



CITY OF ADRIAN

16 East 5th Street, PO Box 246, Adrian, MO 64720-0246

Phone: 816-297-2659 Fax: 816-297-2888

Jeremy Bridges – North Alderman Matt Sears – South Alderman Matt Cunningham - Mayor
David Hummel – North Alderman Jeff Vick – South Alderman

Notice is hereby given that the City of Adrian, Missouri, will conduct its regular monthly meeting at 7:00 p.m. on Monday December 12, 2022, at City Hall, 16 East 5th Street, Adrian, Missouri.

Tentative agenda of this meeting is as follows:

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

5. PERSONAL APPEARANCES

6. DEPARTMENT REPORTS (May be submitted in writing)

A. EMERGENCY MANAGEMENT

B. FIRE

C. POLICE

D. CITY ADMINISTRATOR

E. PUBLIC WORKS

F. WATER PLANT

G. PARK COMMITTEE

H. CITY ATTORNEY

I. FINANCE COMMITTEE

7. CONSENT AGENDA

The items on the CONSENT AGENDA are approved by a single action of the Board of Aldermen. If any Alderman would like to have an item removed from the CONSENT AGENDA and considered separately, they may so request.

A. APPROVAL OF REGULAR COUNCIL MEETING MINUTES FOR NOVEMBER

B. APPROVAL OF BILLS PAID IN NOVEMBER

C. APPROVAL OF BILLS TO BE PAID IN DECEMBER

8. UNFINISHED BUSINESS

A. BUSINESS LICENSE ORDINANCE

B. ATV ORDINANCE

9. NEW BUSINESS

A. APPROVE SOLID WASTE BID/CONTRACT

B. INVENTIVE BONUS

C. MARIJUANA SALES TAX ORDINANCE

D. APPROVE CHANGES TO PERMITTED BUSINESSES ORDINANCE

E. RESOLUTION FOLLOWING THE STATE OF MISSOURI'S NO DISCRIMINATION LAWS

F. APPROVE MIKE KEITH LIABILITY INSURANCE RENEWAL

G. APPROVE EMPLOYEE HEALTH BENEFITS

H. APPROVE EMPLOYEE HRA INCREASE

I. AMEND PERSONEL POLICY

J. BANKING RESOLUTION TO AMEND SIGNATURE REQUIREMENT

K. BANKING RESOLUTION TO AMEND REQUIREMENTS FOR ACH & WIRES

L. BANKING RESOLUTION TO ESTABLISH ACH/DIRECT DEPOSIT FOR STAFF PAYROLL

M. FINANCE COMMITTEE DISCUSSION

10. PUBLIC COMMENTS

11. MAYOR/ALDERMAN COMMUNICATION

12. EXECUTIVE SESSION (CLOSED MEETING)

The Board of Aldermen may vote to go into a closed meeting for the purposes of discussing the following:

- A. LITIGATION MATTERS AS AUTHORIZED BY 610.021 (1) RSMo
- B. REAL ESTATE ACQUISITION MATTERS AS AUTHORIZED BY 610.021 (2) RSMo
- C. PERSONNEL MATTERS AS AUTHORIZED BY 610.021 (3) RSMo
- D. OTHER MATTERS AS AUTHORIZED BY 610.021 (4-21) RSMo

13. ADJOURNMENT

Evon Hall
Acting City Clerk



City of Adrian, Missouri
 16 East 5th Street—PO Box 246
 Adrian, MO 64720
 P 816-297-2659 F 816-297-2888

General Business License Application

(please type or print)

Reminder—A business may **NOT** operate until a business license is approved. Please allow 3-5 days for processing.

Business Information

Business Name _____ DBA Name (if different) _____

Full Street Address (No PO Boxes) _____ Number of Employees _____
(not counting owners)
 City/St/Zip _____

Full Mailing Address (if different) _____ Business Phone Number _____
 City/St/Zip _____

Email _____ Description of Type of Business _____
(Please be specific)

- Yes No
- Are you requesting a liquor license? If yes, please see Liquor License Requirements document
- Does this business do retail within the City limits of Adrian? If yes, attach a Certificate of No Tax Due from MoDOR dated within the past 90 days showing the City of Adrian. **Retail Sales Tax #** _____
- Is this business a nonprofit? If yes, for New Application Only, attach IRS form showing status. Nonprofits are exempt from license fee.
- Is this business producing or distributing food? If yes, for New Application Only, attach a health permit or exemption letter.

Ownership Information Sole Proprietor (complete section A) General Partnership (complete section B) Corporation or LLC (complete section C) Other _____

Section A—Sole Proprietor *A single-member LLC should fill out section C*

Owner's Name _____ Home Address _____
(if different than above)

Cell phone _____ Email _____ EIN# or SS# _____

Yes No

Is the owner a U.S. citizen? If no, please provide employment authorization document _____

New Application Only, attach the owner's valid U.S. driver license or U.S. passport.

If the owner lives inside Adrian city limits, attach the previous year's personal property tax receipt OR a letter of non-assessment from Bates County.

Office Use Only Approved by _____ Date _____ Business License # _____

_____ Zoning Compliance _____ Certificate of Occupancy _____ Certificate of Insurance _____ License Fee _____

_____ Master License or Passed Test _____ Previous Year Property Tax _____

Additional Information for ALL BUSINESSES

Yes

No

Do you or your corporate business entity run a business in another location? If yes, please provide location information.

Yes

No

Have you or your corporate business entity ever had a business license revoked, suspended or denied? If yes, please explain.

Yes

No

Are you or any of your corporate business entity officers currently under investigation or have outstanding warrants? If yes, please explain.

By signing my name below, I hereby certify that I am a legal U.S. citizen or I am legally authorized to work in the U.S. I certify the business described in this application does not employ illegal aliens. I certify the business or occupation I intend to pursue under the authority of the license for which I am applying does not violate or otherwise conflict with existing laws of the State of Missouri or ordinances of the City of Adrian. I hereby state the information contained herein is true, correct, and complete to the best of my knowledge. I authorize the city, its agents, and employees to seek information and conduct an investigation into the truth of the statements set forth in the application. I also acknowledge that this is only an application and is not approval for me to operate a business within the City of Adrian, Missouri.

Please note: this application must be fully completed & legible before it will be processed.

Signature of Owner or Agent

Printed Name

Position

Date

BILL NO: 22-27

ORDINANCE NO: 1143

AN ORDINANCE TO SUPERSEDE THE CITY OF ADRIAN BILL 21-01 ORDINANCE 1119 ON THE USE OF ALL TERRAIN VEHICLES TO INCLUDE UTILITY VEHICLES AND GOLF CARTS ON PUBLIC RIGHT OF WAY, PRIVATE PROPERTY AND CITY PROPERTY.

WHEREAS, the city is authorized to declare and determine appropriate requirements to protect the public with regard to the operation and use of certain modes of transportation on public sidewalks, streets, alleyways, highways, pedestrian paths, the city park and private property; and

WHEREAS, the Board of Aldermen has determined that public safety in the City of Adrian will be improved by regulating the use and operation of these modes of transportation and therefore desires to establish such regulations.

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

CHAPTER 5. MOTORIZED VEHICLES

ARTICLE I – IN GENERAL.

Section 5 -1. Definitions.

A. All-terrain Vehicles.

Any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of six hundred pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator and handlebars for steering control.

B. Utility Vehicles.

Any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of 1,850 pounds or less, traveling on four or six wheels.

C. Golf Carts.

Any motorized vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes that is not capable of exceeding speeds of twenty miles per hour.

