$400.00	\$10.00	\$10.00		
Easement Grading	1	LS	\$2,000.00	\$2,000.00	\$5,457.87	\$5,457.87	\$15,670.00	\$15,670.00	\$500.00	\$500.00		
Project Seeding	1	L.S.	\$3,000.00	\$3,000.00	\$2,230.00	\$2,230.00	\$2,230.00	\$2,230.00	\$100.00	\$100.00		
Street Signage	1	L.S.	\$3,000.00	\$3,000.00	\$1,705.00	\$1,705.00	\$1,705.00	\$1,705.00	\$1,705.00	\$1,705.00		
Site Clearing & Restoration	1	L.S.	\$9,000.00	\$9,000.00	\$8,800.00	\$8,800.00	\$31,000.00	\$31,000.00	\$35,750.00	\$35,750.00		
TOTAL:				\$318,154.00		\$252,786.72		\$322,390.25		\$266,874.25		



**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, November 21, 2016**

AGENDA ITEM #9B

ITEM: Westar Easement Modifications

BACKGROUND:

Currently Westar has easements throughout the city allowing them to provide power locally and throughout the area.

Westar is connecting an "internal" communication network that requires a "hard-line" be installed on the top of the very tall metal power poles along K-96 and around our city yards complex.

During this process the area was re-surveyed and it was determined some minor easement modifications were in order.

These adjustments are minor and have no impact on the City or its operations. Staff has reviewed these adjustments and has no objection.

The temporary easement will allow a "lift-truck" to be stationed along the line to allow workers to complete the project.

For expediency, the easement agreements are located in the backup agenda documents.

FINANCIAL CONSIDERATIONS:

The city will receive a total of \$3000 for the modifications and temporary easements.

LEGAL CONSIDERATIONS:

The City Attorney approves the agreements as to form.

RECOMMENDATION:

Approve the temporary and the modified easement agreements and authorize the Mayor to sign.

LEGEND

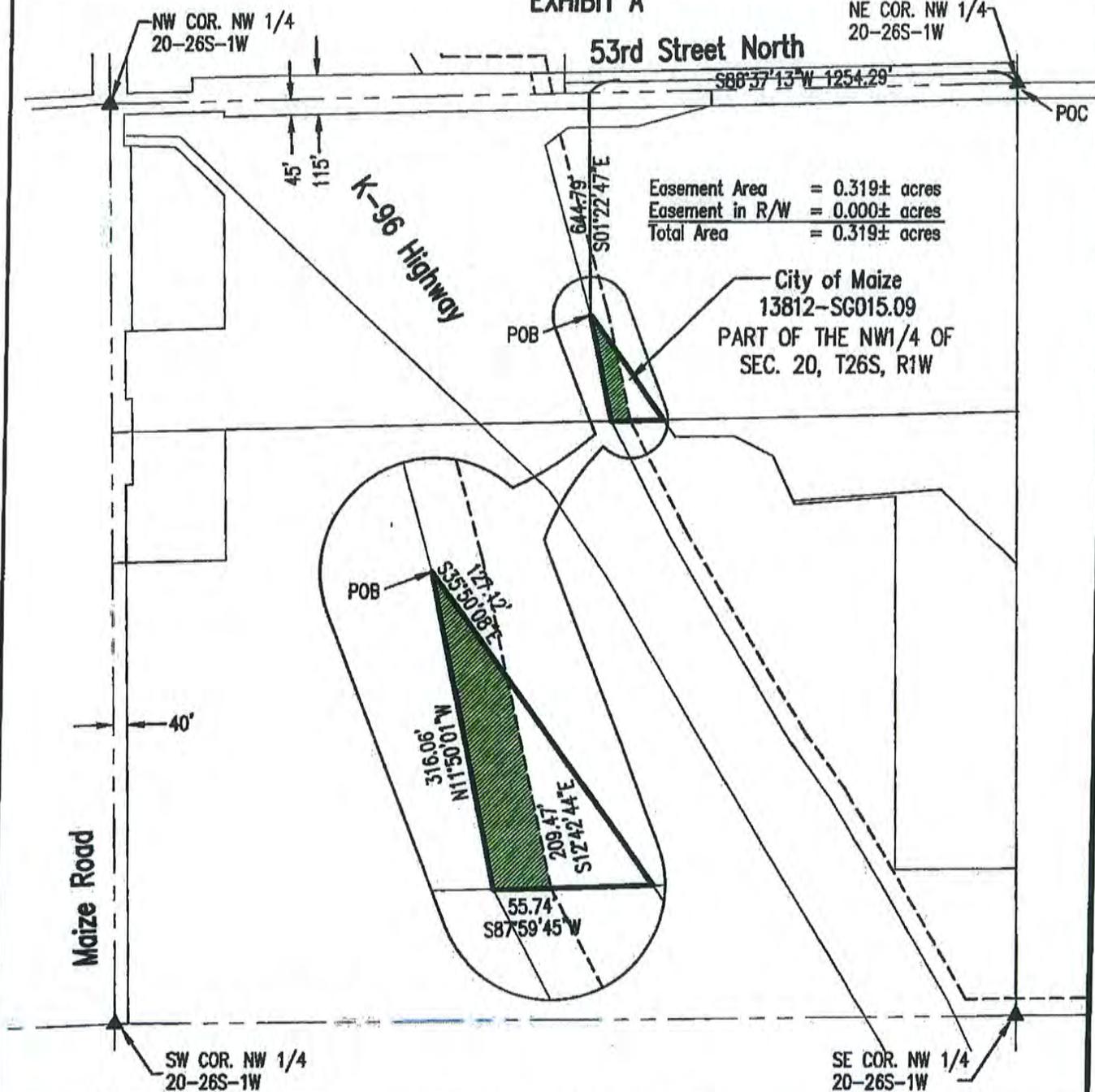
-  = Property Line
-  = Permanent Easement
-  = Temporary Easement
-  = Easement in Right-of-Way
-  = Section Line
-  = Section Corner
- POC = Point of Commencement
- POB = Point of Beginning



NOTE: This sketch does NOT constitute a Boundary survey but is intended for Right-of-Way purposes only. Distances and bearings are based on Kansas South Zone State Plane Coordinates.



EXHIBIT A



Easement Area = 0.319± acres
 Easement in R/W = 0.000± acres
 Total Area = 0.319± acres

City of Maize
 13812-SG015.09
 PART OF THE NW1/4 OF
 SEC. 20, T26S, R1W



Savoy Company, P.A.
 Land Surveyors
 433 S. Hydraulic, Wichita, KS 67211-1911
 PH (316) 265-0005 - FAX (316) 265-0275 - www.savoyco.com

COUNTY		138.12 Gordon Evans to Maize	
		OWNER: City of Maize	
Sedgwick		TRACT NO.	PROJ. NO. 16-046
		13812-SG015.09	DATE: September 7, 2016



LEGEND

-  = Property Line
-  = Permanent Easement
-  = Temporary Easement
-  = Easement in Right-of-Way

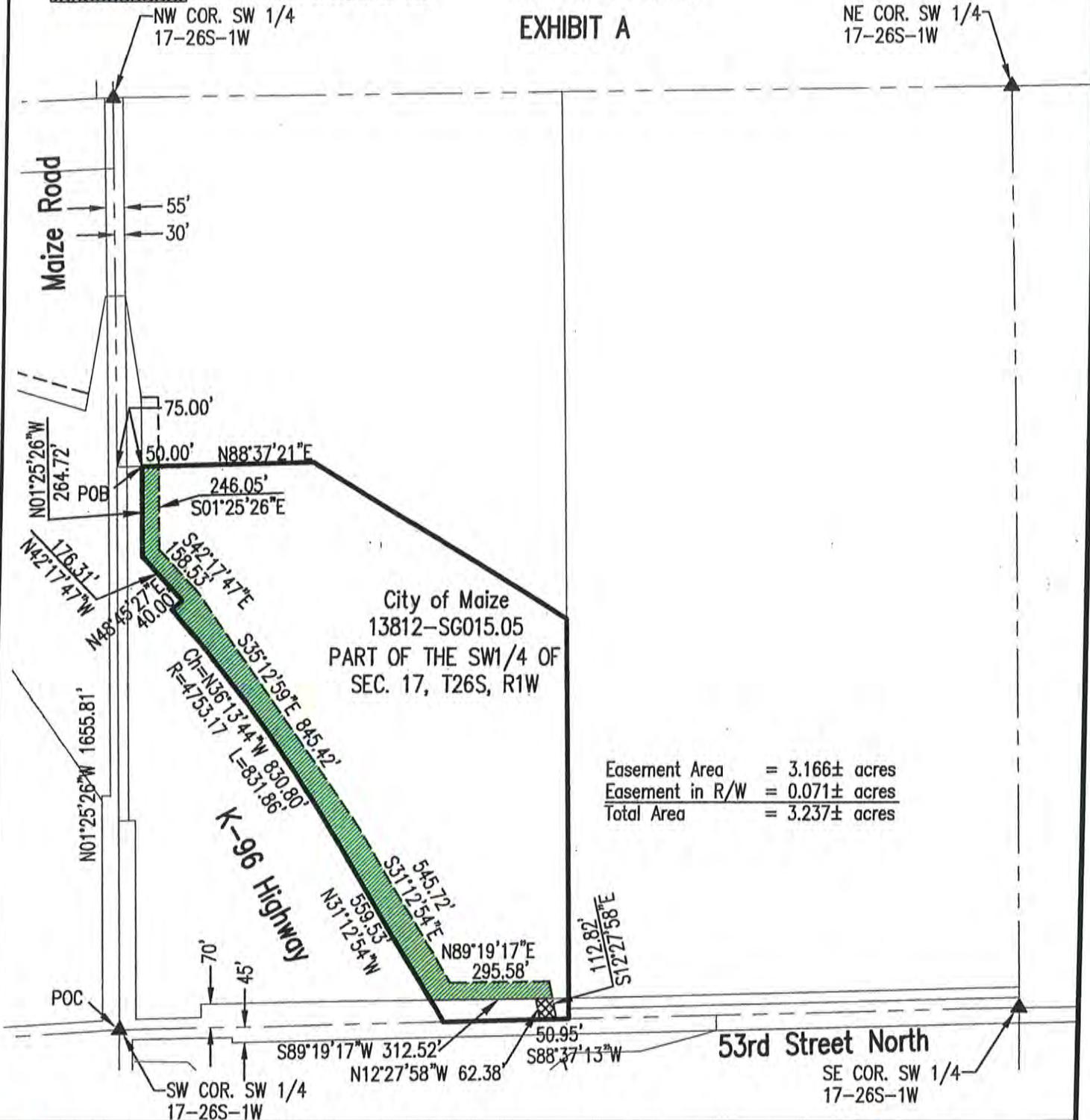
-  = Section Line
-  = Section Corner
- POC = Point of Commencement
- POB = Point of Beginning



NOTE: This sketch does NOT constitute a Boundary survey but is intended for Right-of-Way purposes only. Distances and bearings are based on Kansas South Zone State Plane Coordinates.



EXHIBIT A



Easement Area = 3.166± acres
 Easement in R/W = 0.071± acres
 Total Area = 3.237± acres

City of Maize
 13812-SG015.05
 PART OF THE SW 1/4 OF
 SEC. 17, T26S, R1W

K-96 Highway

53rd Street North
 SE COR. SW 1/4
 17-26S-1W

 <p>Savoy Company, P.A. Land Surveyors 433 S. Hydraulic, Wichita, KS 67211-1911</p>	<p>138.12 Gordon Evans to Maize</p>			
	<p>COUNTY Sedgwick</p>	<p>OWNER: City of Maize Regular Council Meeting Nov 21, 2016</p>	<p>TRACT NO. 13812-SG015.05</p>	<p>PROJ. NO. 16-046 DATE: September 16, 2016</p>

LEGEND

-  = Property Line
-  = Permanent Easement
-  = Temporary Easement
-  = Easement in Right-of-Way

-  = Section Line
-  = Section Corner
- POC = Point of Commencement
- POB = Point of Beginning



NOTE: This sketch does NOT constitute a Boundary survey but is intended for Right-of-Way purposes only. Distances and bearings are based on Kansas South Zone State Plane Coordinates.



EXHIBIT A

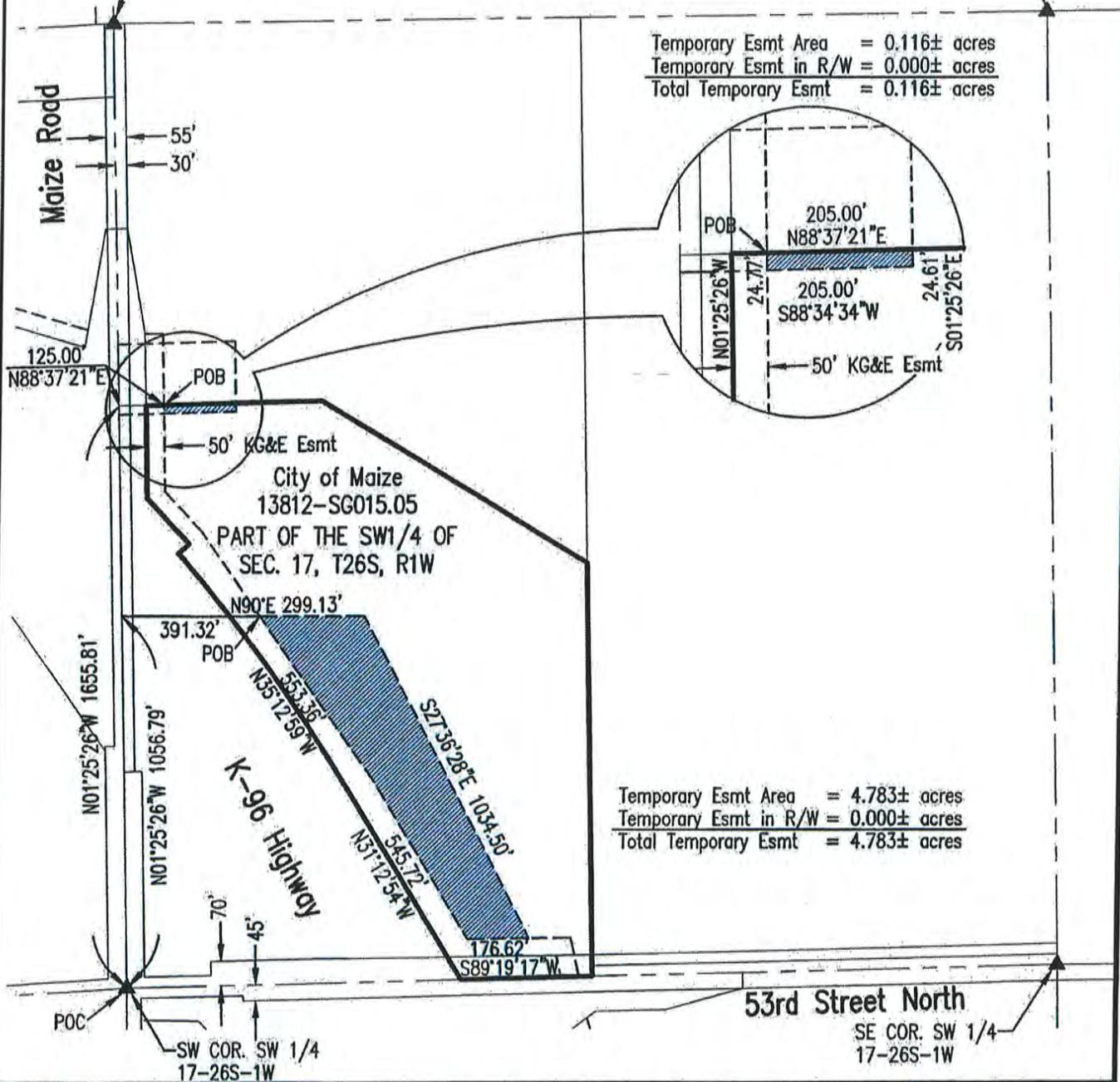
NE COR. SW 1/4
17-26S-1W

NW COR. SW 1/4
17-26S-1W

Temporary Esmt Area = 0.116± acres
 Temporary Esmt in R/W = 0.000± acres
 Total Temporary Esmt = 0.116± acres



Temporary Esmt Area = 4.783± acres
 Temporary Esmt in R/W = 0.000± acres
 Total Temporary Esmt = 4.783± acres



 **Savoy Company, P.A.**
 Land Surveyors
 433 S. Hydraulic, Wichita, KS 67211-1911
 PH (316) 265-0005 - FAX (316) 265-0275 - www.savoyco.com

COUNTY		138.12 Gordon Evans to Maize		
		OWNER: City of Maize		
Sedgwick	TRACT NO.	PROJ. NO.	16-046	
	13812-SG015.05	DATE: September 20, 2016		

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, NOVEMBER 21, 2016**

AGENDA ITEM 9C

ITEM: **Z-04-016** Zone change for approximately 0.42 acres from LI Limited Industrial to MF-18 Multi-Family Residential.

BACKGROUND: The applicant is requesting a down zoning zone in order to accommodate the construction of a duplex or tri-plex on this property. This property has at some time in the past been converted to Limited Industrial zoning, along with the property that Country Child Care is located on and 4 properties on the south side of Irma. These properties are designated in purple on the attached zoning classification map at the intersection of Irma and Surrey. Limited Industrial zoning does not allow for the construction of any type of residential use, which also creates a non-conforming use for the existing tri-plex on the property. The applicant has requested that the entire property be downzoned to MF-18 in order to allow future residential construction and eliminate the non-conforming use on the lot.

The Planning Commission reviewed this case on October 3, 2016 and voted unanimously to recommend approval of the zone change request to the City Council, with the condition that no more than a total of 6 (including the existing tri-plex structure) dwelling units may be constructed on the property. A copy of the original Planning Commission staff report and associated presentation materials are attached for your review.

FINANCIAL CONSIDERATIONS: None

LEGAL CONSIDERATIONS: City Attorney has reviewed and approved Ordinance as to form.

RECOMMENDATION/ACTION: Approve and adopt the Ordinance for a zone change within Maize city limits.

STAFF REPORT

CASE NUMBER: Z-04-016

OWNER/APPLICANT: Chad Mohr
PO Box 75613
Wichita, KS 67275

GENERAL LOCATION: On the north side of Irma, west of Surrey (404 W Irma)

SITE SIZE: 0.42 acres +/-

CURRENT ZONING: LI Limited Industrial

PROPOSED ZONING: MF-18 Multi-Family Residential

PROPOSED USE: Construction of a tri-plex housing structure

BACKGROUND: This property is currently zoned Limited Industrial and is developed with a two-family residential structure. This zoning has been in place for at least 40 years and must have been in place to accommodate a very different type of use on the site. The current Zoning Code does not allow any type of residential structures within LI zoning, therefore the existing structure is a legal non-conforming use. The property owner wishes to develop the remainder of the property with a tri-plex. The existing zoning would not allow this type of development. The property owner has filed this application to down-zone the property to better accommodate the existing use and to allow the proposed tri-plex construction.

ADJACENT ZONING AND LAND USE:

NORTH:	“LI” Limited Industrial	Child Care Center
SOUTH:	“LI” Limited Industrial	Residential
EAST:	“LI” Limited Industrial	Child Care Center parking
WEST:	“SF-5” Single-Family Residential	Residential

PUBLIC SERVICES: Irma Street is a 2-lane residential street with 40 feet of half-street right of way. No additional dedication of right of way would be necessary if this property were developed with a residential use.

CONFORMANCE TO PLANS/POLICIES: This property is recognized in the adopted Maize Comprehensive Plan as appropriate for urban residential development.

RECOMMENDATION: The proposed change is an appropriate use of land given that the structure would be similar to the existing use on the lot and better reflects the actual use of the property. Staff would recommend that the request be APPROVED.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: This property is located within an area that is currently residential in character, with small-scale mixed commercial and multi-family uses nearby. The type of proposed use could be compatible with existing development in the area.
2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned for industrial but has remained undeveloped for many years under its current zoning.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: There are no expected negative effects on nearby properties.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The City of Maize Comprehensive Plan contemplates that this property is appropriate for urban residential development.
5. Impact of the proposed development on community facilities: The requested zone change would introduce an appropriate land use to this area. The City's municipal service systems have been designed to adequately support this type of development. Municipal water and sewer service are available at this location.

Planning Commission Action

Having reviewed the above zone change, I _____
 move that the Planning Commission

Approve the zone change subject to conditions and modifications as heretofore agreed upon and listed, based upon the findings of fact outlined above, or

Disapprove the zone change for reasons heretofore agreed upon

Or defer the request until the November meeting of the Planning Commission for further information or study as heretofore specified

Motion seconded by _____ and passed by a vote of _____ to _____. Member(s) abstaining from the vote was (were) _____.

Note: Except in the case of a tie vote, abstentions are counted as part of the majority vote. Members disqualifying themselves are not a part of the quorum and unable to vote.

ORDINANCE NO.

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF CERTAIN PROPERTY LOCATED IN THE CITY OF MAIZE, KANSAS, UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY AS ORIGINALLY APPROVED BY ORDINANCE NO. 548.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MAIZE, KANSAS:

SECTION 1. After proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of the Zoning Regulations of the City as originally approved by Ordinance No. 548, the Maize City Planning Commission recommends approval of Case No. Z-04-016, and, that the zoning district classification of the property legally described herein be changed as follows:

Zone change from Limited Industrial (“LI”) to Multi-Family 18 (“MF-18”) on approximately 0.42 acres property described as:

Legal Description: Beginning 30 feet north and 373 feet east of the southwest corner of the north ½ of the southeast ¼, then east 185.78 feet, then north 79.57 feet, then west 18.75 feet, then north 12.19 feet, then west 62.07 feet, then north 14.11 feet, then west 103.2 feet, then south 104.72 feet to the Point of Beginning, Section 19, Township 26, Range 1 West

General Location: 404 West Irma, Maize, Kansas

SECTION 2. This zone change shall limit the total number of residential dwelling units on this property to a maximum of six (6) dwelling units.

SECTION 3. Upon the taking effect of this ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said Map(s) is (are) hereby reincorporated as a part of the Zoning Regulations as amended.

SECTION 4. This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city newspaper.

PASSED by the City Council and APPROVED by the Mayor on this 21st day of November, 2016.

(SEAL)

Clair Donnelly, Mayor

Jocelyn Reid, City Clerk

Sedgwick County Online Map Portal

Sedgwick County, Kansas



Land Records Map Zoning Map Elections Map

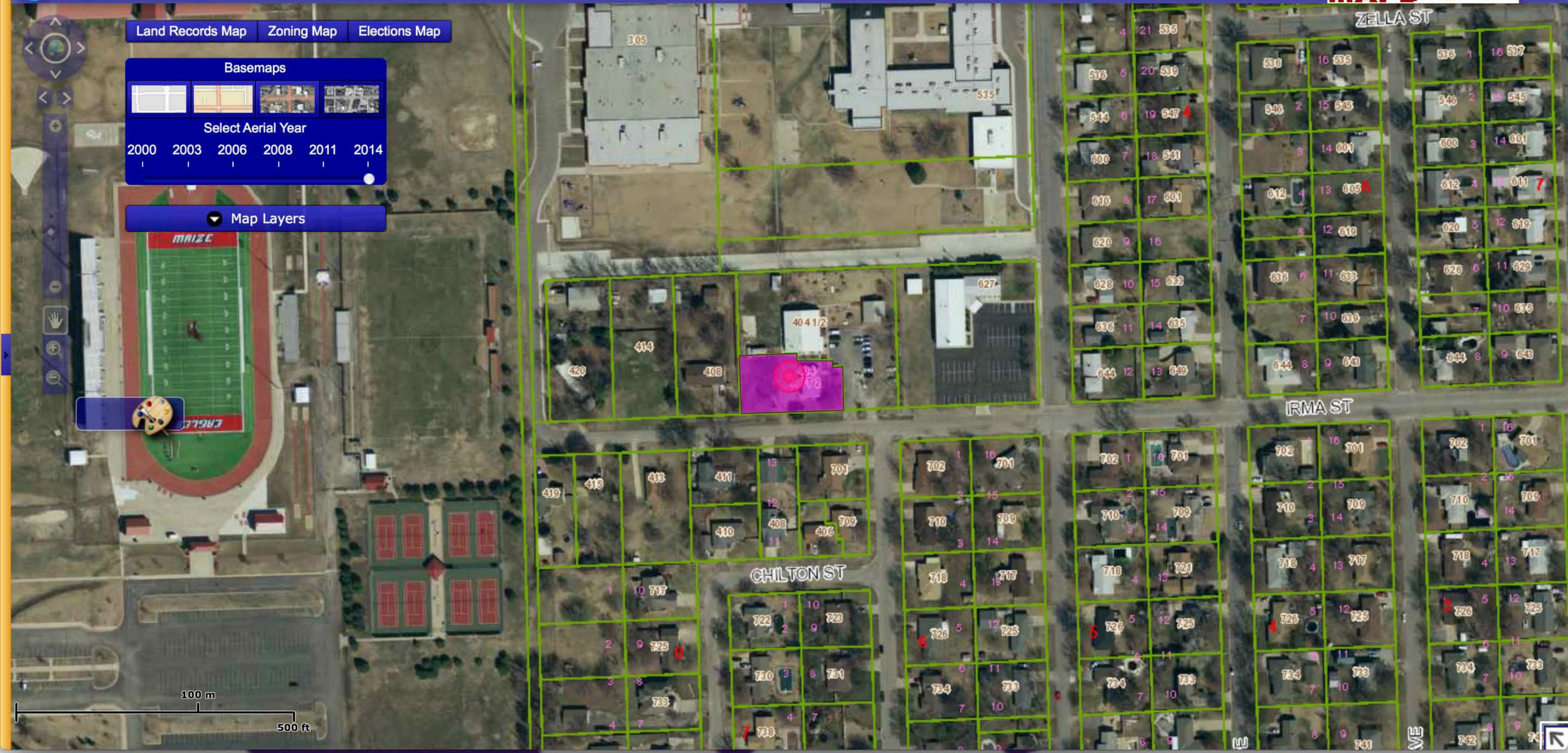
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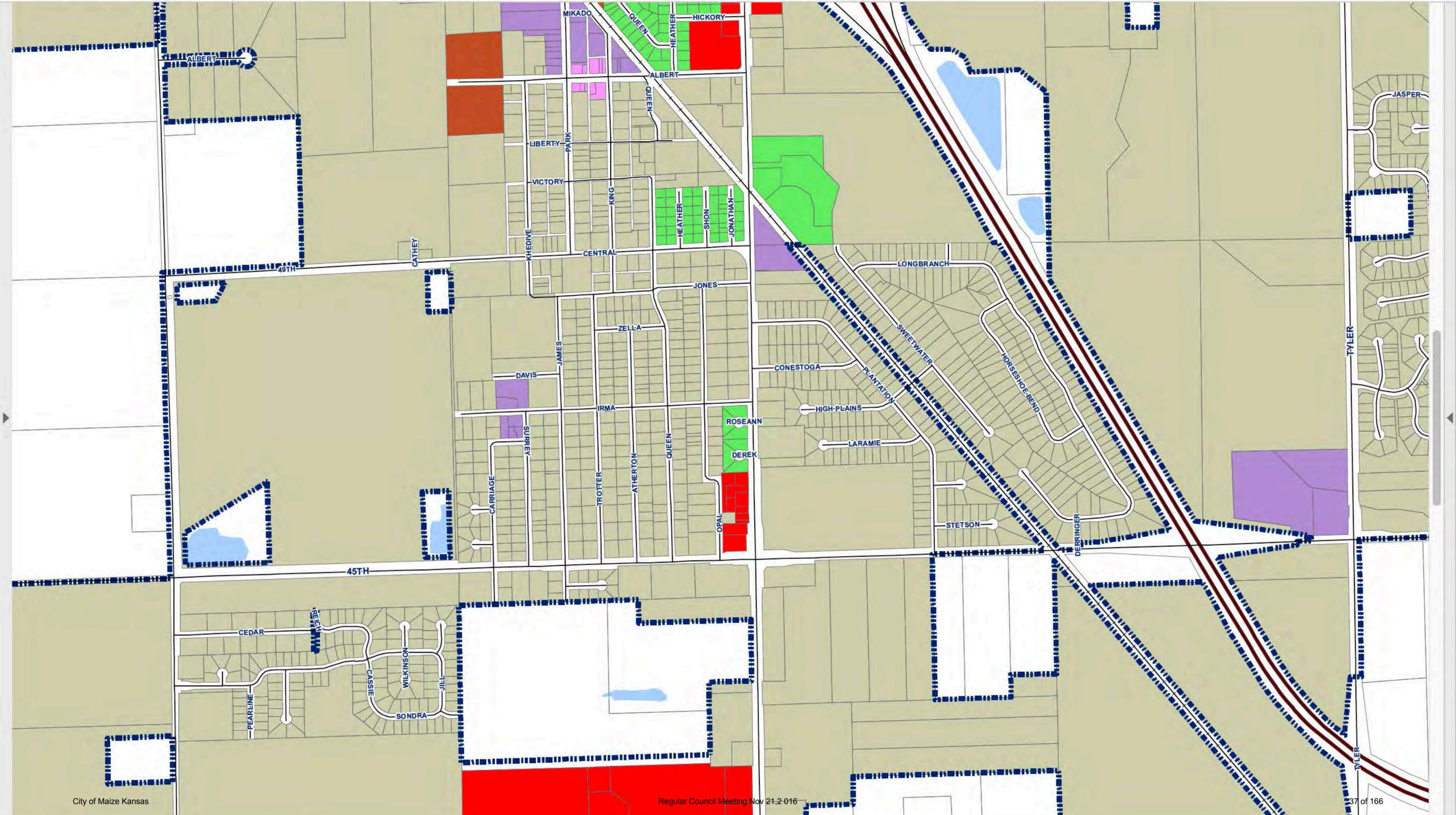
Select Aerial Year

2000 2003 2006 2008 2011 2014

Map Layers



Navigation toolbar with icons for save, print, search, zoom, and other map functions. Includes a zoom level indicator set to 66.7%.



