

**LAMBERTON CITY COUNCIL**  
**WORK SESSION • CITY HALL**  
**June 30, 2025 • 5:30 P.M.**

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**1. CALL TO ORDER/ADOPT AGENDA/CEREMONIAL DUTIES**

- A. Additions/Deletions to Agenda

**2. GENERAL BUSINESS**

- A. Grove Street
  - 1. See CI and Bollig Docs
  - 2. City Support Letter
- B. Hourly Police Officers
- C. Change of Ordinance or Zoning Code for Accessory Buildings/Storage
- D. Creating School Zone
  - 1. Slow traffic down in front of school
- E. Community Center Rental Policy
- F. Personnel Policy –
  - 1. ESST and Sick Time
  - 2. Do we need to rename vacation and turn to PTO?
  - 3. Family Leave (start 2026)

**3. NEXT MEETING DATES**

- A. Regular Council Meeting, July 14, 2025 at 6:30

**4. ADJOURNMENT**

6-24-2025	<b>COUNCIL INFORMATION</b>
TO:	HONORABLE MAYOR & CITY COUNCIL
FROM:	Valerie Halter
SUBJECT:	Grove Street Funding
ISSUE/REQUEST/ BACKGROUND:	<p>Laura Ostille called today from Bollig and asked me to present this information to the council to get an idea if this is something the council thinks the city should pursue.</p> <p>The USDA RD is out of Minnesota funds. BUT starting August 1, the MN USDA RD can go out to the national pool of unused USDA RD funds and see if they can get the Grove Street project funded.</p> <p>Now the Grove project is estimated at about \$1.189 million in cost.</p> <p>Currently we are waiting on the SCD Grant application of \$600,000. We should know by Sept 1.</p> <p>The USDA RD ask would be for the full project cost because we don't know if we will get the SCDG. We would not have to take the full loan if we do not need it. (I have asked Bollig to look at anything we could add to this project if we were to take out the full loan and get the grant. Only to understand if we can get more bang for our buck and what can we get done.)</p> <p>We have a bond coming off next year.</p> <p>The final loan would not go into place until the project is completed.</p> <p>This may help our "Affordability" that USDA looks at for future projects. That we are trying to get things done as we can and we keep investing into our infrastructure. We look worse because we are bonded out.</p> <p>Bollig will get us a few options. I may not have them for this packet, but should have them by Monday.</p> <hr/> <p><b>UPDATE AS OF FRIDAY MORNING</b></p> <p>Laura called Thursday and said that USDA RD has two pools of money we could get loans from right now to do Grove St. (\$467,000 water utility loans and the rest from a community facilities loan).</p> <p>Things that make timing good:</p> <ul style="list-style-type: none"> <li>• Waiting on the \$600,000 Small Cities Grant</li> <li>• The bond that is done next year \$785,000</li> <li>• Approximately 20% is assessed to property owners @ \$237,800</li> </ul> <p>So if this all falls into place: \$1,189,000            -600,000 SMC            \$589,000 (of this @ \$237,000 assessment)</p> <p>Loan terms: Utilities 4.25% and CF 4.875% interest rates Annual payments. Utility loans are 40 year terms and CF is 20-40 years.</p> <p>\$467,000 @ 4.25% for 40 years = \$24,300/year      @ 20 years = \$34701.90/year          \$122,000 @ 4.875% for 20 years = \$9560.95/year</p> <p>Or do we loan it all and use the \$600,000 to move the wells?</p>

# MEMORANDUM

**Date:** June 30, 2025

**To:** Lamberton City Council

**Re:** USDA Rural Development Funding Opportunity-Grove Street Project

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## Overview:

Bollig Engineering was recently contacted by representatives from USDA Rural Development (RD) regarding the Grove Street project. We are pleased to share that the project has risen to the top of RD's funding consideration list and is now a strong candidate for financing support.

## Funding Opportunity:

USDA-RD currently has the capacity to provide loan funding for the full \$1.819 million Grove Street project. The financing package would combine the following RD programs:

- Water and Environmental Programs (WEP) – for eligible utility infrastructure
- Community Facilities (CF) Program – for ineligible components of the project

Effective July 1, 2025, RD's estimated, updated loan terms will be as follows:

- WEP Loans: 4.25% interest, up to 40-year term
- CF Loans: 4.875% interest, 20–40-year terms

## Next Steps & Urgency:

Terry Louwagie, State Director of Minnesota RD, has expressed the importance of a timely response from the City of Lamberton to confirm interest. Prompt confirmation will allow RD to reserve the funds for the project before they are committed elsewhere.

## Additional Considerations:

If the City is successful in receiving Small Cities Development Program (SCDP) grant funds, which are projected to be announced in September, the overall project scope could be expanded or enhanced, reducing long-term debt and increasing community benefit.

## Requested Action:

Council should consider authorizing staff to provide USDA-RD with a formal expression of interest and intent to proceed with the proposed financing package, pending further exploration of final loan terms, conditions, and potential grant awards.

[City of Lambertton Letterhead]

[Date]

RE: Acceptance of USDA Rural Development Loan Funding for Grove Street Project

Dear Mr. Louwagie:

On behalf of the City of Lambertton, we are writing to formally confirm our interest in and acceptance of USDA Rural Development (RD) financing for our Grove Street improvement project.