ARTICLE II: - OPERATING REGULATIONS.

Section 5-11. All Terrain Vehicles

1) No person shall operate an all-terrain vehicle within the City of Adrian, except as follows:

A) All-terrain vehicles owned and operated by a governmental entity for official use.

B) All-terrain vehicles operated for agricultural purposes or industrial on-premises purposes between sunrise and sunset on the day of operation.

C) All-terrain vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset.

D) Governing bodies of the city may issue special permits after vehicle inspection to licensed drivers for special uses of all-terrain vehicles on streets and highways within the city limits. Fees of twenty dollars (\$20.00) may be collected and retained by the city for such permits.

2) A person operating an all-terrain vehicle on a street or highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license but shall not be required to pass an examination for the operation of a motorcycle and the vehicle shall be operated at speeds of less than thirty miles per hour and shall obey all traffic laws. When operated on a street or highway, an all-terrain vehicle shall have a bicycle safety flag, which stands not less than seven feet above the ground, attached to the rear of the vehicle. The bicycle flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow/fluorescent orange in color.

3) No person shall operate an all-terrain vehicle:

A) Without a securely fastened DOT approved safety helmet on the head of individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, unless the individual is at least eighteen years of age.

B) Operate an all-terrain vehicle on the private property of another without the direct permission of the owner, the person entitled to immediate possession or the authorized agent of either.

C) Without being properly insured and such proof of insurance shall be kept with the vehicle at all times. Such insurance shall specifically list the utility vehicle as referenced by the serial number and year of model.

4) No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any all-terrain vehicle in which the seat of such vehicle is designed to carry more than one person.

5) A violation of this section shall be a class C misdemeanor. In addition to other legal remedies, the attorney general or county prosecuting attorney may institute a civil action in court of competent jurisdiction for injunctive relief to prevent such violation or future violations and for the assessment of a civil penalty not to exceed one-thousand dollars (\$1,000.00) per violation, per day.

Section 5-12. Utility Vehicles.

1) No person shall operate a utility vehicle within the City of Adrian, except as follows:

A) Utility vehicles owned and operated by governmental entity for official use.

B) Utility vehicles operated for agricultural purposes or industrial on-premises purposes between sunrise and sunset on the day of operation, unless equipped with head lights, tail lights, brake lights and turn signals.

C) All-terrain vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset.

D) Governing bodies of the city may issue special permits after vehicle inspection to licensed drivers of utility vehicles to be used on streets and highways within the city limits. Fees of twenty dollars (\$20.00) may be collected and retained by the city for such permit.

2) A person operating a utility vehicle on a street or highway pursuant to an exception covered in this section shall have valid operator's or chauffeur's license but shall not be required to have passed an examination for the operation of a motorcycle and the vehicle shall be operated at speeds of less than thirty miles per hour and shall obey all traffic laws. When operated on street or highway, a utility vehicle shall have a bicycle safety flag, which extends no less than seven foot above the ground, attached to the rear of the vehicle. The bicycle flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow/fluorescent orange in color.

3) No person shall operate a utility vehicle:

- A) Without a securely fastened DOT approved safety helmet on the head of an individual who operates a utility vehicle or who is being towed or otherwise propelled by a utility vehicle, unless the individual is at least eighteen years of age.
 - B) Operate a utility vehicle on the private property of another without the direct permission of the owner, the person entitled to immediate possession or the authorized agent of either.
 - C) Without being properly insured and such proof of insurance shall be kept with the vehicle at all times. Such insurance shall specifically list the utility vehicle as referenced by the serial number and year of model.
- 4) No operator of a utility vehicle shall carry passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any utility vehicle in which the seat of such vehicle is designed to carry more than one person.
- 5) A violation of this section shall be a class C misdemeanor. In addition to other legal remedies, the attorney general or county prosecuting attorney may institute a civil action in a court of competent jurisdiction for injunction relief to prevent such violation or future violations and for the assessment of a civil penalty not to exceed one-thousand dollars (\$1,000.00) per violation, per day.

Section 5-13. Golf Carts

- 1) Requirements for operating a golf cart within the City of Adrian:
- A) Golf carts are classified as a low speed vehicle that is not capable of operating at speeds in excess of twenty miles per hour.
 - B) Any individual operating a golf cart shall have a valid operator's or chauffeur's license but is not required to pass an examination for the operation of a motorcycle.
 - C) Any individual operating a golf cart shall obey all traffic laws.
 - D) The golf cart shall be property insured and such proof shall be kept with the vehicle at all times and shall specifically list the vehicle as referenced by the serial number and year of model.
 - E) The golf cart shall have a bicycle safety flag when operated on a street or highway, which extends not less than seven feet above the ground, attached to the rear of the vehicle. The flag shall be triangular shaped, with an area not less than thirty square inches and day-glow/fluorescent orange in color.
 - F) Governing bodies of the city may issue special permits after vehicle inspection to licensed drivers of golf carts to be used on streets within the city limits. Fees of twenty dollars (\$20.00) may be collected and retained by the city for such permit.

- 2) No individual operating a golf cart shall:
 - A) Operate a golf cart between the hours of sunset and sunrise, unless the golf cart is properly equipped with head lights, tail lights, brake lights and turn signals.
 - B) Operate a golf cart on any state or federal highway except to cross. It shall not be operated across any highway where the posted speed limits is in excess of forty-five miles per hour.
 - C) Operate a golf cart on the private property of another without the direct permission of the owner, the person entitled to immediate possession or the authorized agent of either.

Section 5-15 – 5-20. Reserved.

ARTICLE III: ADRIAN CITY PARK RESTRICTIONS.

Section 5-21. Special Permits. No person shall operate any of the above mentioned modes of transportation in the Adrian City Park without a special permit issued by the city for special purposes. Fees of fifteen dollars (\$15.00) shall be collected and retained by the city.

Section 5-22 – 5-30 Reserved.

ARTICLE IV: RESPONSIBILITIES OF PARENTS, GUARDIANS AND LEGAL CUSTODIANS.

Section 5-31. Violation & Responsibility.

- 1) The parent, guardian or legal custodian of any juvenile shall not authorize or knowingly permit such juvenile to violate any of the provisions of this ordinance.
- 2) If a juvenile under the age of 15 ½ is found violating this ordinance a juvenile referral will be sent to the Juvenile Office and the parent, guardian or legal custodian will receive a citation for this ordinance violation whether or not the parents, legal guardian or legal custodian of the juvenile knew of or anticipated a violation of this ordinance.

Section 5-32 Reserved.

ARTICLE V: PENALTY.

Section 5-41. Fines. Any person over the age of 15 ½ or parent, legal guardian or legal custodian of a juvenile under the age of 15 ½ found to be guilty of violating this ordinance will be fined an amount not to exceed Five Hundred Dollars (\$500.00) per violation, per day.

Sections 5-42 – 5-50 Reserved.

ARTICLE VI: CONFLICTING ORDINANCES.

Section 5-51. Repeal of Prior Ordinance. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5-52 – 5-60 Reserved.

ARTICLE VII: SEVERABILITY.

Section 5-61. Severability of Any Clause. If any term, conditions or provision of this ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to the full force and effect without further action by the city and shall thereafter be binding..

ARTICLE VIII: EFFECTIVE DATE.

Section 5-71. Effective Date. This ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Section 5-72 – 5-80 Reserved.

READ TWO TIMES, passed and approved this _____ day of _____ 2022.