**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, November 21, 2016**

AGENDA ITEM # 9D

ITEM: Rescind the Snow Removal, Two-Way Radio, Cable Television Policies

BACKGROUND:

President Clasen, Councilmember Fitzmier, and Rebecca Bouska have been reviewing city policies for updates. It came to light that several policies are antiquated and no longer necessary.

- The Snow Removal Policy was written in 1999 and is no longer valid as Maize has grown significantly over the past 17 years.
- The Two-Way Radio Policy was in use when we had two-way radios and not the new County-wide radios.
- The Cable Television Channel Policy is for a station we no longer use.

Thus the recommendation to Council is to rescind the policies as they haven't been used in years.

FINANCIAL CONSIDERATIONS:

None at this time.

LEGAL CONSIDERATIONS:

None.

RECOMMENDATION/ACTION:

Rescind the Snow Removal, Two-Way Radio, Cable Television Policies

CITY OF MAIZE, KANSAS SNOW REMOVAL POLICY

EMERGENCY SERVICES IMMEDIATELY FOLLOWING STORM

The immediate response of the City Street Crews following a snowstorm will be snow removal on all major arterial streets of the City which include:

Irma	Albert
James	Khedive
Jones	Central
Park	Maize Road
45 th Street	

The next step will be to salt/sand the major intersections to provide safer travel for residents.

IN THE EVENT OF A LARGE SNOWSTORM (OVER 4")

In large snowstorms, City Street Crews will begin grading residential streets after the major arterials have been taken care of. The order taken in clearing residential streets will be from south to north and then to Carriage Crossing.

SENIOR CITIZENS & PHYSICALLY DISABLED INDIVIDUALS

The City Street Crew will open driveways which are blocked by the grading of City Streets for senior citizens and physically disabled individuals. City Staff will endeavor to keep a current listing of these individuals.

All residents are responsible for clearing their own driveways. Street Crews will only open driveways blocked at the street for the above-mentioned citizens.

**STREET/WASTEWATER DEPARTMENT
TWO-WAY RADIO POLICY**

The City of Maize has provided street/wastewater employees with handheld two-way radios with lapel mikes and a leather case.

Employees shall be responsible for the care of the radios and the accessories. If an employee loses the radio or any of the accessories, then said employee shall be responsible to replace the lost item at the employee's expense.

An employee shall wear the radio on their belt at all times and shall also wear the lapel mike at all times.

If an employee is not wearing the radio or the lapel mike, the employee shall be given a written reprimand. If an employee received three written reprimands for failure to wear the radio or lapel mike, said employee will have a day without pay. Further disciplinary action will be given in accord with the City's Personnel Policy.

If you understand the written policy, sign and date.

Richard Welty
Street Foreman

Employee Signature

Dated

City of Maize

Cable Television Channel Policy

I. POLICY STATEMENT

Cable Channel 20 is a public service and information resource for the City of Maize and its citizens. The information broadcasted on this channel is meant to educate and inform viewers of the City of Maize's services, operations, employment opportunities, community events, and public policy issues of importance.

II. PURPOSE

The purpose of this policy is to define the function of the Maize Governmental Cable Access Channel 20, provide direction to City staff, and assist the public in understanding the services offered by Channel 20.

Objectives include:

- Providing information regarding programs and services offered by government agencies, boards, commissions, and government-supported agencies.
- To utilize cable television as a public information tool.
- Provide information and distribute programming of interest to residents which will inform, educate, enlighten, as well as encourage participation in government services, activities, and decision-making.
- To inform citizens of community events that aid in building community attachment.

III. POLICY

The governing body and City Staff determine the content of programming and information broadcast on the City Cable Channel through the guidelines established in this policy. The City Senior Management Analyst shall be responsible for maintaining the integrity of contents placed on the City Cable Channel based on the request by city employees and City Council. Request for information to be placed on the cable channel may be made through the City Senior Management Analyst. Issues raised concerning exceptions, variations, or modifications to this policy should be appealed to the City Administrator. His recommendation will be forward to the City Council. The City of Maize reserves the right to refuse a request for cable programming or operations which are illegal under City, State or Federal law or are in violation of the mission and goals for Channel 20.

Programming and information shall fall within one of the following categories:

- Governmental Decision Making –Programs which provide direct coverage of the deliberations of City of Maize elected or appointed bodies, as well as coverage of selected public issues forums.

- Community Information/Affairs –Programming that provides information about City Government or issues of local interest to Maize.
- Community Calendar –Designed to provide a source of timely information about a variety of community activities. Textual information shall be displayed through the cablecast area, twenty-four hours a day, seven days a week, except at those times when other programming has been scheduled or the channel is experiencing technical difficulties. Should an error result in the cablecast of incorrect information, neither the City of Maize nor the employee responsible shall be liable for inaccuracy of the information or for actions taken by anyone as a result of the inaccurate information.

Eligible Participants include:

- Local governments
- Local private and public educational institutions
- Local nonprofit organizations
- Local service groups
- Local social and recreational clubs
- Law enforcement agencies

Prohibited Programming shall include the following:

- Programming which does not comply with the mission of Maize Cable Channel 20 or these guidelines.
- Programming which violates FCC guidelines for access TV including: commercial/for-profit making enterprises, trade or business announcements, obscene, indecent, libelous or slanderous speech, lottery information or other illegal content.
- Programming which promotes political candidates, issues or viewpoints except as provided for in City sanctioned debates or forums.
- No underwriting or sponsorship announcement shall be given to any individual or organization that provides financial or other resources for the production of cable casting or programs on Channel 20.
- Activities that attempt to defraud viewers or attempt to obtain money by fraudulent pretenses, representations or promises.
- Commercial advertising.

Adopted this _____ day of _____, 2008 by the Maize City Council.

Clair Donnelly, Mayor

Jocelyn Reid, City Clerk

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, November 21, 2016**

AGENDA ITEM # 9E

ITEM: Personnel Policy Manual Revisions

BACKGROUND:

The Personnel Policy states that the manual should be reviewed every 3 years. President Clasen, Councilmember Fitzmier, and Rebecca Bouska have reviewed and recommended the attached changes.

The changes include:

- 1) approval of the School Resource Officer Job Description
- 2) reformatting of the Job Descriptions
- 3) technical corrections with no content change

FINANCIAL CONSIDERATIONS:

None at this time.

LEGAL CONSIDERATIONS:

Legal has approved to form.

RECOMMENDATION/ACTION:

Adopt the Revised Personnel Policy with the following changes:

- 1) approval of the School Resource Officer Job Description
- 2) reformatting of the Job Descriptions
- 3) technical corrections with no content change



School Resource Officer Position Description

Status: Non-Exempt, Full-Time Position
Supervisor Title: Police Administrative Sergeant
Department: Police

Responsibilities:

- Responsible for the enforcement of federal, state, local laws and City ordinances
- Provide law enforcement and police services to USD 266 staff, students, buildings, and properties
- Build positive working relationships with school staff, students, and parent groups
- Maintain a close partnership with administrators, faculty, and staff
- Develop and implement classes in law-related education
- Provide a training course for school personnel in handling crisis situations
- Work with guidance counselors and other student support staff to assist students in conflict resolution efforts
- Be visible within the school community
- Attend and participate in school functions
- Investigate allegations of criminal incidents on school property
- Perform Patrol Officer duties as assigned
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of current SRO practices
- Ability to maintain the confidentiality of highly sensitive information
- Ability to establish positive contacts with school personnel and students
- Ability to work with social agencies that provide student services
- Ability to develop and implement criminal justice programs
- Ability to encourage a safe school environment
- Ability to project a positive image of law enforcement

Education:

- High school graduate or equivalent
- Kansas Law Enforcement Academy Certification
- School Resource Officer Training eligible

Experience:

- Three years in law enforcement or related field preferred



Deputy City Administrator Position Description

Status: Exempt, Full-Time Position
Supervisor Title: City Administrator
Department: Administration

Responsibilities:

- Responsible for City Operations, for enforcement of all laws, ordinances and City Policies and Procedures, for the annual budget preparation, for City's finances and investments, and for strategic planning, in absence of the City Administrator
- Oversee and evaluate all City Contracted services
- Coordinate and implement the economic development plan
- Supervise staff as delegated by the City Administrator
- Perform employees performance evaluations
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of principles and practices of local city government and Kansas Statutes
- Ability to research, analyze, and present data in both formal and informal public settings
- Ability to identify and resolve issues
- Ability to maintain personnel records; hire, evaluate, and fire employees
- Working knowledge of Microsoft Office and other computer software
- Ability to be punctual and in regular attendance

Education:

- Bachelor Degree in Business, Public Administration or closely related field with and emphasis in finance and accounting
- Master's Degree in related field preferred

Experience:

- Minimum three (3) years experience in public administration, business, or closely related field
- Minimum two (2) years progressive management and supervisory experience



City Clerk Position Description

Status: Exempt, Full-Time Position
Supervisor Title: City Administrator
Department: Administration

Responsibilities:

- Responsible for compliance and maintenance of official documents, ordinances and records as directed by Kansas Statutes and City Policies
- Responsible for payroll, withholding accounts, confidential personnel records and applicable reports
- Prepare and file the City budget with the Sedgwick County Clerk as directed by law
- Monitor purchases and expenditures in accordance with budget and cash basis law
- Manage and maintain the City's Investment Portfolio
- Maintain Bond Register and payment schedule
- Research employee benefits
- Administer required oaths
- Attend all Governing Body meetings, record and maintain official minutes
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of Kansas Statutes as applicable to budget and cash basis
- Working knowledge of accounting practices
- Ability to research, analyze and present data accurately with attention to detail
- Ability to work independently and in a team environment
- Ability to delegate tasks
- Working knowledge of Microsoft Office and other computer software
- Ability to be punctual and in regular attendance

Education:

- Bachelor Degree in Business, Finance, Public Administration or related field
- Municipal Clerk Certification or eligible for training

Experience:

- Minimum three (3) years experience in Business or related field



City Treasurer & Deputy City Clerk Position Description

Status: Exempt, Full-Time Position
Supervisor Title: City Administrator
Department: Administration

Responsibilities:

- Responsible for compliance and maintenance of official documents, ordinances and records as directed by Kansas Statutes and City Policies in absence of the City Clerk
- Responsible for payroll, purchases and expenditures and investments in absence of the City Clerk
- Maintain water and wastewater account records
- Prepare deposits for City monies
- Assist the City Clerk
- Assist with the annual budget preparation
- Supervise and train the Customer Service Clerk
- Receive and file applications for building and zoning permits
- Issue licenses and permits
- Planning Commission and Board of Zoning Appeals liaison
- Coordinate the City Cemetery operation: maintain records, budget, and activities
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of Kansas Statutes as applicable to budget and cash basis
- Working knowledge of accounting practices
- Ability to research, analyze and present data accurately with attention to detail
- Ability to evaluate written and oral reports and make recommendations
- Ability to work independently and in a team environment
- Ability to delegate tasks
- Working knowledge of Microsoft Office and other computer software
- Ability to be punctual and in regular attendance

Education:

- Bachelor Degree preferred in Business, Finance, Public Administration or related field
- Municipal Clerk Certification or eligible for training

Experience:

- Minimum three (3) years experience in Business or related field

Executive Assistant Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: City Administrator

Department: Administration

Responsibilities:

- Provide administrative support in all areas of city operations
- Assist with Economic Development, Marketing, and Incentive Programs
- Assist with Annexation Research
- Research and write grants for the City
- Park and Tree Board Liaison and Administrative Coordinator
- Assist with cemetery activities in the absence of the City Treasurer
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- General knowledge of principles and practices of local city government
- Ability to organize resources and establish priorities
- Ability to maintain data accurately with attention to detail
- Ability to communicate effectively; both orally and in writing in formal and informal public settings
- Ability to access, input, process and retrieve information from the computer
- Working knowledge of Microsoft Office and other computer software
- Ability to be punctual and in regular attendance

Education:

- Prefer college degree with emphasis in administration, marketing or communication

Experience:

- Minimum of three (3) years experience in Business or related field



Customer Service Clerk Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: City Treasurer

Department: Administration

Responsibilities:

- Manager reception desk: operate telephone system and direct inquiries
- Provide customer services
- Maintain and reconcile cash drawer daily
- Organize and file correspondence for all departments
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Provides backup for the Municipal Court Clerk

Skills:

- Working knowledge of office equipment
- Working knowledge of Microsoft Office and other computer software
- Ability to work courteously with the public
- Ability to work independently and in a team environment
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent
- College or business related courses preferred

Experience:

- Minimum two (2) years experience in customer service or clerical field



Part-Time Customer Service Clerk Position Description

Status: Non-Exempt, Part-Time Position

Supervisor Title: City Treasurer

Department: Administration

Responsibilities:

- Manager reception desk: operate telephone system and direct inquiries
- Provide customer services
- Maintain and reconcile cash drawer daily
- Organize and file correspondence for all departments
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Provides backup for the Municipal Court Clerk

Skills:

- Working knowledge of office equipment
- Working knowledge of Microsoft Office and other computer software
- Ability to work courteously with the public
- Ability to work independently and in a team environment
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent
- College or business related courses preferred

Experience:

- Minimum two (2) years experience in customer service or clerical field



Part-Time Intern Position Description

Status: Non-Exempt, Part-Time Position

Supervisor Title: City Treasurer

Department: Administration

Responsibilities:

- Provide support services: answer the telephone, file, perform customer service desk duties
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of office equipment
- Working knowledge of Microsoft Office and other computer software
- Ability to work courteously with the public
- Ability to work independently and in a team environment
- Ability to be punctual and in regular attendance

Education:

- Must be a current student

Experience:

- On the job training



Part-Time City Engineer Position Description

Status: Non-Exempt, Part-Time Position

Supervisor Title: City Administrator

Department: Administration

Responsibilities:

- Responsible for the plans, designs, specifications, cost and contract documents for public works projects
- Serve as staff liaison to developers, contractors and governmental agencies
- Responsible for the review and approval of projects prior to payment
- Administer flood zone Federal Emergency Management Agency (FEMA) program
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of Kansas Statutes as applicable to municipal planning and City codes
- Ability to plan, organize, review and present data in both formal and informal public settings
- Ability to evaluate written and oral information and make recommendations
- Working knowledge of accounting practices
- Ability to research, analyze and present data accurately with attention to detail
- Ability to work independently and in a team environment
- Ability to prioritize a work schedule
- Ability to be punctual and in regular attendance

Education:

- Bachelor Degree in Civil Engineering or closely related engineering field
- Kansas Professional Engineer's License

Experience:

- Minimum seven (7) years experience in engineering



Part-Time Planning and Zoning Administrator Position Description

Status: Non-Exempt, Part-Time Position

Supervisor Title: City Administrator

Department: Administration

Responsibilities:

- Responsible for compliance and updates of the Comprehensive Plan, Zoning and Subdivision Regulations, Design Standards, Building, Landscape and Sign Codes
- Serve as staff liaison to the Planning Commission and Board of Zoning Appeals
- Review plats, developments, building plans and permit applications
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of planning and zoning laws
- Ability to interpret planning and zoning laws, statutes, cartography, computer and technical drawings
- Ability to identify and resolve planning issues
- Ability to research, analyze and present data in both formal and informal public settings
- Working knowledge of Microsoft Office and other computer software
- Ability to work independently and in a team environment
- Ability to prioritize a work schedule
- Ability to be punctual and in regular attendance

Education:

- Bachelor Degree in Civil Engineering or, Planning or Zoning
- Kansas Professional Engineer's License

Experience:

- Minimum five (5) years experience in planning and zoning



Municipal Court Clerk Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: City Administrator & Municipal Court Judge

Department: Administration & Court

Responsibilities:

- Maintain municipal court records
- Accurately account for all monetary court receipts
- Post and remove warrants through NCIC as required by law
- Prepare the court calendar and court docket
- Prepare and track citations of disposition
- Attend all court proceedings and assist in the administration of court
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Ability to maintain data accurately with attention to detail
- Ability to maintain the confidentiality of highly sensitive information
- Ability to communicate effectively; both orally and in writing in formal and informal public settings
- Ability to access, input, process and retrieve information from the computer
- Working knowledge of Microsoft Office and other computer software
- Ability to be punctual and in regular attendance

Education:

- Prefer college coursework with emphasis in Finance, Administrative Justice
- Bachelor degree preferred

Experience:

- Minimum five (3) years experience finance
- Municipal Court experience could be considered aside from education



Chief of Police Position Description

Status: Exempt, Full-Time Position
Supervisor Title: City Administrator
Department: Administration

Responsibilities:

- Responsible for planning, organizing and directing Police Department operations and equipment
- Responsible for enforcement and compliance of federal, state, local laws, and city ordinances
- Responsible for establishment of Department Policies and Procedures
- Responsible for the annual Police Department budget
- Supervise and train Police Department employees
- Perform employees performance evaluations
- Designated Disaster Coordinator
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid Kansas Driver's License

Skills:

- Working knowledge of current methods used in law enforcement
- Ability to maintain the confidentiality of highly sensitive information
- Ability to analyze, update and implement Department Policies and Procedures
- Ability to maintain personnel records; hire, evaluate, and fire employees
- Ability to organize resources and establish priorities
- Ability to identify and resolve issues
- Ability to work with other law enforcement agencies
- Ability to research, analyze, and present data in both formal and informal public settings
- Working knowledge of Microsoft Office and other computer software
- Ability to be punctual an in regular attendance

Education:

- Bachelor Degree in Criminal Justice, Public Administration or Business Management
- Kansas Law Enforcement Academy Certification

Experience:

- Minimum three (10) years experience in Law Enforcement
- Minimum five (5) years of management and supervisory experience



Lieutenant/Assistant Chief Position Description

Status: Exempt, Full-Time Position

Supervisor Title: Chief of Police

Department: Police

Responsibilities:

- Responsible for planning, organizing and directing Police Department operations and equipment in the absence of the Chief of Police
- Responsible for enforcement and compliance of federal, state, local laws and city ordinances
- Responsible for budgetary control and procurement
- Responsible for evaluating efficiency and effectiveness of Police Department operations
- Perform employees performance evaluation
- Assist with supervision and training of Police Department employees
- Assist with disseminating and compliance of Department Policies and Procedures
- Testify in court when deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid Kansas Driver's License

Skills:

- Working knowledge of municipal police administration and operations
- Working knowledge of current principals, practices and techniques of law enforcement, crime prevention, criminal law and policing limitations
- Ability to maintain the confidentiality of highly sensitive information
- Ability to identify and resolve issues by directing personnel
- Ability to communicate effectively; both orally and in writings
- Ability to evaluate written and oral reports and make recommendations
- Ability to deal firmly, but courteously with the publics
- Working knowledge of Microsoft Office and other computer software
- Ability to be punctual and in regular attendance

Education:

- Minimum 60 hours of Criminal Justice or related field study
- Kansas Law Enforcement Academy Certification

Experience:

- Minimum ten (10) years progressive experience as a commissioned Police Officer
- Minimum five (5) years in management and supervisory experience



Police Administrative Sergeant Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Police Lieutenant

Department: Police

Responsibilities

- Responsible for the enforcement of federal, state, local laws and City ordinances
- Supervise community-policing / School Resource Officers (SRO) and activities
- Act as liaison with school administration for SRO activities
- Organize, research and assist on special projects
- Evaluates and administers performance evaluations to assigned staff
- Supervise Patrol Officers in absence of Patrol Sergeant.
- Maintain specialized records and certification compliance
- Research, compose and administer grant applications and oversee funding
- Testify in court when deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of current methods used in law enforcement
- Working knowledge of current community policing / SRO practices
- Ability to maintain the confidentiality of highly sensitive information
- Ability to implement Department Policies and Procedures
- Ability to supervise and evaluate the performance of subordinates in both routine and emergency situations
- Ability to organize, schedule, assign, observe and instruct personnel
- Ability to identify and resolve personnel issues
- Working knowledge of the geography of the city and surrounding areas
- Ability to communicate effectively; both orally and in writing
- Ability to evaluate written and oral reports and make recommendations
- Ability to deal firmly, but courteously with the public
- Ability to work irregular hours
- Skill in the use of firearms
- Ability to be punctual and in regular attendance
- Ability to possess and maintain a valid Kansas Driver's License

Education

- Associates Degree or equivalent training and experience
- Kansas Law Enforcement Academy Certification
- Basic National Association of School Resource Officers (NASRO) Certification

Experience

- Minimum five years progressive law enforcement experience with two years in a supervisory position



Police Patrol Sergeant Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Police Lieutenant

Department: Police

Responsibilities

- Responsible for the enforcement of federal, state, local laws and City ordinances
- Schedule and supervise street level operations to provide adequate policing
- Supervise officers on duty
- Review case files
- Maintain specialized records and certification compliance
- Supervise community-policing activities in absence of Administrative Sergeant
- Testify in court when deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of current methods used in law enforcement
- Ability to maintain the confidentiality of highly sensitive information
- Ability to recommend implementation of Department Policies and Procedures
- Ability to supervise and evaluate the performance of subordinates in both routine and emergency situations
- Ability to organize, schedule, assign, observe and instruct personnel
- Ability to identify and resolve issues by directing personnel
- Working knowledge of the geography of the city and surrounding areas
- Ability to communicate effectively; both orally and in writing
- Ability to evaluate written and oral reports and make recommendations
- Ability to deal firmly, but courteously with the public
- Ability to work irregular hours
- Skill in the use of firearms
- Ability to be punctual and in regular attendance
- Ability to possess and maintain a valid Kansas Driver's License

Education

- High School graduate or equivalent
- Kansas Law Enforcement Academy Certification

Experience

- Minimum five years progressive law enforcement experience



Police Records Clerk Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Police Lieutenant

Department: Police

Responsibilities:

- Responsible for creating, updating and maintaining Police Records in accordance with Kansas State Statutes
- Receives and records reports
- Distribution of various reports in-house and to other agencies
- Responsible for cataloging, securing and maintaining physical evidence
- Assist Municipal Court Clerk when deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid Kansas Driver's License

Skills:

- Working knowledge of current methods used in law enforcement as applicable to Municipal court
- Ability to record and maintain data accurately with attention to detail
- Ability to maintain the confidentiality of highly sensitive information
- Ability to communicate effectively; both orally and in writing in formal and informal public settings
- Ability to deal firmly, but courteously with the public
- Ability to assess, input, process and retrieve information from the computer
- Ability to work independently and in a team environment
- Working knowledge of Microsoft Office and other computer software
- Ability to be punctual and in regular attendance

Education:

- Prefer college coursework or degree in Business Administration

Experience:

- Minimum three (3) years in General Office Administration
- Minimum seven (7) years experience could be considered in lieu of education
- Municipal experience could be considered

Police Detective Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Chief of Police

Department: Police

Responsibilities:

- Responsible for specialized investigation of criminal offenses; with particular reference to apprehension, arrest, and prosecution
- Enforce federal, state, local laws and city ordinances
- Testify in court when deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid Kansas Driver's License

Skills:

- Working knowledge of principals, practices and technical aspects of current law enforcement and investigation
- Ability to obtain information through interview, interrogation and observation
- Ability to remember names, faces and details of incidents
- Ability to follow difficult oral and written directions
- Ability to communicate effectively; both orally and in writing
- Working knowledge of the geography of the city and surrounding areas
- Ability to deal firmly, but courteously, with the public
- Skill in the use of firearms.