The City is prepared to move forward with 100% RD loan funding to finance the total estimated project cost of \$1,819,000, utilizing a combination of the Water and Environmental Programs (WEP) for eligible utility infrastructure and the Community Facilities (CF) program for the non-eligible components.

The City is committed to working in close coordination with USDA-RD and our engineering partner, Bollig Engineering, to ensure all requirements are met in a timely and thorough manner.

We appreciate USDA-RD's consideration and support of this critical project, which will address longstanding infrastructure needs in our community. Please consider this letter as our formal intent to proceed with the proposed RD financing package.

If further documentation or action is needed at this time, please do not hesitate to contact us.

Sincerely,

6-27-2025	<b>COUNCIL INFORMATION</b>
TO:	HONORABLE MAYOR & CITY COUNCIL
FROM:	Valerie Halter
SUBJECT:	Hourly Police Officers
ISSUE/REQUEST/ BACKGROUND:	<p>Attached is data from a LMC wage study that just came out. You can see to the left what parameters I used. I also put our pay scale on there.</p> <p>Our Police Chief is currently making \$40.87  Josh is at \$34.02 – this is what he made as our part-time police chief  Chuck is at \$25,800/year at 20 hours = \$24.81/hour – (Currently paid a flat \$992.31 a pay period)</p> <p>Do we keep Josh at that rate?  What should our hourly pay scale look like for officers coming in for shifts?  Where do we put Chuck on that scale?</p> <p>I talked to Josh about it a bit and he wasn't real sure where we should be. He said they pay \$25 and get no one to come in for that.</p> <p>I feel \$28-\$30 is where we will need to start.</p> <p>Chuck says he gets \$38 at Sibley and \$35 at school. Sibley pays \$3/hour for being on call.</p> <p>I'm not sure what you want to do about "on-call" time. I feel like those days are behind us. They can call and if we have someone available, we will send them if not the county has to cover.</p> <p>If our officer is called out it should be a two hour minimum like public works.</p>

MN Local Governments Salary & Benefits Survey

Average Compensation

Organization	Job Title	Count of Hourly Rate	Avg of Hourly Rate (\$)	Avg of Range Minimum (\$)	Avg of Range Maximum (\$)	Population
City of Atwater	Patrol Officer/Deputy Sheriff	6	25.26	23.23	29.16	1,133
City of Battle Lake	Patrol Officer/Deputy Sheriff	2	37.46	22.56	30.02	857
City of Blackduck	Patrol Officer/Deputy Sheriff	1	28.68	21.62	38.72	0
City of Blooming Prairie	Patrol Officer/Deputy Sheriff	7	28.94	24.47	31.59	1,996
City of Canby	Patrol Officer/Deputy Sheriff	1	31.50			1,683
City of Cuyuna	Patrol Officer/Deputy Sheriff	1	22.50			342
City of Deer River	Patrol Officer/Deputy Sheriff	3	34.07	33.47		903
City of Deerwood	Patrol Officer/Deputy Sheriff	3	25.58	21.93	27.41	526
City of Dundas	Patrol Officer/Deputy Sheriff	2	34.61	30.80	66.24	1,995
City of Eden Valley	Patrol Officer/Deputy Sheriff	1	27.66	25.58	37.86	1,061
City of Fairfax	Patrol Officer/Deputy Sheriff	1	37.36	27.52	36.63	1,250
City of Fosston	Patrol Officer/Deputy Sheriff	2	33.21	32.08	42.25	1,371
City of Kenyon	Patrol Officer/Deputy Sheriff	1	38.43	32.56	44.30	1,850
City of Minnesota Lake	Patrol Officer/Deputy Sheriff	1	22.00			661
City of Motley	Patrol Officer/Deputy Sheriff	1	40.20	32.69	40.20	687
City of New Richland	Patrol Officer/Deputy Sheriff	2	27.45	26.98	35.20	1,216
City of New York Mills	Patrol Officer/Deputy Sheriff	2	31.07	26.60	32.82	0
City of Nisswa	Patrol Officer/Deputy Sheriff	4	37.95	31.47	41.07	1,967
City of Onamia	Patrol Officer/Deputy Sheriff	1	28.51	27.68		866

Filters

Organization

All organizations

Region

All organizations

Budget Group

All organizations

FTE Group

All organizations

Type Group

Greater MN Cities

Population Group

500 or less 500 - 999 1,000 - 1,...

