



City Council

Regular Meeting & Work Session Agenda

Monday, December 15, 2025
6:00 PM or immediately following
the EDA meeting
(whichever is later)
Elk River City Hall

- Regular meeting in Council Chambers
- Work Session meeting in Upper Town Conference Room immediately following regular meeting

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CONSIDER AGENDA

4. CONSENT AGENDA

Considered to be routine and noncontroversial and will be approved by one motion. There will be no separate discussion of these items unless there is a request to remove the item from the consent agenda to the regular agenda.

4.1 December 1, 2025 Minutes

4.2 Check Register

4.3 Resolution 25-77: 2026 Compensation Plan for Non-Organized Employees

4.4 Personnel Policy Manual Update

4.5 Agreement 25-38: Accurint Virtual Crime Center Servic38

5. OPEN FORUM

An opportunity to provide comments and feedback regarding items not on the agenda. Information provided in Open Forum will not be discussed at this meeting; rather, the information will be referred to staff and/or scheduled for discussion at a future meeting.

6. PRESENTATIONS, AWARDS, AND RECOGNITION

6.1 City of Elk River Volunteer of the Month

6.2 Introduction of New Employee

6.3 Promotion of Fire Lieutenant

6.4 Oath of Office: Firefighters

7. PUBLIC HEARINGS

An opportunity for the public to express their opinions and raise questions pertaining to the agenda item. All comments become part of the official public record. For this reason, all comments must be made at the podium so they can be heard and recorded. Comments may also be provided in writing. There will not be deliberations, discussions, or answers to questions until the hearing is closed. It is important to be courteous and allow each presenter to comment before adding additional testimony.

7.1 Conditional Use Permit: Amendment to CU 24-21 for Outdoor Storage of Vehicles and Equipment, 15861 Jarvis St NW, Northstar Trucking

- 7.2 Variance: Water Oriented Structure Size, Benjamin Poythress - 13640 Island View Dr NW
- 7.3 Variance: Parking and Wetland Setback to Support Development of an Apartment Building, Pat Briggs - 17379 Twin Lakes Rd NW
- 7.4 Resolution 25-78 and Ordinance 25-17: Amend City Plans to Support Commercial Uses, Sherburne County - 11401 205th Ave NW

8. GENERAL BUSINESS

Items in which the information is presented by city staff or consultants, then deliberation and action occur. General Business items are not opportunities to receive or provide public input. However, the presiding officer may, at its sole discretion, solicit public feedback.

- 8.1 Hearing: Tobacco Compliance Failures for Ralphies Minnoco
- 8.2 Cannabis Business Plan
- 8.3 2026 Meeting Calendar: City Council and Advisory Boards

9. MOTION TO ADJOURN REGULAR MEETING

10. WORK SESSION

Work Sessions are less formal meetings to encourage dialog. Official action or votes are not typically taken. At the conclusion of a discussion, a simple consensus provides staff direction for execution of the item. This portion of the agenda is audio recorded but not video recorded or broadcast. Work Sessions are open to the public; however, visitors who wish to provide input must be invited by the presiding officer, assume a seat at the discussion table and provide their full name and address for the official record.

- 10.1 Ebikes/Scooters on City Sidewalks and Trails
- 10.2 Northbound Capital Improvements
- 10.3 Vehicle Acquisition and Replacement Policy Manual
- 10.4 Red Dot Pistol Sights

11. MOTION TO ADJOURN

12. INFORMATION

- 12.1 November Financial Statements

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity





**Meeting of the City Council
Held at the Elk River City Hall
Monday, December 1, 2025**

Members Present: Mayor John Dietz, Councilmember Cory Grupa, Councilmember J. Brian Calva, Councilmember Mike Beyer, Councilmember Jennifer Wagner

Members Absent: None

Staff Present: City Administrator Cal Portner, Business Services Director/Assistant City Administrator Joe Stremcha, Fire Chief Mark Dickinson, Assistant Fire Chief Joe Libor, Deputy Chief Casey Neumann; Police Chief David Kuhnly, Building Official Mark Pistulka, Building Permit Technician Ellen Krueger; Human Resources Manager Lauren Wipper, Finance Manager Lori Stich, IT Manager Seth Calvin, IT Specialist Carl Munzke; Environmental Services and Projects Specialist Joe Hale, Front Desk Receptionist Joan Shea; Public Works Supervisor Mitch Litfin; Liquor Operations Manager Joe Audette; Liquor Store Manager-Northbound Megan Knopik, Cannabound Store Manager Jaquara Jackson, and Records Specialist Dawn Robertson.

1. **CALL MEETING TO ORDER**
Pursuant to due call and notice thereof, the meeting was called to order at 6:30 p.m.
2. **PLEDGE OF ALLEGIANCE**
The Pledge of Allegiance was recited.
3. **CONSIDER AGENDA**
Moved by Councilmember Wagner and seconded by Councilmember Beyer to approve the agenda. Motion carried 5-0.
4. **CONSENT AGENDA**
Moved by Councilmember Calva and seconded by Councilmember Grupa to approve the following consent items as outlined in their respective staff reports. Motion carried 5-0.
 - 4.1 November 03, 2025, Meeting Minutes
 - 4.2 November 17, 2025, Minutes
 - 4.3 Check Register

4.4 Resolution 25-73: Revoking Tobacco License for Elk River Tobacco LLC

4.5 Resolution 25-74 Levying Special Assessments for Abatement of Ordinance Violations

4.6 Resolution 25-75 Levying Special Assessments for Unpaid Garbage Service Fees

4.7 Agreement 25-35: Sherburne County Assessment Services

4.8 2026 - 2030 Capital Improvement Plan

4.9 Housing and Redevelopment Authority Appointment

4.10 Project Closeout: Rivers Edge Commons Park Renovations

4.11 Agreement 25-36: Waste Management Services

4.12 Authorize Grant Agreement 25-37 for Intensive Comprehensive Peace Officer Education and Training 2026

5. OPEN FORUM

Mel Beaudry, 21333 York St, stated that he is morally against the city being involved in the sale of marijuana products.

6. PRESENTATIONS, AWARDS, AND RECOGNITION

6.1 Introduction of New Employees

The Council welcomed various staff to the city.

6.2 Community Event Center Commission Candidate Interview

The Council interviewed Brian Balabon for the Community Event Center Commission. Mr. Balabon stated that he was part of Hockey Day Minnesota and was inspired to join the Elk River Ice Arena Commission, which he served from 2014 until it dissolved. He wants to continue serving the city through this commission.

When asked what he hopes to add to the commission, Mr. Balabon stated he wants to bring his experience; he helped build what the city has today and wants to continue to make it better for Elk River and the surrounding communities.

Moved by Councilmember Wagner and seconded by Councilmember Beyer to appoint Brian Balabon to the Community Event Center Commission with the term expiring February 28, 2026. Motion carried 5-0.

6.3 Sister City Meeting Update

Mr. Portner played the recorded video of the declaration of the Sister City signing between Elk River and the Dnipropetrovsk region in Ukraine.

Councilmember Calva shared that he was surprised by some of the public's reaction to the Sister City designation; he wants to assure the public that it costs the city nothing. He explained it's a gesture to another country to encourage them. He feels that their experience operating a city during this time can teach us something.

7. PUBLIC HEARINGS

7.1 2026 Budget and Tax Levy Resolution 25-76

The staff report was presented.

Mayor Dietz opened the public hearing

Vladmir Petrenko, 13790 196th Ave NW, asked for clarification on what some budgeting terminology meant. The Council explained to Mr. Petrenko that the County Assessor determines property tax increases. Mr. Portner explained the tax levy - tax rate. Mayor Dietz explained the budgeting process and the information on the tax statement that residents received in the mail.

Kathryn Kasper, 330 Norfolk Ave NW, expressed frustration with the tax increase on her rental property.

Mayor Dietz closed the public hearing.

Moved by Councilmember Grupa and seconded by Councilmember Calva to approve the 2026 General, Special Revenue, and Enterprise Fund budgets. Motion carried 5-0.

Moved by Councilmember Wagner and seconded by Councilmember Beyer to adopt Resolution 25-73 authorizing the property tax levy for collection in 2026. Motion carried 5-0.

8. GENERAL BUSINESS

8.1 Discuss Work Session Items

No items were added to the list.

9. COUNCIL LIAISON UPDATES

9.1 Council Liaison Updates

The Councilmembers provided updates as outlined in the respective advisory board's minutes.

10. MOTION TO ADJOURN REGULAR MEETING

Moved by Councilmember Beyer and seconded by Councilmember Calva to adjourn the meeting of City Council. Motion carried 5-0.

The regular meeting adjourned at 7:36 p.m. Mayor Dietz called the work session to order at 7:43 p.m.

11. WORK SESSION

The Council invited Ken Beaudry to express his concerns.

Ken Beaudry 12696 226th Ct NW, shared that he is morally against the City being involved in the sale of marijuana products.

11.1 Cannabound Business Plan

Mr. Stremcha provided an overview of the initial state laws regarding cannabis licensing. The Council had questions about municipal ownership and private ownership of cannabis stores. Mr. Stremcha was able to clarify the Council's questions regarding the amount and types of licensing the city would be allowed. He reiterated that the sale of cannabis can occur whether it's private or municipal. He went on to share that with a municipal cannabis store, there can be high safety standards, strict identification for age requirement compliance, refusal of sale to intoxicated people, etc.

The Council acknowledged the work that has been put into planning and designing the cannabis store and is appreciative.

Councilmember Grupa shared that he is not comfortable with a city-owned cannabis store.

Councilmember Calva stated that he feels it's not about the money the city could potentially make, but it's about the soul of the city. The city should not have its hands on it, and constituents do not want a municipal cannabis store.

Councilmember Wagner noted she would like more education on the terms THC, CBD, Marijuana, cannabis, plant, and flower, etc. She would like education on the differences in types, chemicals, and uses. Is a joint the same as cannabis? Is a gummy the same? Are there different types? How are they used? She stated that more education and knowledge would be beneficial in making an informed decision. She continued until there is more education and data, she is against a municipal cannabis store.

Councilmember Beyer stated he has never been for it 100% but didn't make it a personal decision. He explained that after talking with residents via phone calls, texts, and emails, he wants to represent the residents and step back from the municipal cannabis store and the liquor store.

Mayor Dietz praised the staff, stating his excitement at first was based on thoughts of revenue. He

stated he feels Elk River residents do not want a municipal cannabis store and believes this process will take years to sort out at the state level, and does not want to be a part of it.

The Council directed staff to schedule a tour of the current Northbound Liquor Store.

11.2 Elk River Landfill Expansion EAW/EIS Comment Period

Mr. Hale shared with the Council that this is the first of three comment periods about the landfill expansion. This size of expansion triggers an Environmental Impact Statement outlining any additional studies that may need to be conducted. He shared the comments for consideration by the Minnesota Pollution Control Agency. Mr. Hale's comments cover concerns related to groundwater contamination, leachate, and traffic.

The Council agreed with the requirements suggested by the MPCA.

11.3 Vehicle Acquisition and Replacement Policy Manual

Mr. Litfin did not have a staff report to present to the Council.

The Council directed Mr. Litfin to add the replacement policy to the December 15 Council Meeting.

11.4 On-Call Fire Department Staff Compensation Plan Changes

Chief Mark Dickinson, Chief Libor, and Deputy Chief Neumann requested increased pay for Fire Captains and academy instructors. They explained the increases would not affect the budget; there have been recent leaves and a few fire academy drop-outs. The wages that were going to those positions would go to cover the cost of giving the Captains a raise.

Chief Libor stated that all wages for Fire Instructor pay are reimbursed by the State. The city can ask for a raise to reflect the cost of living, and that will be reimbursed as well. Chief Neumann shared with the Council that they want to be comparable to other fire academies and offer similar pay when recruiting instructors.

The Council is in favor of the proposed compensation increases.

11.5 Personnel Policy Manual Update

The staff report was presented.

Ms. Wipper noted some of the biggest changes to the policy manual are to the Paid Family Medical Leave. She continued and explained the following: "Top-off" is allowed, and employees can opt to use accrued time to get 100% pay, leave requests run concurrently, employment type definitions were modified, deadline for time sheet submissions, a section was added called staffing inventory, exempt employees are to request time off and get it approved before leave is taken, earned sick safety time and sick time have been combined, and added language on accrual for ESST for part-time and full-time employees.

The Council will review the changes, and the policy will be added to a consent agenda for approval.

12. CLOSED MEETING - LELS #589 COLLECTIVE BARGAINING AGREEMENT

Council Present: Mayor John Dietz, Councilmembers Cory Grupa, J. Brian Calva, Mike Beyer, and Jennifer Wagner

Staff Present: Police Chief David Kuhnly, City Administrator Cal Portner, and Records Specialist Dawn Robertson

Mayor Dietz read the following statement:

12.1 Statement to be read by the Mayor:

"The City Council will be closing the meeting pursuant to MN Statute Section 13D.03, Subdivision 1(b). The Council will discuss the city's labor negotiation strategy related to the city's negotiations with the Collective Bargaining Agreement, LELS 589."

12.2 Motion Calling Closed Meeting

Mayor Dietz called the closed meeting to order at 9:44 p.m.

Moved by Councilmember Wagner and seconded by Councilmember Beyer to open the closed meeting. Motion carried 5-0.

12.3 Hold Closed Meeting

The closed meeting was held.

13. MOTION TO ADJOURN

Moved by Councilmember Wagner and seconded by Councilmember Calva to adjourn the closed meeting of City Council. Motion carried 5-0.

The meeting adjourned at 10:03 p.m.

Minutes prepared by Dawn Robertson.

John J. Dietz, Mayor

Tina Allard, City Clerk



Request for Action

To
City Council

Item Number
4.2

Meeting Date
December 15, 2025

Prepared By
Amy Stangler, Accounting Clerk

Item Description
Check Register

Reviewed by
Lori Stich
Joe Stremcha
Cal Portner
Tina Allard

Action Requested

Approve, by motion, the check registers for the period ending December 15, 2025.

Background/Discussion

The details for the period ending December 15, 2025, are attached to this request for action.

Total for All Funds	\$1,937,716.86
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Financial Impact
N/A

Mission/Policy/Goal
N/A

Attachments

1. 4.2 at1 Check Register
2. 4.2 at2 Check Register

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Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
ASPEN MILLS						
101						
365359	1	UNIFORMS - SMITH	Invoice	11/19/2025	302.65	101-4-2310-4217
101						
365595	1	BOOTS - SMITH	Invoice	11/21/2025	154.99	101-4-2310-4217
101						
365918	1	UNIFORMS - COWLEY	Invoice	11/26/2025	379.74	101-4-2130-4217
101						
366007	1	UNIFORMS - SMITH	Invoice	12/02/2025	381.00	101-4-2120-4217
Total 10749 ASPEN MILLS:					1,218.38	
KISER CONSTRUCTION						
101						
13154	1	REBUILD - PSB WATER DAMAGE	Invoice	11/25/2025	3,617.53	101-4-2190-4401
Total 23107 KISER CONSTRUCTION:					3,617.53	
NORTHLAND PETROLEUM SERVI						
101						
26183	1	REPAIR AT PUMPS	Invoice	12/03/2025	1,439.30	101-4-3120-4409
Total 28425 NORTHLAND PETROLEUM SERVI:					1,439.30	
PRINCETON RENTAL INC						
101						
1-579714	1	PARTS	Invoice	11/25/2025	301.93	101-4-5110-4221
101						
1-579976	1	SUPPLIES	Invoice	11/29/2025	82.30	101-4-5110-4219
101						
1-580050	1	SUPPLIES	Invoice	12/04/2025	6.29	101-4-5110-4219
Total 10469 PRINCETON RENTAL INC:					390.52	
SCENIC SIGN CORP						
603						
SC8635	1	MONUMENT SIGN REPAIR	Invoice	11/26/2025	1,896.37	603-4-9152-4404
Total 14375 SCENIC SIGN CORP:					1,896.37	
SENSOSCIENTIFIC						
101						
167596-IN	1	EVIDENCE REFRIGERATOR ALARM	Invoice	12/01/2025	161.04	101-4-2130-4433
Total 32053 SENSOSCIENTIFIC:					161.04	
SPORTECH, INC						
245						
12-15-25 SPORTECH	1	TAX REBATE - ENVISION	Invoice	12/03/2025	17,180.70	245-4-6210-4440
Total 32900 SPORTECH, INC:					17,180.70	
A T & T MOBILITY						
101						
X12032025	1	FIRSTNET WIRELESS SVCS-ADMIN	Invoice	11/25/2025	38.23	101-4-1210-4321

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
101						
X12032025	2	FIRSTNET WIRELESS SVCS-IT	Invoice	11/25/2025	143.66	101-4-1350-4321
101						
X12032025	3	FIRSTNET WIRELESS SVCS-BLD MT	Invoice	11/25/2025	128.07	101-4-1600-4321
101						
X12032025	4	FIRSTNET WIRELESS SVCS-POLICE	Invoice	11/25/2025	3,352.25	101-4-2110-4321
101						
X12032025	5	FIRSTNET WIRELESS SVCS-FIRE	Invoice	11/25/2025	631.75	101-4-2310-4321
602						
X12032025	6	FIRSTNET WIRELESS SVCS-WW	Invoice	11/25/2025	44.92	602-4-9010-4321
Total 10138 A T & T MOBILITY:					4,338.88	
AID ELECTRIC CORPORATION						
296						
1204257	1	ELECTRIC FOR FTCENTER WAYFIN	Invoice	11/20/2025	5,820.64	296-4-7000-4520
Total 10373 AID ELECTRIC CORPORATION:					5,820.64	
AIRGAS USA LLC						
101						
9500936946	1	MEDICAL OXYGEN	Invoice	12/01/2025	293.87	101-4-2120-4219
Total 10379 AIRGAS USA LLC:					293.87	
AM CRAFT SPIRITS SALES & MARKETING						
603						
21706	1	POP/MIX	Invoice	11/22/2025	224.00	603-4-9151-4255
603						
21706	2	FREIGHT	Invoice	11/22/2025	4.25	603-4-9151-4332
Total 52518 AM CRAFT SPIRITS SALES & MARKETING:					228.25	
AMAZON CAPITAL SERVICES						
221						
117R-3YJJ-GXQG	1	SUPPLIES - BLUE TAPE	Invoice	12/03/2025	30.88	221-4-5400-4219
101						
11XK-HW9P-CNNH	1	CHARGING BLOCKS	Invoice	12/03/2025	87.60	101-4-1350-4219
602						
16GG-TYCQ-H1TK	1	SUPPLIES	Invoice	12/01/2025	19.99	602-4-9020-4219
101						
16LM-TVX7-WW11	1	SUPPLIES	Invoice	11/19/2025	95.54	101-4-5110-4219
101						
16LM-TVX7-WW11	2	SUPPLIES	Invoice	11/19/2025	19.20	101-4-3120-4201
221						
17DQ-T6GF-T6NP	1	SUPPLIES - SIGN HOLDERS	Invoice	11/26/2025	279.96	221-4-5400-4219
101						
19XL-DFN7-CD19	1	SUPPLIES - DRONE	Invoice	12/02/2025	150.98	101-4-2120-4219
221						
1DK6-Y93X-RCD1	1	SUPPLIES - LABEL GUN	Invoice	11/21/2025	29.25	221-4-5430-4219
605						
1J6Q-6HF4-THHD	1	FM REUSABLE BAGS	Invoice	11/26/2025	59.99	605-4-9210-4219
101						
1JQ3-PWHQ-D7GR	1	FIRE STICK FOR CITY HALL BULLETI	Invoice	12/04/2025	35.99	101-4-1120-4201
101						
1KTX-11LC-3C1C	1	MISC WARMING HOUSE SUPPLIES	Invoice	12/07/2025	86.20	101-4-5220-4219