Education:

- Minimum 60 hours of Criminal Justice or related field study
- Kansas Law Enforcement Academy Certification

Experience:

- Minimum five (5) years of progressive experience as commissioned Police Officer
- Specialized training in areas of criminal investigation, interviewing techniques, evidence handling and preservation

Patrol Officer Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Police Patrol Sergeant

Department: Police

Responsibilities:

- Responsible for the enforcement of federal, state, local laws and City ordinances
- Responsible for compliance with traffic regulations
- Log case reports, and preliminary investigation follow-up
- Respond to citizen's calls
- Testify in court when deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid Kansas Driver's License

Skills:

- Working knowledge of current methods used in law enforcement
- Ability to analyze situations quickly and effectively to determine a course of action
- Working knowledge of geography of the city and surrounding areas
- Ability to remember names, faces and details of incidents
- Ability to understand and follow written and oral instructions
- Ability to communicate effectively and clearly, both orally and in writing
- Ability to deal firmly, but courteously with the public
- Ability to perform first aid
- Ability to work irregular hours
- Skill in use of firearms
- Ability to be punctual and in regular attendance

Education:

- High school graduate or equivalent
- Kansas Law Enforcement Academy Certification or eligible for training

Experience:

- Minimum one (1) year in law enforcement or related field preferred

Part-Time Patrol Officer Position Description

Status: Non-Exempt, Part-Time Position

Supervisor Title: Police Patrol Sergeant

Department: Police

Responsibilities:

- Responsible for the enforcement of federal, state, local laws and City ordinances
- Responsible for compliance with traffic regulations
- Log case reports, and preliminary investigation follow-up
- Respond to citizen's calls
- Testify in court when deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid Kansas Driver's License

Skills:

- Working knowledge of current methods used in law enforcement
- Ability to analyze situations quickly and effectively to determine a course of action
- Working knowledge of geography of the city and surrounding areas
- Ability to remember names, faces and details of incidents
- Ability to understand and follow written and oral instructions
- Ability to communicate effectively and clearly, both orally and in writing
- Ability to deal firmly, but courteously with the public
- Ability to perform first aid
- Ability to work irregular hours
- Skill in use of firearms
- Ability to be punctual and in regular attendance

Education:

- High school graduate or equivalent
- Kansas Law Enforcement Academy Certification or eligible for training

Experience:

- Minimum one (1) year in law enforcement or related field preferred

Community Police Officer Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Police Administrative Sergeant

Department: Police

Responsibilities:

- Responsible for specialized law enforcement; focused on community outreach programs and protection of life and property
- Responsible for the enforcement of federal, state, local laws and City ordinances
- Designated community liaison officer
- Coordinate, research, develop and implement community outreach programs
- Organize and implement community crime prevention
- Responsible for compliance with traffic regulations
- Log case reports, and preliminary investigation follow-up
- Respond to citizen's calls
- Testify in court when deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid Kansas Driver's License

Skills:

- Working knowledge of current methods used in law enforcement
- Working knowledge of principals, practices and technical aspects of current law as applicable to community outreach programs
- Ability to analyze situations quickly and effectively to determine a course of action
- Working knowledge of geography of the city and surrounding areas
- Ability to remember names, faces and details of incidents
- Ability to understand and follow written and oral instructions
- Ability to communicate effectively and clearly, both orally and in writing
- Ability to deal firmly, but courteously with the public
- Ability to perform first aid
- Ability to work irregular hours
- Skill in use of firearms
- Ability to be punctual and in regular attendance

Education:

- High school graduate or equivalent
- Kansas Law Enforcement Academy Certification or eligible for training

Experience:

- Minimum three (3) years in law enforcement or related field preferred



Public Works Director Position Description

Status: Exempt, Full-Time Position
Supervisor Title: City Administrator
Department: Public Works

Responsibilities:

- Responsible for planning, organizing and directing Public Works operations, equipment and City property
- Responsible for enforcement of safety regulations and compliance with City policies and procedures
- Responsible for the annual Public Works budget
- Supervise and train Public Works employees
- Perform employees performance evaluations
- Oversee Park maintenance and related activities
- Oversee Cemetery maintenance and related activities
- Designated Safety Coordinator
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid CDL Driver's License with an air brake endorsement

Skills:

- Working knowledge of functions of Public Works
- Ability to research, develop and evaluate contracts and proposals
- Ability to develop project cost estimates, bids and capital improvements planning
- Ability to maintain personnel records, hire, evaluate and fire employees
- Ability to organize resources and establish priorities
- Ability to work in emergency conditions
- Ability to identify and resolve issues
- Ability to communicate effectively; both orally and in writing
- Ability to be punctual and in regular attendance

Education:

- College or related courses
- Supervisory Training required

Experience:

- Minimum ten (10) years experience in maintenance preferably in public works
- Minimum five (5) years of supervisory experience



Public Works Supervisor Position Description

Status: Exempt, Full-Time Position
Supervisor Title: Public Works Director
Department: Public Works

Responsibilities:

- Responsible for all Public Works operations, equipment and City property in the absence of the Public Works Director
- Responsible for compliance of safety regulations, City policies and procedures
- Assist with supervision and training of Public Works employees
- Perform employees performance evaluations
- Assist with Water and wastewater plant operations
- Assist with Supervision of crews engaged in construction and general operation activities
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a CDL Kansas Driver's License with an air brake endorsement

Skills:

- Working knowledge of all functions of Public Works
- Ability to operate all City equipment safely and efficiently
- Ability to evaluate new hires and employees
- Ability to organize resources and establish priorities
- Ability to work in emergency conditions
- Ability to lift and carry up to 90 pounds
- Ability to identify and resolve issues
- Ability to communicate effectively; both orally and in writing
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent
- Coursework in Class II Water and Sewer Operations
- Supervisory Training required

Experience:

- Minimum seven (7) years experience in maintenance preferably in public works



Water and Wastewater Controller Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Public Works Director

Department: Public Works

Responsibilities:

- Responsible for the City water supply and the wastewater treatment plant's daily operation and maintenance
- Responsible for the operation and maintenance of all lift stations
- Responsible for compliance with federal, state and local regulations
- Assist in training Public Works employees in water and wastewater operations
- Promote the good will of the City
- Perform other tasks as assigned
- Possess and maintain a valid CDL Kansas Driver's License with an air brake endorsement

Skills:

- Working knowledge of all functions of water and wastewater operations
- Ability to perform mandated and routine water and wastewater tests
- Ability to diagnose and report problems as arise
- Ability to record and maintain data accurately with attention to detail
- Ability to supervise plant operation and maintenance
- Ability to work in emergency conditions
- Ability to communicate effectively; both orally and in writing
- Ability to lift and carry up to 90 pounds
- Ability to be punctual and in regular attendance

Education:

- College or related courses
- Class III Water and Wastewater Certification

Experience:

- Minimum seven (7) years experience in Municipal Water and Wastewater



Compliance Officer Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Deputy City Administrator & Public Works Director

Department: Public Works

Responsibilities:

- Responsible for enforcement, inspection and compliance of Codes and Regulations
- Responsible for compliance of storm water regulations
- Prepare evidence and appear in court as deemed necessary
- Attend various meetings as deemed necessary
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of codes and regulations
- Working knowledge of Storm Water Best Management Practices (BMPs)
- Ability to perform Maintenance Worker III skills
- Ability to be a Certified Code Officer
- Ability to deal firmly, but courteously with the public
- Ability to research, analyze and present data in both formal and informal public settings
- Working knowledge of Microsoft Office and other computer software
- Ability to work independently and in a team environment
- Ability to prioritize a work schedule
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent
- Bachelor's Degree preferred

Experience:

- Public Works background preferred
- Minimum 3 years in code enforcement or related field



Facilities Maintenance Coordinator Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Public Works Director

Department: Public Works

Responsibilities:

- Responsible for comprehensive maintenance for all city facilities
- Maintain inventory of supplies
- Perform employees performance evaluations
- Respond to service requests and emergency calls
- Coordinate facility events
- Supervise custodial personnel
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of custodial and facilities and maintenance tasks to ensure an efficient and safe environment
- Ability to work safely with a wide range of chemicals according to federal and state regulations
- Ability to operate job related equipment
- Ability to work in emergency conditions
- Ability to communicate effectively; both orally and in writing
- Ability to lift and carry items weighing up to 50 pounds
- Ability to work independently and in a team environment
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent

Experience:

- Minimum five (5) years of custodial and facility maintenance experience preferred



Custodian Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Facilities Maintenance Coordinator

Department: Public Works

Responsibilities:

- Responsible for custodial maintenance
- Set up and take down for community events
- Perform preventative maintenance routinely
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Working knowledge of custodial and maintenance tasks to ensure an efficient and safe environment
- Ability to work safely with a wide range of chemicals according to federal and state regulations
- Ability to operate job related equipment
- Ability to work in emergency conditions
- Ability to communicate effectively; both orally and in writing
- Ability to lift and carry items weighing up to 50 pounds
- Ability to work independently and in a team environment
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent

Experience:

- Minimum two (2) years of custodial experience in a public setting preferred



Maintenance Worker I Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Public Works Director

Department: Public Works

Responsibilities:

- Perform construction and general maintenance work
- Perform unskilled and semi-skilled task
- Perform grounds maintenance on City equipment and tools
- Perform proper maintenance on City equipment and tools
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Ability to perform manual labor
- Ability to work in emergency conditions
- Ability to operate a variety of maintenance equipment and tools safely and efficiently
- Ability to work outdoors in inclement weather conditions
- Ability to lift and carry items weighing up to 90 pounds
- Ability to communicate and follow written and oral instructions
- Ability to work independently and in a team environment
- Ability to possess and maintain a valid CDL Kansas Driver's License with an air brake endorsement
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent

Experience:

- None Required



Maintenance Worker II Position Description

Status: Non-Exempt, Full-Time Position
Supervisor Title: Public Works Director
Department: Public Works

Responsibilities:

- Perform construction and general maintenance work
- Operate and maintain specific City equipment safely and efficiently
- Perform routine maintenance and repairs on City property and equipment
- Perform concrete and asphalt repairs and maintenance
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Ability to work safely following all safety practices
- Ability to lead a crew
- Ability to pursue a Class II Certification in water and wastewater
- Ability to perform manual labor
- Ability to work in emergency conditions
- Ability to operate a variety of maintenance equipment and tools safely and efficiently
- Ability to work outdoors in inclement weather conditions
- Ability to lift and carry items weighing up to 90 pounds
- Ability to possess and maintain a valid CDL Kansas Driver's License with an air brake endorsement
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent

Experience:

- Minimum two (2) years experience in maintenance preferably in public works



Maintenance Worker III Position Description

Status: Non-Exempt, Full-Time Position

Supervisor Title: Public Works Director

Department: Public Works

Responsibilities:

- Supervise crews engaged in construction and general maintenance activities
- Operate and maintain all City equipment safely and efficiently
- Install water meter taps and sets
- Supervise concrete and asphalt street repairs and maintenance
- Assist in supervision in various phases of daily operations
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Ability to perform building construction projects
- Working knowledge of the installation of water meter taps and sets
- Ability to communicate effectively: both orally and in writing in formal and informal settings
- Ability to supervise a crew
- Ability to work safely following all safety practices
- Ability to work in emergency conditions
- Ability to work outdoors in inclement weather conditions
- Ability to lift and carry items weighing up to 90 pounds
- Ability to work independently and in a team environment
- Ability to possess a valid CDL Kansas Driver's License with an air brake endorsement
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent
- Working toward a Class II Water or Sewer Certification

Experience:

- Minimum five (5) years experience in maintenance preferably in public works



Part-Time Maintenance Worker Position Description

Status: Non-Exempt, Part-Time Position
Supervisor Title: Public Works Director
Department: Public Works

Responsibilities:

- Perform unskilled tasks as instructed
- Assist with grounds maintenance on all City property
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Ability to perform manual labor
- Ability to work in emergency conditions
- Ability to operate a variety of lawn maintenance equipment safely and efficiently
- Ability to work outdoors in inclement weather conditions
- Ability to lift and carry items weighing up to 90 pounds
- Ability to communicate and follow written oral instructions
- Ability to work independently and in a team environment
- Ability to possess and maintain a valid Kansas Driver's License
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent

Experience:

- None Required, must be 18 years old



Seasonal Maintenance Worker Position Description

Status: Non-Exempt, Part-Time Position

Supervisor Title: Public Works Director

Department: Public Works

Responsibilities:

- Perform unskilled tasks as instructed
- Assist with grounds maintenance on all City property
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Ability to perform manual labor
- Ability to work in emergency conditions
- Ability to operate a variety of lawn maintenance equipment safely and efficiently
- Ability to work outdoors in inclement weather conditions
- Ability to lift and carry items weighing up to 90 pounds
- Ability to communicate and follow written oral instructions
- Ability to work independently and in a team environment
- Ability to possess and maintain a valid Kansas Driver's License
- Ability to be punctual and in regular attendance

Education:

- High School graduate or equivalent; pursuing a high school diploma

Experience:

- None Required, must be 18 years old



Part-Time Cemetery Worker Position Description

Status: Non-Exempt, Part-Time Position
Supervisor Title: Public Works Director
Department: Public Works

Responsibilities:

- Responsible for grounds maintenance within the Maize Cemetery
- Operate and maintain grounds equipment
- Ensure American Flags are in place on national holidays
- Promote the good will of the City
- Perform other tasks as assigned

Skills:

- Ability to perform all grounds maintenance including, but not limited to grass, trees, shrubs, and flowers
- Ability to operate a variety of maintenance equipment and tools safely and efficiently
- Ability to work outdoors in inclement weather conditions
- Ability to work independently and in a team environment
- Ability to possess a valid Kansas Driver's License

Education:

- High School graduate or equivalent

Experience:

- None

Personnel Policy Manual

of the

City of Maize, Kansas

Mission Statement of City of Maize

Through the integration of its population into every aspect of quality education, civic improvements, community appearance, commerce and recreation, Maize shall preserve its small town atmosphere and become the Best Small City in Kansas.

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<i>Revisions:</i>	<i>April 20, 2009</i>	<i>November 16, 2015</i>
	<i>December 20, 2010</i>	<i>July 18, 2016</i>
	<i>May 16, 2011</i>	<i>October 17, 2016</i>
	<i>January 16, 2012</i>	<i>November 21, 2016</i>
	<i>June 1, 2013</i>	
	<i>February 17, 2014</i>	
	<i>May 18, 2015</i>	

SECTION I - STATEMENT OF GENERAL POLICY

1.01 PURPOSE OF THE PERSONNEL POLICY

The following rules, regulations and other administrative provisions for personnel administration are established:

- A. To promote and increase efficiency and effectiveness of the City of Maize services;
- B. To provide fair and equal opportunity to all qualified persons to enter the City of Maize employment in all occupations on the basis of demonstrated merit and fitness as ascertained through fair and practical methods of selection without regard to age, ancestry, disability, gender, national origin, race, religion, pregnancy, marital status, veterans' status or any other characteristic protected by law;
- C. To develop a program of recruitment, advancement and tenure that will make service to the citizens of Maize an attractive career;
- D. To establish and maintain a uniform plan of Performance Evaluation and compensation based upon the relative duties and responsibilities of each Position in the City of Maize to assure fair and equitable compensation to all Employees;
- E. To establish and promote high morale among the Employees by providing good working relationships, uniform personnel policies and an opportunity for advancement without regard to age, ancestry, color, disability, gender, national origin, race, religion, pregnancy, marital status, veterans' status or any other characteristic protected by law; and
- G. To establish employment and personnel policies. This policy and guidelines do not create contractual employment rights. All City of Maize Employees are considered to be at-will Employees.

1.02 AMENDMENT OF POLICIES

This policy supersedes all existing policies and practices. The Governing Body reserves the right to modify, revoke, suspend, terminate or change any or all plans, policies, or procedures in whole or in part at any time with or without notice.

SECTION II - INTRODUCTION/ADMINISTRATION

2.01 ADMINISTRATION OF THE CITY POLICY

There is hereby created a personnel policy for the City of Maize (hereafter referred to as the “City”). All persons employed by the City except Elected Officials, members of boards and commissions, independent contractors, consultants and Volunteers, are under the jurisdiction of the personnel policy unless clearly stated otherwise.

The personnel policy shall include a classification plan and a pay plan, which shall be established and administered by the City Administrator with the approval of the Governing Body.

The personnel policy set forth herein is not intended to create a contract, nor is it to be construed to constitute contractual obligations of any kind or a contract of employment between the City and any of its Employees. Other than the City’s adoption of the policy of employment at-will as defined by state law, the provisions of this policy have been developed by the Governing Body and may be amended or canceled at any time.

2.02 ORGANIZATIONAL CHART

The organizational chart is a graphic representation of the structure established for the operation and supervision of all personnel and departments. The line of authority begins with the City Administrator and descends through Department Heads, supervisory personnel and ends with non-supervisory Employees. All communications, concerns, orders, requests and recommendations shall be channeled through the Chain of Command, in both directions, in order to avoid confusion and misunderstanding and to maintain oversight of those matters of importance to the City and City Employees. Please refer to Section XIV to view an Organizational Chart showing the Chain of Command.

- A. The City Administrator is ultimately responsible for all administrative matters of the City. As such, the City Administrator shall oversee the City's personnel policy or may delegate such duties as deemed appropriate. Duties include but are not limited to:

Administer the personnel policy, assist and advise Department Heads and Supervisors in the application of the policy as well as individual department policies and maintain a current knowledge of the laws regarding employment practices so as to revise and implement new policies.

- B. Department Heads are responsible for effective personnel management within their departments. Their duties include but are not limited to:
1. Develop policies uniquely applicable to their departments which are consistent with this policy. Departmental policies shall be reviewed by the City Administrator prior to implementation to ensure compatibility with this policy. A copy of the departmental policy shall be provided to each Employee in the department. Failure to follow departmental policy shall be cause for Disciplinary Action;

2. Approve all personnel actions in their departments;
 3. Delegate authority to Supervisors to administer the department policy;
 4. Communicate performance objectives to Supervisors and assure that these objectives are communicated to individual Employees; and
 5. Provide opportunities for Employees to be involved in planning and evaluating their own work and suggesting ways to improve departmental performance.
- C. Supervisors are responsible to Department Heads for effective administration of this policy. Their duties include, but are not limited to:
1. Strive to improve communication and the sense of teamwork between themselves and the Employees they supervise;
 2. Motivate and lead Employees toward achievement of stated department and City objectives;
 3. Review and evaluate the performance of Employees under their supervision;
 4. Review and evaluate the work of their departments and make changes or recommendations which shall improve their effectiveness; and
 5. Recommend appointments, Disciplinary Actions, Promotions, demotions, transfers and dismissals and changes in wages.

2.03 ADMINISTRATION OF DEPARTMENTAL POLICIES

A Department Head may formulate in writing reasonable policies for the conduct of departmental operations, including safety or operational procedures. All such policies shall be submitted to and approved by the City Administrator, and a current copy shall be kept on file in the office of the City Clerk and shall be available to all City Employees. Nothing in this section shall be construed as granting any Department Head the authority to adopt policies less stringent than, in violation of or in conflict with the personnel policy approved and adopted by the Governing Body.

2.04 DUTIES OF CITY ADMINISTRATOR RELATIVE TO GOVERNING BODY

The City Administrator shall act as the administrative head of the City and in such capacity shall direct the affairs of the City within the limits of the budget, the policies established by the Governing Body and the requirements of the statutes. The City Administrator shall attend all meetings of the Governing Body, shall prepare and submit the annual budget to the Governing Body, shall keep the Governing Body advised as to the financial condition and requirements of the City, and shall make recommendations to the Governing Body on all matters concerning the welfare of the City. The City Administrator shall have no vote in the public meetings of the Governing Body and shall refrain from attempting to establish policy but shall make recommendations to the Governing Body as a whole.

2.05 DEFINITIONS

Anniversary Date - One year from the Employee's Date of Hire, except in the case of Promotion. A Promotion establishes a new Anniversary Date starting from the actual date the Employee begins performing duties in the new job Position.

Chain of Command - The line of supervisory authority and internal communication, beginning with the City Administrator and descending through Department Heads, supervisory personnel and ending with non-supervisory Employees.

Confidential Information - Any information which is not available to the general public and which is obtained by reason of an Employee's Position and shall include but not be limited to discussions held in executive session, Personnel Files, negotiations held with third parties which may be the subject of executive sessions pursuant to Kansas statute and any other information which is not subject to disclosure pursuant to the Kansas Open Meetings Act and the Kansas Open Records Act.

Conflict of Interest - An actual or potential Conflict of Interest occurs when an Employee is in a Position to influence a decision that may result in a personal gain for that Employee or for a relative as a result of the City's business dealings. For the purpose of this policy, a relative is any person who is related by blood, marriage, blended family, or adoption.

Contract Employee - A professional Employee whose job duties are under a written contract. A Contract Employee is ineligible for all City Fringe Benefits except those mandated by law unless approved by the Governing Body as part of the written contract or an addendum to the contract.

Date of Hire - The first day the Employee reports to work.

Dismissal - Termination of employment by action of the employer pursuant to the City's at-will employment policy.

Disciplinary Action - A penalty (up to and including Dismissal from employment) which may be invoked against an Employee who has engaged in misconduct or unsatisfactory work performance.

Elected Official - Any person holding a Position on the City's Governing Body by reason of election or appointment in a manner set forth by law.

Employee - Any person engaged by the City to provide some type of service or labor for compensation.

Employment Classification - The service Positions of the City are hereby divided into two classes:

- A. The exempt class - Positions considered exempt are as defined by the Fair Labor Standards Act and amendments thereto; or
- B. The non-exempt class - Positions considered nonexempt are as defined by the Fair Labor Standards Act and amendments thereto.

Fringe Benefits - A term used to encompass such items as earned leave, holidays, insurance, medical benefits, retirement and other benefits received by an Employee in addition to compensation.

Full-Time Employee - An Employee scheduled to work the City's full-time work schedule. Generally, the Employee is eligible for all City Fringe Benefits, subject to the terms, conditions and limitations of each fringe benefit.

Grievance - A complaint filed by an Employee regarding working conditions for which the Employee seeks resolution through an established procedural process.

Leave of Absence - Permission granted to be absent from employment with the right of reinstatement without loss of seniority.

Part-Time Employee - An Employee not assigned to a temporary or probationary status and scheduled to work less than 40 hours per week; a police patrol officer scheduled to work less than 86 hours per 14-day work period. A Part-Time Employee is ineligible for all City Fringe Benefits except those mandated by law.

Performance Evaluation - A systematic process of observing, assessing and carefully judging an Employee's job performance.

Personnel File - The official file of each Employee maintained by the City Clerk. All records, reports and other pertinent material entered into such files are and shall remain the property of the City.

Position - A specific job consisting of all duties and responsibilities assigned or delegated by the Supervisor and requiring the full-time or part-time employment of one person.

Position Classification - Positions are grouped into classifications based on their duties and responsibilities. Compensation ranges are assigned to each class based on Position Descriptions and market value for the Position.

Position Description - A written document listing the duties, responsibilities and requirements of a specific position.

Probationary Employee - An Employee whose job performance is being evaluated to determine if employment with the City is appropriate. An Employee who satisfactorily completes the Probationary Period shall be notified of the new Employment Classification.

Probationary Period - Each offer of employment shall be provisional on the satisfactory completion of a six-month Probationary Period. Either the City or the Employee may end employment at any time during the Probationary Period with or without cause or advance notice.

Promotion - Advancement from one Position to another that has a higher rate of pay or title within the City.

Reclassification - Reassignment of an existing Position from one Position Classification to another, irrespective of whether the classes are in the same promotional line. Incumbents must demonstrate ability to perform in the reclassified Position, either by successful performance for a period of time, by a careful screening by supervisory personnel or by passing an appropriate examination.

Suspension - Placing an Employee in a non-duty status with or without pay.

Temporary or Seasonal Employee - An Employee hired as an interim replacement, to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary Employees retain that status unless and until notified of a change. The temporary Employee is ineligible for all City Fringe Benefits except those mandated by law.

Volunteer - Any person holding a non-paid Position in the service of the City. When acting as a Volunteer, an individual is not an Employee.

SECTION III - EMPLOYMENT

3.01 AT-WILL EMPLOYMENT

Employment with the City is voluntarily entered into and the Employee is free to resign at any time with or without notice or cause. Similarly, the City may terminate employment at-will at any time with or without notice or cause, so long as there is no violation of applicable federal or state law.

The City believes that the work conditions, wages, and Fringe Benefits it offers to its Employees are competitive. If Employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their Supervisors as set forth in the organizational chart.

Employees who have any questions regarding this Personnel Policy Manual should ask their Supervisor, Department Head or the City Administrator for clarification.

3.02 EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City shall be based on merit, qualifications and abilities. The City does not discriminate in employment opportunities or practices on the basis of age, disability, gender, national origin, race, religion, pregnancy, marital status, veterans' status or any other characteristic protected by law.

The City shall make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, Dismissal and access to Fringe Benefits and training.

Any Employee with questions or concerns about any type of discrimination in the workplace is encouraged and required to bring these issues to the attention of their immediate Supervisor, Department Head or the City Administrator. Employees can raise concerns and make reports without fear of reprisal.

3.03 FAIR LABOR STANDARDS ACT

All Employees shall be paid in compliance with the Fair Labor Standards Act (FLSA) with respect to minimum wage, overtime and salary deduction requirements. In general the FLSA requires that Employees be paid at least the federal minimum wage for all hours worked and overtime pay at one and one-half times the regular rate of pay for all hours worked over 40 hours in a workweek, unless the Employee is exempt from the minimum wage and overtime requirements or special rules apply to the Position. The FLSA and its implementing regulations provide exemptions for Employees employed as *bona fide* executive, administrative, professional, outside sales and certain computer Employees.