Mayor

ATTEST:

City Clerk

RESOLUTION OF THE ADRIAN BOARD OF ALDERMEN

BILL NO. 22-28 RESOLUTION NO. 1144

A RESOLUTION OF THE CITY OF ADRIAN, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH COUNTYWIDE DISPOSAL FOR THE COLLECTION AND DISPOSAL OF RESIDENTIAL AND PUBLIC FACILITY SOLID WASTE.

WHEREAS, the City of Adrian solicited proposals for the collection and disposal of residential and public facility solid waste in accordance with the City of Adrian Purchasing Policy; and,

WHEREAS, Countywide Disposal has been determined to be the lowest and best bidder;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ADRIAN, MISSOURI that Ryan Wescoat, City Administrator, be and is hereby authorized and directed to enter into a contract with Countywide Disposal for the collection and disposal of residential and public facility solid waste.

Passed, and approved this _____ day of _____, 2022, by a roll call vote:

| | | Yea | Nay | Absent |
|--------------------------------|-------|------------|------------|---------------|
| Alderman Jeff Vick | _____ | _____ | _____ | _____ |
| Alderman Matt Sears | _____ | _____ | _____ | _____ |
| Alderman Jeremy Bridges | _____ | _____ | _____ | _____ |
| Alderman David Hummel | _____ | _____ | _____ | _____ |

Matt Cunningham, Mayor

ATTEST:

Evon Hall, Acting City Clerk

BILL NO. 22-29

ORDINANCE NO. 1145

AN ORDINANCE OF THE CITY OF ADRIAN, MISSOURI IMPOSING A LOCAL SALES TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF THREE PERCENT (3%) PURSUANT TO THE AUTHORITY GRANTED BY ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR APPROVAL AT AN ELECTION TO BE HELD ON THE 4TH DAY OF APRIL, 2023.

WHEREAS, the City of Adrian is authorized by Article XIV, Section 2.6(5) of the Missouri Constitution to impose a local sales tax at a rate of Three Percent (3%); and

WHEREAS, this proposed local sales tax levy, if approved by the voters, shall be imposed on all retail sales of adult use marijuana sold in the City of Adrian; and

WHEREAS, the proposed sales tax levy requires a majority approval by the qualified voters of the City at an election,

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

SECTION 1. Pursuant to the authority granted by Article XIV, Section 2.6(5) of the Missouri Constitution a local city sales tax of Three Percent (3%) for general revenue purposes is imposed on the receipts from the sale of adult use marijuana sold at retail within the City's corporate boundaries.

SECTION 2. This tax shall be submitted to the qualified voters of Adrian, Missouri, for their approval, as required by the provisions of Article XIV, Section 2.6(5) of the Missouri Constitution, at the election hereby called and to be held on Tuesday, the 4th day of April, 2023. The ballot of submission shall contain the following language:

Proposition A

Shall the City of Adrian, Missouri impose a city sales tax of Three Percent (3%) on the sales of adult use marijuana sold at retail?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

SECTION 3. The Mayor and City Clerk shall prepare and execute the form of the Notice of

said Election and shall transmit the same to the Election Authority for the City of Adrian, Missouri, and request said election to be conducted by law.

SECTION 4. If a majority of the qualified voters voting at said election shall vote in favor of the approval of this ordinance, then the sales tax approved by the voters shall be in full force and effect on April 4, 2023, and the City Clerk shall forward to the Director of Revenue of the State of Missouri, by United States Registered Mail or Certified Mail, a certified copy of this ordinance, together with the certificates of the election returns and accompanied by a map of the City clearly showing the boundaries, thereof.

SECTION 5. If any section, subsection, sentence clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, as such holding shall not affect the validity of the remaining portion thereof.

SECTION 6. This tax shall be collected in addition to any other sales taxes imposed by the City and shall not replace or repeal any other sales tax.

SECTION 7. This ordinance shall be in full force and effect from and after its passage and approval subject to the provisions herein contained which provide for voter approval or for specific dates of effectiveness.

READ TWICE, PASSED AND APPROVED this _____ day of _____, 2022, by a roll call vote:

| | Yea | Nay | Absent |
|--------------------------------|-------|-------|--------|
| Alderman Jeff Vick | _____ | _____ | _____ |
| Alderman Matt Sears | _____ | _____ | _____ |
| Alderman Jeremy Bridges | _____ | _____ | _____ |
| Alderman David Hummel | _____ | _____ | _____ |

Matt Cunningham, Mayor

ATTEST:

Evon Hall, Acting City Clerk

EXHIBIT A

PUBLIC NOTICE OF ELECTION FOR THE CITY OF ADRIAN, MISSOURI

Public notice is hereby given to the qualified voters of the City of Adrian, Missouri, that the Adrian Board of Aldermen of said City has called a General Election to be held Tuesday, April 4, 2023, commencing at six o'clock A.M. and closing at seven o'clock P.M., local time, on the question contained in the following sample ballot:

OFFICIAL BALLOT

CITY OF ADRIAN, MISSOURI

GENERAL ELECTION

TUESDAY, APRIL 4, 2023

PROPOSITION A

Shall the City of Adrian, Missouri impose a
city sales tax of Three Percent (3%) on the sales of adult use
marijuana sold at retail?

YES

NO

INSTRUCTIONS TO VOTERS:

Instructions to Voters: If you are in favor of the proposition, place an X in the box opposite "YES."
If you are opposed to the proposition, place an X in the box opposite "NO."

Done by order of the Adrian Board of Aldermen this ____ day of _____, 2022.

County Clerk, Bates County, Missouri

RESOLUTION OF THE ADRIAN BOARD OF ALDERMEN

BILL NO. 22-30 **RESOLUTION NO.** 1146

A RESOLUTION OF THE CITY OF ADRIAN, MISSOURI SUPPORTING THE MISSOURI HUMAN RIGHTS ACT.

WHEREAS, it is the City of Adrian’s policy not to discriminate on the basis of race, color, religion, gender, gender identity, sexual orientation, national origin, age, veteran status, mental or physical disability, or any other basis prohibited by state or federal law in its operations or employment practices; and,

WHEREAS, The Missouri Human Rights Act prohibits discrimination in housing, employment, and places of public accommodations based on race, color, religion, national origin, ancestry, sex, disability, age, and familial status,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ADRIAN, MISSOURI that the City of Adrian stands with the Missouri Commission on Human Rights against any unlawful discrimination.

Passed, and approved this _____ day of _____, 2022, by a roll call vote:

| | Yea | Nay | Absent |
|--------------------------------|------------|------------|---------------|
| Alderman Jeff Vick | _____ | _____ | _____ |
| Alderman Matt Sears | _____ | _____ | _____ |
| Alderman Jeremy Bridges | _____ | _____ | _____ |
| Alderman DavidHummel | _____ | _____ | _____ |

Matt Cunningham, Mayor

ATTEST:

Evon Hall, Acting City Clerk

ORDINANCE OF THE ADRIAN BOARD OF ALDERMEN

BILL NO. 2231 RESOLUTION NO. 1147

AN ORDINANCE AMENDING ORDINANCE NO. 1115 REGARDING PERSONNEL POLICIES OF THE CITY OF ADRIAN, MISSOURI.

WHEREAS, on August 10, 2020, the Board of Alderman adopted Ordinance No. 1115, an ordinance amending and updating the personnel policy of the City; and,

WHEREAS, the Board of Alderman wishes to amend and update the personnel policy of the City to reflect the changes in operations and new law ,

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

SECTION 1: That Ordinance No. 1115 is hereby repealed and the personnel policy approved by such Ordinance is no longer in affect.