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
221						
1LWH-DRDM-1W7L	1	SHARPS CONTAINERS	Invoice	12/05/2025	32.98	221-4-5400-4219
221						
1NNT-RGMQ-DDMG	1	SUPPLIES - SANTA SUIT	Invoice	11/25/2025	44.79	221-4-5400-4219
101						
1NVC-1DC6-DKDV	1	SWAT EXPENSE - DRONE	Invoice	12/02/2025	1,036.78	101-4-2120-4219
101						
1R4J-6NQQ-D6W4	1	SUPPLIES	Invoice	11/20/2025	30.98	101-4-1210-4201
221						
1TNC-3R64-9Y4Y	1	LACES FOR RESALE	Invoice	11/24/2025	29.98	221-4-5400-4259
290						
1TR7-LP77-FKRK	1	SUPPLIES - FIRE ACADEMY	Invoice	11/20/2025	89.35	290-4-2350-4219
602						
1TY6-9CPX-CQLV	1	SUPPLIES - SLUDGE JUDGE	Invoice	12/03/2025	426.30	602-4-9020-4219
221						
1VNJ-C79F-PD1F	1	CONCESSIONS - SLUSHY SYRUP	Invoice	11/21/2025	140.04	221-4-5430-4259
602						
1W1G-9W73-MM1D	1	SUPPLIES	Invoice	11/19/2025	35.59	602-4-9020-4219
101						
1WTW-7CLD-3FFL	1	SUPPLIES - CARD STOCK	Invoice	12/08/2025	2.40	101-4-1120-4201
101						
1WTW-7CLD-3FFL	2	SUPPLIES - CARD STOCK	Invoice	12/08/2025	9.58	101-4-1210-4201
101						
1WTW-7CLD-3FFL	3	SUPPLIES - CARD STOCK	Invoice	12/08/2025	2.40	101-4-1220-4201
101						
1WTW-7CLD-3FFL	4	SUPPLIES - CARD STOCK	Invoice	12/08/2025	2.40	101-4-1310-4201
101						
1WTW-7CLD-3FFL	5	SUPPLIES - CARD STOCK	Invoice	12/08/2025	7.19	101-4-1510-4201
101						
1WTW-7CLD-3FFL	6	SUPPLIES - CARD STOCK	Invoice	12/08/2025	4.31	101-4-2410-4201
101						
1WTW-7CLD-3FFL	7	SUPPLIES - CARD STOCK	Invoice	12/08/2025	4.31	101-4-2440-4219
101						
1WTW-7CLD-3FFL	8	SUPPLIES - CARD STOCK	Invoice	12/08/2025	4.79	101-4-3300-4201
101						
1WTW-7CLD-3FFL	9	SUPPLIES - CARD STOCK	Invoice	12/08/2025	5.75	101-4-5210-4219
101						
1WTW-7CLD-3FFL	10	SUPPLIES - CARD STOCK	Invoice	12/08/2025	4.79	101-4-6210-4440
221						
1XFL-4HPJ-PC6M	1	CONCESSIONS/CATERING SUPPLIE	Invoice	11/21/2025	22.99	221-4-5430-4219
221						
1XFL-4HPJ-PC6M	2	SUPPLIES - FRAMES	Invoice	11/21/2025	37.89	221-4-5400-4219
605						
1YKR-GJVD-DPPH	1	SUPPLIES - TOTE BAGS	Invoice	12/01/2025	50.99	605-4-9210-4219
Total 13706 AMAZON CAPITAL SERVICES:					2,922.16	
ARTISAN BEER COMPANY						
603						
3815356	1	BEER	Invoice	12/03/2025	463.05	603-4-9111-4252
603						
3815357	1	THC PRODUCTS	Invoice	12/03/2025	124.30	603-4-9111-4256
603						
3815358	1	BEER	Invoice	12/03/2025	152.40	603-4-9151-4252
603						
3815359	1	THC PROD	Invoice	12/03/2025	55.70	603-4-9151-4256

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
Total 12167 ARTISAN BEER COMPANY:					795.45	
BC SOLUTIONS LLC						
101 3397607	1	DAMPER ACTUATERS	Invoice	11/20/2025	496.78	101-4-1600-4219
Total 15060 BC SOLUTIONS LLC:					496.78	
BELLBOY CORPORATION						
603 209650800	1	WINE	Invoice	11/24/2025	64.00	603-4-9111-4253
603 209650800	2	FREIGHT	Invoice	11/24/2025	13.50	603-4-9111-4332
603 209729100	1	WINE	Invoice	12/02/2025	128.00	603-4-9111-4253
603 209729100	2	FREIGHT	Invoice	12/02/2025	13.50	603-4-9111-4332
603 209747600	1	FREIGHT CREDIT	Invoice	11/25/2025	11.85-	603-4-9111-4332
603 209841400	1	WINE CREDIT	Invoice	12/05/2025	64.00-	603-4-9111-4253
Total 11800 BELLBOY CORPORATION:					143.15	
BENEFIT EXTRAS, INC.						
101 1477659	1	COBRA ADMINISTRATION-NOV	Invoice	12/09/2025	105.00	101-4-1220-4319
Total 52492 BENEFIT EXTRAS, INC.:					105.00	
BERNICK'S						
603 10429371	1	POP	Invoice	11/25/2025	55.44	603-4-9111-4255
603 10429372	1	THC PRODUCTS	Invoice	11/25/2025	79.80	603-4-9111-4256
603 10429373	1	BEER	Invoice	11/25/2025	768.20	603-4-9111-4252
603 10429374	1	POP	Invoice	11/25/2025	20.00	603-4-9151-4255
603 10429375	1	BEER	Invoice	11/25/2025	582.50	603-4-9151-4252
603 10432316	1	POP	Invoice	12/03/2025	86.76	603-4-9111-4255
603 10432317	1	THC PRODUCTS	Invoice	12/03/2025	379.80	603-4-9111-4256
603 10432318	1	BEER	Invoice	12/03/2025	3,624.70	603-4-9111-4252
603 10432319	1	POP/MISC	Invoice	12/03/2025	123.54	603-4-9151-4255
603 10432320	1	THC PRODUCTS	Invoice	12/03/2025	100.00	603-4-9151-4256
603 10432321	1	BEER	Invoice	12/03/2025	1,143.20	603-4-9151-4252
221 181190	1	SUPPLIES - CUPS	Invoice	12/01/2025	92.79	221-4-5430-4219

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
221						
181463	1	FOUNTAIN POP	Invoice	12/02/2025	482.52	221-4-5430-4259
Total 11950 BERNICK'S:					7,539.25	
BERRY COFFEE COMPANY						
101						
1088459	1	COFFEE - PD	Invoice	12/08/2025	76.00	101-4-2190-4219
Total 11959 BERRY COFFEE COMPANY:					76.00	
BLACKHAWK PEST CONTROL, LLC						
221						
51988	1	PEST CONTROL-FTCENTER	Invoice	11/24/2025	125.00	221-4-5400-4401
101						
51990	1	PEST CONTROL - CITY HALL	Invoice	11/24/2025	125.00	101-4-1600-4401
101						
51991	1	PEST CONTROL - FS3	Invoice	11/24/2025	52.50	101-4-2310-4401
603						
51992	1	PEST CONTROL - NB	Invoice	11/24/2025	64.19	603-4-9112-4404
101						
51993	1	PEST CONTROL- PW	Invoice	11/24/2025	110.00	101-4-3120-4401
603						
51994	1	PEST CONTROL-WB	Invoice	11/24/2025	55.56	603-4-9152-4404
Total 14717 BLACKHAWK PEST CONTROL, LLC:					532.25	
BREAKTHRU BEVERAGE MINNESOTA						
603						
124586484	1	LIQUOR	Invoice	12/04/2025	1,248.40	603-4-9151-4251
603						
124586484	2	FREIGHT	Invoice	12/04/2025	13.53	603-4-9151-4332
603						
124586485	1	FREIGHT	Invoice	12/04/2025	1.45	603-4-9151-4332
603						
124586485	2	WINE	Invoice	12/04/2025	128.00	603-4-9151-4253
603						
414045352	1	WINE CREDIT	Invoice	10/08/2025	110.00-	603-4-9151-4253
Total 8002 BREAKTHRU BEVERAGE MINNESOTA:					1,281.38	
603						
124586632	1	POP/MISC	Invoice	12/04/2025	194.50	603-4-9111-4255
603						
124586632	2	FREIGHT	Invoice	12/04/2025	14.50	603-4-9111-4332
603						
124586633	1	LIQUOR	Invoice	12/04/2025	4,310.52	603-4-9111-4251
603						
124586633	2	FREIGHT	Invoice	12/04/2025	68.15	603-4-9111-4332
603						
124586634	1	WINE	Invoice	12/04/2025	3,025.85	603-4-9111-4253
603						
124586634	2	FREIGHT	Invoice	12/04/2025	45.31	603-4-9111-4332
603						
414188339	1	WINE CREDIT	Invoice	11/21/2025	72.00-	603-4-9111-4253
603						
414188339	2	FREIGHT CREDIT	Invoice	11/21/2025	1.45-	603-4-9111-4332

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
414247969	1	LIQUOR CREDIT	Invoice	12/05/2025	3.33-	603-4-9111-4251
603						
414247969	2	FREIGHT CREDIT	Invoice	12/05/2025	.03-	603-4-9111-4332
603						
414247970	1	WINE CREDIT	Invoice	12/05/2025	12.67-	603-4-9111-4253
603						
414247970	2	FREIGHT CREDIT	Invoice	12/05/2025	.12-	603-4-9111-4332
603						
414247971	1	WINE CREDIT	Invoice	12/05/2025	17.33-	603-4-9111-4253
603						
414247971	2	FREIGHT CREDIT	Invoice	12/05/2025	.24-	603-4-9111-4332
603						
414247972	1	LIQUOR CREDIT	Invoice	12/05/2025	13.50-	603-4-9111-4251
603						
414247972	2	FREIGHT CREDIT	Invoice	12/05/2025	.12-	603-4-9111-4332
603						
414247973	1	POP/MISC CREDIT	Invoice	12/05/2025	12.00-	603-4-9111-4255
603						
414247973	2	FREIGHT CREDIT	Invoice	12/05/2025	.24-	603-4-9111-4332
Total 12893 BREAKTHRU BEVERAGE MINNESOTA:					7,525.80	
C & L DISTRIBUTING CO						
603						
2211940	1	LIQUOR	Invoice	11/24/2025	92.80	603-4-9151-4251
603						
2211941	1	BEER	Invoice	11/24/2025	3,025.70	603-4-9151-4252
603						
2211941	2	POP/MISC	Invoice	11/24/2025	30.00	603-4-9151-4255
603						
2214470	1	LIQUOR	Invoice	12/03/2025	1,034.95	603-4-9151-4251
603						
2214471	1	BEER	Invoice	12/03/2025	7,914.35	603-4-9151-4252
Total 8003 C & L DISTRIBUTING CO:					12,097.80	
603						
2210620	1	THC PRODUCTS	Invoice	11/22/2025	150.96	603-4-9111-4256
603						
2210621	1	LIQUOR	Invoice	11/22/2025	429.61	603-4-9111-4251
603						
2210622	1	BEER	Invoice	11/22/2025	5,136.80	603-4-9111-4252
603						
2211267	1	BEER	Invoice	11/22/2025	2,671.20	603-4-9111-4252
603						
2213399	1	LIQUOR	Invoice	12/01/2025	47.50	603-4-9111-4251
603						
2213419	1	THC PRODUCTS	Invoice	12/01/2025	280.00	603-4-9111-4256
603						
2213420	1	BEER	Invoice	12/01/2025	6,457.50	603-4-9111-4252
603						
2213460	1	BEER	Invoice	11/26/2025	354.95	603-4-9111-4252
603						
2215920	1	BEER CREDIT	Invoice	12/03/2025	2.81-	603-4-9111-4252
603						
2215922	1	THC PRODUCTS	Invoice	12/03/2025	450.48	603-4-9111-4256

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
2215923	1	WINE	Invoice	12/03/2025	643.20	603-4-9111-4253
603						
2215923	2	LIQUOR	Invoice	12/03/2025	532.85	603-4-9111-4251
603						
2215924	1	BEER	Invoice	12/03/2025	12,180.95	603-4-9111-4252
603						
2217109	1	LIQUOR	Invoice	12/08/2025	350.10	603-4-9111-4251
603						
2217110	1	BEER	Invoice	12/08/2025	2,679.30	603-4-9111-4252
603						
2217118	1	BEER	Invoice	12/08/2025	617.75	603-4-9111-4252
603						
2616000951	1	BEER CREDIT	Invoice	12/01/2025	128.06-	603-4-9111-4252
Total 13375 C & L DISTRIBUTING CO:					32,852.28	
CENTRAL HYDRAULICS						
101						
660675	1	EQUIPMENT REPAIR	Invoice	11/24/2025	496.16	101-4-5110-4404
Total 11058 CENTRAL HYDRAULICS:					496.16	
CINTAS CORPORATION LOC 470						
602						
4250577770	1	UNIFORM RENTAL/CLEANING	Invoice	11/20/2025	153.88	602-4-9020-4417
603						
4250584527	1	MATS, TOWELS, SCRAPER, MOPS	Invoice	11/20/2025	56.30	603-4-9152-4404
602						
4251281789	1	UNIFORM RENTAL/CLEANING	Invoice	11/26/2025	164.33	602-4-9020-4417
603						
4251282183	1	MATS, TOWELS, SCRAPERS, MOPS	Invoice	11/26/2025	80.04	603-4-9112-4404
603						
4251285806	1	MATS, TOWELS, SCRAPER, MOPS	Invoice	11/26/2025	48.24	603-4-9152-4404
602						
4252146211	1	UNIFORM RENTAL/CLEANING	Invoice	12/05/2025	153.88	602-4-9020-4417
603						
4252146713	1	MATS, TOWELS, SCRAPERS, MOPS	Invoice	12/05/2025	80.04	603-4-9112-4404
603						
4252153056	1	MATS, TOWELS, SCRAPER, MOPS	Invoice	12/05/2025	48.24	603-4-9152-4404
Total 14080 CINTAS CORPORATION LOC 470:					784.95	
COLLINS BROTHERS TOWING						
101						
123529	1	TOWING SVCS 25019394	Invoice	11/26/2025	194.18	101-4-2130-4319
602						
123767	1	CONNEX BOX DELIVERY	Invoice	12/04/2025	250.00	602-4-9020-4319
Total 14425 COLLINS BROTHERS TOWING:					444.18	
CONTINENTAL RESEARCH CORP						
602						
68095	1	SUPPLIES	Invoice	12/03/2025	1,043.00	602-4-9020-4219
602						
68142	1	SUPPLIES - URINAL SCREENS	Invoice	12/05/2025	85.00	602-4-9020-4219

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
Total 14946 CONTINENTAL RESEARCH CORP:					1,128.00	
COUNTRY SIDE SERVICES						
101						
1-110905-01	1	CUTTING EDGES FOR PLOWS	Invoice	12/03/2025	2,222.46	101-4-3130-4219
101						
1-110923-01	1	PLOWING PARTS	Invoice	12/03/2025	1,409.78	101-4-3130-4219
Total 11269 COUNTRY SIDE SERVICES:					3,632.24	
CRYSTAL SPRINGS ICE						
603						
2-503259	1	ICE	Invoice	12/03/2025	104.56	603-4-9111-4255
603						
2-503259	2	FREIGHT	Invoice	12/03/2025	4.00	603-4-9111-4332
Total 52407 CRYSTAL SPRINGS ICE:					108.56	
CUB FOODS						
221						
104304164158	1	CONCESSIONS/CATERING BEVERA	Invoice	11/18/2025	4.99	221-4-5430-4259
101						
104304168489	1	SUPPLIES	Invoice	12/09/2025	45.33	101-4-5510-4219
221						
104305075740	1	CONCESSIONS BEVERAGES	Invoice	11/29/2025	26.42	221-4-5430-4259
101						
104351154266	1	TREATS	Invoice	12/01/2025	54.94	101-4-5510-4219
Total 15550 CUB FOODS:					131.68	
DACOTAH PAPER CO						
101						
56840	1	CLEANING SUPPLIES - PW	Invoice	11/25/2025	669.38	101-4-3120-4219
101						
56841	1	SUPPLIES - ICE MELT	Invoice	11/25/2025	551.74	101-4-2310-4219
101						
56842	1	CLEANING SUPPLIES - FS1	Invoice	11/25/2025	744.29	101-4-2310-4219
221						
57118	1	TRASH LINERS, TOILET TISSUE	Invoice	11/26/2025	293.41	221-4-5400-4219
221						
57119	1	CONCESSIONS PAPER PRODUCTS	Invoice	11/26/2025	230.26	221-4-5430-4219
101						
57121	1	CUPS	Invoice	11/26/2025	66.64	101-4-5510-4219
211						
59112	1	CLEANING SUPPLIES	Invoice	12/02/2025	378.31	211-4-5600-4219
101						
59113	1	SUPPLIES	Invoice	12/02/2025	42.76	101-4-1600-4219
221						
60259	1	TRASH LINERS, URINAL SCREENS, T	Invoice	12/04/2025	550.35	221-4-5400-4219
Total 15887 DACOTAH PAPER CO:					3,527.14	
DAHLHEIMER BEVERAGE, LLC						
603						
2632350	1	LIQUOR	Invoice	11/24/2025	235.00	603-4-9151-4251