Job titles do not determine exempt status. In order for an exemption to apply, an Employee's specific job duties and salary must meet all the requirements of the U.S. Department of Labor's regulations.

To qualify for exemption, Employees generally must meet certain tests regarding their job duties and be paid not less than \$913 per week (\$47,476 annually) on a salary basis. Being paid on a "salary basis" means an Employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced due to variations in the quality or the quantity of the Employee's work.

Subject to exceptions listed below, an exempt Employee must receive the full salary for any workweek in which the Employee performs any work regardless of the number of days or hours worked. The FLSA does not require that exempt Employees be paid for any workweek in which they perform no work. If an exempt Employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Deductions from an exempt Employee's pay are permissible in the following circumstances:

- A. The Employee is absent from work for one or more full days for personal reasons other than sickness or disability, which are not covered by a *bona fide* plan, policy or practice providing paid leave for the absence.
- B. The Employee is absent due to sickness or disability, if the deduction is made in accordance with a *bona fide* plan, policy or practice of providing compensation for salary lost due to illness.
- C. The Employee's salary may be reduced to offset amounts received for jury or witness fees or for military pay.
- D. The Employee has received an unpaid disciplinary Suspension of one or more full days which was imposed in good faith for workplace conduct rule infractions.

In addition, partial day or full day deductions may be made in the following circumstances:

- A. The Employee is not entitled to a full week's salary in the initial or terminal week of employment.
- B. The Employee has been penalized, in good faith, for an infraction of safety rules of major significance.
- C. The Employee has taken unpaid leave under the Family and Medical Leave Act for part or all of the workweek.

It is the policy of the City to comply with salary basis requirements of the FLSA. All Supervisors and Department Heads are prohibited from making any improper deductions

from the salaries of exempt Employees. The City does not allow deductions that violate the FLSA or state law.

If an Employee believes an improper deduction has been made to the Employee's salary, the Employee should report this information to the City Clerk. Reports of improper deductions shall be promptly investigated. If it is determined that an improper deduction has occurred, the Employee shall be promptly reimbursed for any improper deduction made.

3.04 AMERICANS WITH DISABILITIES ACT

The City will comply with the Americans with Disabilities Act (ADA).

In this regard, the City will provide accommodations for qualified persons with disabilities who are Employees or who are applicants for employment and who are unable to perform the essential functions of their jobs without accommodations, unless the providing of the accommodations would cause an undue hardship to the City.

If an Employee becomes disabled and needs reasonable accommodations, the Employee shall notify their Supervisor who will work along with the City Administrator or the City Administrator's designee and the Employee to determine if a reasonable accommodation can be made.

3.05 PRE-EMPLOYMENT REQUIREMENTS

All new applicants for any Position with the City shall meet the qualifications established for that Position and complete a job application form with all pertinent information. The City shall make reasonable accommodations for Employees who have a disability. Any Employee who desires accommodations has the responsibility to inform the City of specific needs.

The offer of employment and assignment to duties is contingent upon satisfactory completion of a medical exam, drug test, background check and other testing as required for the Position. An offer of employment is made at the discretion of a Department Head with approval of the City Administrator.

- A. The City Administrator shall be responsible for listing Position vacancies or informing all City Employees of an internal vacancy. The City Administrator or Governing Body may advertise the vacancy externally.
- B. All new applicants authorize the City to contact previous employers, credit bureaus, friends, relatives or others who may provide information about the applicant's work record and character upon completion of the Employment Application.
- C. A medical examination shall be performed at the City's expense by a professional of the City's choice. A current Employee transferring to a Position requiring qualifications substantially different from the current Position may also be required to take a medical exam.

D. Applicants who have received an offer of employment shall be required to successfully complete a drug or alcohol test that shall be administered in full compliance with federal and state law and the City's Substance Abuse Policy as contained in this policy manual.

3.06 NEPOTISM

In order to avoid favoritism or the appearance of favoritism based on family relationships, no one shall be employed in a department where the Supervisor, Department Head or City Administrator, if applicable, is an immediate family member. "Immediate family" is defined to include only an Employee's parents, stepparents, spouse, children, stepchildren, sister or brother, grandparents, grandchildren, mother or father-in-law, or brothers- or sisters-in-law.

Where such situations exist through Promotion, transfer or marriage, action shall be taken to insure an effective working environment through transfer or Dismissal from employment of one of the Employees within a two-month period after the relationship is determined or established.

3.07 VETERANS PREFERENCE

In recognition of the services provided and as required by law, any person honorably discharged from the United States Military Service shall be preferred for employment by the City over other applicants, provided that all qualifications are equal.

3.08 LOYALTY OATH

Before entering into the duties of elected office, appointed office or employment, all public officers and Employees must subscribe in writing to an oath in the form as set forth in K.S.A. 54-106. No Employee shall perform services for the City until such oath is executed and filed with the City Clerk.

3.09 RESIDENCY REQUIREMENTS

The Governing Body may require, by agreement when hiring an Employee that the Employee relocate within the City. Other City Employees must live within 30 minutes lawful driving time of the corporate limits of Maize, Kansas. If the Governing Body has required residency at the time of hiring, Employees not owning their homes shall comply with this residency requirement within 60 days after their employment. Employees owning their homes shall comply with this residency requirement within six months of their employment date.

3.10 CITIZENSHIP VERIFICATION/IMMIGRATION LAW COMPLIANCE

In compliance with the Immigration Reform and Control Act of 1986, each new Employee, as a condition of employment, must complete the Form I-9 and present appropriate documentation establishing identity and employment eligibility. Former Employees who are

rehired must also complete the form if they have not completed an I-9 with the City within the past three years, or if their previous I-9 is no longer retained or valid.

3.11 ORIENTATION

New Employees shall receive information concerning the Position Description, City policies and regulations, compensation and Fringe Benefits and other information as necessary. Each Employee shall be asked to complete all necessary paperwork, including medical benefit plan enrollment forms, beneficiary designation forms and appropriate federal, state, and local tax forms.

3.12 PROBATIONARY PERIOD

Each new Employee, following initial employment, shall satisfactorily complete a six-month probationary training period in order to achieve full-time or part-time employment status. Any Probationary Employee may be terminated at any time during the Probationary Period with or without cause and the Employee shall not have the right to grieve such a termination.

Employees promoted to a Position with higher pay shall satisfactorily complete a six-month Probationary Period. Any Employee who fails to satisfactorily complete such Probationary Period shall be returned to the pay and Position they held immediately prior to the Promotion or to a Position with equal pay and responsibility, if available.

3.13 PERSONNEL RECORDS

- A. Each Employee shall have an official Personnel File maintained by the City Clerk containing information completed at the time of employment and any other records provided by Supervisors and Department Heads. These files contain documentation concerning certain aspects of each Employee's tenure with the City, such as employment applications, resumes, drug screens, Performance Evaluations, beneficiary designation forms, disciplinary warning notices, letters of recommendation and all other records directed to be made and maintained under these policies and guidelines under applicable laws.
- B. Each Employee shall be responsible for assuring that the personal information in the Personnel File is correct. Employees should promptly notify the City Clerk of any change in personal data such as change of name, address, telephone number, family status (marriage, divorce, birth, death) or beneficiary. Fringe Benefits for both the Employee and the Employee's dependents may be affected or lost if notifications of changes are not made immediately upon occurrence. The City is not responsible for loss of Fringe Benefits that may arise when information changes have not been provided in a timely manner.
- C. Each Employee shall have the right to review their official Personnel File during regular office hours. The City Clerk shall be present.

- D. The City Clerk shall keep relevant compensation information for all persons employed by the City, including their pay rate, time worked and accrued earned leave. An Employee's compensation records shall be available during regular office hours for inspection by that Employee.
- E. The City shall maintain medical information confidentiality regarding applicants, Employees and former Employees. All medical information shall be maintained separately from the Personnel File. The City will only use and disclose medical information as required or permitted by law. All uses and disclosures of the Employee's medical information will be of the minimum necessary to accomplish the intended purpose of the use or disclosure.

3.14 EMPLOYMENT VERIFICATION

When the City or any Employee of the City is solicited for information concerning current or former Employees from other employers with whom such current or former Employee has sought employment, the following policy on employment references shall be followed:

- A. The City Administrator will respond to such requests;
- B. For telephone inquiries the City shall provide only the Employee's dates of employment, pay level, Position Description and duties, and wage history. Anyone providing such information shall obtain and record the name of the company and caller requesting the information;
- C. If additional information is desired, the caller must send a letter outlining the information needed about the applicant and include written permission from the applicant to release the information requested; and
- D. Written responses to requests for information shall be reviewed and approved by the City Administrator prior to being submitted to the prospective employer.

3.15 TERMINATION OF EMPLOYMENT

Whenever an Employee resigns, is terminated, is laid off or in any way discontinues a relationship with the City, the Employee shall surrender to their Supervisor, Department Head or the City Administrator all property that has been issued by the City to said Employee. This may include such items as City-owned vehicles, keys, clothing, tools, etc.

- A. An Employee may submit a resignation at any time. Although advance notice is not required, at least two weeks written notice from an Employee would be appreciated.
- B. Dismissal is termination of employment by action of the employer pursuant to the City's at-will employment policy and at the discretion of a Department Head subject to the approval of the City Administrator.

- C. Retirement is giving up one's employment Position with the City at a time when benefits such as KPERS become available.
- D. Prior to an Employee's departure, an exit interview may be scheduled to discuss the reasons for the voluntary or involuntary termination of employment and the effect on Fringe Benefits.
- E. Employees shall be paid their accumulated earned leave upon resignation.

3.16 HIRING

The City Administrator, the City Attorney, and the Municipal Judge shall be hired by the Governing Body. Department Heads including the Deputy City Administrator, Chief of Police, Director of Public Works and the City Clerk shall be hired by the City Administrator with approval of the Governing Body. The City Administrator is responsible for hiring all other City Employees. Department Heads may hire department Employees with the approval of the City Administrator.

3.17 DISMISSALS

The City Administrator is authorized to dismiss City Employees from City service without cause. Department Heads may dismiss department Employees with the approval of the City Administrator. All officers and Employees of the City are at-will Employees.

3.18 NOTIFICATION

The City Administrator shall notify the Governing Body of all hirings and Dismissals when such action occurs.

SECTION IV - REQUIRED WORK HOURS, RECORD KEEPING AND APPEARANCE AT WORK

4.01 WORK HOURS

The applicable Department Head or the City Administrator shall set work hours for all Employees.

- A. Full-Time Employees - The normal work week for Full-Time Employees, which includes all Employees other than police patrol officers, shall be 40 hours, consisting of five eight-hour days.
- B. Police Patrol Officers - The normal work period for full-time police patrol officers shall average 86 hours per 14 days.
- C. Normal Work Hours - No Employee shall be permitted to work in excess of their scheduled work week or work period except when directed by the Employee's Department Head or the City Administrator.

4.02 REST BREAKS

Employees are entitled to a rest break of 15 minutes for each four hours of work. The time of the rest break, usually mid-morning or mid-afternoon, shall be scheduled by a Supervisor, Department Head or the City Administrator. Time for rest breaks is not cumulative and may not be used to extend lunch periods.

4.03 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the City expects Employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness places a burden on other Employees and on the City. In the rare instances when Employees cannot avoid being late to work or are unable to work as scheduled, they should notify a Supervisor, Department Head or the City Administrator as soon as possible.

4.04 PAY PERIODS AND RECORD (TIME) KEEPING

All personnel are paid on a bi-weekly basis, and shall accurately certify the hours they work on a time sheet. Time sheets are to be submitted to the City Clerk by an Employee, a Supervisor or a Department Head.

Employees who are laid off, dismissed, resign, retire or are otherwise terminated from their employment with the City shall receive their final paycheck on the regularly scheduled payday for the pay period in which their employment was terminated.

Each payroll period shall reflect earned leave for that specific pay period as well as cumulative year-to-date totals. After verification of hours worked with a Supervisor or a

Department Head, questions concerning an Employee's pay stub, deductions, etc. should be addressed to the City Clerk.

4.05 PERSONAL APPEARANCE OF EMPLOYEES

It is the policy of the City that each Employee's dress, grooming and personal hygiene be appropriate to the work situation. Employees at all levels and Positions are representatives of the City and their dress, grooming and personal hygiene affect both the public's impression of the City and internal morale. As such, radical departures from conventional dress or personal grooming and hygiene standards are not permitted.

Certain Employees within the Public Works and Police Departments may be required to meet special dress standards, such as wearing uniforms. The City may allow a clothing allowance for uniforms required of City Employees which may be deemed a taxable benefit.

Any Employee who does not meet the standards of this policy shall be required to take corrective action which may include leaving the premises. Non-exempt Employees (those Employees subject to the minimum wage and overtime requirements of the Fair Labor Standards Act) shall not be compensated for any work time missed due to failure to comply with this policy.

The City expects Employees:

- A. to present or create a professional or identifiable appearance for customers, suppliers and the public avoiding distractions caused by outrageous, provocative or inappropriate dress. Employees should not wear suggestive attire, jeans, athletic clothing, shorts, sandals, T-shirts, baseball hats and similar items of casual attire that do not present a businesslike appearance;
- B. to promote a positive working environment by practicing regular hygiene, washing hands after using the restroom and avoiding overuse of perfumes or other artificial odorants;
- C. to keep hair clean, combed and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length. All sideburns, moustaches and beards shall be neatly trimmed; and
- D. to insure that tattoos and body piercings (other than earrings) are not visible.

SECTION V - CLASSIFICATION, COMPENSATION/PAY PLAN, AND EMPLOYEE EVALUATION

5.01 EMPLOYMENT CLASSIFICATIONS

It is the intent of the City to clarify Employment Classifications so that Employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate employment is at-will by both the Employee and the City.

The Positions of the City are divided into two classes:

- A. Exempt Class - Positions considered exempt are as defined by the Fair Labor Standards Act and amendments thereto.
- B. Non-exempt Class - Positions considered nonexempt are as defined by the Fair Labor Standards Act and amendments thereto.

5.02 PAY PLAN

In the City's pay plan, Employee Positions are grouped by salary status (i.e. full-time salary, full-time hourly, part-time hourly). The pay plan steps are assigned to each Position based on Position Descriptions and fair market value.

Each Position Description shall have a list of responsibilities and skills needed to qualify for employment along with education and experience qualifications. Position Descriptions shall be reviewed every three years or when a Position needs to be filled by a new hire or internally. Position Descriptions shall be updated to:

- A. maintain an equitable salary structure;
- B. identify changes that may impact the Position;
- C. clarify Position responsibilities for carrying out assigned tasks within the Department;
and
- D. define the interrelationship of Department Positions.

The City Administrator shall make comparative studies of the pay plan for each Position in a Department every three years and shall submit recommendations for changes in the pay plan to the Governing Body. The Governing Body may or may not approve recommended changes during the budget process.

For each Position, an entry-level minimum pay step and maximum-level pay step will be established and adopted by the Governing Body. The entry-level base is generally intended

for newly hired or promoted Employees meeting the requirements of a Position. Advancement within the salary range is based on a satisfactory Employee evaluation.

5.03 NEW EMPLOYEES

The entry-level rate of pay for a Position may be paid from the Date of Hire, unless a Department Head petitions the City Administrator for permission to start an Employee at a higher rate of pay based on a written evaluation of skills, education and experience. The City Administrator may approve such requests when a prospective Employee possesses exceptional qualifications.

5.04 DETERMINATION OF RATE OF PAY

- A. All Employees shall be paid at an hourly or bi-weekly rate equivalent to the rate for the Position Classification in which they are employed.
- B. All hourly Employees shall be paid bi-weekly an amount equivalent to the pay assigned their Positions, with earnings determined by the actual time worked.
- C. In some situations, Employees may choose to apply for a Position that would be a lateral transfer or demotion in order to pursue a different career path or enhance career potential. The best interests of the City and the Employee are considered when reviewing these requests. A demotion may include a reduction in pay.

5.05 GENERAL COMPENSATION BASE PAY INCREASE

- A. A newly hired or promoted Employee's entry-level pay may be increased at the successful completion of the Employee's six-month Probationary Period and at the completion of 12 months from the Date of Hire or Promotion.
- B. Police patrol officers without certification may receive a pay increase upon successful completion of Kansas Law Enforcement Training and at the completion of 12 months from the Date of Hire
- C. An Employee's rate of pay may be increased:
 - 1. annually, if granted by the Governing Body during the budget process, which shall become effective January 1 of the adopted budget year; and/or
 - 2. at the time of receiving a satisfactory Employee evaluation.

The Employee's rate of pay cannot exceed the maximum pay step of the pay plan.

All Employees shall be eligible to receive annual evaluation step increase, unless instructed otherwise by the Governing Body during the budget process.

- D. A pay increase may be recommended, upon approval of the City Administrator, in recognition of continuing education including, but not limited to:

1. certification in specific areas of classification Position of employment;
2. technical training in specific areas of classification Position of employment; or
3. formal education:
 - i. Bachelor's Degree in classification Position of employment;
 - ii. Master's Degree in classification Position of employment;
 - iii. Continuing education or in-house training in classification position of employment.

E. The Mayor shall be notified in writing regarding all pay step increases.

5.06 PROMOTION

It is the City's policy to give current Employees first consideration as applicants for promotional opportunities. When an Employee receives a Promotion that Employee may receive an increase in base pay.

5.07 THIS SECTION LEFT BLANK AT THIS TIME

5.08 CITY SERVICE RECOGNITION PAY

The purpose of recognition pay is to facilitate a program that makes City service an attractive career. Full-Time Employees who have been continuously employed for 5 years shall receive recognition pay on the Employee's fifth year Anniversary Date at the rate of \$50 per year of employment and in five-year increments thereafter. Example: Upon completion of five years @ \$50 = \$250; upon completion of 10 years @ \$50 = \$500, etc. The recognition pay does not increase base rate of pay.

5.09 PERFORMANCE EVALUATION SYSTEM

Annual written Performance Evaluations shall be conducted for all full-time Employees and Part-Time Employees by a Supervisor, Department Head or the City Administrator. All written evaluations shall be based on the Employee's overall performance in relation to job responsibilities, attendance, and tardiness.

Scheduled Performance Evaluations shall rate an Employee's performance for an entire year in an employment Position based on the Anniversary Date. An evaluation may occur more frequently than on an annual basis at the discretion of a Supervisor, Department Head or the City Administrator.

It is important that Employees understand the information, goals, and outcomes of the evaluation process. Employees who are uncertain about the information, goals or outcomes of an appraisal may request an additional meeting with their evaluator or request the City Administrator to act as a third party mediator for the Employee and evaluator.

5.10 PERFORMANCE CATEGORIES

The following are definitions of the performance categories:

Probationary - An Employee placed in this category is a newly hired Employee in the six-month Probationary Period beginning on the Date of Hire or a promoted Employee in the six-month Probationary Period beginning on the date of Promotion.

Satisfactory Performance - An Employee placed in this category demonstrates acceptable performance and meets or exceeds the duties and standards established for the Position.

An Employee who consistently surpasses the duties and standards established for the Position in the areas of quality of work, planning, and organizing, and exhibits leadership abilities.

An Employee's performance is exceptional and superior in all areas.

Unsatisfactory Performance - An Employee placed in this category is not performing up to the standards established for the Position. An Employee receiving an unsatisfactory Performance Evaluation upon the Employee's annual Anniversary Date is ineligible for step pay until the next evaluation.

Performance Evaluation Form - See Section XVI.

SECTION VI - ALTERNATIVE COMPENSATION

6.01 OVERTIME COMPENSATION

- A. Full-time exempt Employees are expected to work a minimum of 40 hours per week and may work more than 40 hours. An exempt Employee shall not be paid overtime.
- B. Full-time non-exempt Employees shall be compensated for all hours worked. No overtime shall be worked by a non-exempt Employee except as authorized by a Supervisor, Department Head or the City Administrator. A non-exempt Employee must physically work 40 hours in a scheduled work period to be eligible for overtime compensation. Full-time police patrol officers shall be eligible to receive overtime compensation for work hours in a work period that exceeds 86 hours per 14-day work period.
- C. Overtime work for non-exempt Employees, when authorized by the Employee's Supervisor, Department Head or the City Administrator, shall be compensated by monetary payment at the rate of one and one-half times the regular rate of pay. Overtime hours shall be paid to the nearest quarter hour.
- D. Overtime compensation shall be paid no later than the first payday following the pay period in which it was earned.

6.02 OVERTIME DURING AN EMERGENCY

A Supervisor, Department Head or the City Administrator may require an Employee to work overtime during emergency situations.

An emergency is a sudden or unforeseen happening that, in the opinion of a Supervisor, a Department Head or the City Administrator, requires the unscheduled service of an Employee to protect the health, welfare and safety of the community.

6.03 STORM EMERGENCY

During a storm emergency, some Employees may be unable to report to work and others may report late. A full day's absence or time less than a full day missed by non-exempt Employees shall be charged to the Employee's accrued earned leave. Time cannot be charged as leave without pay until all earned leave is exhausted.

The City Administrator may release Employees early because of inclement weather. Employees released early shall be compensated for the remainder of the work shift as if they had worked. Released time shall not be charged to accrued leave.

6.04 REIMBURSEMENT FOR WORK EXPENSES AND MILEAGE

- A. All reimbursements shall be authorized by a Supervisor, a Department Head or the City Administrator.
- B. Reimbursements to Employees for use of privately-owned vehicles or for any other personal expenses incidental to employment shall be made only when approved in advance by the City Administrator. Receipts for expenses (meals, lodging, transportation, tolls, parking fees, gratuities, etc.) shall be submitted with requisitions for reimbursements of expenditures. Reimbursement is not allowed for alcoholic beverages. Reimbursement of all such approved expenses shall be paid upon completion of the trip or return to work and submission of receipts. All expenses must be itemized on the Reimbursement Request Form (Section XVI Forms). All receipts as a result of City business shall be attached to the request form. Such reimbursements shall not be considered as part of or additional compensation for an Employee's services.
- C. Reimbursement of authorized mileage shall be calculated using the current Internal Revenue Service (IRS) rate of reimbursement for privately-owned vehicles used by City staff for official City business.
- D. Travel by means other than personal vehicle must be approved in advance by the City Administrator.
- E. Employees may request a travel stipend in advance of travel from the City Administrator. Travel stipends shall be treated as advance paid wages until all receipts from the trip are turned into the City along with any unspent monies. If expenditures exceed the travel stipend, reimbursement shall be made with appropriate documentation.
- F. No trip expenses for convention or conference trips outside the mainland United States shall be reimbursable unless authorized in advance by the Governing Body.
- G. Where an Employee's membership in a specific professional or technical organization will enhance the City's ability to render public service, an Employee may request a membership to join such an organization. No membership dues shall be reimbursed or paid by the City unless authorized in advance by the City Administrator.

SECTION VII - BENEFITS

7.01 HOLIDAYS

- A. The following days shall be paid holidays for all Full-Time Employees:
 - 1. New Years Day;
 - 2. Spring Holiday (Good Friday);
 - 3. Memorial Day;
 - 4. Independence Day;
 - 5. Labor Day;
 - 6. Thanksgiving Day;
 - 7. Day after Thanksgiving;
 - 8. Christmas Day; and
 - 9. Day before or after Christmas – the City Administrator shall designate.

- B. When one of the above designated legal holidays falls on Saturday, the holiday shall be observed on the preceding Friday. When one of the above holidays falls on Sunday, the holiday shall be observed on the following Monday.

- C. From time to time and for certain special occasions, the Governing Body may designate other days as special holidays on a one-time basis.

- D. Public Works and Police Department Employees may be required to be on-call as determined by their respective Department Heads to ensure that proper coverage is available during holidays.

- E. To be eligible for holiday pay, an Employee must not be absent without earned leave on the workday before or the workday after the holiday.

- F. Part-Time Employees, Temporary (Seasonal) Employees, and Employees on Leave of Absence are ineligible for holiday pay on City observed holidays.

7.02 TUITION REIMBURSEMENT BENEFIT

The City believes that an educated workforce is in the best interests of the City and encourages its Employees to continue their education and training.

- A. All Full-Time Employees are eligible to participate in tuition assistance benefits. Probationary Employees are ineligible for this reimbursement.

- B. Tuition assistance eligibility is evaluated by the following factors:
 - 1. Degree program or course work must be job-related, and
 - 2. The amount of course work should not interfere with job performance.

- C. Full-Time Employees who enroll in approved courses at accredited schools shall be reimbursed up to \$250 per credit hour not to exceed \$750 per semester upon proof of

successful completion. An Employee's lifetime tuition reimbursement benefit shall not exceed \$5,000. An Employee who uses the lifetime benefit shall be expected to continue employment with the City for one year following the last City reimbursement. If an Employee terminates prior to one year, the Employee shall reimburse the City an amount equal to the last reimbursement.

- D. Employees requesting the Tuition Reimbursement Benefit shall obtain approval from the City Administrator at the time of enrollment in an approved course. Reimbursement shall be paid upon receipt of proof of successful completion. Documentation must be submitted within 30 days after completion of a class to receive reimbursement. Official and original documentation shall include:
1. an itemized course listing grades, such as an official transcript or grade sheet which includes school name and student name;
 2. an itemized fee statement of classes and a receipt documenting payment of tuition; and
 3. documentation of any direct tuition reimbursement including grants, scholarships and/or government funds including GI Bills.
- E. Tuition reimbursements shall only be paid for a grade of "C" or better.
- F. No reimbursement will be made to any Employee for books, equipment, supplies, travel expenses, late or early examination fees, breakage charges, transcripts, late registration fees, course change fees, room and board or any refundable fees or charges.
- G. Employees will not qualify for reimbursement in the event of termination prior to the completion of the courses.
- H. The reimbursement benefit shall be reevaluated during each personnel policy review or when the annual tuition reimbursement reaches \$5,000 in a calendar year.

7.03 DEDUCTIONS FROM PAY

- A. The following standard deductions are authorized by law to be deducted from all Employees' pay:
- Social Security and Medicare;
 - Federal income tax;
 - state income tax;
 - retirement contributions; and
 - garnishment withholding.
- B. Only the City's Fringe Benefits can be deducted from an Employee's wages after completion of an appropriate authorization form, and all City Fringe Benefits shall be approved by the Governing Body.