SECTION 2: That the Personnel Policy, attached hereto as Exhibit A and incorporated herin, is adopted and approved.

SECTION 3: That this Ordinance shall be in full force and effective immediately upon its passage and approval.

Passed, and approved this _____ day of _____, 2022, by a roll call vote:

| | Yea | Nay | Absent |
|--------------------------------|------------|------------|---------------|
| Alderman Jeff Vick | _____ | _____ | _____ |
| Alderman Matt Sears | _____ | _____ | _____ |
| Alderman Jeremy Bridges | _____ | _____ | _____ |
| Alderman DavidHummel | _____ | _____ | _____ |

Matt Cunningham, Mayor

ATTEST:

Evon Hall, Acting City Clerk

PERSONNEL POLICY

I. EQUAL EMPLOYMENT POLICY

Equal Employment Opportunity. It is the policy of the City of Adrian, Missouri of Bates County, to hire well qualified persons and to retain them as employees without discrimination because of race, color, gender, age, creed or religion, ancestry, or national origin, disability, political activity or lack of political activity, union or nonunion membership, pregnancy status, sexual orientation, gender identity, marital status, familial status, veterans status, or membership in any class protected under federal or state law. All aspects of personnel administration including hiring, working conditions, employment benefits and privilege, compensation, training, promotions, transfer, terminations and recalls shall be made pursuant to his policy of equal opportunity.

II. DEFINITIONS

As used in this Personnel Policy, the following words and phrases have the following meanings.

- A. "Alcohol or Alcoholic Beverage" – mean any liquid that has an alcoholic content in excess of one-half percent (.5%) by volume.
- B. "Applicant" – means any person who submits personal qualifications and/or a resume for consideration as a City employee in response to City's notice of an open position.
- C. "Board of Aldermen" or "Board" – means the governing body of the City of Adrian, Missouri.
- D. "City" – means the City of Adrian, Missouri.
- E. "Drug" – means any substance (other than alcohol) capable of altering the mood, perception, pain level, or judgment of the individual consuming it.
- F. "Employee" – means any person employed by the City.
- G. "Full-Time Employee" – means any employee who regularly works forty (40) hours per week.
- H. "Illegal Drug" – means any substance or controlled substance including, but not limited to, substances controlled or prohibited by federal or state law, the sale or possession of which is illegal.
- I. "Part-Time Employee" – means any Employee who regularly works less than forty (40) hours per week or less than four (4) weeks per month.
- J. "Positive Drug Screen" – means positive identification of a drug or metabolic which has been confirmed with scientific laboratory tests by a third party.
- K. "Prescribed Drug" – means any substance prescribed for the individual consuming it by a licensed medical practitioner.
- L. "Seasonal Employee" – means any Employee who works intermittently throughout the year at the City's request. A seasonal employee is a temporary employee and not eligible for City benefits including , but not limited to, holiday pay, vacation pay, sick leave, medical insurance, and life insurance.

III. APPLICATIONS AND SELECTION OF EMPLOYEES

- A. Posting of Job Openings. All job openings shall be posted for a period of time as designated

by the Board of Aldermen. The posting shall specify the job classification and description of work, the minimum qualifications and other criteria if applicable, the open and close date of the posting and how to apply. This requirement may be waived by the Board when good cause is demonstrated.

- B. Filing Applications. The Applicant may submit such application and/or information as outlined in the official job posting.
- C. Minimum Age for Employment. No application for employment will be considered unless the applicant, at the time of commencing employment, will be at least 18 years of age. The Board of Aldermen may accept statements of age on a verified application as sufficient evidence of this requirement or may require further evidence.
- D. Citizenship. All Applicants shall be required to provide documentation of United States citizenship or appropriate work papers authorizing the individual to legally work in the United States.
- E. Factors Considered in Selection. The Board of Aldermen may, in selecting applicants for employment, consider known performance and efficiency whether ascertained through communication with former employers or by evaluation of prior City service. The selection of qualified applicants by the Board shall be based on criteria which predict job related performance or measure knowledge, skills or ability necessary for the position for which the applicant is being considered.
- F. Background Checks. Background checks including but not limited to criminal, financial, or education checks may be performed by the Board of Aldermen on all new hires and promotions. If a background check produces any information of relevance to the position, the Board of Aldermen will consult with City's General Counsel for a final determination.
- G. Offer of Employment. All offers of employment shall be in writing from the Mayor or the Mayor's designee to be considered valid.
- H. Job Description(s). Job descriptions shall specify the job classification or title and description of work, the minimum qualifications, and other relevant criteria.
- I. Relatives/Nepotism. Relatives may be employed by the City. One relative may not supervise the other relative nor may relatives work in the same department. Any public officer or employee, elected or appointed, in this state who by virtue of his office or employment names or appoints to public office or employment any relative within the fourth degree of consanguinity or affinity, shall thereby, forfeit his office or employment.
- J. Residence. Employees are not required to live within the City limits, with the exception of the Police Chief, who must live in the City, and police personnel, who must reside within 20 minutes of the City limits because they are subject to emergency call to active duty at any time. However, all Employees are encouraged to do so. This suggestion is intended to foster a greater interest in and concern for the welfare of the community on the part of the Employee. At the time of appointment, promotion, demotion, etc., if all other factors are equal, Applicant's living within the City limits shall be given favorable preference.

IV. PRIVACY, EMPLOYEE RIGHTS

- A. Unhired Applicants. All statements and other information or records concerning Applicants not hired shall remain confidential and shall not be disclosed by any person.

B. Employee Personal Information. Personal or sensitive information about an Employee shall not be disclosed unless:

1. The Employee authorizes the specific disclosure in writing.
2. The information is relevant to a proceeding before the governing body.
3. The information is disclosed as required by law or legal proceeding.

V. EMPLOYEE INFORMATION

A. Employees have an obligation to keep the City informed of any changes in his or her name, address, email address, or telephone number. Employees are required to provide the City with updated information as these changes occur.

VI. PROBATIONARY PERIOD

- A. All new non-police Employees, regardless of position, are on probation during the first ninety (90) days from the date of hire unless otherwise waived by the Board of Aldermen.
- B. All new police Employees, regardless of position, are on probation during the first one hundred eighty (180) days from the date of hire unless otherwise waived by the Board of Aldermen.
- C. During the probationary period attendance, attitude, skill development and job performance of the Employee are closely monitored. Any problems in these areas during the probationary period may be cause for termination, demotion or reassignment of the Employee.

VII. WORKING HOURS

A. The City will establish shifts (fixed or variable) in accordance with operational requirements. Because operation schedules often require that shift and hours be altered, you are expected to be available to work the variable hours and shift assignment that may occur. If a change in your schedule becomes necessary, the City will notify you as soon as possible.

VIII. ATTENDANCE

- A. Employees shall maintain prompt and regular attendance by avoiding tardiness, absences, and early departures.
- B. Employees shall observe the legally allowed time limitations during breaks.
- C. Employee shall notify the City by telephone, in person or in writing (including email) prior to the start of Employee's scheduled shift to report any absence, including full day, tardiness, and early departure.
- D. Failure to report an absence will result in an unexcused absence and subject Employee to disciplinary action.
- E. Employee shall maintain daily contact with the City during any period of absence not related to Employee's approved absence under the Family and Medical Leave Act ("FMLA") or an approved leave of absence as defined in Section XIV below.
- F. Failure to notify the City on the first (1st) day of absence will result in an unexcused absence and will lead to disciplinary action. Failure to notify the City for two (2) consecutive days may result in termination.
- G. Employees whose attendance deficiencies exceed five (5) days in a calendar quarter will be

progressively disciplined up to and including termination.