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
2632351	1	BEER	Invoice	11/24/2025	11,976.35	603-4-9151-4252
603						
2632815	1	BEER CREDIT	Invoice	11/21/2025	126.90-	603-4-9151-4252
603						
2635166	1	THC PRODUCTS	Invoice	11/28/2025	206.00	603-4-9151-4256
603						
2635167	1	LIQUOR	Invoice	11/28/2025	473.40	603-4-9151-4251
603						
2635168	1	BEER	Invoice	11/28/2025	305.85	603-4-9151-4252
603						
2635173	1	BEER	Invoice	11/28/2025	1,419.80	603-4-9151-4252
603						
2637814	1	BEER	Invoice	12/01/2025	5,782.70	603-4-9151-4252
603						
2637920	1	BEER CREDIT	Invoice	11/28/2025	200.10-	603-4-9151-4252
603						
2641474	1	LIQUOR	Invoice	12/04/2025	421.10	603-4-9151-4251
603						
2641475	1	BEER	Invoice	12/04/2025	1,745.21	603-4-9151-4252
603						
2641819	1	BEER CREDIT	Invoice	12/03/2025	200.80-	603-4-9151-4252
603						
2643231	1	LIQUOR	Invoice	12/08/2025	5,309.00	603-4-9151-4251
603						
2643232	1	BEER	Invoice	12/08/2025	4,254.10	603-4-9151-4252
603						
2643233	1	BEER	Invoice	12/08/2025	86.40	603-4-9151-4252
Total 8005 DAHLHEIMER BEVERAGE, LLC:					31,687.11	
221						
2636744	1	LIQUOR	Invoice	11/28/2025	779.59	221-4-5430-4251
221						
2636744	2	BEER	Invoice	11/28/2025	1,453.21	221-4-5430-4252
221						
2637706	1	LIQUOR CREDITS	Invoice	12/04/2025	101.82-	221-4-5430-4251
221						
2637706	2	BEER CREDIT	Invoice	12/04/2025	18.37-	221-4-5430-4252
221						
2642130	1	LIQUOR	Invoice	12/05/2025	154.15	221-4-5430-4251
221						
2642130	2	BEER	Invoice	12/05/2025	453.00	221-4-5430-4252
Total 15366 DAHLHEIMER BEVERAGE, LLC:					2,719.76	
603						
2632124	1	LIQUOR	Invoice	11/24/2025	105.20	603-4-9111-4251
603						
2632196	1	BEER	Invoice	11/24/2025	14,449.45	603-4-9111-4252
603						
2632943	1	BEER CREDIT	Invoice	11/21/2025	25.75-	603-4-9111-4252
603						
2634896	1	BEER	Invoice	11/26/2025	4,501.60	603-4-9111-4252
603						
2635098	1	THC PRODUCTS	Invoice	11/26/2025	370.00	603-4-9111-4256

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
2637734	1	THC PRODUCTS	Invoice	12/01/2025	148.00	603-4-9111-4256
603						
2637735	1	BEER	Invoice	12/01/2025	18,172.60	603-4-9111-4252
603						
2641004	1	THC PRODUCTS	Invoice	12/04/2025	67.00	603-4-9111-4256
603						
2641005	1	BEER	Invoice	12/04/2025	6,536.90	603-4-9111-4252
603						
2641818	1	BEER CREDIT	Invoice	12/03/2025	64.80-	603-4-9111-4252
603						
2643048	1	BEER	Invoice	12/08/2025	8,638.20	603-4-9111-4252
603						
2643086	1	BEER CREDIT	Invoice	12/05/2025	18.00-	603-4-9111-4252
603						
2643279	1	THC PRODUCTS	Invoice	12/08/2025	922.00	603-4-9111-4256
Total 15900 DAHLHEIMER BEVERAGE, LLC:					53,802.40	
DANIELLE FAULHABER						
101						
99	1	TRANSCRIPTION SERVICES - NOV	Invoice	12/01/2025	522.88	101-4-2150-4409
Total 13642 DANIELLE FAULHABER:					522.88	
DISTINCTIVE WINDOW CLEANING						
603						
11305559	1	EXTERIOR WINDOW CLNG-NB	Invoice	11/26/2025	107.88	603-4-9112-4404
603						
11305559	2	EXTERIOR WINDOW CLNG-WB	Invoice	11/26/2025	108.96	603-4-9152-4404
101						
11305560	1	CITY HALL - EXTERIOR WINDOW CL	Invoice	11/26/2025	262.00	101-4-1600-4401
101						
11305560	2	FIRE DEPT 1 - EXTERIOR WINDOW C	Invoice	11/26/2025	31.00	101-4-2310-4401
101						
11305560	3	FIRE DEPT 2 - EXTERIOR WINDOW C	Invoice	11/26/2025	118.00	101-4-2310-4401
101						
11305560	4	FIRE DEPT 3 - EXTERIOR WINDOW C	Invoice	11/26/2025	533.00	101-4-2310-4401
101						
11305560	5	POLICE DEPT - EXTERIOR WINDOW	Invoice	11/26/2025	256.00	101-4-2190-4401
101						
11305560	6	UTILITIES - EXTERIOR WINDOW CLE	Invoice	11/26/2025	201.00	101-4-1600-4401
211						
11305560	7	LIBRARY - EXTERIOR WINDOW CLE	Invoice	11/26/2025	245.00	211-4-5600-4401
101						
11305560	8	PUBLIC WORKS - EXTERIOR WINDO	Invoice	11/26/2025	162.00	101-4-3120-4401
Total 16448 DISTINCTIVE WINDOW CLEANING:					2,024.84	
E C M PUBLISHERS INC						
101						
1075107	1	BASKETBALL COACH JOB AD	Invoice	11/23/2025	78.40	101-4-5210-4219
101						
1075597	1	SUPPLIES - INVENTORY RECEIPTS	Invoice	11/25/2025	278.00	101-4-2150-4219
101						
1076656	1	LEGAL NOTICE - MASTER FEE SCHE	Invoice	12/06/2025	149.00	101-4-1110-4359

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
Total 17000 E C M PUBLISHERS INC:					505.40	
ELK RIVER MUNICIPAL UTILITIES						
603						
11-26-25 ERMU	1	WATER/ELECTRIC	Invoice	11/26/2025	2,089.14	603-4-9112-4389
101						
11-26-25 ERMU	2	WATER/ELECTRIC	Invoice	11/26/2025	419.90	101-4-5110-4389
602						
11-26-25 ERMU	3	ELECTRIC	Invoice	11/26/2025	688.96	602-4-9050-4389
101						
11-26-25 ERMU	4	ELECTRIC	Invoice	11/26/2025	169.97	101-4-2330-4389
101						
11-26-25 ERMU	5	ELECTRIC	Invoice	11/26/2025	1,214.31	101-4-2310-4389
Total 17700 ELK RIVER MUNICIPAL UTILITIES:					4,582.28	
101						
12-3-25 SA	1	ELECTRIC ASSESSMENTS	Invoice	12/03/2025	3,634.43	101-3-0000-3610
101						
12-3-25 SA	2	WATER ASSESSMENTS	Invoice	12/03/2025	5,086.60	101-3-0000-3610
Total 17701 ELK RIVER MUNICIPAL UTILITIES:					8,721.03	
ENVIRONMENTAL RESOURCE ASC						
602						
112859	1	BLIND SAMPLES	Invoice	06/06/2025	279.22	602-4-9020-4219
Total 18161 ENVIRONMENTAL RESOURCE ASC:					279.22	
FASTENAL COMPANY						
101						
MNELK144759	1	SUPPLIES	Invoice	11/20/2025	29.57	101-4-5110-4219
101						
MNELK144762	1	SUPPLIES - VENDING	Invoice	11/21/2025	106.09	101-4-3120-4219
101						
MNELK144762	2	SUPPLIES - VENDING	Invoice	11/21/2025	72.40	101-4-5110-4219
101						
MNELK144762	3	SUPPLIES - VENDING	Invoice	11/21/2025	48.01	101-4-1600-4219
101						
MNELK144762	4	SUPPLIES - VENDING	Invoice	11/21/2025	126.28	101-4-3150-4219
101						
MNELK144812	1	SUPPLIES - VENDING	Invoice	11/28/2025	31.14	101-4-3120-4219
101						
MNELK144812	2	SUPPLIES - VENDING	Invoice	11/28/2025	18.24	101-4-3150-4219
101						
MNELK144841	1	DRILL BITS	Invoice	12/02/2025	92.26	101-4-5110-4219
Total 18453 FASTENAL COMPANY:					523.99	
FORCE AMERICA DISTRIBUTING						
101						
IN001-2110637	1	PARTS	Invoice	10/30/2025	829.88	101-4-3120-4221
101						
IN001-2111211	1	PARTS	Invoice	11/03/2025	432.34	101-4-3120-4221

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
Total 19286 FORCE AMERICA DISTRIBUTING:					1,262.22	
FUTURE PLUS BATTERIES						
101						
P87479174	1	BATTERY FOR SCISSOR LIFT	Invoice	11/25/2025	592.60	101-4-1600-4219
602						
P87636647	1	SUPPLIES - BATTERY	Invoice	12/01/2025	233.95	602-4-9020-4219
Total 11835 FUTURE PLUS BATTERIES:					826.55	
GERTENS						
101						
7036/11	1	SUPPLIES - GRASS SEED	Invoice	11/24/2025	95.95	101-4-5110-4219
Total 13257 GERTENS:					95.95	
GESTALT ENGINEERING LLC						
228						
1317	1	LANDFILL ASSIST - NOV	Invoice	12/01/2025	1,766.80	228-4-7000-4319
Total 14099 GESTALT ENGINEERING LLC:					1,766.80	
GLOBAL RESERVE LLC - GRD						
603						
ORD-21683	1	THC PRODUCTS	Invoice	12/01/2025	197.00	603-4-9151-4256
Total 15311 GLOBAL RESERVE LLC - GRD:					197.00	
GOODIN COMPANY						
101						
1545359-00	1	PARTS	Invoice	11/21/2025	81.64	101-4-1600-4219
Total 20113 GOODIN COMPANY:					81.64	
GOPHER STATE ONE-CALL INC						
602						
5110375	1	LOCATION CALLS	Invoice	11/30/2025	341.55	602-4-9020-4404
Total 20150 GOPHER STATE ONE-CALL INC:					341.55	
GRAINGER						
221						
9728591562	1	SUPPLIES - SQUEEGEE	Invoice	12/02/2025	180.62	221-4-5400-4219
221						
9728591562	2	HARDWARE FOR CURTAINS	Invoice	12/02/2025	756.27	221-4-5400-4530
602						
9735208424	1	PARTS	Invoice	12/08/2025	120.30	602-4-9020-4219
101						
9735212814	1	SUPPLIES - MIXING VALVE	Invoice	12/08/2025	828.91	101-4-3120-4219
Total 20300 GRAINGER:					1,886.10	
GRANITE CITY JOBBING CO						
603						
494634	1	POP/MISC CREDIT	Invoice	11/21/2025	5.08-	603-4-9151-4255

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
494805	1	POP/MISC	Invoice	11/21/2025	998.60	603-4-9111-4255
603						
494805	2	FREIGHT	Invoice	11/21/2025	5.00	603-4-9111-4332
603						
494805	3	SUPPLIES	Invoice	11/21/2025	49.82	603-4-9112-4219
603						
494808	1	FREIGHT	Invoice	11/21/2025	5.00	603-4-9151-4332
603						
494808	2	POP/MISC	Invoice	11/21/2025	727.61	603-4-9151-4255
603						
494808	3	SUPPLIES	Invoice	11/21/2025	71.66	603-4-9152-4219
603						
495782	1	POP/MISC	Invoice	11/28/2025	546.83	603-4-9111-4255
603						
495782	2	FREIGHT	Invoice	11/28/2025	5.00	603-4-9111-4332
603						
495782	3	SUPPLIES	Invoice	11/28/2025	124.07	603-4-9112-4219
603						
495783	1	FREIGHT	Invoice	11/28/2025	5.00	603-4-9151-4332
603						
495783	2	SUPPLIES	Invoice	11/28/2025	91.62	603-4-9152-4219
603						
495783	3	POP/MISC	Invoice	11/28/2025	173.88	603-4-9151-4255
603						
497049	1	POP/MISC	Invoice	12/05/2025	948.37	603-4-9111-4255
603						
497049	2	FREIGHT	Invoice	12/05/2025	5.00	603-4-9111-4332
603						
497049	3	SUPPLIES	Invoice	12/05/2025	104.23	603-4-9112-4219
603						
497051	1	FREIGHT	Invoice	12/05/2025	5.00	603-4-9151-4332
603						
497051	2	POP/MISC	Invoice	12/05/2025	489.96	603-4-9151-4255
603						
497051	3	SUPPLIES	Invoice	12/05/2025	32.57	603-4-9152-4219
Total 10654 GRANITE CITY JOBBING CO:					4,384.14	
GRIMCO, INC						
101						
34866178-01	1	SIGN MATERIALS	Invoice	11/21/2025	210.58	101-4-1120-4226
101						
34866178-02	1	SIGN MATERIALS	Invoice	11/25/2025	185.91	101-4-1120-4226
101						
34867157-01	1	PAPER FOR SIGNS/BANNERS	Invoice	11/24/2025	232.43	101-4-1120-4226
Total 14770 GRIMCO, INC:					628.92	
HAWKINS & BAUMGARTNER, P.A.						
101						
12-4-2025	1	NOV PROSECUTION SVCS	Invoice	12/04/2025	17,740.02	101-4-1400-4304
Total 21048 HAWKINS & BAUMGARTNER, P.A.:					17,740.02	
HEARTLAND BUSINESS SYSTEMS, LLC						

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
411						
846430-H	1	LENOVO THINKSTATIONS	Invoice	11/26/2025	12,990.00	411-4-1350-4219
Total 14882 HEARTLAND BUSINESS SYSTEMS, LLC:					12,990.00	
HEARTLAND TIRE, INC.						
101						
9050574	1	TIRES #U0016	Invoice	12/02/2025	580.00	101-4-3150-4221
101						
9050575	1	TIRES #U0031	Invoice	12/02/2025	1,879.92	101-4-3150-4221
101						
9050576	1	TIRES #622	Invoice	12/02/2025	720.00	101-4-2120-4221
101						
9050577	1	TIRES - POLICE	Invoice	12/02/2025	1,022.00	101-4-2120-4221
Total 14883 HEARTLAND TIRE, INC.:					4,201.92	
HILLER COMMERCIAL FLOORS						
211						
2117077	1	FLOORING-LIBRARY	Invoice	11/26/2025	145,318.00	211-4-5600-4520
Total 14223 HILLER COMMERCIAL FLOORS:					145,318.00	
INK WIZARDS						
101						
12546	1	FARMERS MARKET STAFF SHIRTS N	Invoice	11/25/2025	72.00	101-4-5230-4219
Total 22250 INK WIZARDS:					72.00	
INVICTUS BREWING LLC						
603						
10352	1	BEER	Invoice	11/28/2025	243.00	603-4-9111-4252
603						
10352	2	THC PRODUCTS	Invoice	11/28/2025	250.00	603-4-9111-4256
Total 52520 INVICTUS BREWING LLC:					493.00	
ISD 728-COMMUNITY EDUCATION						
101						
NOV 2526 -1677	1	GYM RENTAL & BLDG SUPERVISOR	Invoice	12/02/2025	236.25	101-4-5220-4412
Total 21985 ISD 728-COMMUNITY EDUCATION:					236.25	
JARED NIXON						
101						
1381	1	SEARCH WARRANT TRAINING-OKO	Invoice	11/08/2025	195.00	101-4-2130-4331
Total 52351 JARED NIXON:					195.00	
JOHNSON BROS LIQUOR						
603						
157618	1	LIQUOR CREDIT	Invoice	11/06/2025	4.67-	603-4-9111-4251
603						
159638	1	LIQUOR CREDIT	Invoice	11/21/2025	12.71-	603-4-9151-4251
603						
159639	1	LIQUOR CREDIT	Invoice	11/21/2025	8.25-	603-4-9151-4251

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
159640	1	LIQUOR CREDIT	Invoice	11/21/2025	8.25-	603-4-9111-4251
603						
159641	1	LIQUOR CREDIT	Invoice	11/21/2025	22.00-	603-4-9151-4251
603						
2938308	1	LIQUOR	Invoice	12/03/2025	405.00	603-4-9151-4251
603						
2938308	2	FREIGHT	Invoice	12/03/2025	3.48	603-4-9151-4332
603						
2938309	1	WINE	Invoice	12/03/2025	84.00	603-4-9151-4253
603						
2938309	2	FREIGHT	Invoice	12/03/2025	6.96	603-4-9151-4332
603						
2938310	1	LIQUOR	Invoice	12/03/2025	12,344.95	603-4-9111-4251
603						
2938310	2	FREIGHT	Invoice	12/03/2025	239.40	603-4-9111-4332
603						
2938311	1	WINE	Invoice	12/03/2025	5,321.55	603-4-9111-4253
603						
2938311	2	FREIGHT	Invoice	12/03/2025	113.25	603-4-9111-4332
603						
2938312	1	THC PRODUCTS	Invoice	12/03/2025	662.60	603-4-9111-4256
603						
2938313	1	LIQUOR	Invoice	12/03/2025	7,285.17	603-4-9111-4251
603						
2938313	2	FREIGHT	Invoice	12/03/2025	62.64	603-4-9111-4332
603						
2938314	1	POP/MISC	Invoice	12/03/2025	135.00	603-4-9111-4255
603						
2938314	2	FREIGHT	Invoice	12/03/2025	1.74	603-4-9111-4332
603						
2938315	1	FREIGHT	Invoice	12/03/2025	54.23	603-4-9151-4332
603						
2938315	2	LIQUOR	Invoice	12/03/2025	2,448.05	603-4-9151-4251
603						
2938316	1	WINE	Invoice	12/03/2025	1,912.85	603-4-9151-4253
603						
2938316	2	FREIGHT	Invoice	12/03/2025	45.24	603-4-9151-4332
603						
2938317	1	POP/MISC	Invoice	12/03/2025	40.00	603-4-9151-4255
603						
2938317	2	FREIGHT	Invoice	12/03/2025	1.74	603-4-9151-4332
603						
2938318	1	FREIGHT	Invoice	12/03/2025	3.48	603-4-9151-4332
603						
2938318	2	LIQUOR	Invoice	12/03/2025	283.70	603-4-9151-4251
Total 22775 JOHNSON BROS LIQUOR:					31,399.15	
JOHNSON HEALTH TECH RETAIL, INC						
101						
22-046335	1	FITNESS ROOM MAINTENANCE	Invoice	12/02/2025	484.00	101-4-1600-4404
Total 52331 JOHNSON HEALTH TECH RETAIL, INC:					484.00	
JON A POJAR						