Job Title

Patrol Officer/Deputy Sheriff

CITY OF LAMBERTON PAY STRUCTURE

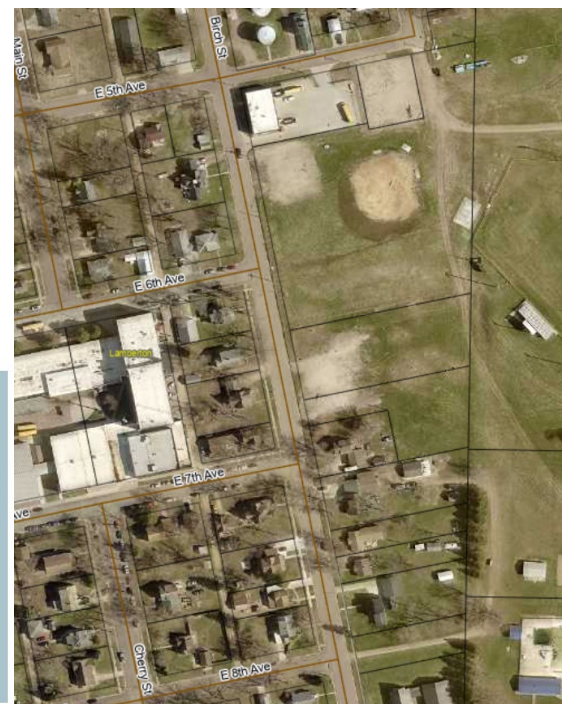
2025 5% COLA

GRADE	BASE PAY										Start Annually if Full Time	
	START	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9		STEP 10
1	11.76	12.15	12.55	12.97	13.39	13.84	14.29	14.76	15.25	15.75	16.27	\$ 24,465
2	13.10	13.53	13.98	14.44	14.92	15.41	15.92	16.44	16.99	17.55	18.13	\$ 27,249
3	13.85	14.31	14.78	15.27	15.77	16.29	16.83	17.39	17.96	18.55	19.17	\$ 28,815
4	19.03	19.66	20.31	20.98	21.67	22.39	23.13	23.89	24.68	25.49	26.33	\$ 39,590
5	20.36	21.03	21.72	22.44	23.18	23.95	24.74	25.55	26.40	27.27	28.17	\$ 42,346
6	21.08	21.78	22.50	23.24	24.01	24.80	25.62	26.46	27.33	28.24	29.17	\$ 43,850
7	23.19	23.96	24.75	25.56	26.41	27.28	28.18	29.11	30.07	31.06	32.08	\$ 48,235
8	27.10	28.00	28.92	29.88	30.86	31.88	32.93	34.02	35.14	36.30	37.50	\$ 56,378
9	28.31	29.24	30.21	31.21	32.24	33.30	34.40	35.53	36.71	37.92	39.17	\$ 58,884

Police Grade 5  
Chief Grade 8

6-27-2025	<b>COUNCIL INFORMATION</b>
TO:	HONORABLE MAYOR & CITY COUNCIL
FROM:	Valerie Halter
SUBJECT:	Container – Storage Shed Debate
ISSUE/REQUEST/ BACKGROUND:	<p>I've reached out to other cities. Most have it in the Zoning Code.</p> <p>They have things like:</p> <p>Section 5.17. Public Nuisances. The following are declared to be public nuisances that threaten the public health, safety, and welfare and are prohibited by this Ordinance.</p> <p>Subd. 1. <u>Storage Containers</u>. The use of semitrailers, shipping containers, and other similar structures or containers for storage on a lot for more than 180 days in any one year period is prohibited. This prohibition shall not apply to construction storage trailers used on site during a construction project provided all required permits are obtained for the project, the project remains in compliance, and the trailer is removed from the lot upon completion of the project.</p> <p>1103.19: CARGO CONTAINERS: Subd. 1. Permitted Locations and Prohibitions: a. Cargo containers may not be placed, stored or used permanently on any property zoned for residential use. Cargo containers with alterations, such as cosmetic or structural changes done in order for the container to appear more like a typical accessory building, are not allowed permanently on residential property. b. Cargo containers may be placed, stored or used for temporary storage on property zoned for residential use. Each residential property may use only one cargo container at a time.</p> <p>Would we like to pursue changing our Zoning Code to include this?</p>

6-27-2025	<b>COUNCIL INFORMATION</b>
TO:	HONORABLE MAYOR & CITY COUNCIL
FROM:	Valerie Halter
SUBJECT:	School Speed Zone
ISSUE/REQUEST/ BACKGROUND:	<p>During the Safe Routes to School process one of the main things identified is slowing people down by the school.</p> <p>I would like the City Council to look at creating a School Zone speed limit. Establish a lower speed limit from at least 5<sup>th</sup> Ave to 7<sup>th</sup> Ave and then post signs on each end.</p> <p>When we are able we will apply for the next SRTS Grant we will and in that grant will be the request for signs that flash.</p> <p>This would be the first step that we can do at relatively low cost (\$300)</p> <p>Is this something you would like to do and what speed would you want?</p>





6-27-2025	<b>COUNCIL INFORMATION</b>
<b>TO:</b>	HONORABLE MAYOR & CITY COUNCIL
<b>FROM:</b>	Valerie Halter
<b>SUBJECT:</b>	Community Center Rental Fee Waiver
<b>ISSUE/REQUEST/ BACKGROUND:</b>	<p>Alicia sent over the attached with a Waiver Request on it.</p> <p>I think we need to have the parameters listed in the CC policy.</p> <p>Would this be enough?</p> <p><b>Library-Sponsored Event Rental Fee Waiver</b>  The rental fee for the Lamberton Community Center may be waived for events that are sponsored by or held in direct conjunction with the Lamberton Public Library. To qualify, the event must have a clear connection to the library's programming or mission, and the library must be listed as a sponsor or co-host. All other terms of the rental agreement, including cleanup responsibilities and any applicable deposits, still apply.</p>

## Lamberton Community Center Rental Waiver Policy

The City of Lamberton hereby grants (\_\_\_\_\_) represented by (\_\_\_\_\_), permission to use the Facilities as outlined, subject to the Terms and Conditions of this Agreement.