- H. Unexcused absences are considered more serious and will result in more rapid disciplinary action up to and including termination. More than three (3) unexcused absences in a calendar quarter will result in termination of the Employee.
- I. Employees may also be required to document their absences with a doctor's certificate, as allowed by law.

IX. OVERTIME AND COMP TIME

- A. Overtime work may be necessary from time to time. Hourly Employees will be paid at the rate of time and one-half (1 ½) for approved time worked in excess of forty (40) hours per week.
- B. Compensatory time:
 - a. Based on departmental needs, an employee may receive, in lieu of overtime compensation, compensatory time off at a rate of one and one-half (1½) hours for each hour worked for which overtime compensation would otherwise be required by this section.
 - b. "Compensatory time" and "compensatory time off" mean hours during which an employee is not working but receives paid time off at the employee's regular rate.
 - c. City employees may accrue up to a maximum of 40 hours of actual overtime hours worked (accrued at time and one-half equals 60 total compensatory hours). Any hours earned in excess of the maximum limits must be paid as overtime.
 - d. Employees shall be permitted to use accrued compensatory time within a reasonable time period after it is requested if to do so would not unduly disrupt the operation of the City.
 - e. Upon termination or reclassification to a FLSA-exempt classification, accrued compensatory balances will be paid to the employee. Payment will be at the hourly rate of pay being received on the date of termination or reclassification.
 - f. If compensatory time off has not been taken by the Employee within two (2) years, the Employee will be compensated for all outstanding compensatory time.

- C. Refusal of overtime may be cause for termination.
- D. Overtime shall not be authorized except with the approval of the Employee's supervisor. Employees may not authorize their own overtime regardless of position.

X. PAY POLICY

- A. There are 24 pay periods in each year. Employees are paid twice monthly. Employee paychecks are available at City Hall on each payday. Attached to Employee's paycheck is the stub showing your total wages, deductions and take-home pay. Other deductions, when authorized by you in writing, are also shown on this stub. The following items are withheld as required by law:

1. Social Security (FICA).
2. State income tax.
3. Federal income tax.
4. Garnishments/wage assignments.

B. Any questions regarding your paycheck should be directed to the City.

XI. VACATION AND SICK LEAVE

A. Vacation

1. Each Full-Time Employee having been employed by the City for a period of twelve (12) consecutive calendar months shall earn vacation days according to the following schedule:
2. One (1) year – No paid vacation.
3. Starting of Second (2) year thru Sixth (6) year – Ten (10) days (2 weeks) paid vacation per year.
4. Starting of Seventh (7) year thru Fourteenth (14) year –Fifteen (15) days (3 weeks) paid vacation per year.
5. Starting of the Fifteenth (15) year or more years – Twenty (20) days (4 weeks) paid vacation per year.
6. Vacation leave may be taken at any time following its accumulation with the approval of the Mayor or the Mayor's designee.
7. Any unused vacation time will be compensated to the Employee at his regular hourly pay rate on December 15 of each year. Vacation leave may be carried from one year to the next, to a maximum equal to the amount which can be earned in two (2) years.
8. When a regularly scheduled holiday occurs during the period of an employee's vacation, the holiday shall not be counted as Employee's vacation day.
9. The City reserves the right, if necessary, to deny any vacation request when based upon any legitimate scheduling conflict(s).

B. Sick Leave.

1. All full-time Employees shall earn sick leave with full pay at the rate of one-half workday for each calendar month of service.
2. Sick leave shall accrue from the date of employment, but shall not be taken until the successful completion of the probationary period except with the permission of the Mayor or his/her designee.
3. Any unused sick leave will be compensated to the Employee at his regular hourly pay rate on December 15 of each year or Employee may allow it to accumulate up to twelve (12) days.
4. An Employee may be eligible for sick leave for the following reasons:
 - a. Personal illness or physical incapacity.
 - b. Quarantine of any Employee by physician.

c. Illness in the immediate family requiring Employee to remain at home.

d. As an approved personal day up to three (3) days.

An employee who is unable to report for work because of the above reasons shall report the reason for his absence to his/her Supervisor or Department Head within four (4) hours from the time he or she is expected to report to work. Sick leave in excess of three (3) working days shall be allowed only after presenting a written statement by a physician certifying that the Employee's condition prevented Employee from appearing for work unless the Board of Aldermen otherwise approves.

5. An Employee leaving the City shall not be allowed the use of sick leave in the last two (2) calendar weeks of employment. If Employee resigns in good standing, he or she will be paid half of the accrued sick days; however, if an Employee is terminated he or she will not be compensated for any unused sick days.
6. Abuse of this sick leave privilege can result in dismissal.
7. Pregnancy or pregnancy related conditions shall be treated the same as any other illness or short-term disability.

XII. HOLIDAYS

- A. All Full-Time Employees will be granted fourteen (14) holidays per year plus one (1) personal holiday. Employees that work on holidays will be paid double time. To receive compensation for the holiday pay, the Employee must work the day before and the day after a holiday, unless they have vacation scheduled for either day or it is their regularly scheduled day off.
- B. Full-Time Employees that have completed their preliminary probationary period of ninety (90) days will be eligible for holiday pay. Part-Time Employees paid hourly do not qualify for holiday pay.
- C. The fourteen (14) holidays granted are: New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Truman's Birthday, Memorial Day, Independence Day, Juneteenth, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, day after Thanksgiving and Christmas Day. The holiday schedule may be modified by the Board of Aldermen.

XIII. FUNERAL LEAVE

- A. An Employee may be granted, by the City, up to five (5) working days funeral leave in the event of death of immediate family members, including: spouse, child (includes step children and adopted children), Employee's mother, Employee's father, Employee's sister, Employee's brother.
- B. An Employee may be granted, by the City, up to three (3) working days funeral leave in the event of death of Employee's grandmother, Employee's grandfather, mother-in-law, father-in-law, sister-in-law, brother-in-law, spouse's grandparents.
- C. Employee may request to use any available vacation days or request funeral leave without pay.

XIV. LEAVE OF ABSENCE

- A. Employees who have completed their ninety (90) day probationary period may be eligible for

a leave of absence pursuant to the following guidelines:

1. A leave of absence may be granted for a specified period of time at the discretion of the City.
2. An Employee desiring a leave of absence shall submit a request in writing to the City at least two (2) weeks in advance, unless otherwise approved. Requests must state the reason for the leave and desired length of time.
3. The City will approve or deny the requested leave in writing. If approved the written authorization from the City will include the reason for the leave and the period of leave granted.
4. By accepting the leave, the Employee is not guaranteed re-employment upon expiration of the leave period.
5. Each leave will be granted on the basis of individual merit as determined by the City.
6. Re-employment will be at the discretion of the City and may take into account such factors as Employee's previous work record, availability and suitability of a position.
7. Employees returning from a medical leave of absence must have a physician's certificate indicating the Employee may return to work without any restrictions or limitations. Waivers to this policy may only be approved by the Board of Aldermen.
8. Employees will not be entitled to pay while on leave status unless sick leave is requested by the Employee and available.