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
221						
113025	1	BEVERAGE SALES - NOV	Invoice	12/03/2025	463.00	221-4-5430-4440
Total 52263 JON A POJAR:					463.00	
KRISS PREMIUM PRODUCTS, INC						
221						
198001	1	WATER TREATMENT & TECH SVCS	Invoice	12/03/2025	281.50	221-4-5400-4219
Total 23297 KRISS PREMIUM PRODUCTS, INC:					281.50	
LAKE STATE RECYCLING INC						
603						
112625	1	CARDBOARD RECYCLING-WB	Invoice	11/26/2025	150.00	603-4-9152-4389
Total 13119 LAKE STATE RECYCLING INC:					150.00	
LAWAL SCOTT ERICKSON ARCHITECTS INC						
604						
6239	1	NORTHBOUND/CANNABOUND PROF	Invoice	11/30/2025	16,513.84	604-4-9410-4319
603						
6239	2	NORTHBOUND/CANNABOUND PROF	Invoice	11/30/2025	33,528.12	603-4-9112-4319
Total 52379 LAWAL SCOTT ERICKSON ARCHITECTS INC:					50,041.96	
LEAGUE OF MN CITIES INS TRUST						
291						
25435 - 12/1/25	1	WORK COMP DEDUCTIBLE BILLING	Invoice	12/01/2025	289.79	291-4-7000-4109
291						
25521 - 12/1/25	1	WORK COMP DEDUCTIBLE BILLING	Invoice	12/01/2025	227.83	291-4-7000-4109
Total 23800 LEAGUE OF MN CITIES INS TRUST:					517.62	
291						
40001418 12-2025	1	PREPAID WC INS - JAN/MAR 2026	Invoice	12/04/2025	143,530.00	291-1550
101						
40002926 12-2025	1	PREPAID PROP/CASUALTY INS - JAN	Invoice	12/04/2025	88,243.00	101-1550
Total 23805 LEAGUE OF MN CITIES INS TRUST:					231,773.00	
LITTLE FALLS MACHINE INC						
101						
374847	1	PARTS	Invoice	12/03/2025	2,359.06	101-4-3120-4221
Total 24000 LITTLE FALLS MACHINE INC:					2,359.06	
M R P A						
101						
11324	1	JOB AD BASKETBALL	Invoice	11/21/2025	50.00	101-4-5210-4219
Total 24440 M R P A:					50.00	
MACQUEEN EQUIPMENT, LLC						
101						
P68887	1	PARTS #754	Invoice	11/25/2025	196.74	101-4-5110-4221

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
Total 24575 MACQUEEN EQUIPMENT, LLC:					196.74	
101 P59143	1	SCBA REPAIRS/TESTING	Invoice	12/08/2025	6,643.50	101-4-2320-4404
Total 24576 MACQUEEN EQUIPMENT, LLC:					6,643.50	
MANSFIELD OIL CO						
101 27211447	1	DIESEL FUEL DYED B5	Invoice	11/21/2025	17,356.41	101-4-3120-4212
101 27220652	1	UNLEADED FUEL	Invoice	11/25/2025	18,252.35	101-4-3120-4212
Total 12310 MANSFIELD OIL CO:					35,608.76	
MARCO HOLDINGS LLC						
101 INV14576759	1	EATON IT LICENSE & HOST EXT, PR	Invoice	11/20/2025	199.43	101-4-1350-4404
411 INV14588995	1	DESKTOP COMPUTER	Invoice	11/24/2025	1,095.65	411-4-1350-4219
101 INV14593753	1	OFFICE 365 LICENSES	Invoice	11/24/2025	5,937.93	101-4-1350-4404
101 INV14597285	1	ACE365	Invoice	11/25/2025	6,630.00	101-4-1350-4404
101 INV14599744	1	UPGRADE SIMPLIVITY AND RAPID D	Invoice	11/25/2025	1,092.50	101-4-1350-4319
101 INV14638068	1	INK REFILL	Invoice	12/07/2025	333.58	101-4-1120-4226
Total 24714 MARCO HOLDINGS LLC:					15,289.09	
MARTIES INC						
221 331	1	SNOW MELT	Invoice	12/02/2025	119.92	221-4-5400-4219
Total 15079 MARTIES INC:					119.92	
MAVERICK BEVERAGE CO MN LLC						
603 INV1692799	1	LIQUOR	Invoice	11/21/2025	513.48	603-4-9111-4251
603 INV1692799	2	FREIGHT	Invoice	11/21/2025	10.50	603-4-9111-4332
603 INV1692800	1	WINE	Invoice	11/21/2025	426.64	603-4-9151-4253
603 INV1692800	2	LIQUOR	Invoice	11/21/2025	117.00	603-4-9151-4251
603 INV1692800	3	FREIGHT	Invoice	11/21/2025	14.00	603-4-9151-4332
Total 14588 MAVERICK BEVERAGE CO MN LLC:					1,081.62	
MAX STEININGER INC						
403 PAY APP 2	1	YALE CT/LINE AVE REALIGNMENT	Invoice	11/06/2025	669,158.86	403-4-8440-4530

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
Total 13556 MAX STEININGER INC:					669,158.86	
MENARDS - ELK RIVER						
221						
11302025	1	SUPPLIES	Invoice	11/30/2025	558.43	221-4-5400-4219
602						
11302025	2	SUPPLIES	Invoice	11/30/2025	622.60	602-4-9020-4219
101						
11302025	3	SUPPLIES	Invoice	11/30/2025	455.81	101-4-5110-4219
101						
11302025	4	SUPPLIES	Invoice	11/30/2025	32.86	101-4-1600-4219
211						
11302025	5	SUPPLIES	Invoice	11/30/2025	142.24	211-4-5600-4219
101						
11302025	6	SUPPLIES	Invoice	11/30/2025	1.38	101-4-3120-4219
603						
11302025	7	REPAIR/MAINT SERVICES	Invoice	11/30/2025	35.96	603-4-9112-4404
603						
11302025	8	SUPPLIES	Invoice	11/30/2025	64.07	603-4-9152-4219
101						
11302025	9	SUPPLIES	Invoice	11/30/2025	93.97	101-4-5220-4219
Total 25145 MENARDS - ELK RIVER:					2,007.32	
METRO PRODUCTS LLC						
101						
189249	1	SUPPLIES	Invoice	11/19/2025	118.93	101-4-3120-4219
101						
189249	2	SUPPLIES	Invoice	11/19/2025	118.94	101-4-3150-4219
101						
189249	3	SUPPLIES	Invoice	11/19/2025	118.94	101-4-5110-4219
Total 52382 METRO PRODUCTS LLC:					356.81	
MIDWEST SECURITY & FIRE.C						
602						
R29842	1	FIRE MONITORING SVC	Invoice	12/02/2025	551.88	602-4-9020-4404
Total 13459 MIDWEST SECURITY & FIRE.C:					551.88	
MIDWEST WASH SYSTEMS LLC						
101						
27388	1	BULK SOAP	Invoice	12/04/2025	887.03	101-4-3120-4219
Total 14620 MIDWEST WASH SYSTEMS LLC:					887.03	
MN DEPT OF LABOR & INDUSTRY						
101						
NOV 2025 BP	1	BP SURCHARGE - NOV 25 CONF #N	Invoice	12/03/2025	2,194.21	101-3-0000-3233
Total 26180 MN DEPT OF LABOR & INDUSTRY:					2,194.21	
MN DOT						
401						
902623	1	2025 PAVEMENT STRIPING	Invoice	12/02/2025	16,972.45	401-4-8010-4409

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
Total 26309 MN DOT:					16,972.45	
MN VALLEY TESTING LAB INC						
602						
1334509	1	WATER TESTING	Invoice	11/20/2025	474.40	602-4-9020-4319
602						
1334704	1	WATER TESTING	Invoice	11/21/2025	474.40	602-4-9020-4319
Total 24500 MN VALLEY TESTING LAB INC:					948.80	
MONTICELLO SENIOR CENTER						
101						
12042025	1	CHRISTMAS CAROL TRIP	Invoice	12/04/2025	87.00	101-4-5510-4409
Total 27070 MONTICELLO SENIOR CENTER:					87.00	
MORRELL TRUCKING						
245						
12-15-25 MORRELL	1	TAX REBATE - MORRELL TRUCKING	Invoice	12/03/2025	4,491.14	245-4-6210-4440
Total 27172 MORRELL TRUCKING:					4,491.14	
MR CUTTING EDGE						
221						
7884	1	ICE BLADE SHARPENING	Invoice	11/30/2025	291.00	221-4-5400-4401
Total 13984 MR CUTTING EDGE:					291.00	
N C S I						
221						
64138	1	BACKGROUND CHECK-FTCEC	Invoice	12/01/2025	37.00	221-4-5400-4409
101						
64138	2	BACKGROUND CHECK-RECREATIO	Invoice	12/01/2025	37.00	101-4-5220-4409
Total 27519 N C S I:					74.00	
NAPA OF ELK RIVER, LLC						
101						
319147	1	PARTS #247	Invoice	11/28/2025	313.50	101-4-3120-4221
101						
319849	1	SHOP STOCK - HYDRAULIC HOSE FI	Invoice	12/03/2025	93.50	101-4-3150-4219
Total 52338 NAPA OF ELK RIVER, LLC:					407.00	
NATURAL RESOURCE SERVICES						
101						
5328	1	WOODY REMOVAL - WOODLAND TR	Invoice	11/21/2025	9,100.00	101-4-5110-4409
Total 14354 NATURAL RESOURCE SERVICES:					9,100.00	
OLD WORLD BEER LLC						
603						
163412	1	BEER	Invoice	12/01/2025	110.00	603-4-9111-4252
603						
163412	2	WINE	Invoice	12/01/2025	302.00	603-4-9111-4253

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
163413	1	BEER	Invoice	12/01/2025	110.00	603-4-9151-4252
603						
163413	2	WINE	Invoice	12/01/2025	302.00	603-4-9151-4253
Total 52501 OLD WORLD BEER LLC:					824.00	
ONLINE SOLUTIONS LLC						
290						
6380	1	CITIZENSERVE SOFTWARE-COMPO	Invoice	11/26/2025	2,041.64	290-4-9220-4404
Total 13784 ONLINE SOLUTIONS LLC:					2,041.64	
OXYGEN SERVICE CO, INC						
101						
3636587	1	CYLINDER RENTALS	Invoice	11/30/2025	194.96	101-4-3150-4219
Total 28960 OXYGEN SERVICE CO, INC:					194.96	
PARK CONSTRUCTION CO.						
401						
PAY APP 4	1	2025 STREET IMPROVEMENTS	Invoice	12/10/2025	71,326.57	401-4-8080-4530
Total 14326 PARK CONSTRUCTION CO.:					71,326.57	
PAUL BAERTSCHI						
101						
12082025	1	POLICE BRIEF SUBSCRIPTION	Invoice	12/08/2025	195.00	101-4-2110-4433
Total 11221 PAUL BAERTSCHI:					195.00	
PAUSTIS WINE COMPANY						
603						
281207	1	WINE	Invoice	11/20/2025	495.00	603-4-9111-4253
603						
281207	2	FREIGHT	Invoice	11/20/2025	10.00	603-4-9111-4332
603						
281219	1	WINE	Invoice	11/20/2025	362.96	603-4-9151-4253
603						
281219	2	FREIGHT	Invoice	11/20/2025	10.00	603-4-9151-4332
603						
281239	1	WINE CREDIT	Invoice	11/20/2025	7.98-	603-4-9151-4253
Total 29251 PAUSTIS WINE COMPANY:					869.98	
PERFECTION PLUS, INC.						
101						
316271	1	CLEANING SVCS - TROTT BROOK B	Invoice	12/01/2025	60.00	101-4-5210-4401
211						
316272	1	MONTHLY CONTRACT CLEANING - P	Invoice	12/01/2025	2,490.00	211-4-5600-4405
Total 12651 PERFECTION PLUS, INC.:					2,550.00	
PERFORMANCE FOOD GROUP INC						
221						
790453	1	CONCESSIONS/CATERING BEVERA	Invoice	12/01/2025	404.94	221-4-5430-4259

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
221						
790453	2	SUPPLIES - DISH DETERGENT	Invoice	12/01/2025	233.19	221-4-5430-4219
Total 52463 PERFORMANCE FOOD GROUP INC:					638.13	
PHILLIPS WINE & SPIRITS CO						
603						
5083054	1	LIQUOR	Invoice	11/21/2025	1,336.20	603-4-9111-4251
603						
5083054	2	FREIGHT	Invoice	11/21/2025	24.36	603-4-9111-4332
603						
5083055	1	WINE	Invoice	11/21/2025	3,078.46	603-4-9111-4253
603						
5083055	2	FREIGHT	Invoice	11/21/2025	74.82	603-4-9111-4332
603						
5083056	1	POP/MISC	Invoice	11/21/2025	28.05	603-4-9111-4255
603						
5083056	2	FREIGHT	Invoice	11/21/2025	1.74	603-4-9111-4332
603						
5083057	1	THC PRODUCTS	Invoice	11/21/2025	504.00	603-4-9111-4256
603						
5083058	1	WINE	Invoice	11/21/2025	160.00	603-4-9151-4253
603						
5083058	2	FREIGHT	Invoice	11/21/2025	1.74	603-4-9151-4332
603						
5083059	1	LIQUOR	Invoice	11/21/2025	1,086.60	603-4-9151-4251
603						
5083059	2	FREIGHT	Invoice	11/21/2025	20.88	603-4-9151-4332
603						
5083060	1	FREIGHT	Invoice	11/21/2025	10.15	603-4-9151-4332
603						
5083060	2	WINE	Invoice	11/21/2025	673.75	603-4-9151-4253
603						
5083061	1	POP/MISC	Invoice	11/21/2025	468.70	603-4-9151-4255
603						
5083061	2	FREIGHT	Invoice	11/21/2025	16.16	603-4-9151-4332
603						
5083062	1	THC PRODUCTS	Invoice	11/21/2025	504.00	603-4-9151-4256
603						
5085505	1	FREIGHT	Invoice	11/25/2025	8.70	603-4-9151-4332
603						
5085505	2	LIQUOR	Invoice	11/25/2025	773.80	603-4-9151-4251
603						
5085506	1	FREIGHT	Invoice	11/25/2025	8.70	603-4-9151-4332
603						
5085506	2	WINE	Invoice	11/25/2025	720.00	603-4-9151-4253
603						
5085507	1	FREIGHT	Invoice	11/25/2025	1.74	603-4-9151-4332
603						
5085507	2	POP/MISC	Invoice	11/25/2025	48.15	603-4-9151-4255
603						
5088307	1	LIQUOR	Invoice	12/03/2025	1,397.67	603-4-9111-4251
603						
5088307	2	FREIGHT	Invoice	12/03/2025	20.88	603-4-9111-4332
603						
5088308	1	WINE	Invoice	12/03/2025	1,935.20	603-4-9111-4253

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
5088308	2	FREIGHT	Invoice	12/03/2025	53.94	603-4-9111-4332
603						
5088309	1	POP/MISC	Invoice	12/03/2025	340.50	603-4-9111-4255
603						
5088309	2	FREIGHT	Invoice	12/03/2025	7.09	603-4-9111-4332
603						
5090234	1	FREIGHT	Invoice	12/05/2025	12.18	603-4-9151-4332
603						
5090234	2	LIQUOR	Invoice	12/05/2025	844.80	603-4-9151-4251
603						
5090235	1	FREIGHT	Invoice	12/05/2025	17.40	603-4-9151-4332
603						
5090235	2	WINE	Invoice	12/05/2025	440.00	603-4-9151-4253
603						
5090236	1	POP/MISC	Invoice	12/05/2025	28.05	603-4-9151-4255
603						
5090236	2	FREIGHT	Invoice	12/05/2025	1.74	603-4-9151-4332
603						
5090237	1	THC PRODUCTS	Invoice	12/05/2025	392.00	603-4-9151-4256
Total 29665 PHILLIPS WINE & SPIRITS CO:					15,042.15	
PLAISTED COMPANIES INC						
101						
91413	1	PREMIUM GARDEN MIX	Invoice	11/22/2025	369.50	101-4-3120-4219
101						
99112	1	SUPPLIES-BLACK DIRT	Invoice	11/25/2025	86.85	101-4-5110-4219
Total 29845 PLAISTED COMPANIES INC:					456.35	
PRECISE MRM LLC						
101						
IN200-2009376	1	5MB FLAT DATA PLAN	Invoice	11/26/2025	456.00	101-4-3130-4219
Total 11804 PRECISE MRM LLC:					456.00	
PRO-TEC DESIGN, INC						
292						
121407	1	STATION 3 ACCESS CONTROL ADDI	Invoice	11/26/2025	3,460.19	292-4-2310-4401
101						
121504	1	PRO-TEC SUPPORT	Invoice	11/30/2025	305.00	101-4-1350-4319
Total 30229 PRO-TEC DESIGN, INC:					3,765.19	
PRYES BREWING COMPANY LLC						
603						
W-111732	1	BEER	Invoice	12/04/2025	399.50	603-4-9111-4252
Total 52318 PRYES BREWING COMPANY LLC:					399.50	
QUALITY FLOW SYSTEMS INC						
602						
50109	1	LIFT STATION SERVICE CHECKS	Invoice	11/20/2025	3,400.00	602-4-9050-4404
602						
50124	1	HWY 10 PLC AND EVANS PLC	Invoice	11/24/2025	12,985.00	602-4-9050-4219