7.04 EMPLOYEE BENEFITS REQUIRING EMPLOYEE CONTRIBUTIONS

- A. Only Full-Time Employees are eligible to be enrolled in the City's group health care insurance plan (medical, prescription, dental and vision). Effective July 1, 2007, the City shall pay 80% of the health care insurance and the full-time employee shall pay 20% of the health care insurance.
- B. Only Full-Time Employees are eligible to be enrolled in the City's life, accidental death and disability and short-term disability insurance plans. The City shall pay 100% of the cost of these plans.

7.05 ADDITIONAL INSURANCE FOR EMPLOYEES

- A. Workers Compensation is an insurance plan provided by the employer by law to provide certain benefits to Employees for personal injuries arising out of or in the course of employment. Workers Compensation Insurance covers all Employees of the City.

Every on-the-job injury shall be reported to the Employee's Supervisor, Department Head or City Administrator during the shift in which the injury occurred and a written report must be forwarded to the City Administrator as soon as possible.

When an Employee is injured on the job, the Employee is entitled to certain benefits while off work, as approved by the insurance company. Benefits shall be paid to the Employee from the Workers Compensation carrier.

- B. The City provides liability insurance protection for each Employee responsible for the operation of City-owned vehicles and equipment for bodily injury and property damage.

The City will indemnify and hold harmless said Employees for any claim or action against them incurred from or arising out of the performance of their duties as City Employees.

The City will not indemnify and hold harmless said Employees whose actions have been determined by a court of law to be grossly and wantonly negligent or an intentional tort.

Employees are required to have a valid Kansas driver's license recorded with the City prior to operating a City vehicle.

7.06 POST-EMPLOYMENT PROGRAMS

- A. Social Security and Medicare are administered by the federal government and are supported by joint contributions from the Employee and the employer as established by federal law. These contributions are based on a percentage of the Employee's salary. The Employee's contribution is made through a payroll deduction. Any Employee seeking

specific information concerning Social Security or Medicare should contact the Social Security Administration.

- B. Kansas Public Employees Retirement System (KPERS) is a qualified governmental section 401(a) defined benefit pension plan. Membership is mandatory for all eligible Employees in covered Positions. Both the Employee and the City contribute to the system. Employee and City contributions are set by Kansas statute. The contribution rate fluctuates depending on the funding needs of the retirement system. An Employee Information Manual is provided to each Employee at the time of enrollment in the KPERS system. Questions regarding KPERS should be directed to the City Clerk.

- C. All Full-Time Employees are eligible to participate in the cafeteria plan offered by the City. Under this plan the Employee determines how much to contribute up to the maximum that is determined annually by the plan. The amount selected is deducted from the Employee's pay and may be used to reimburse medical and dependent care expenses. The amount contributed is not subject to federal income tax. The cost of this benefit is paid entirely by the Employee. Questions regarding the cafeteria plan should be directed to the City Clerk.

SECTION VIII - LEAVE POLICIES

8.01 EARNED LEAVE

A. Earned Leave - Earned Leave shall be based on years of service. Earned leave time shall be used for vacations, illness, personal business, bereavement or as otherwise deemed appropriate with approval of a Supervisor, a Department Head or the City Administrator. Earned leave shall accrue based on the following years of service:

Years of Service	Days Per Month	Total Days Per Year	Earned per Pay Period (26 per year)
Zero to Five	1.50	18	0.692308
Five to Ten	1.75	21	0.807692
Ten to Fifteen	2.00	24	0.923077
Fifteen to Twenty	2.25	27	1.038462
Twenty and more	2.50	30	1.153846

- B. Earned leave is granted only to all Full-Time Employees. Part-Time Employees, Temporary or Seasonal Employees, and Employees on Leave of Absence are ineligible for earned leave.
- C. Employees begin earning leave on their Date of Hire and an earned leave year is the year commencing from the Date of Hire. No earned leave shall be utilized during the first six months of employment.
- D. Hourly Employees shall use earned leave in units of not less than one hour and the minimum amount that can be used at any one time is one hour. Salaried Employees shall declare leave per the Federal Labor Standards Act guidelines.
- E. The Department Head or the City Administrator shall approve and schedule earned leave to ensure minimal disruption of departmental and City operations.
- F. Earned leave shall be taken in the year earned. No more than 240 hours shall be carried forward.
- G. On an Employee's Anniversary Date of Hire, hours in excess of 240 hours carried forward shall be compensated at the Employee's hourly rate. Compensation (buy-back) on the Anniversary Date shall be limited to a maximum of 40 hours for Employees in excess of 240 hours.
- H. When a holiday falls within an Employee's authorized leave time, the Employee shall be entitled to holiday leave without a deduction from accrued earned leave.
- I. All Full-Time Employees shall take at least one uninterrupted week of earned leave per year except first-year Employees.

- J. Earned leave may not be taken in duration of greater than two weeks without prior approval of a Department Head and the City Administrator.
- K. An Employee shall be compensated for all earned but unused leave at the final rate of pay upon resignation. No earned leave shall be paid upon dismissal of an employee.
- L. Only continuous service shall count toward eligibility of earned leave benefits. Approved Leave of Absence shall count toward continuous service.
- M. No earned leave credit shall be given to an Employee while on leave without pay.
- N. Sick leave accrued under the previous personnel policy prior to January 1, 2008, beyond the combined maximum of 20 days shall be carried over but not converted to earned leave. Employees who carry over sick leave may use the accrued sick leave after earned leave has been exhausted. This accrued sick leave is for the Employee's personal use only and may not be utilized for paid time off under any other circumstances. If an Employee has not used all of the accrued sick leave prior to termination, the Employee will not be paid for the unused sick leave upon termination.

8.02 CIVIL LEAVE

- A. An Employee shall be given necessary time off without loss of pay:
 - 1. when performing jury duty;
 - 2. when appearing in court as a witness in answer to a subpoena, when acting in an official capacity in connection with the City or as an expert witness either because of professional or observed knowledge; or
 - 3. for the purpose of election board or voting when the polls are not open at least two hours before or after the Employee's scheduled hours of work.
- B. If an Employee is involved in court in a personal case either as a plaintiff or as defendant in a suit not resulting from their duties with the City, the Employee may be granted leave without pay unless they elect to utilize any accumulated earned leave.

8.03 FAMILY MEDICAL LEAVE ACT

- A. The Leave Policy - Employees are eligible to take up to 12 weeks of unpaid family/medical leave within any 12-month period and be restored to the same or an equivalent Position upon return from leave provided that Employees: (1) have worked for the City for at least 12 months and for at least 1,250 hours in the last 12 months. The City will measure the 12-month period during which leave may be taken as a rolling 12-month period measured backward from the date an Employee uses any leave under this policy. Each time an Employee takes leave, the City will compute the amount of leave the Employee has taken under this policy and subtract it from the 12 weeks available leave and the balance remaining is the amount the Employee is entitled to take at that time. For

example, if an Employee used four weeks of leave beginning February 1, 2006, four weeks beginning June 1, 2006, and four weeks beginning December 1, 2006, the Employee would not be entitled to any additional leave until February 1, 2007. On February 1, 2007, the Employee would be entitled to four weeks of leave.

- B. Reasons For Family/Medical Leave - An Employee may take family/medical leave for any of the following reasons: (1) the birth of a son or daughter and in order to care for such son or daughter; (2) the placement of a son or daughter with Employee for adoption or foster care; (3) to care for a spouse, son, daughter or parent ("covered relatives") with a serious health condition; or (4) because of the Employee's own serious health condition which renders the Employee unable to perform the functions of the Position. Entitlement to leave because of reasons "1" or "2" expires 12 months after the date of birth or placement. In addition, spouses employed by the City who request leave because of reasons "1" or "2" or to care for an ill parent may only take a combined total of 12 weeks of leave during any 12-month period.

- C. Leave Notice - If the Employee's need for family/medical leave is foreseeable, the Employee must give the City 30 days advance written notice. If this is not possible, the Employee must at least give notice as soon as practicable (within one to two business days of learning of the need for leave). Failure to provide such notice may be grounds for delay of leave. Where the need for leave is not foreseeable, the Employee is expected to notify the City within one to two business days of learning of the need for leave, except in extraordinary circumstances. The City has Request for Family/Medical Leave Forms available from the City Clerk. The Employee shall use these forms when requesting leave.

- D. Medical Certification - If the Employee is requesting leave because of a serious health condition or a covered relative's serious health condition, the Employee and the relevant health care provider must supply appropriate medical certification. A Medical Certification Form may be obtained from the City Clerk. When leave is requested, the City will notify the Employee of the requirement for medical certification and when it is due (at least 15 days after requested leave). Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The City, at its expense, may require an examination by a second health care provider designated by the City if it reasonably doubts the medical certification initially provided. If the second health care provider's opinion conflicts with the original medical certification the City, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The City may require subsequent medical recertification on a reasonable basis.

- E. Reporting While On Leave - If the Employee takes leave because of serious health condition or to care for a covered relative, the Employee must contact the City on the first and third Tuesday of each month regarding the status of the condition and the Employee's intention to return to work.

- F. Leave Is Unpaid - Family/medical leave is unpaid, although the Employee may be eligible for workers' compensation benefits under that insurance plan. If leave is requested because of a birth, adoption or foster care placement of a child, any accrued paid earned leave first will be substituted for any unpaid family/medical leave. If the Employee requests leave because of serious health condition, any accrued paid earned leave first will be substituted for any unpaid family/medical leave. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period.
- G. Medical And Other Benefits - During an approved family/medical leave, the City will maintain the Employee's health benefits as if the Employee continues to be actively employed. If paid leave is substituted for unpaid family/medical leave, the City will deduct the Employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the Employee must continue to pay the Employee's portion of the premium. Health care coverage will cease if the premium payment is more than 30 days late. If the Employee elects not to return to work at the end of the leave period, the Employee will be required to reimburse the City for the cost of the premiums paid by the City for maintaining coverage during unpaid leave, unless the Employee cannot return to work because of a serious health condition or other circumstances beyond the Employee's control.
- H. Exemption For Highly Compensated Employees - Highly compensated Employees (i.e., highest paid 10% of Employees at a worksite or within a 75-mile radius of that worksite) may not be returned to their former or equivalent Position following a leave if restoration of employment will cause substantial economic injury to the City. The City will notify the Employee if the Employee qualifies as a "highly compensated" Employee if the City intends to deny reinstatement of rights in such instances.
- I. Intermittent And Reduced Schedule Leave - Leave because of a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours the Employee works per workweek or workday) if medically necessary. If leave is unpaid, the City will reduce the Employee's salary based on the amount of time actually worked. In addition, while the Employee is on an intermittent or reduced schedule leave, the City may temporarily transfer the Employee to an alternative Position which better accommodates recurring leave and which has equivalent pay and benefits.
- J. Returning From Leave - If an Employee takes leave because of a serious health condition, the Employee is required to provide medical certification in order to resume work. Return to Work Medical Certification Forms may be obtained from the City Clerk. Employees failing to provide the Return to Work Medical Certification Form shall not be permitted to resume work until it is provided.
- K. State And Local Family And Medical Leave Laws - Where state or local family and medical leave laws offer more protections or benefits to Employees, the protections or benefits provided by such laws will apply.

L. Definitions - For the purposes of this policy, the following definitions apply:

"Spouse" is defined in accordance with applicable State law.

"Parent" includes biological parents and individuals who acted as the Employee's parents, but does not include parent-in-law.

"Son" or "daughter" includes biological, adopted, foster children, stepchildren, legal wards and other persons for whom the Employee acts in the capacity of a parent and who is under 18 years of age or over 18 years of age but incapable of caring for themselves.

"Serious health condition" means any illness, injury, impairment or physical or mental condition that involves: (1) an incapacity or treatment in connection with inpatient care; (2) an incapacity requiring absence of more than three calendar days and continuing treatment by a health care provider; or (3) continuing treatment by a health care provider of a chronic or long-term condition that is incurable or will likely result in incapacity of more than three days if not treated.

"Continuing treatment" means: (1) two or more treatments by a health care provider; (2) two or more treatments by a provider of health care services [e.g., physical therapist] on referral by or under orders of a health care provider; (3) at least one treatment by a health care provider which results in a regimen of continuing treatment under the supervision of the health care provider [e.g., a program of medication or therapy]; or (4) under the supervision of, although not actively treated by, a health care provider for a serious long-term or chronic condition or disability which cannot be cured [e.g., Alzheimer's or severe stroke].

"Health Care Provider" includes: licensed MD's and OD's, podiatrists, dentists, clinical psychologists, optometrists, chiropractors authorized to practice in the State, nurse practitioners and nurse-midwives authorized under State law and Christian Science practitioners.

"Needed to care for" a family member encompasses: (1) physical and psychological care; and (2) where the Employee is needed to fill in for others providing care or to arrange for third party care of the family member.

The phrase "unable to perform the functions of the job" means an Employee is: (1) unable to work at all; or (2) unable to perform any of the essential functions of the Position. The term "essential functions" is borrowed from the Americans with Disabilities Act ("ADA") to mean "the fundamental job duties of the employment position" and does not include the marginal functions of the Position.

8.04 MILITARY LEAVE

The Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4333, requires employers to grant unpaid leave to Employees who are members of or enlist in one of the uniformed services.

- A. Giving of Notice - Employees must provide advance notice of military service to the City. Notice may be either written or oral. It may be provided by the Employee or by an appropriate officer of the branch of the military in which the Employee will be serving.
- B. Length of Absence - The cumulative length of absence of an Employee to serve in the uniformed services, after December 12, 1994, may not exceed five years.

Exceptions to the cumulative five-year limit will be made for:

1. Service required beyond five years to complete an initial period of obligated service.
 2. Service from which an Employee, through no fault of the person, is unable to obtain a release within the five-year period.
 3. Required training for members of the National Guard and Reserves.
 4. Service under an involuntary order to active duty or to be retained on active duty during a domestic emergency or national security related situations.
 5. Service under an order to active duty or to remain on active duty during a war or national emergency declared by the President or Congress.
 6. Active duty (other than for training) by Volunteers supporting “operational missions” for which selective reservists have been ordered to active duty without their consent.
 7. Federal service by members of the National Guard called into action by the President to suppress an insurrection, repel an invasion or to execute the laws of the United States.
- C. Return to Work - A person whose military service lasts from one to 30 days must report to the City by the beginning of the first regularly scheduled work day that would fall eight hours after the person returns home from military service. Military service includes reasonable time for travel to and from the place of service.

A person whose military service lasts from 31 to 180 days must make application for reemployment no later than 14 days after completion of the period of military service.

A person whose military service lasts more than 180 days must make application for reemployment no later than 90 days after completion of the period of military service.

- D. Reemployment Position - A person serving from one to 90 days will be reemployed in the Position the person would have held had the person remained continuously employed so long as the person is qualified for the Position or can become qualified after reasonable efforts by the Supervisor to qualify the person.

A person serving 91 days or more will be reemployed in (1) the Position the person would have held had the person been continuously employed, or (2) a Position of equivalent seniority, status and pay so long as the person is qualified for the Position or can become qualified after reasonable efforts to qualify the person. If the person cannot become qualified in (1) or (2), the person will be reemployed in any other Position of lesser status and pay that the Employee is qualified to perform with full seniority.

The City may request that a person who is absent for a period of service of 31 days or more document the period of military service to show that the application for reemployment was timely, the person has not exceeded the five-year limitation, and the person's character of service was honorable. Where a person is absent for 91 days or more, the City may delay making retroactive pension contributions until the person submits satisfactory documentation.

- E. Rights of Reemployed Persons - Benefits will be continued during a military leave according to applicable state and Federal regulations. Upon reemployment, persons are entitled to all seniority-related benefits as if they had remained continuously employed. Service members will be provided all rights and benefits not based on seniority to the extent that those rights and benefits are available to other Employees on non-military leaves of absence whether paid or unpaid. If there is a variation among different types of non-military leave, the most favored treatment will be accorded the service member. If, prior to leaving for military service, an Employee knowingly provides clear written notice of an intent not to return to work after military service, the Employee waives entitlement to non-seniority leave-of-absence rights and benefits. The Employee must be aware of the specific rights and benefits to be lost. If the Employee lacks the awareness or is otherwise coerced, the waiver will be ineffective.

Notice of intent not to return to work can waive only non-seniority leave-of-absence rights and benefits. Service members cannot surrender other rights and benefits that a person would be entitled to under the law, particularly reemployment rights. Service members will be required to pay the Employee cost, if any, of any funded benefits to the extent that other Employees on leave-of-absence would be required to pay.

- F. Non-Discrimination - USERRA prohibits discrimination against any person who serves in the uniformed services. The law also prohibits acts of reprisal against service members and those who would testify or witness to discrimination against uniformed service members. Non-discrimination clauses of the statute cover persons who are members of, who apply to be members of, perform, have performed, have applied to perform, or have an obligation to perform service in a uniformed service.
- G. Health Benefits - Persons who have coverage under a health plan in conjunction with the person's Position of employment may elect to continue such coverage. The maximum period of coverage of the person and the person's dependents shall be the lesser of: (1) the 24-month period beginning on the date on which the person's absence begins, or (2) the day after the date on which the person fails to apply for or return to a Position of employment within the specified timeframes required by the statute.

A person who elects to continue health plan coverage may be required to pay not more than 102% of the full premium under the plan. A person whose health plan was terminated by reason of service in the uniformed services may not be required to complete a waiting period for reinstatement of coverage following reemployment.

8.05 EDUCATION LEAVE

Employees, upon written request, may be granted leave without pay for a period of up to one year to further their education or seek specialized training upon recommendation of the Employee's Department Head or the City Administrator subject to the approval of the Governing Body.

8.06 LEAVE OF ABSENCE

An Employee, upon written request and with the recommendation of their Department Head or the City Administrator, may be granted a Leave of Absence without pay for a period of up to six months, subject to the approval of the Governing Body.

8.07 LEAVE OF ABSENCE FOR VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT

Leave of Absence under this policy may be taken for any of the following purposes:

- A. Obtaining or attempting to obtain any relief, including, but, not limited to, a temporary restraining order, relief to help ensure the health, safety or welfare of the Employee or the Employee's child or children;
- B. Seeking medical attention for injuries caused by domestic violence or sexual assault;
- C. Obtaining services from a domestic violence shelter, domestic violence program or rape crisis center as a result of domestic violence or sexual assault; or
- D. Making court appearances in the aftermath of domestic violence or sexual assault.

The Employee shall provide the Supervisor with reasonable advance notice of the Employee's intention to take time off for one of the above purposes, unless it is not possible to provide advance notice.

The Employee shall also provide the Supervisor with documentation to support the need for leave for one of the above purposes within 48 hours after returning from the requested leave. The supporting documentation may include, but is not limited to, the types of documentation listed below.

In the event of an unscheduled absence for one of the above purposes, no Disciplinary Action will be taken against the Employee if the Employee provides a certification to the Supervisor

within 48 hours after the beginning of the unscheduled absence. The certification may be in any of the following forms:

- A. A police report indicating that the Employee was a victim of domestic violence or sexual assault;
- B. A court order protecting or separating the Employee from the perpetrator of an act of domestic violence or sexual assault, or other evidence from the court or prosecuting attorney that the Employee has appeared in court;
- C. Documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider or counselor that the Employee was undergoing treatment for physical or mental injuries or abuse resulting from an act of domestic violence or sexual assault.

Any Supervisor receiving supporting documentation for a Leave of Absence under this policy shall forward such documentation to the City Clerk but shall otherwise maintain the Employee's confidentiality regarding the reason for the leave and the supporting documentation.

Employees may choose to substitute available paid leave for unpaid leave under this policy. However, substituting paid leave for unpaid leave shall not increase the number of days of leave available under this policy in each calendar year.

No Employee shall be subjected to Dismissal or retaliation for taking leave pursuant to this policy.

SECTION IX - USE OF CITY RESOURCES

9.01 USE AND MAINTENANCE OF CITY EQUIPMENT

Employees are authorized to use City equipment, facilities and vehicles for official business only. City vehicles may not be used for transportation to and from work without the approval of the City Administrator, with the exception of police vehicles assigned to Police Officers by the Chief of Police. All equipment is to receive proper maintenance at specified intervals. All City property must be returned upon termination of employment with the City.

9.02 USE OF COMMUNICATION SYSTEMS

It is the policy of the City to provide a communication system and equipment necessary to promote the efficient conduct of its business. Communication systems include mail, electronic mail ('email'), courier services, facsimiles, telephone systems, personal computers, computer networks, online services, Internet connections, computer files, video equipment and digital recordings, cellular phones, voice mail and social media. Department Heads or Supervisors are responsible for instructing Employees on the proper use of the communications services and equipment used by the City for both internal and external business communications.

- A. All City communication systems (including the messages transmitted or stored by Employees) are the sole property of the City. Accordingly, the City reserves the right to access and monitor Employee communications and files as it deems appropriate.
- B. Online services and the Internet may be accessed only by Employees specifically authorized. Employees' online use should be limited to work related activities. In addition, Employees should not duplicate or download from the Internet or from an email any software or materials that are copyrighted, patented, trademarked or otherwise identified as intellectual property without express permission from the owner of the material.
- C. Employees should ensure that no personal correspondence of any kind appears to be an official communication of the City. All outgoing messages, whether by mail, facsimile, email, Internet transmission or any other means, should be accurate, appropriate and work related. Employees may not use the City's address for receiving personal mail or use the City letterhead, postage or mail supplies for personal use.
- D. There shall be no display or transmission of sexually explicit images, messages or cartoons or any transmission or use of email communications that contain ethnic slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability or religious or political beliefs.
- E. Any email or other communications sent or received via the Internet must be appropriate for the workplace. Remember that email is a relatively permanent form of

communication. Do not transmit anything in an email message that the Employee would not be comfortable writing in a letter or memo. Deletion of an email message does not eliminate backup copies of the message that are automatically stored electronically.

- F. Use of the Internet to view, access, upload, download, store, transmit, create or otherwise manipulate pornographic or other sexually explicit materials is prohibited.
- G. Employees are expected to act in a responsible and professional manner when they use the Internet and email. Actions that may cause interference with the Internet or disruption of work activities are prohibited.
- H. Improper use of communication systems includes any misuse as described in this policy and any misuse that would result in violations of other City policies as well as any harassing, offensive, demeaning, insulting, defaming, intimidating or sexually suggestive written, recorded or electronically retrieved or transmitted communications.
- I. Violation of this policy shall result in appropriate Disciplinary Action up to and including Dismissal.

9.03 CELLULAR TELEPHONE USAGE

- A. Employees are not permitted to make or receive a cellular call while operating a City vehicle or City equipment or operating any other vehicle while conducting City business.
- B. Unless authorized by the City Administrator, the use of personal cell phones for personal use is prohibited during scheduled work hours except for an emergency.
- C. Employees must adhere to all federal, state and local laws and regulations regarding the use of cell phones including rules regarding usage while driving.
- D. Violation of this policy shall subject an Employee to Disciplinary Action up to and including Dismissal.

9.04 OTHER ELECTRONIC COMMUNICATION SYSTEMS

- A. Employees are not permitted to use any handheld device including laptops or any other electronic communicative devices while operating a City vehicle or City equipment or operating any other vehicle when conducting City business.
- B. Unless authorized by the City Administrator, the use of personal electronic equipment for personal reasons is prohibited during scheduled work hours except for an emergency.

SECTION X - CONDUCT, ETHICS, DISCIPLINARY ACTION AND THE GRIEVANCE PROCESS

10.01 CODE OF CONDUCT

Rules and regulations governing Employee Disciplinary Action are designed to provide guidance for all levels of supervisory personnel in the handling of Employee misconduct or unsatisfactory work performance. The following list of infractions is intended to provide examples of misconduct but is not all-inclusive.

A. Insubordination includes:

1. Refusing to obey the lawful order of a Supervisor or Department Head;
2. Ridiculing, belittling or inappropriately questioning the ability of a Supervisor or Department Head;
3. Lying or other unprofessional behavior;
4. Failure to follow the Chain of Command – see Organizational Chart, Section XIV;
5. Displaying inappropriate behavior unbecoming to the Position held, including any act or omission which could tend to disrupt the economical or efficient conduct of the business of the City; or
6. Displaying offensive conduct or using offensive language, or harassment of the public, Elected Officials, Department Heads, Supervisors or other Employees.

B. Attendance and Timeliness includes:

1. Employees must adhere to assigned work schedules, shall not be tardy and shall not be absent from work without approval.
2. Employees shall not be absent from work without leave or fail to report to work after a Leave of Absence has expired or after such Leave of Absence has been disapproved or revoked.

10.02 CODE OF ETHICS

The Governing Body has determined that the public trust and the enhancement of the integrity of governmental operations may only be secured by the exhibition of the highest standards of integrity and responsibility by the Employees who undertake service to the citizens of the City of Maize.

A. Conflicts of Interest -

1. Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Employees who have a financial or other private interest in any proposed City legislation shall disclose the nature and the extent of such interest in writing to the City Administrator.

2. No Employee shall serve as an official voting member on any City committee or board. However, Employees may be appointed by either the Governing Body or City Administrator to serve as a staff person or liaison for the City.
 3. In order to ensure fair and impartial treatment of all Employees, any Employee choosing to become a candidate for an elected Position with the City shall not continue as an Employee of the City.
 4. Employees shall not actively campaign for candidates for any City office or for any City issues.
 5. Employees shall not sell or barter anything to the City or to a contractor doing work with the City.
- B. Public Relations - Every City Employee shall continually strive to promote good public relations for the City.
1. Public statements, press releases or the release of information on any matter shall be referred to the City Administrator.
 2. Employees shall give fair and equal treatment to all citizens and fellow Employees.
- C. Gratuities - Employees shall not accept from any person, business or organization any gift including such items as money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment for the benefit of the Employee or department. Holiday gifts presented to Employees shall be shared with all Employees and the public.
- D. Health, Safety and Welfare Concerns -
1. No Employee shall violate the City's policy regarding use of intoxicating beverages or drugs or be under the influence of these substances while at work.
 2. Criminal conduct, as determined by any court of competent jurisdiction, shall result in Disciplinary Action up to and including Dismissal.
 3. Violation of any law including City ordinance, City policy, City rule or regulation, department level rule or regulation or the City's Code of Ethics (contained in this policy manual) shall result in Disciplinary Action up to and including Dismissal.
 4. The City intends to use legal, managerial, administrative and disciplinary procedures to protect the workplace from violence and to reasonably protect Employees and members of the public. Any violent act(s) committed by Employees or Employees in possession of dangerous weapons shall be subject to Disciplinary Action up to and including Dismissal, or prosecution as appropriate.
 5. Improper use of City communication services or equipment shall result in discipline, up to and including Dismissal.