XV. EMPLOYEE EVALUATIONS

- A. Performance Evaluation. Each Employee's performance shall be reviewed on his or her anniversary date or within 30 days thereafter.
- B. Discussion of Evaluation. Employee performance evaluations shall be made by the Employee's immediate supervisor and approved by the Board of Aldermen. The supervisor shall discuss each performance evaluation with the Employee before forwarding it to the Board. The Employee shall be asked to sign the evaluation form to indicate agreement/disagreement with the evaluation. The Employee shall be furnished a copy of the evaluation.
- C. Promotion Policies. All vacancies occurring in any department shall, whenever possible, be filled by promotion of a qualified employee within the City's service. However, the City may recruit applicants from outside the City service whenever better qualified applicants are available than within the City service. Transfer between departments with the same position classification will be considered when a vacancy occurs, but first preference will be given to promotion within the department.
- D. Demotions. An Employee reassigned to a position in a lower classification either voluntarily or for disciplinary reasons will receive a cut in pay commensurate with the nature of the demotion as determined by the Mayor or the Mayor's designee. No Employee shall be demoted to a position for which he or she does not possess the minimum qualifications. Demotions do not change the Employee's date of hire, however, the anniversary date for future salary increases will be adjusted.

XVI. MEDICAL AND LIFE INSURANCE BENEFITS

- A. The City shall provide medical and life insurance benefits to Full-Time Employees. Based on current premiums, the Board of Aldermen may pay all or a portion of Employee's premium cost. Dependent coverage may be available and shall be paid by the Employee.

XVII. EMPLOYEE'S RETIREMENT SYSTEM

- A. [RESERVED]

XVIII. SERVICE AWARDS

- A. [RESERVED]

XVIX. CITY PROPERTY

- A. Employees are expected to exercise care in their use of City property and to utilize such property only for authorized purposes. Negligence in the care and use of City property may be cause for disciplinary action up to and including termination.
- B. City property issued to any Employee must be returned to the City at the termination of employment or when requested by the Mayor or the Mayor's designee.

XX. PERSONAL PROPERTY

- A. The City does not assume financial responsibility for damage or theft of an Employee's personal property.

XXI. HEALTH AND SAFETY

- A. If Employees are injured while on the job, the accident must be reported to the City immediately. Failure or delay in reporting Employee's injury may affect Employee's Worker's Compensation benefits.
- B. Employees injured while off-duty and away from the job, must report the accident to the City immediately. Employee cannot return to work without a doctor's release that Employee is able to return to work. Employee must use sick leave while absent from work for off-duty injuries.
- C. Employees are required to exercise care and caution during the performance of their duties. Employees who violate the City's safety rules may be disciplined for failure to perform their job duties in a safe and prudent manner. This discipline may range from warning to termination.
- D. The following safety rules apply to all Employees:
 - 1. Machinery and vehicle should be operated in a safe manner at all times. Only those designated to operate machinery and vehicles should do so.
 - 2. Guards and protective devices shall be in place on all machinery before operation.
 - 3. All Employees who work in areas where hearing protection devices are required shall wear such devices at all times while working in those designated areas.
 - 4. All work-related accidents and injuries must be reported immediately, including minor injuries.
- E. Fit for Duty Assessment. The City reserves the right to require any Employee to submit to a fit for duty examination as deemed necessary by the Board of Aldermen to ascertain whether the Employee is able to fulfill all essential job functions with or without reasonable

accommodation.

XXII. CITY RULES

A. Employees shall comply with the following rules of conduct:

1. City owned supplies, equipment or vehicles shall be used for only City purposes and assignments. Any personal use is prohibited without prior written approval of the Board of Aldermen.
2. Reporting to work under the influence of alcohol or drugs or in possession of such substances on City premises is strictly prohibited.
3. Horseplay, fighting, acts of violence, destruction of City property, threatening or interfering with other Employees at any time while on City property is prohibited.
4. Misconduct or neglect of responsibilities will not be tolerated.
5. No Employee shall knowingly submit false or misleading information for, or on, any City report, record or document.
6. Every Employee has a responsibility for the care and safeguard of City property.
7. No Employee shall be in unauthorized possession of any property belonging to the City or other Employees.
8. Every Employee shall observe and comply with all safety rules and regulations established by the City.
9. All Employees are required to perform their duties, assigned or otherwise, in a professional and businesslike manner.
10. The City will not tolerate any form of harassment related to gender, color, race, national origin or religion. The City will take strict measures to cease or prevent such situations through disciplinary action.
11. Any harassment should be reported immediately in writing to the Board of Aldermen.
- ~~12. Employees shall maintain prompt and regular attendance by avoiding tardiness, absences, and early departures.~~
13. All Employees are required to work, act and dress in compliance with reasonable personal hygiene and cleanliness standards.
14. No City Employee shall have any financial interest in or receive any personal benefits from the profits or emoluments of any City contract or agreement.
15. No City Employee shall accept any service or thing of substantial value, directly or indirectly, from any person doing business with the City or having dealings with or proceedings before the Board on terms more favorable than those granted to the public generally.
16. No City Employee shall accept any part of any fee, commission or other compensation payable to the City other than the compensation provided by law or ordinance.
17. No full-time Employee shall accept outside employment without prior written

approval from the Board of Aldermen. Each change in outside employment shall require separate approval. Approval shall not be granted when such outside employment conflicts or interferes, or is likely to conflict or interfere with the Employee's municipal service. Employees may not engage in any private business activity while on duty. No Employee shall engage in or accept private employment or render any service for the private interest when such employment or service is incompatible or creates a conflict of interest with official duties. Employees may not utilize City issued equipment or other resources for non-City related, off duty, outside employment.

- B. Any violation or failure to comply with the rules and regulations described herein may result in disciplinary action ranging from verbal warning to termination.

XXIII. POLITICAL ACTIVITIES

- A. Employees shall not be hired, appointed, retained, promoted, or demoted on the basis of their political activity, or lack thereof.
- B. Employees may voluntarily participate in political activities outside working hours.

XXIV. CONFERENCES AND SEMINARS

- A. The purpose of this policy is to provide guidelines and procedures for reimbursement of allowable expenditures for Employees, Board members and elected officials conducting business on behalf of the City. The list of allowable expenditures is intended to cover all reasonable and necessary expenses while providing the lowest and best price to the City.
 - 1. Travel Authorization. Employees must complete a Travel Request/Expense Form which must be approved by the Mayor or the Mayor's designee prior to the travel occurring. Travel by Employees must be approved by the Board of Aldermen.
 - 2. Travel Request/Expense Form. Travel Request/Expense Forms must be submitted to the Mayor or the Mayor's designee at least fourteen (14) days prior to the departure date. However, the Mayor may approve the travel request on less than fourteen (14) days' notice, provided Employee submits documentation of said travel request and gives the Mayor as much notice as possible.
 - i. Documentation explaining the purpose of the trip should be attached to the Travel Request/Expense Form. Conference advertisements, seminar schedules or letters pertaining to the necessity of a meeting are examples of appropriate documentation.
 - ii. The Travel Request/Expense Form should present all costs associated with the trip, even if some items are prepaid or will be paid using a City credit card.
 - iii. City Employees shall submit the fully completed Travel Request/Expense Form within seven (7) days upon returning from a business trip. All appropriate receipts shall be attached, i.e., registration fees, hotel/motel receipts, meals, transportation tickets, etc.
 - iv. Transportation. Use of private vehicles will be allowed when a City-owned vehicle is not available and upon written approval of the Mayor or the Mayor's designee. Reimbursement for mileage allowance will be computed

on the basis of the current standard allowance accepted by the Internal Revenue Service. If more than one (1) Employee travels in the same vehicle, mileage will be paid to one employee. When travel is by City-owned vehicle, the cost of gasoline will be allowed.