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
Total 30500 QUALITY FLOW SYSTEMS INC:					16,385.00	
RAFTERS BREWING LLC						
603 IN-7597	1	BEER	Invoice	11/21/2025	633.00	603-4-9111-4252
603 IN-7712	1	BEER	Invoice	12/03/2025	332.00	603-4-9111-4252
Total 52504 RAFTERS BREWING LLC:					965.00	
RAN PROPERTIES LLC						
245 12-15-25 GATR	1	TAX REBATE - GATR	Invoice	12/03/2025	16,342.78	245-4-6210-4440
Total 13377 RAN PROPERTIES LLC:					16,342.78	
RCX SPORTS LLC						
101 24000025174	1	FLAG FOOTBALL SUPPLIES	Invoice	12/03/2025	1,162.55	101-4-5220-4219
Total 52528 RCX SPORTS LLC:					1,162.55	
RED BULL DISTRIBUTION COM						
603 5020233721	1	POP/MISC	Invoice	12/03/2025	265.93	603-4-9151-4255
Total 12944 RED BULL DISTRIBUTION COM:					265.93	
REPUBLIC SERVICES #899						
101 0899-004891851	1	GARBAGE SVC - RIVERS EDGE	Invoice	11/30/2025	213.63	101-4-5110-4389
101 899-004891465	1	NOV COMM GARBAGE SVC	Invoice	11/30/2025	230.23	101-4-1600-4389
101 899-004891465	2	NOV COMM GARBAGE SVC	Invoice	11/30/2025	171.73	101-4-2190-4389
101 899-004891465	3	NOV COMM GARBAGE SVC	Invoice	11/30/2025	1,147.03	101-4-3120-4389
603 899-004891465	4	NOV COMM GARBAGE SVC	Invoice	11/30/2025	89.06	603-4-9112-4389
603 899-004891465	5	NOV COMM GARBAGE SVC	Invoice	11/30/2025	89.06	603-4-9152-4389
602 899-004891465	6	NOV COMM GARBAGE SVC	Invoice	11/30/2025	171.66	602-4-9020-4389
602 899-004891465	7	NOV COMM GARBAGE SVC	Invoice	11/30/2025	273.68	602-4-9020-4384
101 899-004891465	8	NOV COMM GARBAGE SVC	Invoice	11/30/2025	98.72	101-4-2310-4389
101 899-004891465	9	NOV COMM GARBAGE SVC-FS 3	Invoice	11/30/2025	141.78	101-4-2310-4389
221 899-004891465	10	NOV COMM GARBAGE SVC	Invoice	11/30/2025	1,007.10	221-4-5400-4389
228 899-004891465	11	NOV COMM GARBAGE SVC	Invoice	11/30/2025	288.25	228-4-7000-4389
101 899-004891465	12	NOV COMM GARBAGE SVC	Invoice	11/30/2025	670.05	101-4-5110-4389

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
211						
899-004891465	13	NOV COMM GARBAGE SVC	Invoice	11/30/2025	1,468.83	211-4-5600-4389
605						
899-004892511	1	RESIDENTIAL GARBAGE SVC	Invoice	11/30/2025	102,272.84	605-4-9210-4409
Total 10407 REPUBLIC SERVICES #899:					108,333.65	
SBH PROPERTIES LLC						
245						
12-15-25 APEX	1	TAX REBATE - APEX 2025	Invoice	12/03/2025	7,665.29	245-4-6210-4440
Total 13926 SBH PROPERTIES LLC:					7,665.29	
SHERWIN-WILLIAMS						
211						
51731145961225	1	PAINT	Invoice	12/04/2025	55.45	211-4-5600-4219
Total 32280 SHERWIN-WILLIAMS:					55.45	
SNAP-ON INDUSTRIAL						
101						
ARV/66493886	1	SHOP TOOLS	Invoice	11/25/2025	246.88	101-4-3150-4219
Total 32650 SNAP-ON INDUSTRIAL:					246.88	
SOUTHERN GLAZER'S WINE & SPIRITS OF MN						
603						
2697379	1	FREIGHT	Invoice	11/26/2025	3.84	603-4-9151-4332
603						
2697380	1	LIQUOR	Invoice	11/26/2025	1,038.60	603-4-9151-4251
603						
2697380	2	FREIGHT	Invoice	11/26/2025	3.84	603-4-9151-4332
603						
2697381	1	FREIGHT	Invoice	11/26/2025	26.88	603-4-9151-4332
603						
2697381	2	WINE	Invoice	11/26/2025	1,724.44	603-4-9151-4253
603						
2699907	1	FREIGHT	Invoice	12/04/2025	52.69	603-4-9151-4332
603						
2699907	2	LIQUOR	Invoice	12/04/2025	3,709.06	603-4-9151-4251
603						
2699907	3	WINE	Invoice	12/04/2025	337.50	603-4-9151-4253
603						
2699908	1	FREIGHT	Invoice	12/04/2025	19.20	603-4-9151-4332
603						
2699908	2	WINE	Invoice	12/04/2025	951.30	603-4-9151-4253
603						
5132573	1	LIQUOR	Invoice	12/04/2025	269.96	603-4-9151-4251
603						
5132573	2	FREIGHT	Invoice	12/04/2025	1.28	603-4-9151-4332
Total 8000 SOUTHERN GLAZER'S WINE & SPIRITS OF MN:					8,138.59	
603						
2697378	1	FREIGHT	Invoice	11/26/2025	3.75	603-4-9111-4332
603						
2699904	1	LIQUOR	Invoice	12/04/2025	8,408.34	603-4-9111-4251

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
2699904	2	WINE	Invoice	12/04/2025	98.00	603-4-9111-4253
603						
2699904	3	FREIGHT	Invoice	12/04/2025	94.17	603-4-9111-4332
603						
2699905	1	WINE	Invoice	12/04/2025	1,448.57	603-4-9111-4253
603						
2699905	2	FREIGHT	Invoice	12/04/2025	25.00	603-4-9111-4332
603						
2699906	1	FREIGHT	Invoice	12/04/2025	1.87	603-4-9111-4332
603						
5132571	1	LIQUOR	Invoice	11/26/2025	269.96	603-4-9111-4251
603						
5132571	2	FREIGHT	Invoice	11/26/2025	1.25	603-4-9111-4332
603						
5132572	1	WINE	Invoice	11/26/2025	416.00	603-4-9111-4253
603						
5132572	2	FREIGHT	Invoice	11/26/2025	6.25	603-4-9111-4332
603						
9673670	1	LIQUOR CREDIT	Invoice	12/05/2025	99.00-	603-4-9111-4251
603						
9673693	1	LIQUOR CREDIT	Invoice	12/05/2025	51.45-	603-4-9111-4251
603						
9673871	1	FREIGHT CREDIT	Invoice	12/05/2025	1.25-	603-4-9111-4332
Total 11314 SOUTHERN GLAZER'S WINE & SPIRITS OF MN:					10,621.46	
STAPLES BUSINESS ADVANTAGE						
101						
7007858697	1	SUPPLIES-EDA	Invoice	11/30/2025	2.88	101-4-6210-4440
603						
7007858697	2	SUPPLIES-WB	Invoice	11/30/2025	33.78	603-4-9152-4219
101						
7007858697	3	SUPPLIES	Invoice	11/30/2025	3.59	101-4-5210-4219
101						
7007858697	4	SUPPLIES	Invoice	11/30/2025	1.79	101-4-3300-4201
101						
7007858697	5	SUPPLIES	Invoice	11/30/2025	.72	101-4-2440-4219
101						
7007858697	6	SUPPLIES	Invoice	11/30/2025	5.38	101-4-2410-4201
101						
7007858697	7	SUPPLIES	Invoice	11/30/2025	5.38	101-4-1510-4201
101						
7007858697	8	SUPPLIES	Invoice	11/30/2025	22.22	101-4-1310-4201
101						
7007858697	9	SUPPLIES	Invoice	11/30/2025	13.31	101-4-1220-4201
101						
7007858697	10	SUPPLIES	Invoice	11/30/2025	32.66	101-4-1210-4201
101						
7007858697	11	SUPPLIES	Invoice	11/30/2025	1.79	101-4-1120-4201
Total 33059 STAPLES BUSINESS ADVANTAGE:					123.50	
STATE OF MINNESOTA						
101						
Decals 2026 - CD	1	2026 DECALS - 50 #123048	Invoice	12/02/2025	100.00	101-4-3150-4219

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
101						
Decals 2026 - MB	1	2026 DECALS - 10 #190281	Invoice	12/02/2025	20.00	101-4-3150-4219
101						
Decals 2026 - ST	1	2026 DECALS - 15 #190301	Invoice	12/02/2025	30.00	101-4-3150-4219
Total 33148 STATE OF MINNESOTA:					150.00	
STEP SAVER INC						
101						
186663	1	SERVICE CALL/FILTER INSTALL	Invoice	07/31/2025	195.98	101-4-1600-4401
101						
188900	1	BULK SALT -- POLICE DEPARTMENT	Invoice	10/09/2025	139.50	101-4-2160-4219
101						
190005	1	BULK SALT -- POLICE DEPARTMENT	Invoice	11/19/2025	133.50	101-4-2190-4219
Total 13048 STEP SAVER INC:					468.98	
SUMMIT COMPANIES						
221						
3677672	1	YEARLY ANSUL INSPECTION	Invoice	11/25/2025	407.50	221-4-5400-4401
Total 33444 SUMMIT COMPANIES:					407.50	
SUPERIOR CAPITAL HOLDINGS						
101						
2511870	1	SUPPLIES - BATTERIES	Invoice	11/25/2025	1,051.20	101-4-3120-4219
101						
2511874	1	SUPPLIES - HEADSETS	Invoice	11/18/2025	4,350.11	101-4-3120-4219
101						
2512251	1	SUPPLIES - HEADSET	Invoice	11/26/2025	1,182.00	101-4-5110-4219
Total 15211 SUPERIOR CAPITAL HOLDINGS:					6,583.31	
SYSCO MINNESOTA INC						
221						
647291698	1	SUPPLIES - PLATES/TOWELS	Invoice	12/04/2025	119.93	221-4-5430-4219
221						
647291698	2	CATERING/CONCESSIONS FOOD &	Invoice	12/04/2025	1,545.31	221-4-5430-4259
Total 12551 SYSCO MINNESOTA INC:					1,665.24	
THE AMERICAN BOTTLING CO						
603						
4851001956	1	POP/MISC	Invoice	12/01/2025	341.08	603-4-9151-4255
603						
4851001964	1	POP	Invoice	12/01/2025	321.00	603-4-9111-4255
Total 10415 THE AMERICAN BOTTLING CO:					662.08	
THE UPS STORE #5093						
101						
P055093A 364286	1	SHIPPING FIRE GEAR	Invoice	09/30/2025	742.82	101-4-2310-4322
Total 35549 THE UPS STORE #5093:					742.82	
THE WINE COMPANY						

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
603						
317837	1	LIQUOR	Invoice	11/21/2025	202.00	603-4-9111-4251
603						
317837	2	WINE	Invoice	11/21/2025	834.00	603-4-9111-4253
603						
317837	3	FREIGHT	Invoice	11/21/2025	30.00	603-4-9111-4332
603						
317841	1	FREIGHT	Invoice	11/21/2025	27.00	603-4-9151-4332
603						
317841	2	LIQUOR	Invoice	11/21/2025	202.00	603-4-9151-4251
603						
317841	3	WINE	Invoice	11/21/2025	630.00	603-4-9151-4253
Total 36423 THE WINE COMPANY:					1,925.00	
TKDA						
602						
2025006959	1	UPLAND SANITARY SEWER DESIGN	Invoice	12/01/2025	910.00	602-4-9070-4319
Total 11555 TKDA:					910.00	
TRADEWINDS ELECTRIC, LLC						
221						
25307	1	HS LOCKER RM LIGHTS/ FIXTURE R	Invoice	08/21/2025	3,385.00	221-4-5400-4401
Total 34572 TRADEWINDS ELECTRIC, LLC:					3,385.00	
TRANSUNION RISK & ALTERNATIVE						
101						
556261-202511-1	1	ONLINE INVESTIGATIVE SVCS	Invoice	12/01/2025	110.00	101-4-2130-4433
Total 12665 TRANSUNION RISK & ALTERNATIVE:					110.00	
TROJAN TECHNOLOGIES CORP						
602						
200/50008197	1	HYDRAULIC HOSES	Invoice	11/19/2025	598.65	602-4-9020-4219
Total 52374 TROJAN TECHNOLOGIES CORP:					598.65	
URBAN GROWLER BREWING COMPANY, LLC						
603						
E-41638	1	BEER	Invoice	12/02/2025	371.00	603-4-9111-4252
603						
E-41639	1	BEER	Invoice	12/02/2025	273.50	603-4-9151-4252
Total 52364 URBAN GROWLER BREWING COMPANY, LLC:					644.50	
US FOODS, INC						
221						
5634253	1	CUPS/STRAWS/PLATES	Invoice	12/02/2025	117.37	221-4-5430-4219
221						
5634253	2	CATERING/CONCESSIONS FOOD &	Invoice	12/02/2025	2,089.67	221-4-5430-4259
Total 52522 US FOODS, INC:					2,207.04	
UTILITY CONSULTANTS, INC						

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
602						
126092	1	SAMPLE TESTING	Invoice	12/04/2025	3,071.73	602-4-9020-4319
Total 35571 UTILITY CONSULTANTS, INC:					3,071.73	
VESTIS GROUP INC						
221						
2500839904	1	CONCESSIONS - MOPS/LINENS/NAP	Invoice	11/20/2025	22.86	221-4-5430-4219
221						
2500845698	1	CONCESSIONS - MOPS/LINENS/NAP	Invoice	11/27/2025	22.86	221-4-5430-4219
221						
2500845700	1	LOBBY RUGS	Invoice	11/27/2025	23.31	221-4-5400-4219
221						
2500851502	1	CONCESSIONS - MOPS/LINENS/NAP	Invoice	12/04/2025	22.86	221-4-5430-4219
Total 52462 VESTIS GROUP INC:					91.89	
VIKING COCA-COLA CO						
603						
3808546	1	POP	Invoice	11/21/2025	1,108.30	603-4-9111-4255
603						
3808590	1	POP/MISC	Invoice	11/26/2025	893.30	603-4-9151-4255
Total 35725 VIKING COCA-COLA CO:					2,001.60	
VINOCOPIA						
603						
384363-CM	1	WINE CREDIT	Invoice	11/25/2025	96.00-	603-4-9111-4253
603						
386119-IN	1	LIQUOR	Invoice	12/03/2025	132.30	603-4-9111-4251
603						
386120-IN	1	LIQUOR	Invoice	12/03/2025	338.25	603-4-9111-4251
603						
386120-IN	2	WINE	Invoice	12/03/2025	336.00	603-4-9111-4253
603						
386120-IN	3	FREIGHT	Invoice	12/03/2025	12.50	603-4-9111-4332
Total 35763 VINOCOPIA:					723.05	
WASTE MANAGEMENT CORP SVCS						
605						
50148-1706-7	1	GARBAGE TIPPING FEES 11/1 - 11/15	Invoice	11/17/2025	24,022.55	605-4-9210-4384
607						
50161-1706-0	1	STREET SWEEPING	Invoice	12/01/2025	10,126.56	607-4-9310-4409
605						
50189-1706-1	1	GARBAGE TIPPING FEES 11/16-11/30	Invoice	12/01/2025	24,185.86	605-4-9210-4384
Total 36033 WASTE MANAGEMENT CORP SVCS:					58,334.97	
WELLINGTON SECURITY SYSTEMS						
603						
217750	1	BURGLARY MONITORING - NB	Invoice	12/01/2025	243.85	603-4-9112-4404
Total 36198 WELLINGTON SECURITY SYSTEMS:					243.85	
WINDSTREAM						

Invoice Number	Sequence Number	Description	Type	Invoice Date	Invoice Amount	GL Account Number
101						
12-03-25	1	PHONE LINE CHGS-FIRE	Invoice	12/03/2025	131.78	101-4-2310-4321
101						
12-03-25	2	PHONE LINE CHGS-FIRE INSP	Invoice	12/03/2025	52.08	101-4-2320-4321
Total 11102 WINDSTREAM:					183.86	
WINE MERCHANTS						
603						
7544633	1	WINE	Invoice	12/03/2025	2,148.00	603-4-9111-4253
603						
7544633	2	FREIGHT	Invoice	12/03/2025	20.01	603-4-9111-4332
603						
7544634	1	POP/MISC	Invoice	12/03/2025	136.00	603-4-9111-4255
603						
7544634	2	FREIGHT	Invoice	12/03/2025	1.74	603-4-9111-4332
603						
7544635	1	FREIGHT	Invoice	12/03/2025	14.65	603-4-9151-4332
603						
7544635	2	WINE	Invoice	12/03/2025	965.24	603-4-9151-4253
603						
7545108	1	FREIGHT	Invoice	12/05/2025	1.74	603-4-9151-4332
603						
7545108	2	WINE	Invoice	12/05/2025	80.00	603-4-9151-4253
Total 36425 WINE MERCHANTS:					3,367.38	
Total :					1,852,822.08	
Grand Totals:					1,852,822.08	

Summary by General Ledger Account Number

GL Account Number	Debit	Credit	Net
101-1550	88,243.00	.00	88,243.00
101-3-0000-3233	2,194.21	.00	2,194.21
101-3-0000-3610	8,721.03	.00	8,721.03
101-4-1110-4359	149.00	.00	149.00
101-4-1120-4201	40.18	.00	40.18
101-4-1120-4226	962.50	.00	962.50
101-4-1210-4201	73.22	.00	73.22
101-4-1210-4321	38.23	.00	38.23
101-4-1220-4201	15.71	.00	15.71
101-4-1220-4319	105.00	.00	105.00
101-4-1310-4201	24.62	.00	24.62
101-4-1350-4219	87.60	.00	87.60
101-4-1350-4319	1,397.50	.00	1,397.50
101-4-1350-4321	143.66	.00	143.66
101-4-1350-4404	12,767.36	.00	12,767.36
101-4-1400-4304	17,740.02	.00	17,740.02
101-4-1510-4201	12.57	.00	12.57
101-4-1600-4219	1,294.65	.00	1,294.65
101-4-1600-4321	128.07	.00	128.07