### Terms and Conditions

1. A **Waiver of Rental Fee Request Form** must be filled out, and approved by the Lamberton Library 2 weeks prior to an Event.
2. Groups may be denied at the discretion of the Lamberton Library. Renters may appeal to the City Council at regularly scheduled meetings. Meeting Dates are posted to the City of Lamberton Website.
3. Rentals lasting more than 24 hours must be approved by the City Council.
4. The City may revoke this waiver if they determine the renters were not honest about their intentions.
5. Continuing Education groups who hire instructors are able to charge for the program, but cannot make a profit for their group. Ex: A Group can charge the cost of the program per individual to cover the cost of the instructor or less at the expense of the organization. The group cannot make money based on their event. Donations are exempt from this.
6. Non-Exclusive Wellness Groups are welcome to utilize the space at no cost under the condition that no person is turned away due to race, gender, age, religion, or disability. Groups may charge a 1 time membership fee.
7. Groups cannot regularly meet on weekends.
8. Keys will be revoked if misused. Your group is not allowed to use the building whenever you like, you must schedule with the Library.
9. Non-profit organizations may host fundraisers in the room, but must supply proof of current non-profit status.
10. Groups must pay the cleaning deposit. A full refund will be issued once the room is returned in the same condition in which it was prior to their event.
11. Groups are responsible for damages caused by any person(s) who attend their event.
12. The city is not responsible for lost, stolen, or damaged items. The community center is not a storage facility, leaving your items unattended is not permitted unless okayed by Library Staff.
13. Groups are only permitted to use the community room, bathrooms, and kitchen. Other rooms are not included.
14. Birthday Parties, Graduations, Private Events, Family Reunions are not able to have their fees waived. These are personal events and do not qualify for exemption.
15. The undersigned hereby voluntarily assumes any and all risks, including injury to their person and their group/guests now or in the future which may be caused as a result of the use of the Community Center.

I have read and agree to the terms and conditions above:

Signature \_\_\_\_\_ Date: \_\_\_\_\_

## Waiver of Rental Fee Request Form

Name \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

Rental Date: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_

Reason for Waiver Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, \_\_\_\_\_, understand if the request for the waiver is approved I am still required to pay the cleaning deposit of \$50, which will be refunded if the community room is determined to be in good condition following the event. I also understand that the waiver is for the rental fee only and will be responsible for any damages, theft or injury that may occur during the rental period.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Administration Use Only:

\_\_\_\_\_ Waiver Approved: \_\_\_\_\_

Date: \_\_\_\_\_

Waiver Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_

Reason for disapproval of Waiver: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6-27-2025	<b>COUNCIL INFORMATION</b>
TO:	HONORABLE MAYOR & CITY COUNCIL
FROM:	Valerie Halter
SUBJECT:	ESST
ISSUE/REQUEST/ BACKGROUND:	<p>You either got the current Personnel Policy Book at the last work session or it is included in here.</p> <p>We need to combine Sick Leave and ESST.</p> <p>I have included a couple of examples. It seems most do a straight PTO. Not sure what I like or think would work the best.</p> <p>Family Leave that starts in 2026. Will work like unemployment. The employer must pay 50% but can choose to pay more. The leave rate .88% of the gross pay. Looks like most are doing 50/50 the employee and employer pay half. You can also have someone other than the state collect the money and administer the program. I think that will be for larger cities that have more employees and will be collecting more money. Still lots for them to figure out. LMC will be having classes in August.</p>

MN Local Governments Salary & Benefits Survey

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Filters

Organization

All organizations

Region

All organizations

Budget Group

All organizations

FTE Group

All organizations

Type Group

Greater MN Cities

Population Group

500 or less, 500 - 999, 1,000 - 1,...

Job Title

Patrol Officer/Deputy Sheriff



CITY OF LAMBERTON PAY STRUCTURE

2025 5% COLA

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3	13.85	14.31	14.78	15.27	15.77	16.29	16.83	17.39	17.96	18.55	19.17	\$ 28,815
4	19.03	19.66	20.31	20.98	21.67	22.39	23.13	23.89	24.68	25.49	26.33	\$ 39,590
5	20.36	21.03	21.72	22.44	23.18	23.95	24.74	25.55	26.40	27.27	28.17	\$ 42,346
6	21.08	21.78	22.50	23.24	24.01	24.80	25.62	26.46	27.33	28.24	29.17	\$ 43,850
7	23.19	23.96	24.75	25.56	26.41	27.28	28.18	29.11	30.07	31.06	32.08	\$ 48,235
8	27.10	28.00	28.92	29.88	30.86	31.88	32.93	34.02	35.14	36.30	37.50	\$ 56,378
9	28.31	29.24	30.21	31.21	32.24	33.30	34.40	35.53	36.71	37.92	39.17	\$ 58,884

Police Grade 5  
Chief Grade 8

# ESST Sample 1

## PAID TIME OFF (PTO)/ESST

### Purpose

The City of West Concord recognizes the importance of helping employees balance their professional lives with personal responsibilities. It is the objective of the City to provide equity, consistency, and flexibility in the delivery of a paid time off benefit to all eligible City staff.

Paid Time Off (PTO) can be used for any purpose and is subject only to routine, non-intrusive requests and approval procedures. This plan also allows supervisors to better manage schedules and staffing.

The (PTO) Plan replaces individual vacation and sick leave plans with a combined single benefit program. Employees' accrue benefits based on length of service with the City. This means employees receive the same amount of paid time off regardless of personal or family situations.