10.03 FORMS OF DISCIPLINARY ACTION

It shall be unlawful for any Employee of the City to knowingly violate any of the provisions of this section. An Employee shall be subject to Disciplinary Action up to and including

Dismissal if found in violation of this section. Disciplinary Action will be commensurate to the severity of the misconduct.

A. Administrative Disciplinary Action may take any of the forms set forth below. Disciplinary Action may involve progressive action or a single action on the part of the City at the discretion of the City Administrator.

1. Reprimand - A notice to an Employee in either verbal or written form of a violation of any City policy.
 - a. Verbal reprimand - usually given for minor violations.
 - b. Written reprimand - usually given in situations where a verbal reprimand is not forceful enough or where a verbal reprimand has not proven corrective. A written reprimand shall be signed by both the Employee and the Supervisor and a copy forwarded to the City Administrator for inclusion in the Employee's Personnel File. The Employee's signature does not indicate agreement with the charges, only notice of receipt. The Employee may file a letter of response to the reprimand and the letter shall be attached to the reprimand in the Personnel File.
2. Suspension - An Employee is placed in a non-duty status, with or without pay. A Department Head, with the approval of the City Administrator, has the discretion to determine whether the Suspension shall be paid or unpaid and the length and dates of the Suspension. Days off without pay due to a Suspension shall not necessarily be consecutive.

Notification of a Suspension shall be in writing and shall include the reason(s) for and duration of the Suspension, when the Suspension shall take place, whether the Suspension shall be paid or unpaid and any terms the Employee must meet before returning to work. A copy of this notification shall be placed in the Employee's permanent Personnel File. When an Employee is suspended following arrest for a criminal charge, Suspension may be in effect until such time as a judgment is rendered by the court. Long-term Suspension may require the Employee to assume responsibility for all costs associated with all City Fringe Benefits.

3. Demotion - An Employee is involuntarily transferred to a Position with a lower salary range due to an unsatisfactory job performance or for disciplinary reasons. No demotion shall be made as a Disciplinary Action unless the Employee to be demoted is able to perform all of the essential functions of the lower Position. Notification of a demotion shall be in writing and shall include the reason(s) for the demotion, when the demotion shall take place and any other terms of the demotion. Notification of demotion shall be made at least one calendar week before the demotion takes effect, and such notification shall be placed in the Employee's permanent Personnel File.
4. Dismissal - An Employee is permanently relieved of work responsibilities and duties and asked to leave the worksite. Notification of Dismissal shall be in writing and shall include the reason(s) and date the Dismissal takes effect. However, immediate Dismissal may require notification after the fact.

- a. Voluntary Dismissal - initiated by the Employee or by mutual consent.
- b. Involuntary Dismissal - initiated by the Employee's Supervisor or Department Head.

10.04 APPEALS OF DISCIPLINARY ACTION

- A. Right of Appeal - Employees have the right to appeal any Disciplinary Action in the same manner as that set forth for any other Employee Grievance. However, appeals of demotions or Suspensions of three or more days shall be initiated directly at “Step 3” of the Grievance procedure.
- B. Pre-Termination Review - Employees who are dismissed from City service may request a pre-termination review. This request must be made within 24 hours of notice of the Dismissal. The Employee shall have two work days in which to submit to the Department Head or City Administrator written reasons and explanations contesting the action. Upon examination of this information, the Department Head or City Administrator may decide that the Dismissal is improper and may reinstate the Employee and impose appropriate Disciplinary Action in lieu of the Dismissal. If the Dismissal is upheld, the Department Head shall notify the Employee in writing and the original Dismissal shall stand. Employees shall remain suspended with pay until the conclusion of the pre-termination review.

10.05 GRIEVANCE PROCEDURE (ARISING FROM WORKING CONDITIONS OR ARISING FROM DISCIPLINARY ACTION)

- A. Purpose Statement - A Grievance is a dispute relating to the working conditions of Employees that constitute a violation of this personnel policy or a dispute arising out of a Disciplinary Action. The purpose of this procedure is to secure resolution of any Grievance which may arise at the lowest administrative level possible.
- B. Chain of Command - Any Employee may make a request, register a complaint or submit a recommendation about any policy, rule, regulation or treatment that is believed to be unfair or contrary to the Employee’s best interest, the department’s best interest or the City’s best interest, providing that this is done through the Chain of Command. Because personnel matters are administrative concerns and often subject to rules of confidentiality, Employees are not permitted to take Grievances to the Governing Body or to individual Elected Officials, either directly or indirectly, by any means except through the Chain of Command.
- C. Written Grievance - A written Grievance shall be presented first to the immediate Supervisor as set forth below. It shall be the responsibility of the Supervisor, within the scope of authority, to endeavor to resolve or handle the matter to the satisfaction of subordinates. However, when the matter being grieved is the result of a policy or ordinance established at a higher level of the supervisory structure or by the Governing Body, the Supervisor must conform the decision to such policy.

D. General Provisions -

1. No Employee shall utilize this procedure to file Grievances relating to:
 - a. federal or state statutes where a lawsuit has been filed or a complaint has been submitted to a government agency;
 - b. policies and ordinances enacted by the Governing Body other than those directly and clearly related to such Employee's employment; or
 - c. matters where the Employee has no direct employment interest.
2. Any hearing pursuant to this Grievance procedure shall be conducted at a time and place which shall afford a fair and reasonable opportunity for all persons (including witnesses) entitled to be present. Time limits specified in this procedure may be changed by mutual agreement of the parties involved in the Grievance. In the event of an approved absence of the grievant or the appropriate Supervisor or City Administrator, time limits shall be temporarily suspended.
3. Grievances arising from the action of an Elected Official or supervisory Employee other than the immediate Supervisor of the Employee can be initiated with the Department Head or City Administrator at "Step 2" of the Grievance procedure.
4. Appeals of Dismissals, involuntary demotions or Suspensions of three or more days shall be initiated directly at "Step 3" of the Grievance procedure.
5. Details of Grievances and Grievance proceedings shall be kept confidential.
6. An Employee shall not be interfered with, restrained, discriminated against or subject to any retaliation as the result of the presentation of a Grievance.
7. An Employee who alleges a violation of civil rights such as discrimination or harassment may elect to pursue a Grievance through the Grievance procedure contained in this Policy Manual if a lawsuit has not been filed or a complaint has not been submitted to a government agency.
8. At no time shall an Employee take a Grievance directly to the Mayor, a member of the Governing Body or the Governing Body.

E. Grievance Procedure -

1. Step 1

- a. Within five working days of the time that the grievant knew or reasonably should have known of the Grievance, the grievant shall orally present the Grievance to the immediate Supervisor. The Supervisor shall respond to the complaint within five working days after presentation of the Grievance.

2. Step 2

- a. If the Grievance is not resolved at "Step 1," the Employee may file the Grievance in writing with the Department Head within five working days after receiving a response from the immediate Supervisor.
- b. The Grievance shall state the:
 - 1) name of the Employee or group of Employees involved;
 - 2) facts giving rise to the Grievance;
 - 3) administrative regulations or policies at issue;
 - 4) contention of the grievant with respect to the Grievance;
 - 5) decision of the Employee's Supervisor; and
 - 6) specific relief requested.

The Department Head shall present a written response to the Employee within five working days of receipt of the Grievance.

3. Step 3

- a. If the Grievance is not resolved at “Step 2,” the Employee may file an appeal of the decision with the City Administrator within five working days of receipt of the decision from the Department Head. Except as specified in paragraph “f” below, a Grievance Board hearing shall be scheduled as soon as practical.
- b. The Grievance Board shall consist of three members, which shall include the City Attorney, a non-exempt Employee and an exempt Employee. No witness to or party to the Grievance or immediate family member to either party may be a Grievance Board member. First the grievant shall choose one Employee for the Grievance Board; then the City Administrator shall choose the other Employee.
- c. In order to properly investigate any appeal of a Grievance the party hearing the appeal may request the production of records, reports or any other information deemed appropriate.
- d. After the hearing, the Grievance Board shall prepare findings of fact and a recommendation which shall be forwarded to the City Administrator for consideration within five working days of the close of the hearing.
- e. The City Administrator shall make a decision within five working days of the receipt of the recommendation whether or not to accept the recommendation of the Grievance Board and shall provide a written response to the Employee. This decision is final.
- f. Upon written request to the City Administrator, the grievant may elect to have the Grievance heard by the City Administrator in lieu of a Grievance Board. If the grievant elects to do so, a hearing with the City Administrator shall be scheduled within five working days of receipt of the appeal. The City Administrator shall provide a written response to the grievant within five working days of the close of the hearing. This decision is final.

SECTION XI - HEALTH, SAFETY AND WELFARE OF EMPLOYEES

11.01 PHYSICAL OR MENTAL EXAMINATION

Any Employee may be asked to submit to a physical or mental examination when requested by a Supervisor or Department Head and approved by the City Administrator. The cost of such examination shall be paid by the City and the City shall select a health care provider. The examination shall be for the purpose of verifying that the Employee is both mentally and physically able to perform the essential functions of a Position. Information on an Employee's medical condition or history shall be kept confidential and separate from the Employee's Personnel File. Access to this information shall be limited to those who have a legitimate need to know. Refusal to submit to a request for an examination shall be treated as insubordination.

11.02 REPORTING ACCIDENTS, INJURIES, THEFT AND DAMAGE TO PROPERTY

A. The following shall be reported to the City Police Department and City Administrator:

1. All accidents involving City-owned vehicles whether or not the City vehicle is damaged or occupied at the time of the accident;
2. All accidents, incidents or occurrences resulting in any injury to an on-duty City Employee, irrespective of the need for medical treatment;
3. Any losses, thefts or damage to City facilities, equipment or property;
4. Any accidents, incidents, occurrences or conditions resulting in property damage or personal injury to any person not employed by the City but caused by, attributable to or involving an on-duty City Employee or occurring in or on City-owned property, facilities or vehicles; or
5. All incidents, occurrences or conditions of any nature which result in or could possibly result in monetary claims or legal action against the City or its insurers.

B. The Police Department shall conduct any appropriate investigations and report in writing the results of such investigation to the City Administrator.

C. The Chief of Police, upon approval from the City Administrator, shall request the assistance of outside agencies in conducting any investigations when conflict-of-interest issues or complex technical matters are involved or apparent.

D Failure to report any accidents, incidents, occurrences, etc. shall be cause for Disciplinary Action.

11.03 SUBSTANCE ABUSE POLICY

It is the policy of the City to provide a work environment which is free from the use, sale, possession or distribution of illegal drugs or the improper or abusive use of legal drugs or

alcohol on City premises, and to require City Employees to perform all job duties, either on or off City premises, without the presence of illegal drugs, alcohol or inappropriate legal drugs in their systems.

The following are definitions of the substance abuse policy:

Alcohol - The product of distillation of any fermented liquid, whether rectified or diluted, whatever the origin and includes synthetic ethyl alcohol and is considered a drug.

Drug - Any chemical substance which produces physical, mental, emotional or behavioral changes in the user.

Controlled Substance - Any substances listed under the Uniform Controlled Substances Act of the State of Kansas.

Illegal Drugs - Drugs for which the possession, use, sale or distribution is unlawful pursuant to the laws of the State of Kansas or any federal law or regulation. This term may also include the unlawful use of prescription drugs.

Intoxicating Substance - Any substance which produces a change in one's physical, mental or emotional state or behavior.

Drug and Alcohol Test - A chemical test administered for the purpose of determining the presence or absence of a drug or its metabolites or alcohol in a person's bodily tissue, fluids or products.

Possession - Having controlled substances which are not obtained directly from either a doctor or pharmacist using a valid prescription. Such possession or use of controlled substances is unlawful pursuant to the laws of the State of Kansas as well as federal laws and regulations.

Reportable Incident - Any personal injury or property damage involving a City Employee that occurs on or off City property during assigned work hours, or anytime an Employee is using a City vehicle or wearing a City uniform.

Under the Influence of Alcohol - As a result of the consumption of alcohol, an Employee's ability to perform their job is impaired to any appreciable degree. For the purpose of this definition, a blood alcohol level of .08% alcohol in the blood by weight shall be considered to be sufficient to establish that an Employee is under the influence. However, an Employee with a blood alcohol level of less than .08% alcohol in the blood by weight may also be considered to be under the influence of alcohol if job performance is impaired to any appreciable degree.

Under the Influence of Drugs or Other Intoxicating Substances - As a result of the consumption, inhalation or injection or any combination of alcohol, drugs or any other

intoxicating substance or any combination of substances, an Employee's job performance is impaired to any appreciable degree.

Confirmation Test - A drug or alcohol test of the original sample to substantiate the results of a prior drug or alcohol test on the same sample and which uses different chemical principles and is of equal or greater accuracy than the prior drug or alcohol test.

Prescribed Drug - Any substance prescribed for individual consumption by a licensed medical practitioner.

Reasonable Suspicion - A belief that an Employee is using or has used drugs or alcohol in violation of this policy drawn from specific objective and particular facts and reasonable inferences drawn from those facts in light of experience, and may be based upon, among other things:

1. Observations including but not limited to the physical symptoms or manifestations of being under the influence of a drug or alcohol while at work or on duty, or the direct observation of drug or alcohol use while at work or on duty;
2. A report of drug or alcohol use while at work or on duty provided by reliable and credible sources;
3. Evidence that an individual has tampered with a drug or alcohol test during employment with the City; or
4. Evidence that an Employee is involved in the use, possession, sale, solicitation or transfer of drugs while on duty or while on the City's premises or operating the City's vehicles, machinery or equipment.

Testing Facility - Any person, laboratory, hospital, clinic or facility, either off or on City premises, which provides laboratory services to test for the presence of drugs or alcohol in the human body.

Confidentiality - Information concerning drug and alcohol test results shall be handled with a high degree of confidentiality. Such test results shall be made available to the applicant or Employee upon request for inspection and copying. The City shall not release such records to any person other than the applicant or Employee tested unless the applicant or Employee gives written permission for release of the test results, the applicant or Employee challenges the City's actions based upon the test results in a subsequent proceeding such as an unemployment claim or charge of discrimination or the City receives a valid court order for release of the results.

Compliance with all terms of this policy is a condition of employment with the City of Maize.

Prohibited Activities are:

Impairment - Being under the influence of any controlled substance, alcohol or drugs, lawful or unlawful, that impairs the Employee's sight, hearing, balance, reaction, reflex or judgment

while on City premises or while performing City business is prohibited and may result in Disciplinary Action up to and including Dismissal.

Possession - The use, sale, possession, transfer or purchase of drugs or alcohol on City premises or while performing City business is prohibited and may result in Disciplinary Action up to and including Dismissal. However, the proper and appropriate use of prescribed drugs by the person for whom they were prescribed and in the amounts and method prescribed is not prohibited.

Prescription Drugs - Bringing a prescribed drug onto City premises by any person other than the one for whom it is prescribed is prohibited and may result in Disciplinary Action up to and including Dismissal. Prescription drugs may be used only in the manner, combination and quantity prescribed.

Positive Test - Testing positive for a drug or alcohol as provided in this policy is prohibited and shall normally result in Disciplinary Action up to and including Dismissal.

Refusal to Submit to Testing - Refusing to submit to drug or alcohol testing is prohibited and shall normally result in Disciplinary Action up to and including Dismissal.

Refusal to Consent to Testing - Refusing to execute any consent, release or other document in connection with this policy is prohibited and shall normally result in Disciplinary Action up to and including Dismissal.

Tampering - In the event that the testing facility determines that a sample has been diluted or otherwise tampered with, the subject Employee may be, depending upon the circumstances, subject to Disciplinary Action up to and including Dismissal.

Additional Rules and Regulations are:

The City shall not hire any applicants who test positive for illegal drugs or alcohol.

Any City Employee who is involved in a reportable incident that results in injury to persons or property shall be subject to an investigation. Employees shall be directed to undergo a drug or alcohol test if there is reasonable suspicion that the Employee was under the influence of drugs or alcohol at the time of the incident. An Employee who refuses to participate in a required drug or alcohol test shall be subject to Disciplinary Action up to and including Dismissal.

1. Based on the results of the investigation and drug or alcohol testing, the Employee may be subject to mandatory participation in a rehabilitation program at their expense unless covered by the City's insurance program. The Employee may also be subject to Disciplinary Action.

2. All illegal substances as defined by criminal statutes discovered during an investigation shall be given to the appropriate law enforcement agency and may result in criminal prosecution.

If enrollment in a drug or alcohol rehabilitation program is required, the Employee's fitness to continue in the current Position shall be determined on a case-by-case basis.

Any City Employee at any level who reports for work on City premises or worksites shall be directed to undergo a drug or alcohol test if there is reasonable suspicion that the Employee is under the influence of drugs or alcohol.

The City Administrator or Department Head shall take appropriate action to protect City personnel and City property by removing from the work premises or site any individual not in condition to perform assigned work in a normal and safe manner. If there is a reasonable suspicion that an Employee is under the influence of drugs or alcohol, the Employee shall be taken to an authorized facility for drug/alcohol testing.

If an Employee has reasonable suspicion that a Supervisor is under the influence of drugs or alcohol, their observations should be reported, when possible, to the Supervisor's immediate superior. If an Employee feels that reporting these observations in this manner would adversely affect their working conditions, the report shall be made to the City Administrator. The Employee shall identify themselves to the City Administrator who shall keep the Employee's name confidential; however, the Employee's name may be released later if the Supervisor is disciplined and litigation results.

An Employee shall not be allowed to drive any vehicle or operate any equipment if there is reasonable suspicion that the Employee is under the influence of drugs or alcohol.

Exemption for Prescribed Medical Treatment - The use of legally controlled substances as part of a prescribed medical treatment by a licensed physician shall not subject an Employee to Disciplinary Action or denial of employment if that treatment does not adversely affect job performance. It is the responsibility of the Employee to advise their Supervisor of the necessity to take any medication containing a cautionary label regarding the operation of machinery or vehicles and of any impairment. Prescribed use must be substantiated by a physician's report or statement. If the use of prescribed drugs adversely affects an Employee's job performance or is detrimental to the public trust or safety of other Employees or citizens, the Employee shall be placed on a Leave of Absence. Leave of Absence shall be used as contained in this policy manual.

It shall be considered illegal and against City policy to use or dispense a prescribed drug by any person other than the one for whom it is prescribed.

Types of Testing - In keeping with the City's goal to establish and maintain a work environment free from the effects of drugs and intoxicating substances and to insure the safety of citizens, the work place and the work force, the following procedures are established:

1. For designated Positions, applicants who have received an offer of employment must successfully complete a drug and/or alcohol test in addition to successful completion of any other physical examination requirements. A positive finding of alcohol or illegal drugs shall result in denial of employment with the City;
2. Applicants who do not submit to screening at the appointed time shall be denied employment;
3. The City Administrator or Department Head shall initiate drug or alcohol screening of Employees involved in reportable incidents that result in injury to persons or property, if there is reasonable suspicion of substance abuse; and
4. Drug or alcohol testing of Employees may be initiated by a Department Head when there is a reasonable suspicion that substance abuse is occurring. The City Administrator should concur if possible.

Testing Methods and Procedures:

Screening - the initial test performed on urine specimens to determine the presence or absence of drugs.

Confirmation - When a specimen tests positive on the initial screening, the positive test shall be confirmed by GC/MS (gas chromatography/mass spectrometry) or an equivalent method of equal or greater accuracy on the same sample.

Should an applicant or Employee test positive to an initial and confirmation drug or alcohol test, the applicant or Employee shall have the right to explain to the City's designated representative, in confidence, any extenuating circumstances which may have caused the results of the test.

Verbal notification to an Employee to report for testing shall be accompanied by a written notification. The written notification shall specify the reason for the testing and the date, time and place to report for testing.

Employees being tested for reasonable suspicion or accident testing shall not be permitted to drive themselves and shall be escorted to the collection site by a City representative.

After an Employee has been identified for testing, the process begins at a collection site where a specimen of urine is taken. The designated collection site shall have all of the necessary personnel, materials, equipment, facilities and supervision to provide for the collection, security, temporary storage and transportation of test specimens to a designated testing facility. The collection site shall use procedures that safeguard the Employee's right to privacy, guard the integrity of the specimen and maintain the chain of custody.

Employees who are being tested for reasonable suspicion or accident testing shall be temporarily placed on leave with pay pending the outcome of the test results.

If the laboratory results are negative, the laboratory shall notify the City and the City shall then notify the Employee.

If the laboratory results are positive on the initial screen and the confirmation test, the City's designated representative shall contact the applicant or Employee and give the individual an opportunity to explain the positive result in confidence.

The designated representative of the City shall be the sole recipient of drug and alcohol test results.

Appeal Process - Upon a report of a positive test, the Employee or applicant shall be notified of the test results. If an applicant or Employee requests a confirmation test, arrangements can be made for confirmation testing of the Employee's original urine or blood sample. The confirmation test shall be conducted at the City's designated testing facility at the Employee's or applicant's expense. If the second test is negative, the City shall pay for the confirmation test. Additionally, the applicant or Employee may have a qualified analytical chemist of their choice observe the procedure. A final determination shall be made by the appropriate authority following the review of the appeal process.

Return to Work - Employees who are permitted to return to work after testing positive for drugs or alcohol, participating in a drug or alcohol treatment program or violating any other provision of this policy shall be required to execute a Return to Work Agreement. However, nothing in this policy shall be construed to require the City to allow an Employee to return to work who has violated this policy. The Agreement may include but shall not be limited to the following:

1. A release to return to work, by the treatment specialist, which includes prescribed medication or course of treatment;
2. A plan setting aftercare and follow-up treatment procedures with a treatment specialist for a minimum of one (1) year. Longer periods of time may be specified. The Employee must provide consent for the treatment specialist to provide progress reports to the designated City representative;
3. A negative drug and alcohol test before returning to work;
4. An agreement by the Employee to random screening for drugs and alcohol for at least one year with negative results;
5. A statement of expected work-related behaviors;
6. An agreement by the Employee to never use drugs (or alcohol) again; and
7. An agreement by the Employee that violation of the Return to Work Agreement shall be grounds for immediate Dismissal.

11.04 SMOKING

In the interest of providing a safe and healthy environment for Employees and the general public, smoking and the use of smokeless tobacco products is prohibited in all City-owned and all City-leased facilities and on all City property.

- A. Smoking and the use of smokeless tobacco products are prohibited in all City-owned vehicles and on all City equipment.
- B. Employees are protected from retaliatory action or from being subjected to any adverse personnel action for exercising or attempting to exercise the Employee's rights under this policy. Any violation of this policy may result in appropriate Disciplinary Action up to and including Dismissal.

11.05 SEXUAL HARASSMENT

- A. Purpose - It is the policy of the City to maintain a work environment free of intimidation, insult and harassment based upon age, ancestry, disability, race, religion or sex. **The City will not tolerate sexual harassment and will take immediate Disciplinary Action if such behavior occurs.**
- B. Definition - Sexual harassment is defined by the Equal Employment Opportunity Commission as follows:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

A conduct which has the effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment may be "sexual harassment" whether or not the person engaging in the conduct intends to create that effect.

- C. Policy - No Employee, supervisory or non-supervisory, may sexually harass another Employee. Any Employee who believes that they are the victim of unwelcome behavior that would constitute sexual harassment shall immediately report all incidents to their Supervisor.

All complaints involving claims of sexual harassment shall be promptly and confidentially investigated.

Any Employee, supervisory or non-supervisory, found to have engaged in the sexual harassment of another Employee shall be disciplined up to and including Dismissal.

Sexual harassment includes but is not limited to:

1. Threatening or insinuating that an Employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that Employee's employment, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment;
2. Repeated sexual flirtation, joking or teasing;
3. Continual or repeated verbal abuse of a sexual nature;
4. Unwelcome touching, propositions or advances;
5. Abusive and vulgar language of a sexual nature;
6. Suggestive jokes or comments about an Employee's body or clothing; or
7. Displaying of sexually graphic or suggestive pictures, photographs, cartoons, etc.

D. Complaint Procedure - Any Employee who feels they are being subjected to sexual harassment or who is a witness to what they believe to be sexual harassment should immediately contact one of the persons listed below with whom the Employee feels the most comfortable. It is the obligation of all City Employees to report incidents of sexual harassment, regardless of whether they are a victim or a witness of such misconduct. Complaints may be made orally or in writing to:

1. Employee's immediate Supervisor;
2. Employee's Department Head;
3. City Administrator; or
4. City Attorney.

The Employee should be prepared to provide the following information:

1. Employee's name, department and Position title;
2. Name of the person or persons committing the harassment;
3. Dates(s) and approximate time(s) of the harassment;
4. The specific nature of the sexual harassment, how long it has gone on and any employment action (demotion, failure to promote, Dismissal, refusal to hire, transfer, etc.) taken against the Employee as a result of the harassment, or any other threats made against the Employee as a result of the harassment;
5. Witnesses to the harassment, if any; and
6. Whether the Employee has previously reported such harassment and, if so, when and to whom.

After receiving a sexual harassment complaint, the person receiving the complaint shall assist the Employee filing the complaint by documenting the incident in writing. The Employee shall sign the written complaint attesting to the accuracy and truthfulness of the incident. All information disclosed in the complaint procedure shall be held in strictest confidence and shall be disclosed only on a need-to-know basis in order to investigate and resolve the matter.

E. Review of a Sexual Harassment Complaint - It is the responsibility of the City Administrator to coordinate the investigation of sexual harassment complaints. If the City Administrator is the subject of the complaint, the City Attorney shall coordinate the investigation. The following procedures shall apply to the handling of such complaints:

1. The person to whom the complaint is made shall immediately present it to the City Administrator;
2. An investigation of the alleged incident shall be promptly started;
3. The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of sexual harassment, witnesses interviewed during the investigation, the person against whom the complaint of sexual harassment was made and any other person contacted by the investigator in connection with the investigation;
4. The investigator shall notify the Employee accused of the sexual harassment as promptly as possible of the complaint and the severity of the allegations (immediate notification is not necessary if such notification would jeopardize the investigation);
5. The Employee accused of the sexual harassment shall be given appropriate opportunity to refute the allegation and present information and witnesses on their behalf;
6. Based upon the investigative report, the City Administrator shall determine whether the conduct of the person against whom a complaint has been made constitutes a violation of this sexual harassment policy. In making that determination, the City Administrator shall look at the record as a whole and the totality of circumstances, including the nature of the conduct in question and the context in which the conduct, if any, occurred. Determination of whether a violation of this policy occurred shall be made on a case-by-case basis;
7. If the City Administrator determines the complaint of sexual harassment is substantiated, immediate and appropriate Disciplinary Action shall be taken against the Employee who was the subject of the complaint;
8. The Disciplinary Action shall be consistent with the nature and severity of the offense;
9. If the City Administrator determines the complaint of sexual harassment is unfounded, the Employee accused of sexual harassment shall be notified of the determination and advised that no Disciplinary Action is warranted;
10. The Employee making the complaint shall be notified of the results of the investigation and that appropriate Disciplinary Action has been taken if the complaint was substantiated;
11. The complaining Employee shall not be subjected to retaliation in any form for having submitted a good faith complaint, even if the complaint is not substantiated; and
12. If the City Administrator determines after reviewing the investigation report that the complaint was intentionally falsified by the Employee filing the complaint, a written report shall be placed in the appropriate file with appropriate Disciplinary Action.