- v. Lodging. Lodging will be paid for the nights Employee is on City business including travel days when it is necessary to travel the day before or day after the conference or seminar as determined by the Mayor or the Mayor's designee. An itemized check-out receipt is required for reimbursement and the hotel/motel check-out policy shall be adhered to by Employee. Lodging does not include personal items such as movies, room service, etc. Any additional charges due to a guest other than a spouse staying in the room shall be paid by the Employee.
- vi. Meals. Meals will be reimbursed at actual costs not to exceed the meal allowance. The meal allowance is \$55.00 per day and receipts will be required for reimbursement. Any meals included with lodging or the conference/seminar are not eligible for reimbursement.
- vii. Registration. The cost of registration to all conferences and seminars will be paid by the City upon approval by the Board of Aldermen. Entertainment type activities that are included as additional registration fees are the Employee's responsibility.
- viii. Taxi or shuttle service to or from airports, hotels/motels and convention centers are allowable expenses, receipts are required.
- ix. Parking and toll fees for business activities are allowable expenses, receipts are required.
- x. Meals and entertainment for spouses are not the responsibility of the City and will not be reimbursed.

XXV. DRUG AND ALCOHOL SCREENING POLICY

- A. It is the position of the City that illegal drugs and drug activities will not be tolerated in City work areas or by the City work force, and that the City has an obligation to administer drug screens in the interest of maintaining high productivity, identifying and rehabilitating problem Employees, and protecting Employees and citizens of the City from alcohol or drug related accidents.
- B. It is the policy of the City not to hire or continue the employment of any individual whose job performance is impaired by the use of alcohol, or any illegal drug, or any prescribed or over-the-counter drug which is abused.
- C. The purpose of this policy is to clarify the policy for Employees, to spell out conditions under which drug or alcohol screening may be required, and the consequences of positive drug or alcohol screens.
- D. Alcoholic Beverages.
 - 1. No alcoholic beverage will be brought into or consumed on City premises, except in connection with City authorized events.
 - 2. Drinking or being under the influence of alcoholic beverages while on duty is cause

for discipline, up to and including termination.

3. Any Employee whose off-duty or on-duty use of alcohol results in an act or acts which reflect negatively on the City as determined by the Board of Aldermen may result in disciplinary action up to and including termination.

E. Prescription Drugs.

1. Prescription drugs shall be used only in a manner, combination and quantity prescribed.
2. Any Employee whose suspected use of drugs results in an act or acts which reflect negatively on the City or create an unsafe environment as determined by the Board of Aldermen may result in disciplinary action up to and including termination.

F. Illegal Drugs.

1. The use of an illegal drug or controlled dangerous substance, including but not limited to substances controlled or prohibited by federal or state law, or the wrongful possession of same on-duty is cause for termination, or other appropriate discipline as determined by the Board of Aldermen.
2. Off-duty use of an illegal drug or controlled dangerous substance may be cause for termination depending on the circumstances and the job class involved.
3. The sale, trade, or delivery of illegal drugs or controlled dangerous substances by an Employee to another person is cause for termination and referral to law enforcement authorities.
4. The occasional or recreational off-duty use of illegal drugs detected as the result of drug screen referral will result in dismissal or other appropriate disciplinary action.

G. Pre-Employment Drug Screening.

1. As a condition of employment, each applicant for employment with the City may be required to submit to a pre-employment drug screening. Refusing to sign a consent form to authorize the test and the results to be released to the City, or obtaining a positive drug screen will exclude an applicant from further consideration.
2. To obtain satisfactory results from the test, the presence or use of any prescription drug must be in accordance with prescribing physician's instructions and be consistent with the maintenance of a safe and productive work place.
3. If a positive drug screen results, the applicant will be advised and the offer of employment, which was contingent upon meeting medical requirements, will be withdrawn.
4. Any applicant who fails a drug screening will be removed from any other eligible list to which they are currently posted and/or eliminated from examination on which they are currently competing. Applicants so removed may reapply for City jobs after one (1) year.
5. It is the intent of the drug screening program to screen and conduct confirmatory tests for those chemicals which are most frequently abused. The following list is suggestive, not exhaustive and subject to review and revision.

- i. Amphetamines/Methamphetamines (e.g. crank, splash, speed, crystal, prelude, pennies).
- ii. Barbiturates (e.g. downers, red devils, barbs, goof balls)
- iii. Benzodiszapines (e.g. valium, librium)
- iv. Cocaine (e.g. coke, crack, girl, flake, snow)
- v. Methadone
- vi. Methaqualone (e.g. downers, quaalude)
- vii. Opiates (e.g. codeine, morphine, dover's powder)
- viii. Heroin (e.g. H, boy, horse, smack, stuff)
- ix. Phencyclidine (e.g. PCP, angel dust, wack, water)
- x. Propoxphene (darvon)
- xii. Phenylpropanolamine

H. Drug/Alcohol Screen of Current Employees.

1. There are three (3) conditions under which drug/alcohol screens may be administered to current City Employees. Provisions for testing under these three conditions will be treated separately.
 - i. Drug screens may be administered to current City Employees who are applying for promotion to certain job classes.
 - ii. Employees may be tested when there are reasonable grounds to believe they are impaired or incapable of performing their duties based on their job behavior.
 - iii. When an Employee is employed in a position where the consequences of drug abuse would be particularly damaging to public safety and there is reasonable suspicion that wrongful drug use may be occurring, unscheduled drug testing may be instituted.
2. Positive test results may result in disciplinary action up to and including termination.

XXVI. FAMILY AND MEDICAL LEAVE ACT ("FMLA") RIGHTS

- A. Upon hire the City provides all new employees with notices required by the U.S. Department of Labor ("DOL") on Employee Rights and Responsibilities under the Family and Medical Act.
- B. If Employee has any questions, concerns or disputes related to the FMLA Rights or Responsibilities, Employee must contact the designated City representative.

XXVII. DISCIPLINE POLICY

It shall be the duty of all Employees to comply with and to assist in carrying into effect the provisions of the City's Personnel Rules and Regulations. No Employee shall be disciplined except for violation of established rules and regulations, and such discipline shall be in accordance with procedures established by the Personnel Rules and Regulations.

A. Employee's and Supervisor's Responsibilities:

1. It is the duty of every employee to attempt to correct any faults in performance when called to their attention and to make every effort to avoid conflict with the City's rules and regulations.
2. It is the duty of the Supervisor to discuss improper or inadequate performance with Employee in order to correct the deficiencies and to avoid the need to exercise disciplinary action. All discipline measures shall be in writing and discipline shall be, whenever possible, of an increasingly progressive nature. The step of progression being (a) warning, (b) demotion, (c) suspension, and (d) removal.

B. Grounds for Action: The following are declared to be grounds for demotion, suspension, or removal of Employee:

1. Those actions listed in Section XXII above.
2. Conviction of a felony or other crime involving moral turpitude.
3. Acts of incompetency.
4. Absence without leave.
5. Acts of insubordination.
6. Refusal or neglect to pay just debts. Maintenance of effort to pay debts must be shown to clear employee of neglect charges.
7. Employee subsequently becomes physically or mentally unfit for the performance of his or her duties.
8. Failure to properly report accidents or personal injuries.
9. Repeated convictions during employment or misdemeanor and/or traffic charges.
10. All other grounds set forth in this Personnel Policy.