With the adoption of this plan, the City seeks to attract and retain its employees by providing equity, consistency, flexibility, personal responsibility, and the recognition of years of service through the Paid Time Off Program.

### Policy

It is the policy of the City of West Concord to provide paid time away from work to eligible employees. This policy is implemented by means of the Paid Time Off (PTO) Program. Time off for official holidays, court, military duty, funeral, short or long term disability, and workers compensation leave are not included in the PTO plan, and employees receive these benefits in addition to PTO. In addition, family and medical leaves that are governed by the Family and Medical Leave Act and/or the Minnesota Parental Leave Act are subject to special rules and are further described in other City policies.

PTO can be used for any reason, subject only to the necessary request and approval procedures consistent with City policy. As with all paid time off programs, service to the public and work requirements must not be adversely impacted.

### Administration of PTO

Except in the case of injury or illness, PTO may only be used upon approval of your supervisor. The supervisor shall give consideration to both the employee's needs and those of the City. Supervisory approval shall not be unreasonably withheld. Communication with the supervisor, well in advance, makes it easier to achieve approval of time-off requests. However, discretion remains with the supervisor and City Management, not the employee, when determining whether time off can be granted.

There is no waiting period for using this benefit. Employees can request time off as soon as it is earned. Accruals are earned on a bi-weekly basis with your paycheck. PTO cannot be taken prior to actual accrual. Balances are automatically tracked through payroll and PTO balances will appear on paychecks under the combined heading of PTO.

## **Two Forms of PTO/Attendance Tracking:**

**Planned Absence-** That which was scheduled in advance with the direct supervisor's approval.

**Unplanned Absence-** That which requires notification a minimum of one hour prior to the scheduled work day and has no prior approval by the immediate supervisor. Or, if the employee is already at work, this requires notice to the direct supervisor before leaving work.

If unplanned absence shows a pattern suggesting abuse according to the City's attendance policy, the supervisor will proceed with progressive discipline. Good attendance is an essential job function for all City employees. If unplanned absences are determined to be excessive or in excess of three consecutive days, a doctor's notice will be required. The doctor's notice shall state the nature and duration of the employee's illness or injury and verify that the employee is unable to perform the duties and responsibilities of the position. A statement attesting to the employee's ability to return to work and perform the essential functions of the job and a description of any work restrictions may also be required before the employee returns to work. (If an unplanned absence is not in excess of three days and is not viewed as a problem according to the attendance policy, a doctor's statement will not be required.)

### **Administration of Leaves of Absence**

Unpaid leaves may be approved in accordance with the City Policies. The employee must use all accrued PTO prior to taking any unpaid leave. Any exceptions to this policy must be approved by the City Clerk/Administrator.

PTO may be used to provide an employee with income while the employee is on an approved leave to make the employee financially whole. Employees may not utilize PTO to provide an income level above 100% of the employee's current base rate of pay. The legal requirements of the time off and continuation of insurance contributions under those laws remain unchanged. This means the City will contribute the same amounts toward insurance premiums while an employee is on family medical leave as was provided prior to the leave. An employee on leave other than a leave covered by the Family and Medical Leave Act will go to a COBRA status for retaining benefits.

PTO will continue to accrue only while an employee is out on approved leave in which the employee is using paid time. PTO will not accrue during any leave without pay.

### **PTO as Earned Sick and Safe Time**

The City's current PTO policy exceeds the accrual requirements under Minnesota's Earned Sick and Safe Time ("ESST") law, Minnesota Statutes, sections 181.9445 through 181.9448. ESST is paid time off earned at one (1) hour of Earned Sick and Safe Leave for every 30 hours worked by an employee, up to a maximum of forty-eight (48) hours of Earned Sick and Safe Leave per year. The hourly rate of Earned Sick and Safe Leave is the same hourly rate an employee earns from employment with the city. This specific leave applies to all employees (including temporary,

seasonal, and part-time employees) performing work for at least 80 hours in a year for the City. Employees may use their PTO hours for any eligible ESST use as defined below.

### **Accrual of PTO/ESST Benefits**

PTO accrual for each eligible employee shall begin on the date of policy interception, full-time employment with the City, or, if there is a change of status creating eligibility, on the date the employee becomes eligible. The PTO year begins each January 1<sup>st</sup> and shall run on the calendar year with regard to minimums, maximums, rollovers, and pay outs. All regular, full-time employees will earn full PTO benefits. All part-time, seasonal, and temporary shall only accrue PTO as Earned Sick and Safe Leave at a rate of 1 hour per 30 hours worked. Temporary and seasonal employees may begin using Earned Sick and Safe Leave once they have worked 80 hours in a calendar year.

### **Using Sick and Safe Leave**

Employees' earning statements will reflect the total number of Earned Sick and Safe Leave hours accrued and available for use and the total number of hours used during the pay period.

Employee may use available Earned Sick and Safe Leave hours as allowed under state law and the used Earned Sick and Safe Leave hours will be applied against the Total PTO bank concurrently reducing the bank of the employee's total accrued sick, vacation, or PTO time, as applicable. The following is an illustrative example:

Leave Benefits	Earned	Used	Available
Total PTO (a+b)	5.00	1	4.00
a. ESST	2.67	1	1.67
b. Traditional PTO	2.33	0	2.33

### **ESST Requests/Documentation**

Employees requesting PTO for an eligible ESST purpose and the need for leave is foreseeable, must give seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for ESST as soon as practicable. When an employee uses ESST for more than three consecutive days, the City may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee



is using, or used, ESST for a qualifying purpose. The City will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition. In accordance with state law, the city will not require an employee using ESST to find a replacement worker to cover the hours the employee will be absent.