Summary by General Ledger Account Number

GL Account Number	Debit	Credit	Net
101-4-1600-4389	230.23	.00	230.23
101-4-1600-4401	783.98	.00	783.98
101-4-1600-4404	484.00	.00	484.00
101-4-2110-4321	3,352.25	.00	3,352.25
101-4-2110-4433	195.00	.00	195.00
101-4-2120-4217	381.00	.00	381.00
101-4-2120-4219	1,481.63	.00	1,481.63
101-4-2120-4221	1,742.00	.00	1,742.00
101-4-2130-4217	379.74	.00	379.74
101-4-2130-4319	194.18	.00	194.18
101-4-2130-4331	195.00	.00	195.00
101-4-2130-4433	271.04	.00	271.04
101-4-2150-4219	278.00	.00	278.00
101-4-2150-4409	522.88	.00	522.88
101-4-2160-4219	139.50	.00	139.50
101-4-2190-4219	209.50	.00	209.50
101-4-2190-4389	171.73	.00	171.73
101-4-2190-4401	3,873.53	.00	3,873.53
101-4-2310-4217	457.64	.00	457.64
101-4-2310-4219	1,296.03	.00	1,296.03
101-4-2310-4321	763.53	.00	763.53
101-4-2310-4322	742.82	.00	742.82
101-4-2310-4389	1,454.81	.00	1,454.81
101-4-2310-4401	734.50	.00	734.50
101-4-2320-4321	52.08	.00	52.08
101-4-2320-4404	6,643.50	.00	6,643.50
101-4-2330-4389	169.97	.00	169.97
101-4-2410-4201	9.69	.00	9.69
101-4-2440-4219	5.03	.00	5.03
101-4-3120-4201	19.20	.00	19.20
101-4-3120-4212	35,608.76	.00	35,608.76
101-4-3120-4219	8,413.67	.00	8,413.67
101-4-3120-4221	3,934.78	.00	3,934.78
101-4-3120-4389	1,147.03	.00	1,147.03
101-4-3120-4401	272.00	.00	272.00
101-4-3120-4409	1,439.30	.00	1,439.30
101-4-3130-4219	4,088.24	.00	4,088.24
101-4-3150-4219	948.80	.00	948.80
101-4-3150-4221	2,459.92	.00	2,459.92
101-4-3300-4201	6.58	.00	6.58
101-4-5110-4219	2,317.91	.00	2,317.91
101-4-5110-4221	498.67	.00	498.67
101-4-5110-4389	1,303.58	.00	1,303.58
101-4-5110-4404	496.16	.00	496.16
101-4-5110-4409	9,100.00	.00	9,100.00
101-4-5210-4219	137.74	.00	137.74
101-4-5210-4401	60.00	.00	60.00
101-4-5220-4219	1,342.72	.00	1,342.72
101-4-5220-4409	37.00	.00	37.00
101-4-5220-4412	236.25	.00	236.25
101-4-5230-4219	72.00	.00	72.00
101-4-5510-4219	166.91	.00	166.91
101-4-5510-4409	87.00	.00	87.00
101-4-6210-4440	7.67	.00	7.67
211-4-5600-4219	576.00	.00	576.00

Summary by General Ledger Account Number

GL Account Number	Debit	Credit	Net
211-4-5600-4389	1,468.83	.00	1,468.83
211-4-5600-4401	245.00	.00	245.00
211-4-5600-4405	2,490.00	.00	2,490.00
211-4-5600-4520	145,318.00	.00	145,318.00
221-4-5400-4219	2,434.04	.00	2,434.04
221-4-5400-4259	29.98	.00	29.98
221-4-5400-4389	1,007.10	.00	1,007.10
221-4-5400-4401	4,208.50	.00	4,208.50
221-4-5400-4409	37.00	.00	37.00
221-4-5400-4530	756.27	.00	756.27
221-4-5430-4219	914.36	.00	914.36
221-4-5430-4251	933.74	101.82-	831.92
221-4-5430-4252	1,906.21	18.37-	1,887.84
221-4-5430-4259	4,693.89	.00	4,693.89
221-4-5430-4440	463.00	.00	463.00
228-4-7000-4319	1,766.80	.00	1,766.80
228-4-7000-4389	288.25	.00	288.25
245-4-6210-4440	45,679.91	.00	45,679.91
290-4-2350-4219	89.35	.00	89.35
290-4-9220-4404	2,041.64	.00	2,041.64
291-1550	143,530.00	.00	143,530.00
291-4-7000-4109	517.62	.00	517.62
292-4-2310-4401	3,460.19	.00	3,460.19
296-4-7000-4520	5,820.64	.00	5,820.64
401-4-8010-4409	16,972.45	.00	16,972.45
401-4-8080-4530	71,326.57	.00	71,326.57
403-4-8440-4530	669,158.86	.00	669,158.86
411-4-1350-4219	14,085.65	.00	14,085.65
602-4-9010-4321	44.92	.00	44.92
602-4-9020-4219	3,464.60	.00	3,464.60
602-4-9020-4319	4,270.53	.00	4,270.53
602-4-9020-4384	273.68	.00	273.68
602-4-9020-4389	171.66	.00	171.66
602-4-9020-4404	893.43	.00	893.43
602-4-9020-4417	472.09	.00	472.09
602-4-9050-4219	12,985.00	.00	12,985.00
602-4-9050-4389	688.96	.00	688.96
602-4-9050-4404	3,400.00	.00	3,400.00
602-4-9070-4319	910.00	.00	910.00
603-4-9111-4251	38,004.10	180.20-	37,823.90
603-4-9111-4252	89,341.65	239.42-	89,102.23
603-4-9111-4253	20,273.83	262.00-	20,011.83
603-4-9111-4255	5,003.91	12.00-	4,991.91
603-4-9111-4256	4,388.94	.00	4,388.94
603-4-9111-4332	990.86	15.30-	975.56
603-4-9112-4219	278.12	.00	278.12
603-4-9112-4319	33,528.12	.00	33,528.12
603-4-9112-4389	2,178.20	.00	2,178.20
603-4-9112-4404	611.96	.00	611.96
603-4-9151-4251	19,993.22	42.96-	19,950.26
603-4-9151-4252	38,772.06	527.80-	38,244.26
603-4-9151-4253	9,898.68	117.98-	9,780.70
603-4-9151-4255	3,874.20	5.08-	3,869.12
603-4-9151-4256	1,454.70	.00	1,454.70
603-4-9151-4332	423.87	.00	423.87

Summary by General Ledger Account Number

GL Account Number	Debit	Credit	Net
603-4-9152-4219	293.70	.00	293.70
603-4-9152-4389	239.06	.00	239.06
603-4-9152-4404	2,213.67	.00	2,213.67
604-4-9410-4319	16,513.84	.00	16,513.84
605-4-9210-4219	110.98	.00	110.98
605-4-9210-4384	48,208.41	.00	48,208.41
605-4-9210-4409	102,272.84	.00	102,272.84
607-4-9310-4409	10,126.56	.00	10,126.56
Grand Totals:	1,854,345.01	1,522.93-	1,852,822.08

Summary by General Ledger Posting Period

GL Posting Period	Debit	Credit	Net
00/00	1,854,345.01	1,522.93-	1,852,822.08
Grand Totals:	1,854,345.01	1,522.93-	1,852,822.08

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount	Bank Number
131306										
12/25	12/05/2025	131306	36670	ANDREW ZABEE	11262025	101-4-2150-4217	.00	89.92	89.92	1
Total 131306:							.00		89.92	
131307										
12/25	12/05/2025	131307	18515	FEDEX	9-072-47085	101-4-2110-4322	.00	10.85	10.85	1
Total 131307:							.00		10.85	
131308										
12/25	12/05/2025	131308	11938	JOSEPH FIRKUS	11282025	101-4-2120-4217	.00	27.41	27.41	1
12/25	12/05/2025	131308	11938	JOSEPH FIRKUS	11-30-25 JF	101-4-2120-4212	.00	44.38	44.38	1
Total 131308:							.00		71.79	
131309										
12/25	12/05/2025	131309	34275	JUDY THOMPSON	12-4-25 GOPH	101-4-1110-4440	.00	28.00	28.00	1
Total 131309:							.00		28.00	
131310										
12/25	12/05/2025	131310	17255	MARK EDLUND	11-30-25 ME	101-4-2120-4212	.00	48.01	48.01	1
Total 131310:							.00		48.01	
131311										
12/25	12/05/2025	131311	13780	RUM RIVER ART CENTER INC	1235579	101-4-5510-4409	.00	336.00	336.00	1
Total 131311:							.00		336.00	
131312										
12/25	12/05/2025	131312	10138	A T & T MOBILITY	X11282025	101-4-2130-4433	.00	83.92	83.92	1
Total 131312:							.00		83.92	
131313										
12/25	12/05/2025	131313	52521	AARON DAHLSEID	120125	221-4-5400-4319	.00	200.00	200.00	1

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount	Bank Number
Total 131313:							.00		200.00	
131314										
12/25	12/05/2025	131314	15163	ALICOLE LLP	4	101-4-5510-4409	.00	240.00	240.00	1
Total 131314:							.00		240.00	
131315										
12/25	12/05/2025	131315	52524	ALLISON BREDEHOFT	11-30-25 AB	101-4-2120-4212	.00	44.46	44.46	1
Total 131315:							.00		44.46	
131316										
12/25	12/05/2025	131316	14662	ARVIG	3097643 - 11-2	602-4-9010-4321	.00	97.30	97.30	1
Total 131316:							.00		97.30	
131317										
12/25	12/05/2025	131317	10762	ASTLEFORD INTERNATIONAL	1P138629	101-4-3150-4219	.00	80.00-	80.00-	1
12/25	12/05/2025	131317	10762	ASTLEFORD INTERNATIONAL	1P140860	101-4-3150-4221	.00	400.46	400.46	1
12/25	12/05/2025	131317	10762	ASTLEFORD INTERNATIONAL	1P140861	101-4-3150-4219	.00	150.24	150.24	1
Total 131317:							.00		470.70	
131318										
12/25	12/05/2025	131318	15241	BRIGHTON SANDBLASTING, IN	81852	101-4-2190-4401	.00	1,543.75	1,543.75	1
Total 131318:							.00		1,543.75	
131319										
12/25	12/05/2025	131319	14651	COMMISSIONER OF TRANSPORTATIO	P00020761	401-4-8080-4409	.00	3,696.85	3,696.85	1
Total 131319:							.00		3,696.85	
131320										
12/25	12/05/2025	131320	11664	CRAWFORD DOOR SALES CO	58284	101-4-3120-4401	.00	2,180.00	2,180.00	1

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount	Bank Number
Total 131320:							.00		2,180.00	
131321										
12/25	12/05/2025	131321	15573	CULLIGAN	101X4092660	602-4-9020-4219	.00	41.00	41.00	1
12/25	12/05/2025	131321	15573	CULLIGAN	101X4096210	602-4-9020-4219	.00	20.50	20.50	1
Total 131321:							.00		61.50	
131322										
12/25	12/05/2025	131322	16625	DOLPHIN CAR WASH INC	1243-R-0056	101-4-2320-4404	.00	150.00	150.00	1
Total 131322:							.00		150.00	
131323										
12/25	12/05/2025	131323	11711	FLEETPRIDE	130347116	101-4-5110-4221	.00	223.52	223.52	1
Total 131323:							.00		223.52	
131324										
12/25	12/05/2025	131324	14883	HEARTLAND TIRE, INC.	9049107	101-4-2410-4404	.00	473.04	473.04	1
Total 131324:							.00		473.04	
131325										
12/25	12/05/2025	131325	21600	HOME DEPOT CREDIT SERVICES	3621449	221-4-5400-4219	.00	158.34	158.34	1
Total 131325:							.00		158.34	
131326										
12/25	12/05/2025	131326	52392	JOHN CHALMERS	6056	602-4-9020-4219	.00	1,185.00	1,185.00	1
Total 131326:							.00		1,185.00	
131327										
12/25	12/05/2025	131327	12248	JONATHAN CHRISTIE	11272025	101-4-2120-4217	.00	61.70	61.70	1
Total 131327:							.00		61.70	

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount	Bank Number
131328										
12/25	12/05/2025	131328	12332	MARCO TECHNOLOGIES LLC	569794498	101-4-1350-4404	.00	3,708.19	3,708.19	1
Total 131328:							.00		3,708.19	
131329										
12/25	12/05/2025	131329	8136	MARY BETH DUNN	98090732	101-3-0000-3472	.00	100.00	100.00	1
Total 131329:							.00		100.00	
131330										
12/25	12/05/2025	131330	14420	MICHAEL WELSH	11302025 MW	101-4-2120-4212	.00	71.43	71.43	1
12/25	12/05/2025	131330	14420	MICHAEL WELSH	12012025 MW	101-4-2120-4212	.00	44.42	44.42	1
Total 131330:							.00		115.85	
131331										
12/25	12/05/2025	131331	14463	NEMECEK GROUP, LLC	INV-39501	221-4-5400-4219	.00	354.25	354.25	1
Total 131331:							.00		354.25	
131332										
12/25	12/05/2025	131332	28658	OFFICE OF SECRETARY OF ST	ROBERTSON	101-4-1210-4433	.00	120.00	120.00	1
Total 131332:							.00		120.00	
131333										
12/25	12/05/2025	131333	28937	O'REILLY AUTOMOTIVE, INC	112825	101-4-3120-4221	.00	666.21	666.21	1
Total 131333:							.00		666.21	
131334										
12/25	12/05/2025	131334	52346	STREICHER'S INC	11792711	101-4-2110-4217	.00	136.98	136.98	1
Total 131334:							.00		136.98	
131335										
12/25	12/05/2025	131335	12551	SYSCO MINNESOTA INC	647265544	221-4-5430-4259	.00	2,636.64	2,636.64	1
12/25	12/05/2025	131335	12551	SYSCO MINNESOTA INC	647271295	221-4-5430-4259	.00	24.69-	24.69-	1

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount	Bank Number
12/25	12/05/2025	131335	12551	SYSCO MINNESOTA INC	647278395	221-4-5430-4259	.00	2,677.99	2,677.99	1
Total 131335:							.00	5,289.94		
131336										
12/25	12/05/2025	131336	52522	US FOODS, INC	5284111	221-4-5430-4259	.00	178.11	178.11	1
12/25	12/05/2025	131336	52522	US FOODS, INC	5319839	221-4-5430-4219	.00	273.48	273.48	1
12/25	12/05/2025	131336	52522	US FOODS, INC	5521554	221-4-5430-4259	.00	173.40	173.40	1
12/25	12/05/2025	131336	52522	US FOODS, INC	5900346	221-4-5430-4219	.00	400.00	400.00	1
Total 131336:							.00	1,024.99		
131337										
12/25	12/05/2025	131337	52523	VAS LITTLECROW WOJTANOWICZ	21	211-4-5600-4409	.00	250.00	250.00	1
Total 131337:							.00	250.00		
131338										
12/25	12/05/2025	131338	36750	ZARNOTH BRUSH WORKS	204282-IN	101-4-3120-4221	.00	4,470.00	4,470.00	1
Total 131338:							.00	4,470.00		
1008983										
12/25	12/08/2025	1008983	13706	AMAZON CAPITAL SERVICES	11XQ-9Q1G-4	602-4-9020-4219	.00	104.78	104.78	1
12/25	12/08/2025	1008983	13706	AMAZON CAPITAL SERVICES	1HQD-1DF3-6	101-4-2310-4219	.00	220.30	220.30	1
Total 1008983:							.00	325.08		
1008984										
12/25	12/08/2025	1008984	15332	ATT LLC	S29523	604-4-9410-4219	.00	182.10	182.10	1
Total 1008984:							.00	182.10		
1008985										
12/25	12/08/2025	1008985	14717	BLACKHAWK PEST CONTROL, LLC	51616	101-4-2310-4401	.00	52.50	52.50	1
12/25	12/08/2025	1008985	14717	BLACKHAWK PEST CONTROL, LLC	51617	101-4-3120-4401	.00	110.00	110.00	1
Total 1008985:							.00	162.50		

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount	Bank Number
1008986										
12/25	12/08/2025	1008986	11019	BOLTON & MENK, INC	379410	401-4-8220-4303	.00	3,698.00	3,698.00	1
12/25	12/08/2025	1008986	11019	BOLTON & MENK, INC	380872	602-4-9010-4319	.00	690.00	690.00	1
Total 1008986:							.00	4,388.00		
1008987										
12/25	12/08/2025	1008987	13954	CHARTER COMMUNICATIONS	175341701 N	602-4-9010-4321	.00	165.80	165.80	1
Total 1008987:							.00	165.80		
1008988										
12/25	12/08/2025	1008988	16050	DEANO'S COLLISION SPEC INC	68588	291-4-7000-4404	.00	1,925.00	1,925.00	1
Total 1008988:							.00	1,925.00		
1008989										
12/25	12/08/2025	1008989	17700	ELK RIVER MUNICIPAL UTILITIES	11-19-25 ERM	101-4-2330-4389	.00	34,886.91	34,886.91	1
Total 1008989:							.00	34,886.91		
1008990										
12/25	12/08/2025	1008990	20113	GOODIN COMPANY	1533706-00	211-4-5600-4219	.00	6,087.68	6,087.68	1
Total 1008990:							.00	6,087.68		
1008991										
12/25	12/08/2025	1008991	13666	JOHNSON CONTROLS	41903398	290-4-9220-4409	.00	1,430.00	1,430.00	1
Total 1008991:							.00	1,430.00		
1008992										
12/25	12/08/2025	1008992	13119	LAKE STATE RECYCLING INC	80725	603-4-9152-4389	.00	150.00	150.00	1
Total 1008992:							.00	150.00		
1008993										
12/25	12/08/2025	1008993	24714	MARCO HOLDINGS LLC	INV14153456	101-4-1350-4404	.00	5,345.41	5,345.41	1