C. Employee Notice. A written notice shall be given to each employee stating the reasons for the disciplinary action and the date it is to take effect. The notice is to be given to the Employee at time such action is taken and in any event not later than three (3) working days from the date of the action. A copy of the notice, signed by Employee, shall be placed in Employee's personnel file and shall be prima facie evidence of delivery of said disciplinary action.

D. Probationary Employees: Any probationary Employee may be suspended, reduced in pay or class, or removed at any time by the Board of Aldermen. Probationary, temporary, seasonal part-time Employees shall not have the right of appeal from such action.

E. Full-Time Employees: All Full-Time Employees may be suspended for a period of not to exceed thirty (30) working days, reduced in pay or class, or removed for just and reasonable cause by the Board of Aldermen. Full-Time Employees shall be dismissed only after having been given written notice.

F. Evidence: Normally, the deterioration of any Employee's conduct is a progressive problem and every effort should be made to reverse this trend as soon as it is apparent. Based on this philosophy, sufficient evidence should be available in the Employee's personnel file to justify

the action taken.

- G. Right of Appeal: All Full-Time Employees are granted the right to appeal. Within ten (10) days after effective date of disciplinary action, Employee may file a written appeal to the Board of Aldermen.
- H. Investigation: The Board of Aldermen shall hear appeals submitted by any Full-Time Employee relative to any suspension, demotion, or dismissal, and shall submit a written statement of acts, finding, and recommendations to the Board of Aldermen, whose action shall be final and conclusive.
- I. Hearing: The hearing before the Board of Aldermen shall be open to the public at the discretion of the Board.
- J. Informal: The hearing shall be conducted in an informal manner and the Board shall make every effort to avoid the appearance of conducting a trial in the court of law.
- K. Scheduling of Appeal: Upon receiving a request from Employee for a disciplinary hearing, the Mayor and Board will make every effort to hear such request at the next regularly scheduled meeting of the Board of Aldermen. The Mayor and Board may schedule a special meeting to conduct the disciplinary hearing.
- L. Right of Representation: Employee shall have the right to appear and be heard in person before the Board of Aldermen.
- M. Employee's Failure to Appear: Employee's failure to attend or notify the Mayor or inability to attend will constitute just cause for dismissal of the appeal.

XXVIII. GRIEVANCE POLICY

- A. Purpose: The most effective accomplishment of the work of the City requires prompt consideration and equitable adjustment of the Employee grievances. It is the desire of the City to adjust the causes of grievances informally, and both Supervisors and Employees are expected to make every effort to resolve problems as they arise.
- B. Policy: Employee may present a grievance, or have an employee committee, selected by Employee, present the grievance to the Mayor or the Mayor's designee, who will present such grievance to the Board of Aldermen.
- C. Grievance to be Written: All grievances shall be submitted in writing.
- D. Meeting: Upon receipt of a written grievance, the Mayor and Board of Aldermen shall consider the grievance at the Board's next regularly scheduled meeting. Employee, the Supervisor, and any other interested party shall have the right to be heard. The Board of Aldermen shall then take appropriate action which may include a recommendation to change the Personnel Policy Rules and Regulations, a finding that the grievance is unjustified, or any other appropriate recommendation.

- E. No employee shall be disciplined or discriminated against in any way because of proper use of the grievance procedure.

XXVIII. EFFECTIVE DATE – NOTICE TO EMPLOYEES – STATE LAWS

- A. The policies set forth herein are effective immediately upon written notice to Applicants and Employees. Every Applicant and Employee will be furnished a copy of this Personnel Policy by the Mayor or the Mayor's designee and will sign an acknowledgement of receipt.
- B. These policies will be implemented in a manner that will comply with all applicable Federal and state laws and will be modified and redistributed upon applicable changes in the law.

XXIV. QUESTIONS REGARDING POLICY

- A. Questions regarding the Personnel Policy should be referred to Employee's Supervisor or Mayor or the Mayor's designee.

RESOLUTION OF THE ADRIAN BOARD OF ALDERMEN

BILL NO. 22-32 RESOLUTION NO. 1148

A RESOLUTION OF THE CITY OF ADRIAN, MISSOURI, AMENDING THE SIGNATURE REQUIREMENT FOR ACCOUNTS PAYABLE AND PAYROLL CHECKS ON THE BANK OF ADRIAN ACCOUNTS.

WHEREAS, the City of Adrian has adopted new software and reporting capabilities that increases the level of transparency in the check writing process; and,

WHEREAS, the City of Adrian can now gather approval signatures on reports electronically;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ADRIAN, MISSOURI that the requirement for three signatures on accounts payable and payroll checks be reduced from three (3) to two (2).

Passed, and approved this _____ day of _____, 2022, by a roll call vote:

| | Yea | Nay | Absent |
|--------------------------------------|------------|------------|---------------|
| Alderman Jeff Vick _____ | _____ | _____ | _____ |
| Alderman Matt Sears _____ | _____ | _____ | _____ |
| Alderman Jeremy Bridges _____ | _____ | _____ | _____ |
| Alderman DavidHummel _____ | _____ | _____ | _____ |

Matt Cunningham, Mayor

ATTEST:

Evon Hall, Acting City Clerk

RESOLUTION OF THE ADRIAN BOARD OF ALDERMEN

BILL NO. 22-34 RESOLUTION NO. 1150

A RESOLUTION OF THE CITY OF ADRIAN, MISSOURI, AMENDING THE SIGNATURE REQUIREMENT FOR THE INITIATION OF ACH AND WIRE TRANSFERS.

WHEREAS, the City of Adrian has adopted new software and reporting capabilities that increases the level of transparency in the ACH and Wire process,

WHEREAS, the City of Adrian can now gather approval signatures on reports electronically;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ADRIAN, MISSOURI that Ryan Wescoat, City Administrator, and or Evon Hall, Acting City Clerk have the ability to initiate ACH and Wire Payments upon completion of the City’s internal process.

Passed, and approved this _____ day of _____, 2022, by a roll call vote:

| | Yea | Nay | Absent |
|--------------------------------|------------|------------|---------------|
| Alderman Jeff Vick | _____ | _____ | _____ |
| Alderman Matt Sears | _____ | _____ | _____ |
| Alderman Jeremy Bridges | _____ | _____ | _____ |
| Alderman DavidHummel | _____ | _____ | _____ |

Matt Cunningham, Mayor

ATTEST:

Evon Hall, Acting City Clerk

RESOLUTION OF THE ADRIAN BOARD OF ALDERMEN

BILL NO. 22-33 **RESOLUTION NO.** 1149

A RESOLUTION OF THE CITY OF ADRIAN, MISSOURI, ESTABLISHING ACH/DIRECT DEPOSIT FOR CITY STAFF PAYROLL.

WHEREAS, the City of Adrian has adopted new software and reporting capabilities that increases the level of transparency in the payroll process, and

WHEREAS, the City of Adrian can now gather approval signatures on reports electronically, and

WHEREAS, the City staff of Adrian has a desire to move to a modern payroll delivery system;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ADRIAN, MISSOURI that Ryan Wescoat, City Administrator, is instructed to establish an ACH/Direct Deposit process for the City of Adrian payroll process.

Passed, and approved this _____ day of _____, 2022, by a roll call vote:

| | Yea | Nay | Absent |
|--------------------------------|------------|------------|---------------|
| Alderman Jeff Vick | _____ | _____ | _____ |
| Alderman Matt Sears | _____ | _____ | _____ |
| Alderman Jeremy Bridges | _____ | _____ | _____ |
| Alderman DavidHummel | _____ | _____ | _____ |

Matt Cunningham, Mayor

ATTEST:

Evon Hall, Acting City Clerk