### **No Retaliation**

The City shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting ESST rights, requesting an ESST absence, or pursuing remedies. Further, the use of ESST will not be factored into any attendance point system the City may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under the ESST law.

### **Benefits and return-to-work protections**

During an employee's use of ESST, an employee will continue to receive the City's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using ESST is entitled to return to their City employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's time off. Seniority during ESST absences will continue to accrue as if the employee has been continually employed.

### **Notice or Rights and Remedies**

Written notice of employees' rights and remedies related to sick and safe leave under state law is provided as an attachment at the end of this personnel policy. The city will also post notice at city hall and provide written or electronic copy of the notice to all employees.

### **PTO Accrual Rates**

Under PTO, all eligible employees accrue time based on length of service and hours worked, regardless of pay grade, position, or personal/family situation. The accrual maximum allowed to be carried over from year to year is 240 hours. Employees will continue to earn additional PTO benefits, to the maximum as length of service with the City increases according to the following accrual schedule:

<b>Years of Service</b>	<b>Annual Accrual Rates</b>	<b>Bi-Weekly Accrual Hours</b>
0 - 1 Years	12 Days	3.6924 Hours
1 - 3 Years	17 Days	5.2306 Hours
3 - 5 Years	22 Days	6.7694 Hours
5 - 10 Years	27 Days	8.3075 Hours
11 or More Years	32 Days	9.84597 Hours

One (1) day of PTO shall equal eight (8) hours for full-time employees. Accruals on the new rate will begin on the first day of the pay period in which the anniversary date occurs.

### **Annual Rollover/Carryover**

Any PTO balance in an employee's account which exceeds the 240-hour maximum as of the last day of the first pay period of the New Year, which has not been dispositioned, is forfeited.

### **Transfers/Change in Status**

If an employee moves from full-time to part-time status, eligibility for PTO will terminate.

### **Severance Pay**

Under the PTO program, employees will be eligible for 100% of their accrued PTO balance, up to a maximum of 240 hours, when they leave City service. Employees may not use PTO during the two-week notification period unless approved by the employee's direct supervisor, City Clerk/Administrator and Personnel Committee.

Employees who are terminated or leave the employment of the City in "not good standing", will not receive any accrued PTO in their final paycheck.

### **Unpaid Leave**

Unpaid leaves may be approved in accordance with the City personnel policies. Employees must normally use all accrued annual leave prior to taking an unpaid leave. If the leave qualifies under Parenting Leave or Family and Medical Leave, the employee may retain a balance of forty (40) hours when going on an unpaid leave. Any exceptions to this policy must be approved by the City Clerk/Administrator.

### **Military Leave**

State and federal laws provide protections and benefits to City employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of fifteen (15) days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the City as required upon being relieved from service or is prevented from returning by physical or mental disability or other cause not the fault of the employee or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence.

Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five (5) years.

Where possible, notice is to be provided to the City at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when

called to active duty, any unused paid time will be allowed for the active-duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of Paid Time Off (PTO) accrual.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

### **Jury Duty**

Regular full-time and part-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the City in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime.

Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the Clerk of the Court so the City will be able to determine the amount of compensation due for the period involved.

Temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty, but can take a leave without pay subject to department head approval. However, if a temporary or seasonal employee is classified as exempt, he/she will receive compensation for the jury duty time.

### **Court Appearances**

Employees will be paid their regular wage to testify in court for City-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with City employment, minus mileage reimbursement, must be turned over to the City.

### **Job Related Injury or Illness**

All employees are required to report any job-related illness or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and make arrangements for a medical appointment.

Worker's compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

### **Pregnancy and Parenting Leave (state law requirement for cities with 21 or more employees)**

Employees who work twenty (20) hours or more per week and have been employed more than one year are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota in connection with the birth or adoption of a child. The leave may not exceed six (6) weeks and must begin within six (6) weeks after the birth or adoption of the child. Employees for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with after the birth or adoption of a child as eligible for up to twelve (12) weeks of unpaid leave and must begin within twelve (12) months of birth or adoption of child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within twelve (12) months after the child leaves the hospital. The employee should provide reasonable notice, which is at least five (5) business days. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees are required to use accrued leave during Parenting Leave.

The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will also be responsible for the entire premium unless otherwise provided in this policy (i.e., where leave is also FMLA qualifying). For employees on an FMLA absence as well, the employer contributions toward insurance benefits will continue during the FMLA leave absence. Group insurance coverage will remain in effect during the six (6) week Parenting Leave.

If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two (2) leaves will run concurrently until eligibility for either leave expires.

### **Administrative Leave**

Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the City Clerk/Administrator with the approval of the City Council.