- F. Records of a Sexual Harassment Complaint - All records concerning a sexual harassment complaint shall be confidential and kept in a separate locked file except those affected by Kansas Open Records Act. Access to these records shall be given only with the approval of the City Administrator or the City Attorney to parties who have a direct and relevant need to know. Notwithstanding the foregoing, the City may need to release such records in connection with any lawsuit pertaining to alleged sexual harassment or in connection with an investigation of harassment by a government agency.
- G. Retaliation - The City, its Employees and officers will not in any way retaliate against an Employee or others who, in good faith, make a complaint based on sexual harassment or participate in the investigation of such a claim or report. Retaliation against any individual for reporting in good faith a claim of sexual harassment or cooperating in the investigation of same will not be tolerated and will himself/herself be subject to appropriate discipline.

11.06 HARASSMENT OF EMPLOYEES BASED ON RACE, COLOR, RELIGION, GENDER, NATIONAL ORIGIN, AGE OR DISABILITY

The City will not tolerate harassment or intimidation of an Employee based on race, color, religion, gender, national origin, age, or disability by another Employee or others. Violation of this policy shall result in Disciplinary Action against any Employee involved up to and including Dismissal. If the Violation of this policy constitutes a crime, others who violate this policy shall be reported to local law enforcement agencies for investigation. Supervisors who fail to follow the policy or fail to investigate complaints shall also be disciplined. Employees who observe conduct in violation of this policy, whether as a victim or as a witness, have a duty to report such a violation to their immediate Supervisor or to the Department Head, City Administrator or City Attorney where the Supervisor is the person engaging in the harassment.

- A. All City Employees have the right to work in an environment free from all forms of unlawful discrimination and conduct which can be considered harassing, coercive or disruptive. Consistent with the City's respect for the rights of each Employee, harassment based on race, color, religion, gender, national origin, age, disability or any other characteristic protected by the laws of the State of Kansas or the United States of America, will not be tolerated.
- B. Harassment on the basis of any of these characteristics is strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability or any other characteristic protected by law or that of his/her relatives, friends or associates and that:
1. has the purpose or effect of creating an intimidating, hostile or offensive work environment;
 2. has the purpose or effect of unreasonably interfering with an individual's work performance; or,

3. otherwise substantially adversely affects an individual's employment.
- C. Harassing conduct includes but is not limited to epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the City's premises or circulated in the workplace.
 - D. The standard for determining whether an intimidating, hostile or offensive work environment is created or the alleged conduct unreasonably interferes with the victim's work performance or educational opportunities is whether a reasonable person in the same or similar circumstances would find the conduct intimidating, hostile or offensive. The determination should give consideration to the perspective of the "reasonable person" of the alleged victim's race, color, religion, etc. A showing of actual psychological harm is not required.
 - E. Supervisors are responsible for assuring that no Employee is subjected to conduct that constitutes any of the forms of harassment described above.
 - F. Any Employee found to have engaged in harassment as described herein will be disciplined as appropriate up to and including Dismissal of the Employee. If these acts constitute a crime, others who violate this policy will be reported to local law enforcement agencies for investigation. In addition, the Supervisor or designee may sanction the offender by prohibiting the offender from being present on City property for a designated period of time and/or from specific City activities.
 - G. Any Employee who believes he or she has been the subject of any form of harassment prohibited herein by any person that the Employee comes into contact with while engaged in the City's business shall bring the matter to the attention of his or her Supervisor, Department Head, City Administrator or City Attorney.
 - H. A prompt and thorough investigation of the alleged incident, if the alleged harasser is an Employee, will be conducted to the extent reasonably necessary and possible. Appropriate corrective action will be taken, if warranted, to punish the offender and prevent similar conduct in the future. To the extent consistent with adequate investigation and appropriate corrective action, complaints of harassment will be treated as confidential.
 - I. The City will not, in any way, retaliate against an Employee or others who, in good faith, make a complaint or report of harassment or participate in the investigation of such a complaint or report. Retaliation against any individual for reporting in good faith a claim of harassment or cooperating in the investigation of same will not be tolerated and will itself be subject to appropriate discipline.
 - J. This policy shall apply to protect the Employee while the Employee is performing his or her duties as an Employee of the City.

11.07 WHISTLEBLOWER

The City is committed to promoting the observance by the Governing Body and Employees of high standards of business and personal ethics in the carrying out of their duties and responsibilities. The Governing Body and Employees must practice honesty and integrity in fulfilling their responsibilities and must comply with all applicable laws, regulations and City policies. The Governing Body finds that those who, in good faith, report and/or cooperate in investigations of suspected fraud, financial improprieties, irregularities or conflicts of interest (jointly referred to as “Violations”) should not be subject to discrimination or other adverse employment consequences.

- A. Whistleblower Policy - This whistleblower policy provides protection for Employees against being discharged or discriminated against by reason of their filing good faith reports of Violations or who cooperate in the investigation of such reports.
- B. Reporting Responsibilities – It is the responsibility of Governing Body members and Employees to report Violations or suspected Violations in accordance with this whistleblower policy.
- C. Compliance Officer – The City Administrator shall serve as the City’s compliance officer. The compliance officer and the compliance officer’s designee are responsible for investigating and resolving reported complaints and allegations concerning Violations. Complaints and allegations concerning misconduct by the City Administrator will be investigated by the City Attorney.
- D. Reporting Violations – In most cases, an Employee should report Violations to his or her immediate Supervisor. The Employee may contact the Department Head or the City Administrator if the suspected violation involves the Employee’s Supervisor, if the Employee is not comfortable speaking with his or her Supervisor or if he or she is not satisfied with the Supervisor’s response. Supervisors are required to report suspected Violations to the City Administrator. An alleged Violation involving a City Council member will be reported to the Mayor. The Mayor will seek the assistance of the City Attorney to investigate the matter. If the alleged Violation involves the City Administrator or the Mayor, the report will be made to the City Attorney.
- E. Anonymous reports of Violations may be sent to the City’s compliance officer at City Hall, 10100 Grady Avenue, Maize, Kansas 67101.
- F. No Retaliation – Employees who, in good faith, report a Violation shall not suffer harassment, retaliation or adverse employment consequences. An Employee who retaliates against someone who has reported a Violation in good faith is subject to disciplinary action up to and including Dismissal.
- G. Action in Good Faith – Acting in good faith means the Employee must have reasonable grounds for believing the information disclosed indicates a Violation. Any complaint of a Violation which is not substantiated and which is proved to have been made with

malicious intent or was known to be false by the reporter will constitute a serious disciplinary offense.

- H. Handling of Reported Violations – The City compliance officer will promptly investigate reported Violations and will take appropriate corrective action with the City Attorney. The City Attorney will report to the Mayor concerning Violations that allege misconduct by the City Administrator.

11.08 VIOLENCE IN THE WORKPLACE AND NO WEAPONS POLICY

It is the policy of the City to provide a workplace free from violence to all Employees. Accordingly, all Employees are prohibited from engaging in physically violent behavior or verbally aggressive behavior with others while on City premises or while on duty for the City.

- A. The behavior prohibited by this policy shall include, but not be limited to, all of the following: shoving, fighting, yelling, directing obscenities towards others and attempting to intimidate others in any manner.
- B. In addition, the City strictly prohibits weapons of any type on City premises, except as may be allowed by law and except as necessary for law enforcement personnel. Subject to the foregoing exceptions, this includes both visible and concealed weapons.
- C. The term “weapons” as used in this policy includes, but is not limited to, all of the following: firearms, knives with a blade longer than four inches, any explosive materials and any other objects that could be used to harass, intimidate or injure another individual.
- D. Violation of this policy shall lead to appropriate Disciplinary Action, up to and including Dismissal.

11.09 WORKER SAFETY

General Safety - All Employees are required to wear appropriate safety equipment and follow appropriate safety precautions according to the City or department policy at all times. Failure to comply with safety policies may result in Disciplinary Action.

SECTION XII - MISCELLANEOUS

12.01 POLITICAL ACTIVITY

It is the right of every Employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations or groups and to become involved in political activities subject to the restriction of this policy manual.

A. Prohibited Activity -

1. An Employee must resign from City employment upon filing as a candidate for City Council or Mayor or upon accepting a Position as campaign manager or treasurer for a candidate for City Council or Mayor.
2. Employees are not permitted to donate, solicit or handle political contributions in City elections during City functions or during regular hours of employment.
3. Employees are not permitted to wear or display political badges, buttons or signs of any kind at the place of employment, during City functions or during regular hours of employment.
4. Employees are not permitted to distribute campaign stickers, posters or pamphlets from the Employee's place of employment, at City functions or during regular hours of employment.
5. The City Administrator, Department Heads, Supervisors or their immediate family members shall not solicit Employees under their supervision for political contributions or for participation in political activities.
6. City Employees are not permitted to be members of the Maize Planning Commission or the Board of Zoning Appeals or the Maize Park and Tree Board.

12.02 OUTSIDE EMPLOYMENT

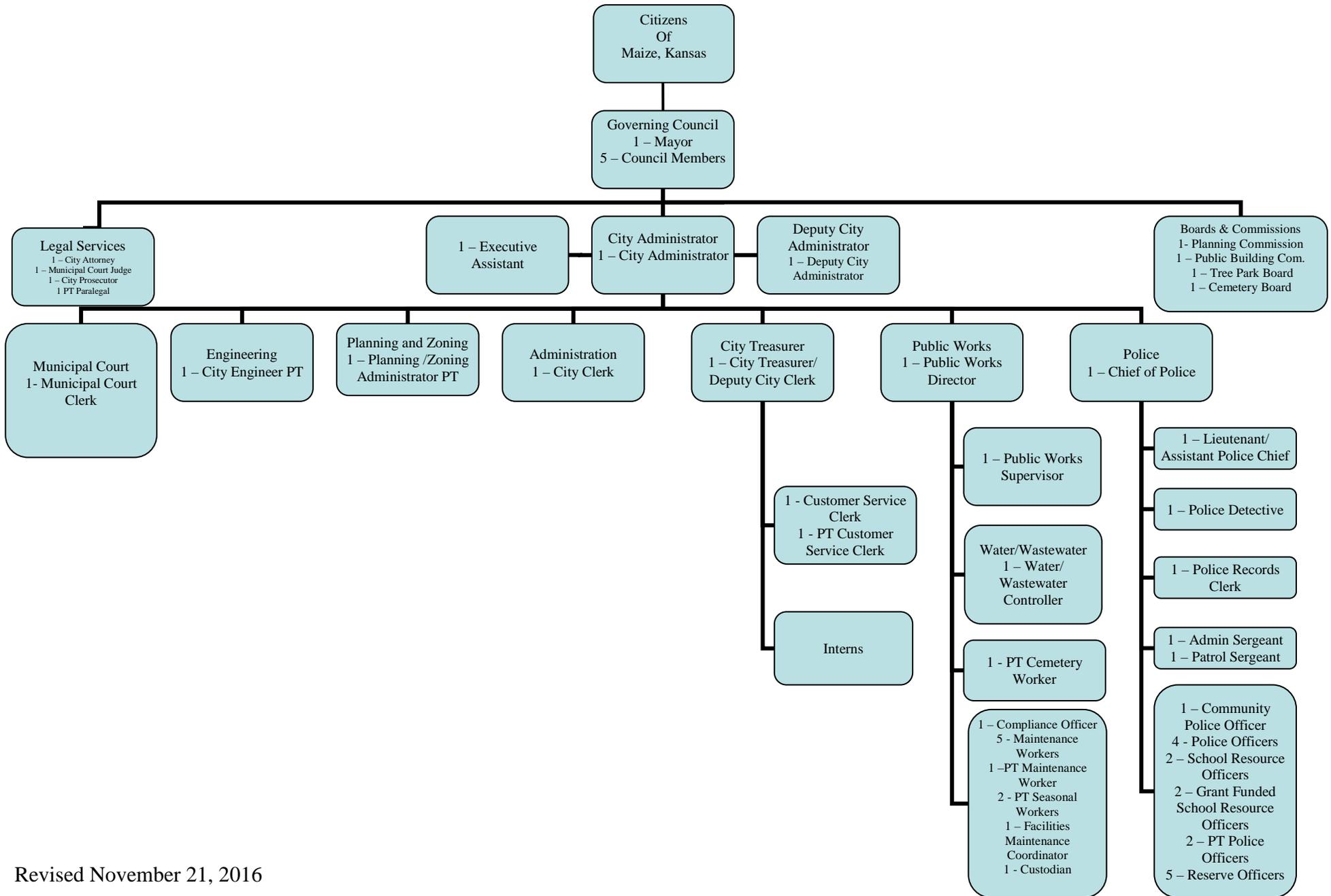
Outside employment constitutes a City Employee holding a second job with another employer. Outside employment is permitted only when such outside employment is:

- A. considered secondary to service with the City;
- B. does not interfere with the performance of duties for the City; and
- C. no legal, financial or ethical Conflict of Interest results from such dual employment.

An Employee shall obtain approval in writing from a Department Head or the City Administrator prior to accepting outside employment or any change in the nature of such outside employment. A request to perform continuous outside employment shall be reviewed annually by the Employee and re-authorized by a Department Head or the City Administrator.

SECTION XIII – THIS SECTION BLANK AT THIS TIME

SECTION XIV - ORGANIZATIONAL CHART “CHAIN OF COMMAND”



Revised November 21, 2016

SECTION XV - THIS SECTION BLANK AT THIS TIME

SECTION XVI - FORMS

FORMS

- A. Employment Application**
- B. New Employee Checklist**
- C. Performance Evaluation Form**
- D. Pay Plan**
- E. Reimbursement Request Form**



EMPLOYMENT APPLICATION

10100 W. Grady, P.O. Box 245
 Maize, KS 67101-0245
 (316) 722-7561 (316) 722-0346 FAX

APPLICATION DATE ____ / ____ / ____

Position Applying For _____

____ / ____ / ____
 Date Available

PERSONAL INFORMATION

NAME (Last)	(First)	(MI)	(Jr., Sr., etc.)	PREFERRED FIRST NAME	SOCIAL SECURITY NO.
PERMANENT ADDRESS: (where income tax info. & other official documents will be mailed) Street City State Zip Code					(A/C) PHONE NUMBER ()
TEMPORARY ADDRESS: Street City State Zip Code					(A/C) PHONE NUMBER ()
DRIVERS LICENSE NO.	STARTING SALARY DESIRED			SEEKING: <input type="checkbox"/> FULL-TIME <input type="checkbox"/> TEMPORARY <input type="checkbox"/> PART-TIME	
EVER WORKED FOR CITY BEFORE? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes: When & Where?		SUPERVISOR'S NAME		REASON FOR LEAVING	
ARE YOU WILLING TO RELOCATE? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A				ARE YOU 18 YRS. OLD OR MORE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
DO YOU SMOKE? <input type="checkbox"/> YES <input type="checkbox"/> NO		DO YOU USE INTOXICATING BEVERAGES? <input type="checkbox"/> YES <input type="checkbox"/> NO			
HAVE YOU EVER BEEN CONVICTED OF ANYTHING OTHER THAN A MISDEMEANOR? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, explain:					
CAN YOU FURNISH PROOF OF CITIZENSHIP OF AUTHORIZATION TO WORK IN THE UNITED STATES? <input type="checkbox"/> YES <input type="checkbox"/> NO					
I AGREE TO THE FOLLOWING AS A CONDITION OF EMPLOYMENT: PHYSICAL EXAM <input type="checkbox"/> YES <input type="checkbox"/> NO DRUG SCREEN <input type="checkbox"/> YES <input type="checkbox"/> NO					

EDUCATION

HIGH SCHOOL: (Check highest grade completed)	<input type="checkbox"/> 9th	<input type="checkbox"/> 10th	<input type="checkbox"/> 11th	<input type="checkbox"/> 12th (Graduate)	<input type="checkbox"/> G.E.D./H.S.
EQUIVALENT SCHOOL LOCATION	Last Year Attended		COURSE STUDIED		
COLLEGE: (Check highest grade completed)	<input type="checkbox"/> 1 Year Credits	<input type="checkbox"/> 2 Years Credits	<input type="checkbox"/> 3 Years Credits	<input type="checkbox"/> 4 Years Credits	
DEGREE EARNED: (Check one if applicable)	<input type="checkbox"/> Associates		<input type="checkbox"/> B.S. Degree	<input type="checkbox"/> B.A. Degree	
SCHOOL LOCATION	Last Year Attended		MAJOR	MINOR	
GRADUATE WORK: (Check highest grade completed)	<input type="checkbox"/> Post Graduate		<input type="checkbox"/> Master's Degree	<input type="checkbox"/> PhD	
SCHOOL LOCATION	Last Year Attended		SUBJECT		
TRADE SCHOOL/BUSINESS SCHOOL: Check box if certificate received)	<input type="checkbox"/>		COURSE LENGTH		
SCHOOL LOCATION	Last Year Attended		SUBJECT		
SCHOOL LOCATION	<input type="checkbox"/>		COURSE LENGTH		
SCHOOL LOCATION	Last Year Attended		SUBJECT		

LIST AWARDS, SCHOLARSHIPS, HONORS, ORGANIZATIONAL ACTIVITIES, PROFESSIONAL REGISTRATION, LICENSES THAT REFLECT ACADEMIC OR PROFESSIONAL RECOGNITION: ALSO GIVE EXPIRATION DATES:

MILITARY SERVICE

BRANCH OF SERVICE	DATE ENTERED ____/____/____	DATE DISCHARGED ____/____/____
HIGHEST GRADE HELD	RESERVE OR NATIONAL GUARD? <input type="checkbox"/> YES <input type="checkbox"/> NO	ACTIVE DUTY REQUIREMENTS? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, length and frequency

PREVIOUS EMPLOYMENT (Enter Last Employer First)

FROM: ____/____/____	TO: ____/____/____	SUPERVISOR'S NAME	(A/C) PHONE NUMBER	MAY WE CONTACT? <input type="checkbox"/> YES <input type="checkbox"/> NO	REASON FOR LEAVING
COMPANY NAME ADDRESS			RATE OF PAY	JOB TITLES AND DUTIES	
TYPE OF BUSINESS				LOCATION OF WORK	
FROM: ____/____/____	TO: ____/____/____	SUPERVISOR'S NAME	(A/C) PHONE NUMBER	MAY WE CONTACT? <input type="checkbox"/> YES <input type="checkbox"/> NO	REASON FOR LEAVING
COMPANY NAME ADDRESS			RATE OF PAY	JOB TITLES AND DUTIES	
TYPE OF BUSINESS				LOCATION OF WORK	
FROM: ____/____/____	TO: ____/____/____	SUPERVISOR'S NAME	(A/C) PHONE NUMBER	MAY WE CONTACT? <input type="checkbox"/> YES <input type="checkbox"/> NO	REASON FOR LEAVING
COMPANY NAME ADDRESS			RATE OF PAY	JOB TITLES AND DUTIES	
TYPE OF BUSINESS				LOCATION OF WORK	

PERSONAL REFERENCES

NAME	ADDRESS	(A/C) PHONE NUMBER	BUSINESS	YEARS KNOWN

RELATIVES EMPLOYED BY THE CITY OF MAIZE

NAME	RELATIONSHIP	LOCATION
NAME	RELATIONSHIP	LOCATION

Reference Checks - I certify that all statements on this application are correct and that misrepresentation or omission of the facts is cause for dismissal. I authorize this Company to contact previous employers, credit bureaus, friends, relatives or other who may provide information about my work record and character.

Employment at Will - I understand and agree that my employment is "at will", which means that I have the right to end our work relationship at any time for any reason whatsoever, and conversely, the Company has the right to alter or modify the terms of employment or terminate the employment relationship at any time for any reason whatsoever, whether or not such reason constitutes equitable or just cause.

I certify that I have read and understand the foregoing.

SIGNATURE _____

DATE ____/____/____



NEW EMPLOYEE CHECKLIST

10100 W. Grady, P.O. Box 245
Maize, KS 67101-0245
(316) 722-7561 (316) 722-0346 FAX

PRE-EMPLOYMENT SCREENING

- | | |
|---|---|
| <input type="checkbox"/> Physical Exam Form _____ | <input type="checkbox"/> Pre-Employment Drug Test _____ |
| <input type="checkbox"/> Driver's License Check _____ | <input type="checkbox"/> KBI Check _____ |

NEW EMPLOYEE FILE DOCUMENTATION

- | | |
|---|--|
| <input type="checkbox"/> Application | <input type="checkbox"/> W-4 |
| <input type="checkbox"/> Pre-Employment Offer of Employment | <input type="checkbox"/> K-4 |
| <input type="checkbox"/> Copy of Driver's License | <input type="checkbox"/> I-9 |
| <input type="checkbox"/> Copy of Social Security Card | <input type="checkbox"/> Worker's Compensation Procedure |
| <input type="checkbox"/> Oath of Office | <input type="checkbox"/> Deferred Compensation Flier |

EMPLOYEE ACKNOWLEDGEMENT

I acknowledge that I have received and reviewed the following documents:

- Maize Benefits Enrollment Guide
- City of Maize Personnel Policy Manual
- Position Description for _____

Employee Signature

Date



PERFORMANCE EVALUATION

10100 W Grady, P.O. Box 245
 Maize, KS 67101-0245
 (316) 722-7561 (326) 722-0346 FAX

EMPLOYEE INFORMATION

EMPLOYEE NAME:	
REVIEW PERIOD: From:	To:
CURRENT POSITION:	
DATE ASSIGNED TO CURRENT POSITION:	REPORTS TO:
DEPARTMENT:	

OVERVIEW

PERFORMANCE EVALUATION: Will be used for the Annual Performance Evaluation which includes key job responsibilities, major accomplishments, areas of improvement, and level of overall performance.

PERFORMANCE FACTORS: The Performance Factors describe how the employee goes about achieving objectives. Give specific examples of observed behavior.

DESCRIPTION OF RATING USED IN EVALUATING

• *Use the rating scale below to determine which rating best describes the performance for each factor.*

Exceeded Satisfactory Job Requirements	5	Performance exceeded the requirements of the job in all major areas and significant work above and beyond the responsibilities of the job was achieved.
	4	Performance exceeded the requirements of the job in several important areas.
Achieved Satisfactory Job Requirements	3	Performance met job requirements in all important areas with extra effort evident in quality, quantity, timeliness or some other important dimensions of performance.
Below Satisfactory Job Requirements	2	Performance met job requirements but improvement would be desirable in one or more areas.
	1	Performance is significantly below requirements of the job in several important areas. Reassignment or termination should be considered.

KEY JOB RESPONSIBILITIES:

MAJOR ACCOMPLISHMENTS:

AREAS OF IMPROVEMENTS:

PROVIDE A BRIEF SUMMARY STATEMENT WHICH CHARACTERIZES THE EMPLOYEE'S OVERALL PERFORMANCE AND SUPPORTS YOUR RATING:

EMPLOYEE COMMENTS: Do you understand how your performance was evaluated? Provide any other comments as desired.

PERFORMANCE RATINGS:

Performance Factors

Pay increase _____ per hour / year (circle one)

Effective: _____

A score of 3.0 or above is considered satisfactory. Anything 2.9 or below is unsatisfactory and the employee is not eligible for a Step Increase.

(Your signature does not necessarily signify your agreement with the appraisal. It simply means the appraisal has been discussed with you.)

Employee Signature

Department Head Signature

City Administrator's Signature

PERFORMANCE FACTORS

- The Performance Factors describe how the employee goes about achieving objectives. Give specific examples of observed behavior. Factor Rating 1-5.

FACTORS	STRENGTHS-SPECIFIC EXAMPLES	AREA FOR DEVELOPMENT-SPECIFIC EXAMPLES	PERFORMANCE RATING
Organizing, Planning, and Decision Making			
Job Commitment			
Knowledge of Field			
Communications			
Teamwork			
Overall Factors Rating			

PERFORMANCE FACTORS

Organizing, Planning and Decision Making:

Anticipates and systematically analyzes problems and opportunities; identifies key tasks and critical sequential steps; establishes priorities, schedules and contingency plans; analyses reasonable alternatives and takes action in a timely manner; efficiently allocates and manages resources; and demonstrates sound judgment.

Job Commitment:

Willingly accepts responsibility and performs expected and unexpected tasks; demonstrates initiative tenacity in completing task and solving problems; and willingly exerts extra effort when necessary to get the job done.

Knowledge of Field:

Demonstrates familiarity with, and the application of, current technology, techniques, and trends that pertain to assigned work responsibilities.

Communications:

Expresses ideas and concern clearly and persuasively, both orally and in writing; is proficient and confident making formal presentations; and listens effectively.

Teamwork:

Works and interacts with others to accomplish overall group goals; willingly works with group decisions; considers suggestions from others; is sensitive to the needs of people; solicits feedback.