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount	Bank Number
Total 1008993:							.00		5,345.41	
1008994										
12/25	12/08/2025	1008994	14686	RINK-TEC INTERNATIONAL INC	6381	221-4-5400-4401	.00	1,219.82	1,219.82	1
Total 1008994:							.00		1,219.82	
1008995										
12/25	12/08/2025	1008995	14562	SUSAN MONTAGUE	11252025	101-4-5510-4409	.00	90.00	90.00	1
Total 1008995:							.00		90.00	
1008996										
12/25	12/08/2025	1008996	15138	WEBB & GERRITSEN MN LLC	154050	221-4-5430-4259	.00	845.42	845.42	1
Total 1008996:							.00		845.42	
Grand Totals:							.00		84,894.78	

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
101-2020	80.00	25,192.12-	25,112.12-
101-3-0000-3472	100.00	.00	100.00
101-4-1110-4321	37.98	.00	37.98
101-4-1110-4440	28.00	.00	28.00
101-4-1210-4433	120.00	.00	120.00
101-4-1350-4404	7,460.23	.00	7,460.23
101-4-2110-4217	136.98	.00	136.98
101-4-2110-4322	10.85	.00	10.85
101-4-2120-4212	252.70	.00	252.70
101-4-2120-4217	89.11	.00	89.11
101-4-2120-4221	99.88	.00	99.88
101-4-2130-4433	45.94	.00	45.94
101-4-2150-4217	89.92	.00	89.92

GL Account	Debit	Credit	Proof
101-4-2190-4389	64.13	.00	64.13
101-4-2190-4401	1,543.75	.00	1,543.75
101-4-2310-4219	220.30	.00	220.30
101-4-2310-4401	52.50	.00	52.50
101-4-2320-4221	5.29	.00	5.29
101-4-2320-4404	150.00	.00	150.00
101-4-2330-4389	288.06	.00	288.06
101-4-2410-4404	478.33	.00	478.33
101-4-3120-4221	4,603.03	.00	4,603.03
101-4-3120-4389	3,162.94	.00	3,162.94
101-4-3120-4401	2,290.00	.00	2,290.00
101-4-3150-4219	181.49	80.00-	101.49
101-4-3150-4221	672.06	.00	672.06
101-4-5110-4221	307.31	.00	307.31
101-4-5110-4389	2,035.34	.00	2,035.34
101-4-5510-4409	666.00	.00	666.00
211-2020	.00	6,337.68-	6,337.68-
211-4-5600-4219	6,087.68	.00	6,087.68
211-4-5600-4409	250.00	.00	250.00
221-2020	24.69	38,108.18-	38,083.49-
221-4-5400-4219	512.59	.00	512.59
221-4-5400-4319	200.00	.00	200.00
221-4-5400-4389	28,332.56	.00	28,332.56
221-4-5400-4401	1,219.82	.00	1,219.82
221-4-5400-4415	658.17	.00	658.17
221-4-5430-4219	851.56	.00	851.56
221-4-5430-4259	6,333.48	24.69-	6,308.79
290-2020	.00	1,430.00-	1,430.00-
290-4-9220-4409	1,430.00	.00	1,430.00
291-2020	.00	1,925.00-	1,925.00-
291-4-7000-4404	1,925.00	.00	1,925.00
401-2020	.00	7,394.85-	7,394.85-
401-4-8080-4409	3,696.85	.00	3,696.85
401-4-8220-4303	3,698.00	.00	3,698.00
602-2020	.00	3,854.36-	3,854.36-
602-4-9010-4319	690.00	.00	690.00
602-4-9010-4321	263.10	.00	263.10
602-4-9010-4404	510.02	.00	510.02
602-4-9020-4219	1,387.36	.00	1,387.36
602-4-9050-4389	1,003.88	.00	1,003.88

GL Account	Debit	Credit	Proof
603-2020	.00	575.18-	575.18-
603-4-9112-4404	212.59	.00	212.59
603-4-9152-4389	150.00	.00	150.00
603-4-9152-4404	212.59	.00	212.59
604-2020	.00	182.10-	182.10-
604-4-9410-4219	182.10	.00	182.10
Grand Totals:	85,104.16	85,104.16-	.00

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____



Request for Action

To
City Council

Item Number
4.3

Meeting Date
December 15, 2025

Prepared By
Lauren Wipper, Human Resources Manager

Item Description
Resolution 25-77: 2026 Compensation Plan for
Non-Organized Employees

Reviewed by
Cal Portner
Tina Allard

Action Requested

Adopt, by motion, Resolution 25-77 approving the 2026 Compensation Plan for Non-Organized Employees.

Background/Discussion

Attached is the 2026 Compensation Plan for Non-Organized Employees. Changes include:

- A two-and-three-quarter percent increase was approved in the 2026 budget and is reflected in item #1 and the Pay Plan on the final page of the document. It is also reflected in pay for paid-on-call firefighters, duty officers, police reserves, and liquor store clerks.
- Pay for the Fire Academy Cadet position is slightly above minimum wage to prevent the deduction of MN Paid Leave tax from dropping the wage below minimum wage.
- The On-call Fire Captain Base Pay and Fire Academy Instructor pay have been increased as approved by the City Council at the December 1, 2025, Work Session.
- Pay rates have been adjusted for a number of part-time, seasonal, and temporary park and recreation and public works positions. These are based on changes in the market and should assist staff in attracting and retaining employees. The increase for the bartender position is due to the increase in minimum wage. These changes fall within budgeted part-time salaries.
- We are no longer providing liquor delivery service, so we have eliminated the delivery driver position.
- The item referencing overtime for police clerical employees typing reports on Sunday has been removed due to that group now having a labor contract.
- The provision for out-of-class snow plow operators is no longer utilized, so it has been removed.
- Flexible Benefits Plan contributions were approved at the September 15, 2025, City Council meeting.

The Council also approved a compensation market study for non-union staff and directed and budgeted the update to be effective with the mid-year payroll. The updated compensation plan will be brought for approval in June.

Financial Impact

The compensation plan costs are accounted for in the approved 2026 budget.

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



Mission/Policy/Goal

The Elk River Mission Statement

Attachments

1. Resolution - 2026 Compensation Plan for Non-Organized Employees
2. 2026 Compensation Plan for Non-Organized Employees



**City of Elk River
City Council**

Resolution 25-77

**A Resolution of the City Council of the City of Elk River Adopting the 2026
Compensation Plan for Non-Organized Employees**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk River, Minnesota, as follows: The attached Compensation Plan was approved and adopted effective December 15, 2025.

Passed and adopted this 15th day of December 2025.

John J. Dietz, Mayor

ATTEST:

Tina Allard, City Clerk



**CITY OF ELK RIVER
2026 COMPENSATION PLAN
FOR NON-ORGANIZED EMPLOYEES**

PAY

Pay Ranges

1. All current pay ranges of the approved City Pay Plan shall increase two and three quarters percent (2.75%) effective the first pay period of January 2026 which begins on December 28, 2025.
2. New Wastewater Treatment Operators who do not hold a certification will start at Step A of the city's pay plan. Operators who hold a D certification will start at Step B, and operators who hold a C or higher certification will start at Step C. Operators shall qualify for regular annual step increases with satisfactory performance. Operators may qualify for earlier step increases based on obtaining a higher-level certification as follows:

<u>Certification</u>	<u>Step</u>
-	A
D	B
C	C-D
B	E

With satisfactory performance and once a certification has been obtained, the employee shall immediately move to the next step. Employees who receive a step increase for obtaining a higher certification are not eligible for an annual step increase until after one year of receiving the certification-based step. Annual steps will be given in accordance with item #4 below. Operators who do not have an operator's certification shall not move to the top step of the pay grade.

Starting Pay

3. The city has discretion to negotiate a higher starting rate within the pay range as deemed appropriate based on experience, education/training, or the market.

Step Increases

4. All non-union full-time and eligible part-time employees maintaining satisfactory performance will move up one step in their pay range on their anniversary date of hire or promotion.

All orientation period employees will receive increases as stated in their employment letter. If no special provision was outlined in the employment letter, the employee shall receive the first step increase on the date noted above provided they have successfully passed Orientation and are performing satisfactorily.

Part-Time Pay

5. Effective January 1, 2026, Paid On-Call Firefighters shall be paid in accordance with the following schedule:

<u>Position</u>	<u>Hourly Rate</u>
Academy Cadet	\$11.46
Firefighter	
Base Pay - Academy Graduate through year 5	\$18.05
Years 6 through 10	Base plus \$0.50
Years 11 through 15	Base plus \$1.50
Years 16 through 25	Base plus \$2.50
Years 26 and above	Base plus \$3.00
Additional to Firefighter Base Pay above:	
Lieutenant	\$1.00
Assistant Chief	\$3.00
Captain	
Base Pay	\$30.00
Years 6 through 10	Base plus \$1.50
Years 11 through 15	Base plus \$2.50
Years 16 and above	Base plus \$3.00

Officers who serve on-call as Duty Officer shall be paid \$6.73 for each hour of on-call duty.

6. Effective January 1, 2026, Fire Academy instructors and Fire Department members instructing a course for firefighters earning a certification or maintaining a certification or licensure shall be paid according to the following schedule:

Assistant Instructor	\$40.00 per hour
Lead Instructor	\$50.00 per hour
7. Part-Time Police Reserves are required to serve in both a volunteer and a paid capacity. Effective December 28, 2025, Police Reserves shall be paid \$20.11 per hour for the hours that are to be paid as determined by the Police Chief.

8. Part-Time, Seasonal, and Temporary Park and Recreation, Public Works, and Community Event Center employees shall be paid in accordance with the following schedule:

<u>Position</u>	<u>Hourly Rate</u>	<u>Maximum Annual Hourly Increase</u>
Recreation Program Leader I	\$14.00 – 15.00	\$0.25
Recreation Program Leader II	\$15.00 – 17.00	\$0.50
Recreation Supervisor Assistant	\$17.00 – 22.00	\$0.50
Recreation Intern	\$17.00 – 20.00	
Farmers Market Supervisor Assistant	\$17.00 – 22.00	\$0.50
Weekend Facility Supervisor	\$17.00 – 20.00	\$0.50
Recreation Building Attendant	\$12.00 – 14.00	\$0.50
Warming House Attendant	\$14.00 – 16.00	\$0.50
Flag Football Referee	\$25.00	
Summer Seasonal Public Works Laborer	\$18.00 – \$24.00	\$1.00
Winter Public Works Laborer	\$25.00 – \$30.00	\$1.00
Seasonal Gardener	\$18.00 – 25.00	\$0.75
Lead Seasonal Gardener	\$22.00 – 28.00	\$0.75
Seasonal Wastewater Laborer	\$18.00 – 22.00	\$1.00
FT Center Facility Worker/Ice Resurfacers	\$18.00 – 22.00	\$1.00
FT Center Event Production Worker	\$16.00 – 18.00	\$0.50
FT Center Customer Service Associate	\$16.00 – 20.00	\$0.75
FT Center Building Supervisor	\$20.00 – 24.00	\$0.75
Cafe Worker	\$14.00 – 16.00	\$0.50
Event Worker	\$16.00 – 20.00	\$0.75
Overlook Bartender	Minimum wage (\$11.41) + tips	
Skating Academy Instructor One	\$14.00 – 17.00	\$1.00
Skating Academy Instructor Two	\$16.00 – 20.00	\$1.00
Skating Academy Instructor Three	\$20.00 – 24.00	\$1.00
Skating Academy Director	\$24.00 – 30.00	\$1.00

Starting Pay Rate

At the city's discretion, when hired, employees may be granted an amount equivalent to the Maximum Annual Hourly Increase for each year of related education or previous work experience.

Annual Hourly Increase

Recreation Program Leads, Supervisor Assistant, Weekend Facility Supervisor, Building Attendant, Warming House Attendant, and Farmers Market Supervisor Assistant employees may receive an increase once per year at the city's discretion.

Summer Seasonal Public Works Laborer, Winter Public Works Laborer, Seasonal Wastewater Laborer, Seasonal Gardener, and Lead Seasonal Gardener employees may receive an increase at the beginning of the season at the city's discretion. If an employee returns for another season in the same calendar year, they are not eligible for another increase.

FT Center Customer Service Associate, Facility Worker/Ice Resurfacers, Event Production Worker, Cafe Worker, Event Worker, and Building Supervisor employees may receive an increase for each additional year the employee works for the FT Center. Increases will be given on the first day of the first full pay period of the calendar year at the city's discretion.

Skating Academy employees may receive an increase for each additional year the employee works for the FT Center. Increases will be given at the beginning of each fall program session (September) at the city's discretion.

Skating Academy

Assistant Skating Academy Director – At the beginning of each session, the Skating Academy Director shall assign one instructor to be Assistant Skating Academy Director.

Off Ice Time – Includes time spent planning lessons and skating programs, meetings, and any other activity that is not performed on the ice. The Skating Academy Director shall be paid 60% of his/her regular wage for off ice time which shall not exceed one half hour for each hour spent on ice. The Assistant Director shall be paid 50% of his/her regular wage for off ice time which includes off ice activities performed as Acting Director and required meetings FT Center Management and/or Skating Academy Director. If the off ice wage falls below minimum wage, minimum wage will be paid for off ice time.

9. Effective December 28, 2025, Part-Time Liquor Store Clerks shall be paid in accordance with the following schedule:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
16.18	17.33	18.87	20.40	21.95

Based on satisfactory performance Part-time Liquor Store Clerks will move up to Step B after six months, Step C on their first anniversary date, Step D on their second anniversary date, and Step E on their third anniversary date.

On-Call Pay

10. Wastewater Operators are assigned on call duties for periods of one week. The on-call operator will be compensated a total of 10 hours of overtime/compensatory for their on-call week (1-hr M-F, 2.5-hrs S-S). The on-call

duties include responding to after-hours emergency callouts and performing required duties at the Wastewater Treatment Facility on Saturday, Sunday, and any holidays that fall within the assigned week. Wastewater operators shall receive 4 hours of additional overtime/compensatory pay for on-call rounds performed on paid holidays that fall within their on-call week (total of 14 hours of pay if during a week with a single-paid holiday). If a holiday falls on a Monday, the operator that was on call on Sunday is on call for the holiday. Unexpected conditions resulting in work for wastewater operators extending beyond a 2.5-hour rotation on weekends or holidays will be paid according to the actual time worked by the employee calculated to the nearest 15-minutes.

Premium Pay

11. Non-union snowplow operators working on snow removal duties on Saturdays and Sundays will receive one- and one-half times their regular rate of pay for their hours worked.

INSURANCE BENEFITS

12. All regular full-time employees are eligible for insurance benefits. Part-time employees scheduled to work 30 or more hours per week are eligible for prorated insurance benefits. Retired employees with a Phased Retirement Option Agreement are eligible for insurance benefits as identified in the Agreement. Seasonal and temporary employees are not eligible for insurance benefits.
13. Employees eligible for insurance benefits are eligible for participation in the city's Flexible Benefits Plan. The contribution levels shall be as follows:

<u>Health Insurance Election</u>	<u>Monthly City Contribution</u>
Single	\$753.00
Employee & Spouse	\$1,570.00
Employee & Child(ren)	\$1,557.00
Family	\$2,211.00
Opt-out	\$300.00

Employees participating in the city's Flexible Benefits Plan shall be provided \$25,000 group term life insurance coverage.

14. Paid On-call Firefighters who are not full-time city employees shall be provided \$10,000 life insurance coverage.

OTHER

15. The City Council may adjust any section of the Pay Plan at any City Council meeting for any reason including performance incentives, state or federal law changes, the Pay Equity Law, or any other reason the Council deems appropriate.
16. All employees who are members of the Law Enforcement Labor Services (LELS), Locals 231, 271, 501, and 589, or the International Union of Operating Engineers, Local 49, shall receive compensation and benefits as outlined in the Master Labor Agreement between the city and the union.

City of Elk River
2026 Pay Plan

Effective 12/28/2025

Grade Levels	Minimum A	B	C	D	Maximum E
1E	\$178,263	\$183,215	\$188,167	\$193,118	\$198,070
1.5E	\$156,155	\$160,493	\$164,831	\$169,168	\$173,506
2E	\$149,622	\$153,778	\$157,934	\$162,090	\$166,246
3E	\$144,812	\$148,834	\$152,857	\$156,880	\$160,902
4E	\$119,770	\$125,054	\$130,338	\$135,622	\$140,906
5E	\$110,365	\$115,234	\$120,103	\$124,972	\$129,841
6E	\$99,392	\$103,777	\$108,162	\$112,547	\$116,932
7E	\$88,913	\$92,835	\$96,758	\$100,681	\$104,603
8E	\$74,667	\$77,961	\$81,255	\$84,549	\$87,843
1N	\$87,080 \$41.87	\$90,922 \$43.71	\$94,764 \$45.56	\$98,606 \$47.41	\$102,448 \$49.25
2N	\$79,244 \$38.10	\$82,740 \$39.78	\$86,236 \$41.46	\$89,732 \$43.14	\$93,228 \$44.82
3N	\$69,549 \$33.44	\$73,896 \$35.53	\$78,243 \$37.62	\$82,590 \$39.71	\$86,937 \$41.80
4N	\$64,508 \$31.01	\$68,540 \$32.95	\$72,572 \$34.89	\$76,604 \$36.83	\$80,635 \$38.77
5N	\$60,521 \$29.10	\$64,914 \$31.21	\$69,306 \$33.32	\$73,699 \$35.43	\$78,091 \$37.54
6N	\$50,076 \$24.08	\$54,249 \$26.08	\$58,422 \$28.09	\$62,595 \$30.09	\$66,768 \$32.10



Request for Action

To
City Council

Item Number
4.4

Meeting Date
December 15, 2025

Prepared By
Lauren Whipper, Human Resources Manager

Item Description
Personnel Policy Manual Update

Reviewed by
Cal Portner
Tina Allard

Action Requested
Accept, by motion, the updated City Personnel Policy Manual.

Background/Discussion

The City Council reviewed changes to the Personnel Policy Manual at the December 1, 2025, Work Session. Many of the changes are procedural or are required due to state or federal law changes. The most significant changes are due to the change in the Earned Sick and Safe Time law related to the accrual of time and the addition of MN Paid Leave.

The Council accepts the final document as it is updated as best practices provisions and state/federal law changes occur frequently. By accepting the changes, the administration has the flexibility to respond promptly to items that have no financial impact. Items that reflect improved benefits or finances are discussed with the Council and approved separately.