**Adoptive Parents (state law requirement for cities with more than 21 employees)**

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

**School Conference Leave (state law requirement for cities with more than 21 employees)**

Any employee who has worked half-time or more for more than twelve (12) consecutive months, may take unpaid leave for up to a total of sixteen (16) hours during any school year to attend school conferences or classroom activities related to the employee's child (under 18 or under 20 and still attending secondary school), provided the conference or classroom activities cannot be scheduled during non-working hours. When the leave cannot be scheduled during non-work hours and the need for leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the city. Employees may choose to use PTO hours for this absence but are not required to do so.

**Bone Marrow Donation Leave (state law requirement for cities with more than 20 employees)**

Employees working an average of twenty (20) or more hours per week may take paid leave, not to exceed forty (40) hours unless agreed to by the City, to undergo medical procedures to donate bone marrow. The City may require a physician's verification of the purpose and length of the leave requested to donate bone marrow. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

**Victim or Witness Leave**

An employee who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony is entitled to reasonable time off from work to attend criminal proceedings related to the victim's case.

Or is the spouse or immediate family member (immediate family member includes parent, spouse, child, or sibling of the employee) of such victim, reasonable time off from work to attend criminal proceedings related to the victim's case.

**Elections/Voting**

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for the purposes of serving as an election judge, provided that the employee gives the City at least ten (10) days written notice.

All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote during the morning of election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues.

### **Regular Leave Without Pay**

The City Clerk/Administrator may authorize leave without pay for up to thirty (30) days. Leave without pay for greater periods may be granted by the City Council to a maximum of one (1) year.

Normally employee benefits will not be earned by an employee while on leave without pay. However, the City's contribution toward health insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on a regular leave without pay and is not working any hours, the employee will not accrue (or be paid for) holidays, or PTO. Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and will accrue PTO based on actual hours worked.

Leave without pay hours will not count toward seniority and all accrued PTO and compensatory time must normally be used before an unpaid leave of absence will be approved.

Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the City.

Employees returning from a leave without pay for a reason other than a qualified Parenting Leave or FMLA will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified Parenting Leave or FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the City Clerk/Administrator subject to approval of the City Council.

*The Family and Medical Leave Act (29 CFR Part 825) provides certain employees with up to twelve (12) workweeks of unpaid, job-protected leave a year, and required group health benefits to be maintained during the leave as if employees continued to work instead of taking leave.*

*The FMLA applies to all public agencies, including state, local and federal employers, and local education agencies (schools). To be eligible for FMLA leave, an employee must work for a covered employer and:*

- *have worked for that employer for at least twelve (12) months; and*

**PERSONNEL POLICY AND PROCEDURE:****PAGE: 1 of 5****DATE: July 13, 2004/Amended April 12, 2016/Amended November 14, 2023****SUBJECT: Paid Time Off (PTO)****REPLACES: PTO Policy Amended April 12, 2016****EMPLOYEES AFFECTED: Eligible employees****POLICY STATEMENT**

All City of Loretto employees are eligible for paid time off (PTO). PTO incorporates time for vacation and sick time but combines both into one category that may be used by the employee for either reason.

**PROCEDURES/COMMENTS**

- I. Employees may use PTO when the employee is unable to perform work duties due to the following reasons:
  1. physical or mental illness, treatment, or preventive care;
  2. a family member's physical or mental illness, treatment, or preventive care;
  3. disability;
  4. domestic abuse, sexual assault or stalking of the employee or a family member;
  5. closure of the employee's workplace due to weather or public emergency;
  6. closure of a family member's school or care facility due to weather or public emergency;
  7. medical, dental or chiropractic care;
  8. exposure to disease where such exposure may endanger the health of others;
  9. when determined by a health authority or health care professional that the employee or a family member is at risk of infecting others with a communicable disease;
  10. to care for family members (see family member definition in Section II);
  11. for personal or vacation time;
- II. Employees may use PTO for the following family members:
  1. their child, including foster child, adult child, legal ward, child for whom the employee is legal guardian or child to whom the employee stands or stood in loco parentis (in place of a parent);
  2. their spouse or registered domestic partner;
  3. their sibling, stepsibling or foster sibling;
  4. their biological, adoptive, or foster parent, stepparent or a person who stood in loco parentis (in place of a parent) when the employee was a minor child;
  5. their grandchild, foster grandchild, or step-grandchild;
  6. their grandparent or step-grandparent;
  7. a child of a sibling of the employee;
  8. a sibling of the parents of the employee;
  9. a child-in-law or sibling-in-law;
  10. any of the family members (1 through 9 above) of an employee's spouse or registered domestic partner;
  11. any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
  12. up to one individual annually designated by the employee.

# City of Loretto Personnel Policy and Procedures

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### III. Employees accrue PTO according to the following schedule:

#### A. Employee Averages LESS THAN 24 Hours (60%) Per Week:

- Forty-eight (48) hours of PTO is provided and made available for immediate use at the start of each year; and
- Unused PTO hours are paid out at the end of the year at the employee's hourly rate, not including Additional Compensation as defined in this manual.
- No carryover of PTO is permitted.