**City of Maize, Kansas
PAY PLAN**

ADOPTED November 16, 2015

Effective January 1, 2016

POSITION	Percent Between Steps: 2.30%														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Municipal Court Clerk	14.77	15.12	15.48	15.84	16.21	16.59	16.98	17.38	17.78	18.19	18.61	19.04	19.48	19.93	20.39
Executive Assistant	20.81	21.30	21.80	22.31	22.84	23.38	23.93	24.49	25.05	25.63	26.22	26.82	27.44	28.07	28.72
Customer Service Clerk	12.55	12.85	13.15	13.46	13.78	14.10	14.43	14.77	15.11	15.46	15.82	16.18	16.55	16.93	17.32
Police Sergeant	20.93	21.42	21.92	22.44	22.97	23.51	24.06	24.63	25.20	25.78	26.37	26.98	27.60	28.23	28.88
Detective	19.85	20.32	20.80	21.29	21.79	22.30	22.83	23.37	23.91	24.46	25.02	25.60	26.19	26.79	27.41
Community Police Officer	16.15	16.53	16.92	17.32	17.73	18.15	18.58	19.02	19.46	19.91	20.37	20.84	21.32	21.81	22.31
Patrol Officer	14.67	15.02	15.37	15.73	16.10	16.48	16.87	17.27	17.67	18.08	18.50	18.93	19.37	19.82	20.28
Police Records Clerk	14.03	14.36	14.70	15.05	15.40	15.76	16.13	16.51	16.89	17.28	17.68	18.09	18.51	18.94	19.38
Public Works Supervisor	23.67	24.23	24.80	25.38	25.98	26.59	27.22	27.86	28.50	29.16	29.83	30.52	31.22	31.94	32.67
Water & Wastewater Controller	19.58	20.04	20.51	20.99	21.48	21.99	22.51	23.04	23.57	24.11	24.66	25.23	25.81	26.40	27.01
Compliance Officer	18.39	18.82	19.26	19.71	20.17	20.64	21.13	21.63	22.13	22.64	23.16	23.69	24.23	24.79	25.36
Maintenance Worker I	11.88	12.16	12.45	12.74	13.04	13.35	13.66	13.98	14.30	14.63	14.97	15.31	15.66	16.02	16.39
Maintenance Worker II	14.08	14.41	14.75	15.10	15.46	15.82	16.19	16.57	16.95	17.34	17.74	18.15	18.57	19.00	19.44
Maintenance Worker III	15.89	16.26	16.64	17.03	17.43	17.84	18.26	18.69	19.12	19.56	20.01	20.47	20.94	21.42	21.91
Facilities Maintenance Coordinator	15.89	16.26	16.64	17.03	17.43	17.84	18.26	18.69	19.12	19.56	20.01	20.47	20.94	21.42	21.91
Custodian	10.84	11.10	11.36	11.63	11.90	12.18	12.47	12.76	13.05	13.35	13.66	13.97	14.29	14.62	14.96

Salaried Positions

POSITION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Deputy City Administrator	59,259	60,654	62,082	63,544	65,040	66,571	68,138	69,742	71,346	72,987	74,666	76,383	78,140	79,937	81,776
City Clerk	47,507	48,625	49,770	50,942	52,141	53,368	54,624	55,910	57,196	58,512	59,858	61,235	62,643	64,084	65,558
City Treasurer/Deputy City Clerk	46,414	47,507	48,625	49,770	50,942	52,141	53,368	54,624	55,881	57,166	58,481	59,826	61,202	62,610	64,050
Chief of Police	63,873	65,377	66,916	68,491	70,103	71,753	73,442	75,171	76,900	78,669	80,478	82,329	84,223	86,160	88,142
Lieutenant/Assistant Police Chief	51,621	52,836	54,080	55,353	56,656	57,990	59,355	60,752	62,149	63,578	65,040	66,536	68,066	69,632	71,234
Public Works Director	65,217	66,752	68,323	69,931	71,577	73,262	74,987	76,752	78,517	80,323	82,170	84,060	85,993	87,971	89,994

Part Time Employees Positions

POSITION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
City Engineer	34.87	35.69	36.53	37.39	38.27	39.17	40.09	41.03	41.97	42.94	43.93	44.94	45.97	47.03	48.11
Planning & Zoning Administrator	30.71	31.43	32.17	32.93	33.71	34.50	35.31	36.14	36.97	37.82	38.69	39.58	40.49	41.42	42.37
Patrol Officer	14.67	15.02	15.37	15.73	16.10	16.48	16.87	17.27	17.67	18.08	18.50	18.93	19.37	19.82	20.28
Maintenance Worker	11.88	12.16	12.45	12.74	13.04	13.35	13.66	13.98	14.30	14.63	14.97	15.31	15.66	16.02	16.39
Seasonal Maintenance Worker *	8.48	8.68	8.88	9.09	9.30	9.52	9.74	9.97	10.20	10.43	10.67	10.92	11.17	11.43	11.69
High School Intern	8.48	8.68	8.88	9.09	9.30	9.52	9.74	9.97	10.20	10.43	10.67	10.92	11.17	11.43	11.69

Governing Body Compensation

POSITION	Comments	
	Per Month	Per Meeting
Mayor	500.00	100.00
Council Members	300.00	50.00

Comments

Steps 1-13 are in 12 month increments. Steps 14 & 15 are in 18 month increments.

*Seasonal workers do not qualify for step increases.

City of Maize, Kansas Reimbursement Request Form



City of Maize, Kansas
10100 W Grady
Maize, Kansas
67101
Phone: 316-722-7561
Fax: 316-722-0346
www.cityofmaize.org

Date: _____

Name: _____

Title: _____

Department: _____

Phone: _____

Upon approval of the City Administrator, the City may reimburse employees for the use of personal vehicles for City business. This form is designed to cover unusual travel expense to meetings, seminars, etc., on City business. Mileage claims will not be paid if City vehicles are available for use.

DATE	Purpose of Trip or Purchase	Origin	Destination	Miles Driven	Meal Cost	Tolls	Other (Specify)

Miles _____

Mileage Reimbursement _____

All Other Claims _____

Total Reimbursement Amount: _____

Approved by _____



Monthly Council Report

Department Highlights

- Overall Department activities are functioning normal.
- Jamey Dover has been hired to fill the vacant SRO position at Maize High School. Jamey is 14 year veteran of law enforcement and has experience in coaching high school athletics.
- The department still has a full-time patrol officer position open.
- I reported last month, the department did not receive grant funding for a new SRO position. We were notified that even though we did not receive funding, our application was not denied and if additional funding becomes available our application could be funded. There was no timeline on when possible funding could be available.

Budget status: N/A

**Major purchases:
None**

Current Staff Levels.

10 Full-time
1 Full-time Vacant
2 Part-time
2 Reserve
2 Reserve -Vacant

Monthly Activities

October Police Reports - 853
October calls for service - 570

Community Policing:

Working on holiday food drives and assisting needy families.

ATTENTION: Chief Jensby

SUBJECT: SRO Monthly Report – Maize High School – October 2016

CONTACTS:**ENFORCEMENT ACTIVITY SUMMARY:**

<i>Case Number</i>	<i>Crime Classification</i>	<i>Date</i>
201600766	Misc Report	10/07/2016
201600764	CINC	10/07/2016
201600756	Misc Report	10/07/2016
201600752	Criminal threat	10/03/2016
201600751	Suspicious Character	10/03/2016
201600777	Misc Report	10/11/2016
201600778	Misc Report	10/11/2016
201600788	Theft	10/13/2016
201600789	Misc Report	10/13/2016
201600790	Mental	10/13/2016
201600795	Theft	10/17/2016
201600805	Battery LEO	10/18/2016
201600806	Non Injury Accident	10/18/2016
201600807	Mental	10/18/2016
201600819	Suspicious Character	10/20/2016
201600831	Vandalism	10/24/2016
201600832	Misc Report	10/24/2016
201600834	Unlawful Acts/Computers	10/28/2016
201600845	Misc Report	10/28/2016

OTHER NOTEWORTHY INFORMATION:

10-17-2016 MES – work with 4th grade student and 1st grade student
 10-17-2016 Heather Bell – requested her to assist at Women's Self Defense class (Mr. Broadbent recommendation)
 10-17-2016 O'Conner – update on students medical condition
 10-18-2016 Student sitting at lunch alone, made contact and assisted with homework – identified for Holiday Help
 10-18-2016 Sat with Special Needs table during lunch
 10/18/2016 Seatbelt safety check lane
 10/19/2016 Seatbelt safety check lane
 10/22/2016 Preparation of Women's Self Defense presentation
 10/21/2016 Misuse/Abuse of social media presentation
 10/26/2016 Attended expulsion hearing
 10/26/2016 Officer Rudrow through the Lions Club assisted in providing financial and optometric assistance for a Maize School family

OTHER NOTEWORTHY INFORMATION:

10/27/2016 Attended expulsion hearing

10/27/2016 Assisted WPD on a welfare check/domestic violence calls on staff member during school hours.

Respectfully Submitted,

Sergeant Catherine Herr MZ093

Date: 11/07/2016 Time: 1115

ATTENTION: Chief Jensby (through channels)

SUBJECT: SRO Monthly Report – Maize South High School – October 2016

CONTACTS:

- Youth Mentoring/Counseling Contacts: 20
- Classes Taught and/or Class Lectures or Speaking to Classes: 0

ENFORCEMENT ACTIVITY SUMMARY:

201600748, Criminal Threat, 10-02-2016

Three students planned to have a Clown sighting at MSHS. One student dressed up as a clown, another took photos, and the third posted the photos to social media. MSMS was on a modified lockdown with administration at controlled entry points first thing Monday morning. The case was presented to the DA and no formal charges were filed.

201600767, Outside Assist, 10-07-2016

MSMS called to report that a student was reporting bruises and being abused by his Step-Father. Sedgwick County Sheriff's Deputy Brooks is very familiar with the family and the history there. I talked with the student and attempted to obtain as much information for Deputy Brooks as possible and Deputy Brooks transported the student to EMCU for further investigation.

201600769, Non-Injury Accident, 10-07-2016

A student came into the school after 1st block reporting her vehicle had been hit. The vehicle that hit hers was right next to it. I spoke with the driver of that vehicle and he admitted to hitting hers. Case was done for documentation.

201600811, Found Property, 10-19-2016

A student was suspected of smoking in the bathroom. The students were talked to by school administration. Vehicle searches were conducted and a student was found to be in possession of a BB gun, pepper spray and a knife in his vehicle. The student was taken to an expulsion hearing and has since posted photos of him with a hand gun on social media.

201600814, Non- Injury Accident, 10-20-2016

I was notified by Chief Jensby there was a non-injury accident in front of MSES. I went down and took the report. All vehicles were drivable.

201600830, Non-injury accident hit and run on non traffic way, 10-24-2016

A student came to me after 1st block and informed me her vehicle had been hit. She was late to school signed in and informed me when she came in she had no one parked on the side she was hit on. When she left there was still no one parked on that side. I attempted

to watch cameras, and drove the parking lot looking for another vehicle with similar damage. I was unable to locate another vehicle by either means. I checked the sign in sheet for school and found one student who checked in after she did that drives a white car and I have attempted to talk with her but she has been out of school.

201600836, Misc. Rep, 10-21-2016

A teacher had reported that a student had shown up to his house located in Fiddlers Cove. The student was currently suspended from school and posting multiple things on social media about it. The teacher used the social media as a teaching moment for the students and the student in question did not like that the teacher talked about him in class.

201600841, Electronic Solicitation, 10/27/2016

I was notified by MSMS Principle Gillian Macias that a student of her was attempted to receive nude photos from a student at MMS. Detective Piper and I went to MMS and talked with two students suspected to be involved. Neither student had proof of the allegations of sexting from the MSMS student. A case was done for documentation due to this being the second case the MSMS student was involved in.

OTHER NOTEWORTHY INFORMATION:

I am continuing to build positive relationships with students and staff at Maize South High School. I also have a better understanding on how schools operate with situations and unique terms and language used.

I am beginning to build working relationship with the students and getting a better understanding of how they think and operate. I am learning more and more student's names and building a report with them. I have also taken on a large driving concern on campus. The access road between the upper and lower East parking lot after school is being used as a one way. I have attempted to get students to use the road properly due to it not being any different than New Market Square or Dillons driving. So far most of the students have been receptive to the change.

I have assisted administration in Fire Drills, evacuation drills, and talked to students about behavior issues. I continue to work with administration to ensure the safety and security of all students and staff. I also visit MSMS and MSES at least once a week if not more just to check in and talk with the students.

Thank you for your time.

Respectfully Submitted,

Officer Carrie Phelps – MZ149
11/15/2016 11:07

PUBLIC WORKS REPORT 11-15--2016

Regular Work

- Graded 61st and 45th and added several tons of crushed concrete which has really held up well. It also helps that it has quit raining for a little while. Also, South Central Sealing has some sealing oil that they installed on 45th last Saturday which should help to at least keep the dust down a little.
- We do locates, check the water and lift stations every day. Matt has had some new water line maps made for KDHE and for us so that we can locate and sample water over a more diverse range of the city. KDHE wants this so that our water samples are a better example of the whole city.
- Put out the flags along Maize Road and in the Cemetery for Veterans Day on 11-11-2016.

Special Projects

- We have had two meetings with MKEC about the new WWTP expansion project. We are now in the process of getting the right equipment ordered to fit what we need. MKEC is working with Aero-Mod to make sure everything they are designing is compatible with our plant and the new retrofit will work.
- The new storage bins are complete and ready. We are waiting on Evergreen Recycling to come and mulch our huge brush pile so we can move some material. I want to try to mulch brush and I think it will cut down on manhours, logs that didn't burn, and equipment breakdowns as well as smoke and fire danger. Also, the ash that is left we have to get rid of somewhere. We will see how this works. If it does what I think it will do there will be lots of free mulch for anyone to pick up and use as well. It will cost some money to do this however I think the money may be worth it.
- As many of you have seen, the Community Building has a new look. Richard and Jolene wanted to cover the old bricks with something that looked more updated so I thought painting the bricks and leaving the joints would look pretty good. I think it looks much better with the colors we chose and I believe most will agree with me.
- Finished the Slurry Seal project for this year. We slurry-sealed the Gertz Addition as well as Albert from Maize Road to Khedive. We will begin preparing for next year's street road projects right away.
- We are crack-sealing Tyler Road from 45th to 53rd now and will try to get some of Maize Road done from 37th to 45th before it gets too cold this year.

Ron Smothers

Public Works Director

City Engineer's Report

11/21/2016

Maize Middle School

The exterior work on the "Cafetorium" is continuing at a rapid pace and looks great.

Maize High School

Currently they are installing exit signs and strobe lights to meet a final inspection on Friday of the building. If approved, it will be turned over to USD 266 next week for occupancy.

Baxter Dental

Stucco on the exterior is commencing. The interior has drywall and textured paint applications. Cabinets will be installed in the near future.

Heartland Credit Union

Structural steel is nearing completion and enclosure of the building has started.

Weniniger Storage Units

Construction is complete. Two of the storage units are enclosed; one is open without doors. A final permit for occupancy remains to be obtained and electricity needs to be connected.

Aero-Tech

Steel is being erected on the site that was destroyed in the storm.

Watercress Villas

Stormwater and sanitary sewer lines are being installed. One of the two stormwater lines to the City Hall pond has been installed. Building pad sites have ground work done and footprint is laid out for the foundation.

Restrooms

Masonry is complete and the framers are installing a top cap board around the perimeter of the site in preparation for the trusses. Trusses should be installed by end of the week.

**PLANNING ADMINISTRATOR'S
REPORT**

DATE: **October 17, 2016**

TO: **Maize City Council Members**

FROM: **Kim Edgington, Planning Administrator**

RE: **Regular October Council Meeting**

The following is a summary intended to keep the Council apprised of the status of ongoing planning projects.

1. Watercress Apartment development – Infrastructure construction continues with an anticipated opening date of late spring/early summer 2017.
2. Zone change at 404 W Irma – zone change for 0.42 acres from Limited Industrial to MF-18 Multi-Family Residential. This request was recommended for approval by the Planning Commission at their October meeting and is on the current agenda.
3. Comprehensive Plan Update – Gould Evans will be attending the December 1st Planning Commission meeting for a stakeholders meeting with the Commissioners. Gould Evans will be presenting their findings to-date and will brainstorm with the Commission about the next phase of public involvement in the Comprehensive Planning process.
4. General planning issues – I continue to meet, both on the phone and in person, with citizens and developer's representatives requesting information on general planning matters, such as what neighboring property owners are planning to do, what they are allowed to do on their property, and what the process is for submitting various applications and materials to the Planning Commission.



**City Clerk Report
REGULAR COUNCIL MEETING
November 21, 2016**

Year to date status (Through 10/31/16):

General Fund –			
	Budget	YTD	
Rev.	\$3,065,844	\$3,137,291	102.33%
Exp.	\$3,369,786	\$3,105,412	92.15%
Streets –			
Rev.	\$287,420	\$ 286,538	99.69%
Exp.	\$294,100	\$ 271,611	92.35%
Wastewater Fund-			
Rev.	\$714,000	\$ 776,494	108.75%
Exp.	\$714,000	\$ 662,937	92.85%
Water Fund-			
Rev.	\$769,500	\$ 850,408	110.51%
Exp.	\$769,500	\$ 669,074	86.95%

Health & Dental Benefits

Per Council's request, here are the 2016 numbers (through 10/31/2016) for employee health, dental, and life (including accidental death and short-term disability).

	<u>City Portion</u>	<u>Employee Portion</u>	<u>Total Paid</u>
Health:	\$269,891.57	\$ 67,430.84	\$337,322.41
Dental:	17,666.69	4,415.50	22,082.19
Life:	<u>7,874.13</u>	<u>0</u>	<u>7,874.13</u>
	\$295,432.39	\$ 71,846.34	\$367,278.73

New Public Works Building Costs:

Per Council's request the following is a summary of additional costs related to the new Public Works building.

ADDITIONAL COSTS -NEW PUBLIC WORKS BUILDING

	April 2015- April 2016		
	October	-October	
	2015	2016	Difference
Electric	\$858.31	\$3,672.70	\$2,814.39
Gas	\$868.24	\$1,799.44	\$931.20
Internet	\$489.65	\$1,399.30	\$909.65
Insurance	\$761.00	\$2,700.43	\$1,939.43
Totals	\$2,977.20	\$9,571.87	\$6,594.67

The new building insurance premium was \$1,855.27.

CAPITAL PROJECTS

**Projects w/o
Temp Notes**

Project	Fund	Resolution of Advisability	Total Resolution Amount	Expenditures thru 12/31/15	Expenditures 1/1/16 thru 10/31/16	Total Expenditures	Resolution Authorization Less Expenditures	
Eagles Nest Phase 2A Water	05	556-14	\$ 104,000.00	\$ 100,801.81	\$ 2,505.38	\$ 103,307.19	\$ 692.81	Included in 2016A GO Bonds
Eagles Nest Phase 2A Paving	05	555-14	\$ 515,000.00	\$ 440,221.49	\$ 5,839.20	\$ 446,060.69	\$ 68,939.31	Included in 2016A GO Bonds
Eagles Nest Phase 2 Sanitary Sewer	05	547-14	\$ 240,000.00	\$ 168,429.73	\$ 3,616.65	\$ 172,046.38	\$ 67,953.62	Included in 2016A GO Bonds
Maize Ind Park Water	05	565-14	\$ 63,700.00	\$ 61,484.69	\$ 2,100.60	\$ 63,585.29	\$ 114.71	Included in 2016A GO Bonds
Maize Ind Park Sanitary Sewer	05	566-14	\$ 97,600.00	\$ 66,099.75	\$ 2,476.05	\$ 68,575.80	\$ 29,024.20	Included in 2016A GO Bonds
Eagles Nest Phase 2B Water	05	585-16	\$ 123,000.00	\$ -	\$ 7,857.64	\$ 7,857.64	\$ 115,142.36	
Eagles Nest Phase 2B Paving	05	586-16	\$ 422,000.00	\$ -	\$ 24,757.63	\$ 24,757.63	\$ 397,242.37	
Totals			\$ 1,565,300.00	\$ 837,037.47	\$ 49,153.15	\$ 886,190.62	\$ 679,109.38	

MPBC Project	Fund	Resolution	Total Resolution Amount	Expenditures thru 12/31/15	Expenditures 1/1/16 thru 10/31/16	Total Expenditures	Resolution Authorization Less Expenditures
Public Works Building	05	MPBC 14-15	\$ 1,056,893.00	\$ 404,930.41	\$ 647,292.59	\$ 1,052,223.00	\$ 4,670.00
Grand Total				\$1,241,967.88	\$696,445.74	\$1,938,413.62	\$683,779.38

CIP 2016 (As of 10/31/2016)

<u>Detail</u>	<u>Reason</u>	<u>October Revenue</u>	<u>October Expense</u>	<u>Budget</u>	<u>Year to Date Actual Cash</u>
Beg Cash - 01/01/16					\$ 352,451.28
Ad Valorem	Tax			-	-
Motor Vehicle	Tax			-	-
Delinquent	Tax	-		100.00	-
Interest	From Bank Accounts	191.70		1,500.00	2,418.80
Maize Rec	Splash Park Contribution	-			-
Transfers	From General Fund	40,666.67		488,000.00	406,666.70
Total Revenues		<u>40,858.37</u>		<u>489,600.00</u>	<u>409,085.50</u>
Total Resources					<u><u>761,536.78</u></u>
Street Improvements				-	356,380.65 **
Sidewalk/Bike Paths				75,000.00	-
Park Improvements				646.32	231,080.19
Other Capital Costs	Material Bins @ Public Works			13,228.94	28,351.13
Total Expenditures				<u>-</u>	<u>615,811.97</u>
Cash Balance - 10/31/16					<u><u>\$ 145,724.81</u></u>

**\$122,743.40 Encumbered in 2015 Budget

CITY OF MAIZE/REC COMMISSION
 SHARED COSTS FOR CITY HALL COMPLEX
 THRU 10/31/2016

	MONTHLY BILL	CITY PORTION	REC PORTION	YEAR TO DATE COSTS	CITY PORTION YEAR TO DATE	REC PORTION YEAR TO DATE	PERCENT OR FLAT RATE
Phone	\$515.19	\$379.22	\$135.97	\$5,151.18	\$3,791.48	\$1,359.70	Flat - based on number of lines
Internet	1,057.67	951.90	105.77	10,576.70	9,519.00	1,057.70	Flat - \$105.77/month
Gas	64.61	35.60	29.01	2,861.90	1,576.91	1,284.99	44.90%
Electric	2,752.41	1,516.58	1,235.83	21,811.41	12,018.09	9,793.32	44.90%
Janitor	1,760.91	970.26	790.65	26,739.87	14,733.67	12,006.20	44.90%
Water/Sewer	0.00	0.00	0.00	0.00	0.00	0.00	
Trash	72.60	40.00	32.60	726.00	400.03	325.97	44.90%
Insurance (Annual Bill)	0.00	0.00	0.00	10,031.60	5,527.41	4,504.19	44.90%
Pest Control	275.00	255.00	20.00	2,750.00	2,550.00	200.00	Flat - Exterminator breaks rate out
Lawn Service	0.00	0.00	0.00		0.00	0.00	Provided by Public Works
Total	\$6,498.39	\$4,148.56	\$2,349.83	\$80,648.66	\$50,116.58	\$30,532.08	

Shared Costs for City Hall
 Updated 11/15/2016

Equipment Reserve 2016 (As of 10/31/2016)

<u>Detail</u>	<u>Reason</u>	<u>October Revenue</u>	<u>October Expense</u>	<u>Budget</u>	<u>Year to Date Actual Cash</u>
Beg Cash - 01/01/16					\$ 114,563.11
Interest	From Bank Accounts	24.41		300.00	204.33
Other Revenues	Sale of PD Radios	-			-
Reimbursements	Sale of Fireworks Equipment/PD Van	-		-	3,300.00
Transfers	From General Fund	19,166.67		230,000.00	191,666.70
Total Revenues		\$ 19,191.08		\$ 230,300.00	\$ 195,171.03
Total Resources					\$ 309,734.14
Trucks/Heavy Equipment				\$ 100,000.00	\$ 110,661.55
Computers				- 50,000.00	3,654.00
Computers	Phone Upgrades-2015 Encumbrance			-	23,010.00
Police Department Expenses				- 80,000.00	68,000.43
Total Expenditures				\$ - \$ 230,000.00	\$ 205,325.98
Cash Balance - 10/31/2016					\$ 104,408.16

CITY OF MAIZE/USD #266
 SHARED COSTS FOR SCHOOL RESOURCE OFFICERS
 THRU 10/31/2016

	MONTHLY BILL	CITY PORTION	USD #266 PORTION	YEAR TO DATE COSTS	CITY PORTION YEAR TO DATE	USD #266 PORTION YEAR TO DATE
Wages	\$ 8,792.19	\$ 2,198.05	\$ 6,594.14	\$ 53,111.63	\$ 13,277.91	\$ 39,833.72
FICA/Medicare Taxes	627.83	156.96	470.87	3,922.75	980.69	2,942.06
KPERS (Employer)	807.12	201.78	605.34	5,055.18	1,263.80	3,791.39
Health/Life/Other Employer Paid Benefits	1,980.76	495.19	1,485.57	6,989.78	1,747.45	5,242.34
Totals	\$ 12,207.90	\$ 3,051.98	\$ 9,155.93	\$ 69,079.34	\$ 17,269.84	\$ 51,809.51



CITY OPERATIONS REPORT

DATE: November 16, 2016

TO: Maize City Council

FROM: Richard LaMunyon-Becky Bouska-Sue Villarreal-Jolene Graham

RE: November Report

1) Kansas Certified Public Manager Program

Jolene has successfully completed this year-long Kansas University educational course. The curriculum is very comprehensive and provides a solid foundation for top managers in Kansas and beyond. Graduation is December 2nd at the State Capital. Congratulations Jolene!

2) Sidewalk/Bike path Master Plan (*Pedestrian & Bicycle Facility Plan*)

Additional proposals are expected before year end.

3) Baseball Operations

This evening staff will be meeting with the Maize Recreation Commission to outline the city's plan to phase out the baseball field operations at the city park in 2018. The desire is to have the recreation commission assume this responsibility at a different location.

4) Miscellaneous Items

- Sidewalk Master Plan
 - Received one proposal
 - Two proposals pending
- City signage plan
 - Received one proposal
 - One other proposal pending
- Front Desk P/T position
 - Reviewing applicants
- City of Sedgwick
 - Becky will be assisting them next week
- Thanksgiving Holiday
 - City Hall closed November 24th & 25th

Economic Development

- Watercress Apartments
 - Storm water system & building footings under construction
- Baxter Dental Clinic to open in December
- Heartland Credit Union scheduled to open in April 2017
- Thirty-three new housing starts & one tri-plex

5) City Meetings

- November 21st - Council @ 7pm
- November 30th - Special Council @ 11am
- December 1st - Planning @ 7pm (Comp Plan-Gould Even)
- December 13th - Park & Tree @ 5:30pm
- December 19th - Council @ 7pm