#### B. Employee Averages 24 Hours (60%) Per Week:

<u>AFTER ____ YEARS</u> <u>OF EMPLOYMENT</u>	<u>PAID TIME OFF</u> <u>WEEKS/YEAR</u>	<u>TOTAL PAID</u> <u>TIME OFF HOURS</u>
1	2 Weeks	48
3	3 Weeks	72
5	4 Weeks	96

#### C. Employee Averages 32 Hours (80%) Per Week:

<u>AFTER ____ YEARS</u> <u>OF EMPLOYMENT</u>	<u>PAID TIME OFF</u> <u>WEEKS/YEAR</u>	<u>TOTAL PAID</u> <u>TIME OFF HOURS</u>
1	2 Weeks	64
3	3 Weeks	96
5	4 Weeks	128

#### D. Employee Averages 40 Hours (100%) Per Week:

<u>AFTER ____ YEARS</u> <u>OF EMPLOYMENT</u>	<u>PAID TIME OFF</u> <u>WEEKS/YEAR</u>	<u>TOTAL PAID</u> <u>TIME OFF HOURS</u>
1	2 Weeks	80
3	3 Weeks	120
5	4 Weeks	160

### IV. NEWLY HIRED EMPLOYEES

- Newly hired employees accrue PTO from their first day of employment at a rate of one hour for every thirty (30) hours worked.
- At the end of the first partial year of employment, newly hired employees are considered to be employed for one (1) year and PTO hours will be front-loaded on January 1<sup>st</sup> per the schedule in Section III of this PTO Policy.
- The balance of PTO hours at the end of the first partial year of employment does not carry over into the next year.



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### **V. SALARIED EMPLOYEES**

- A. Any employee who is not paid an hourly wage is defined as a salaried employee for the purposes of this PTO Policy.
- B. Salaried employees will have eighty (80) hours of PTO provided and made available for immediate use at the start of employment and at the start of each year of employment.
- C. PTO hours for salaried employees do not carry over and are not paid out at the end of the year.
- D. Salaried employees' balance of PTO hours accrued is not paid out at the termination of employment.

### **VI. ELECTED OFFICIALS**

Elected officials are not defined as employees for the purpose of this PTO Policy and are not eligible for PTO. This is consistent with the Minnesota Department of Labor and Industry's findings as related to the Earned Sick and Safe Time Law.

### **VII. PROVIDING NOTICE**

- A. When the need to use PTO is foreseeable, employees should give his or her Department Head seven days' notice when possible. Failure to provide notice may not be used as the basis to deny the use of PTO.
- B. When the need to use PTO is not foreseeable, employees should notify his or her Department Head as soon as practicable and keep the supervisor informed of his or her condition if PTO is used for more than three (3) consecutive days.

- VIII. Employees may be required to submit reasonable documentation at the discretion of the Department Head if the employee uses PTO for more than three (3) consecutive days. If the employee is unable to secure the requested documentation, the employee may supply the Department Head with a written statement indicating the employee is using or used PTO for a qualifying purpose. The written statement may be written in the employee's first language and does not need to be notarized or in any particular format.

- IX. Department Heads are not allowed to require employees to find someone to cover their shift to use PTO.

- X. Continuous service credit is the basis for determining PTO, and is defined as the total time the employee has been with the City in a regular capacity, with these exceptions:
  - A. Resignations and discharges constitute a break in service, and PTO for re-hired employees will be computed from the date re-hired.
  - B. Employees who return to work within one hundred eighty (180) days of separation are entitled to the PTO hours accrued before leaving employment unless those hours were paid out upon termination.

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- C. Employees do not accrue PTO during layoffs or leaves of absence unless such leave is for military service.
  - D. An employee who transfers positions retains their accrued PTO, including seasonal and/or temporary employees.
- XI. **RATE OF PAY**
  - A. Payment will be made at the employee's current rate of pay, including additional compensation as defined in this manual.
  - B. PTO hours are not treated as clocked hours for the purpose of calculating overtime for hours worked over 40 during the workweek.
- XII. **ACCRUAL/CARRYOVER**
  - A. At the start of each new year, PTO is front-loaded based on the schedule in Section III, unless otherwise specified in this PTO Policy.
  - B. Employees averaging 24 hours per week or more may carry over the equivalent of two weeks' PTO from year to year, but this carryover must be used by the end of the following year, or it is forfeited, unless otherwise specified in this PTO Policy.
- XIII. **HOLIDAYS/MILITARY TRAINING**
  - A. When a statutory holiday falls within an employee's vacation period, such holiday will not be counted as a PTO day, but rather be paid as holiday pay.
  - B. Where not specifically prohibited by law, vacations may be used for military training periods at the employee's request. No employee will be required to use vacation for military training periods.
- XIV. **SEASONAL AND/OR TEMPORARY EMPLOYEES**
  - A. Seasonal and/or temporary employees accrue PTO from their first day of employment at a rate of one hour for every thirty (30) hours worked for the duration of their seasonal or temporary employment.
  - B. Seasonal and/or temporary employees are permitted to accrue a minimum of up to forty-eight (48) hours of PTO in a year.
  - C. Seasonal and/or temporary employees can carry over unused PTO into the next year. However, at no time can a seasonal and/or temporary employee's accrued PTO exceed eighty (80) hours.
  - D. Seasonal and/or temporary employees' balance of PTO hours accrued is not paid out at the termination of employment.

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### **XV. PAID TIME OFF BALANCE AT TERMINATION**

- A. At termination of employment, either voluntary or involuntary termination, employees will be paid the balance of PTO accrued, unless otherwise specified in this PTO Policy.
- B. PTO paid out at termination will be paid at the employee's base wage, not including additional compensation as defined in this manual.

Adopted by the Loretto City Council this 14<sup>th</sup> day of November 2023,  
effective January 1, 2024.