Financial Impact
N/A

Mission/Policy/Goal
The Elk River Mission Statement

Attachments

1. Personnel Policy Manual (2025) - in Track Changes
2. Personnel Policy Manual (2025) - Clean with highlights

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity





Personnel Policy Manual

(Revised August 2008)

(Updated August 2010)

(Updated June 2012)

(Updated September 2014)

(Updated February 2021)

Mini-update August 2023

Updated December 2023

Updated Severance Pay retro to 12/2023 update

Updated December 2025

13065 Orono Parkway
Elk River, MN 55330
763.635.1000



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Introduction

This policy manual contains personnel policies and procedures for City of Elk River employees.

The city strives to provide an efficient system of personnel administration, and this policy manual serves as a guide for administrative actions concerning city personnel matters. It is not a contract between the city and its employees. The manual attempts to cover general matters and does not cover every situation that may arise.

Other than any applicable collective bargaining agreement, this policy manual replaces and supersedes all prior manuals, memos, and any other written or oral statements of employment policies and procedures. Manuals and policies that provide department specific information remain in effect.

Except as provided by statute or applicable collective bargaining agreement, employment of all city employees is at-will. At-will means both the city and its employees have the right to terminate employment at any time, with or without cause or notice.

No representative of the city has the authority to alter the at-will nature of an employee's employment except the City Council by approval of a written contract of employment executed by the city. No employee has a protectable property interest in his or her employment with the city.

The policies in this manual shall apply to all employees unless specifically exempted by the City Council. Consultants rendering professional services on a fee basis are not considered city employees.

The city may add to, modify, or revise portions of this manual as the city deems appropriate, with or without prior notice.

This manual may be superseded to the extent that it is inconsistent with state or federal statute, a collective bargaining agreement entered between the city and its employees, or a written contract of employment signed by the city.

Employment

Equal Employment Opportunity

The City of Elk River is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, selection, lay-off, disciplinary action, termination, compensation, and selection for training. The city will not discriminate against any employee or job applicant on the basis of race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, or gender expression, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission, or lawful participation in the Minnesota Medical Cannabis Patient Registry.

The city prohibits discrimination against or harassment of any employee or job applicant on the basis of protected class status. Employees who participate in discrimination in violation of this policy are subject to discipline up to and including termination. Retaliation against any employee for making a complaint under this policy or assisting with investigations of complaints made under this policy is also strictly prohibited.

Any person who feels that s/he has been discriminated against should contact the city administrator or Human Resources.

Employment Status Definitions

Full-Time - A regular work schedule consisting of 2,080 hours per year.

Part-Time - A regular work schedule of less than 2,080 hours per year, generally over the 12 months.

Orientation Period - First six months of initial employment, following a promotion, reassignment or transfer.

Probationary Period - Period of time as defined in a union contract. For paid on-call firefighters, the probationary period is the first twelve (12) months of initial employment.

Regular - An employee who has completed his or her Orientation or Probationary Period and works a set schedule.

Non-Regular - An employee who has completed his or her Orientation or Probationary Period and works a variety of hours and days, not a set schedule.

Seasonal - A part- or full-time position assigned to work part of the year to conduct seasonal work, typically not for more than one hundred twenty (120) days in any consecutive 12-month period.

Temporary - A part- or full-time position scheduled to work with a defined start and termination date or duration of a special project. ~~The position generally does not qualify for benefits.~~

Elected or Appointed Official - A person elected as mayor or council member, or a person appointed by the mayor and council to serve on a city commission or board.

Applicant - Any person applying for a paid or volunteer position.

Work Rules

In accepting employment with the City of Elk River, employees become representatives of the city and are responsible for assisting and serving the residents for whom they work. Employees shall exhibit conduct that is ethical, professional, responsive, and of standards becoming of a city employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

All City of Elk River employees are expected to meet the following job requirements:

- Always perform assigned duties satisfactorily and to the best of their abilities.
- Always render prompt and courteous service to the public as appropriate.
- Read, understand, and comply with the rules and regulations ~~as~~ set forth in these Personnel Policies as well as those of their departments.
- Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and courtesy.
- Report all unsafe conditions to the immediate supervisor.
- Maintain good attendance.

Orientation Period

The Orientation Period is an integral part of the employment process in which the city and the new employee should consider whether the employment is mutually satisfactory.

The Orientation Period consists of the first six (6) months of employment. During the period, the city will observe the employee's work to determine whether the employee demonstrates s/he is qualified for the position to which s/he was appointed. Performance, skills, ability, and other factors observed and demonstrated during the period are evaluated by the employee's supervisor. If the employee does not meet established standards, and there is reason to believe, in the city's sole discretion, that a longer review period is needed, the Orientation Period may be extended to a total of 12 months.

New employees are not allowed to take vacation leave during their Orientation Period unless approved by the city administrator or approved before hire.

Upon completion of the Orientation Period, the employee will become a Regular employee and are eligible to use vacation leave. This does not imply employment is permanent.

Employees promoted or appointed to new positions must successfully complete a six-month Orientation Period. If found during the orientation to be unsuited for the position, the city, at its sole discretion, may reinstate the employee to his/her former position and former rate of pay. Reinstatement is not guaranteed.

Employees taking a leave of absence during the Orientation Period will have their Orientation Period paused and begin where they left off when they return from leave.

Minnesota Government Data Practices Act

Pursuant to the *Minnesota Government Data Practices Act* (DPA) data is categorized as private, non-public, or confidential. All data is public unless classified otherwise. In many circumstances, data may not be disclosed except with authorization of the subject of the data or pursuant to court order. In compliance with the DPA, employees are strictly prohibited from disclosing to a third party, within or outside the city, any personnel data, data relating to pending civil legal actions, or any other data that might be classified as private, non-public, or confidential, without the city administrator's express authorization.

The City Council appoints the city administrator as the responsible authority to administer the requirements for collection, storage, use, and dissemination of data. Refer to the city's Guidelines and Procedures for the Minnesota Government Data Practices Act for additional information.

Employee Records Advisory

Employee records are maintained in a location designated by the city administrator. Personnel data is retained in personnel files, finance files, and benefit/medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc.

Employees have the right to know what data is retained, where it is kept, and how it is used. All employee data will be received, retained, and disseminated according to the DPA.

Media Requests

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority.

Any employee who identifies a mistake in reporting should bring the error to the city administrator or appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use, etc.

Except for routine events and basic information readily available to the public, all requests for interviews or information from the media are to be routed through the city

administrator. No city employee is authorized to speak on behalf of the city without prior authorization from the city administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify the city administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if an employee is unsure if the request is a “routine” question, forward the request to the city administrator.

All news releases concerning city personnel will be the responsibility of the city administrator.

When the city administrator authorizes an employee to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing the city. Account names on social media sites must be clearly connected to the city and approved by the city administrator.
- Be respectful, professional, and truthful when providing information. Only factual information (not opinions or editorial comments) shall be provided. Corrections must be issued when needed.
- Generally, not include personal opinions in official city statements. Employees who have been approved to use social media sites on behalf of the city should seek assistance from the city administrator on this topic.
- Notify the city administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

Personal Communications and Use of Social Media

It is important for employees to remember that their personal communications may reflect on the city, especially if employees are commenting on city business or commenting on issues that implicate their city employment. As city representatives, employees share the responsibility of earning and preserving the public’s trust in the city. An employee’s own personal communications, such as on social media, can have a significant impact on the public’s belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race, sex/gender, religion, national origin, disability, sexual orientation, or other protected categories. Nonpersonal communications (performed within one’s job duties) to members of the public must always be professional. The following guidelines apply to personal communications, including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.),

letters to the editor of newspapers, and personal endorsements:

- Do not share private or confidential information you have access to as a result of your city position.
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city's operation, including by negatively affecting morale. Public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The city can act on the personal communication that violates this policy without waiting for the actual disruption.
- Remember what you write, or post cannot easily be undone. It may also be spread to a larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation concerning a co-worker or between co-workers that would not be permissible in the workplace is not permissible online, even if it is done after hours, from home and on home computers.
- The city expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video, or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying.
- If you publish something related to city business and there is potential for confusion whether you are speaking on behalf of the city, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the City of Elk River."
- City resources, work time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity.
- Personal social media account name or email names should not be tied to the city.

Compensation

Employees will be compensated according to the compensation plan approved by the City Council. The city will develop and maintain a compensation plan for all positions in accordance with federal and state laws. This plan may be reviewed and changed periodically at the sole discretion of the city.

Under the Minnesota Wage Disclosure Protection law, employees have the right to tell any person the amount of their own wages. While the Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end and in accordance with Minn.

Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minnesota Statute §181.172, subd. 3.

The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at 651.284.5070 or 800.342.5354.

Work Week

Work schedules will be established by the appropriate department director with the approval of the city administrator. The regular workweek for regular full-time employees is forty (40) hours per week. The regular workweek for regular part-time employees is [a set schedule between 20 and](#) less than 40 hours per week. Unless otherwise provided, the normal workday will begin at 8:00 a.m. and end at 4:30 p.m. The normal workweek will consist of five consecutive workdays, Monday through Friday.

Employees shall account for each hour of their work week by working or utilizing leave time. (See Leave Benefits below) Employees shall not take time off without pay unless it falls within the leave benefits provided.

Flextime arrangements must be approved by the department director and city administrator. The department director or city administrator may deny requests for flextime at their sole discretion. Flextime arrangements shall not negatively affect service levels. Employees with flextime arrangements may be asked to adjust their schedules periodically or to discontinue flextime to accommodate vacations, sick/[ESST](#) leave, or other issues within the department.

Seniority Patrol Shift Bid

The Chief of Police or their designee shall post the seniority patrol shift bid for the following year on the second Monday of October. Patrol officers and patrol sergeants shall have until October 31st to complete their shift bids.

City Hall Summer Office Hours

Summer Office Hours shall be the period between the Sunday preceding Memorial Day and the Saturday preceding Labor Day.

City Hall Summer Office Hours shall be staffed as follows:

7:30 a.m. to 5:00 p.m. Monday – Thursday

7:30 a.m. to Noon, Fridays

All City Hall customer service desks shall be staffed and all City Hall services will be available during the period of Summer Office Hours.

Employee Schedule

Supervisors shall set a schedule with their employees for the Summer Office Hours period or review a schedule with their employees at the beginning of each work week.

Employees working 7:30 a.m. to Noon on Friday shall work one 8.5-hour day another day of the same week.

Summer Office Hours shall not create overtime for any non-exempt employees.

Flextime Arrangements

Employees approved to work a flextime arrangement shall determine their Summer Office Hours flextime arrangement with their supervisor prior to the beginning of Summer Office Hours period.

Employee Leave

All City Hall employees taking leave on a Friday during the Summer Office Hours period shall take four (4) or four and one half (4.5) [hourshours'](#) leave for that day depending on their Summer Office Hours schedule.

All City Hall employees taking leave on a Monday through Thursday shall take eight and one half (8.5) or nine (9) hours of leave for each day depending on their Summer Office Hours schedule.

Bereavement leave is explained in the *Bereavement Leave* section of this manual.

Holidays

For holidays that fall on Monday through Thursday, eight (8) hours of holiday shall be paid and one (1) hour of vacation or compensatory time shall be used or one (1) additional hour of work may be performed on another day of the same work week with department director approval.

For holidays that fall on Friday, employees will take four (4) or four and one half (4.5) hours of holiday time and utilize ~~their~~the remaining four (4) or three and one half (3.5) hours of holiday time, with supervisor approval, at another time during the same pay period.

Paydays

As provided by Minnesota law, all employees are required to participate in direct deposit. Employees [\(except on-call firefighters\)](#) will be paid biweekly on alternate Fridays, adjusted

according to bank holiday schedules.

Timekeeping

Timesheets and any other time reports shall be approved and submitted to payroll by noon on the Monday before pay day. Failure to submit time reports on time or to approve employee's time reports on time may be subject to discipline.

An accurate record of hours worked, and any leave time used by nonexempt employees is necessary to comply with the provisions of the federal and state Fair Labor Standards Acts. Elk River utilizes different types of timekeeping systems.

Employees using a schedule-based electronic timekeeping system have work schedules that are set by supervisors before each work period. Any deviation to an employee's work schedule shall be immediately updated in the timekeeping system. It is the employee's responsibility to ensure their time records are maintained accurately. Your finalized work schedule and approved exceptions ~~signifiessignify~~ physical approval of your time record per FLSA and state statutes.

Non-exempt employees utilizing a timesheet-based timekeeping system shall record their hours worked each day in 15 minute increments. Requests for time off shall be made and approved prior to the time off. If time off is unscheduled, the request and approval shall be made as soon as practicable but no later than the end of the pay period. Submission of timesheets acknowledges accuracy of your time record per FLSA.

Employees utilizing a kiosk to punch in and punch out are responsible to punch in at the beginning of each shift and punch out at the end, punch in and out for meal breaks, and to notify their supervisor immediately of any missed punches or other errors in their time record. Requests for use of Earned Sick and Safe Time (ESST) shall be made ~~through the HRIS system~~ in writing directly to the supervisor.

Exempt employees are paid a set salary for each pay period and do not record hours worked. Exempt employees utilizing paid leave time shall request leave time and receive approval through the time keeping system prior to the leave being taken. Submission of timesheet acknowledges accuracy of paid time off.

Time off and overtime requests shall be made by the employee through the timekeeping system and shall be approved or denied by the supervisor through the timekeeping system. Requests shall be made in 15 minute increments. Requested leave (vacation or compensatory time and planned leaves of absence) must be submitted to supervisors through the timekeeping system with as much advance notice as possible. Leave requests are not final until approved by the supervisor in the timekeeping system.

Employees are provided with secure access to their time records and shall not share their password with co-workers. All employees are responsible to ensure their time records are

accurate.

The hours reflected in the timekeeping system are the hours employees will be paid for each pay period. It is the employee's responsibility to monitor their hours to ensure they accurately reflect the hours worked. If the employee feels there is a discrepancy, it is their responsibility to bring it to the attention of their supervisor. Supervisors are responsible to ensure employees ~~are maintaining~~ maintain their time records accurately.

Reporting false information is a crime and shall result in disciplinary action up to and including immediate termination.

Overtime and Compensatory Time for Non-Exempt Employees

The City Council considers and approves projected overtime expenses in the annual budget process. Department directors and division managers must manage overtime costs in accordance with their budget and exceptions must be communicated in writing to the city administrator.

Overtime

All employees may be required to work overtime as requested by their supervisor. Refusal to work overtime as requested may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

All overtime must be authorized in advance by the employee's supervisor. An employee who works overtime without prior approval may be subject to disciplinary action. Non-exempt employees (eligible for overtime pay) are not authorized to take work home or work through lunch without prior approval from their supervisor.

The city complies with applicable state and federal laws governing accrual and use of overtime. Only employees to whom the overtime provisions of the state and/or the federal FLSA apply are required to be compensated for overtime work. The city administrator and human resources manager will determine whether each employee is "exempt" or "non-exempt" in accordance with federal law.

Overtime eligible (non-exempt) employees will be compensated at the rate of one and one-half times their base hourly rate for hours worked over 40 in one workweek. However, non-exempt employees employed in fire protection or law enforcement activities may be paid overtime based on the 7(k) exemption as defined by the FLSA (29 U.S.C. § 207(k)).

Vacation time, compensatory leave hours taken, holiday time off (pursuant to the Holidays policy below), bereavement, and sick and ESST leaves generally will count toward "hours worked" for non-exempt employees.

Compensatory Time

Overtime compensation will be paid for overtime hours, unless the employee and

department director mutually agree in advance of performance of the work that the overtime will be banked as compensatory time in lieu of overtime compensation.

Employees may request and use compensatory time off in the same manner as other leave requests. Compensatory time must be marked as such on timesheets, both when it is earned and used. Overtime hours not specified as compensatory time will be paid with overtime compensation. Finance maintains compensatory time records.

Employees may accumulate and “bank” up to 40 hours of compensatory time. As compensatory time off is utilized, additional compensatory time may be banked, not to exceed 40 hours. Overtime earned after 40 hours of banked compensatory time will be paid at the overtime rate. No more than forty (40) hours of compensatory time may roll over from one calendar year to the next.

Upon termination of employment, employees will be paid for all accrued but unused compensatory time.

Call Back Pay

Employees called to work on an unscheduled or emergency basis shall receive a minimum of two (2) hours overtime pay for returning to their designated work location and performing duties associated with the event requiring the call-back. Call Backs resulting in work beyond two (2) hours will be paid according to the actual time worked by the employee calculated to the nearest 15-minutes at regular or overtime pay depending on the number of hours worked for the week.

Employees who can respond to a Call Back remotely without returning to their designated work area using electronic means to address problems/concerns will be compensated with 15-minutes of pay at regular or overtime pay depending on the number of hours worked for the week. Extended or continual problems/concerns resulting in excessive remote monitoring will be evaluated for compensation by the supervisor and administration.

Overtime pay for holidays is explained in the *Holidays* section of this manual.

On-Call Pay

Employees may be assigned by the city to respond on short notice to render service outside of their regularly scheduled work shift.

Wastewater operators in an on-call status, must carry the city-issued iPad (or compatible smart phone) to perform diagnostic review of alarm conditions, report to and perform required duties on the wastewater system on Saturday, Sunday, and paid holidays that fall within their assigned week.

Establishment of an on-call schedule shall be at the discretion of the supervisor based on the needs of the city. Scheduled on-call time shall be distributed as equally as practicable.

On-call schedules shall be posted in the workplace at least two (2) weeks prior to initiation of the on-call schedule.

The weekly on-call period begins and ends on Monday mornings at 8:00 a.m.

Expectations of employees on call:

- Employees shall be available for response outside of scheduled work hours when in an on-call status.
- Wastewater employees in an on-call status shall report to work within thirty (30) minutes of phone call attempt from their supervisor, emergency dispatch, or from an alarm condition reported through an electronic control monitoring program.
- Non-wastewater employees in an on-call status shall report to work within forty-five (45) minutes of phone call attempt from their supervisor, emergency dispatch, or from an alarm condition reported through an electronic control monitoring program.
- Employees shall be prohibited from chemical impairment when in an on-call status. Chemical impairment is defined as a mental or physical state which would be illegal to operate a vehicle or equipment consistent with the position description.
- Employees may request vacation or compensatory time off when on-call with prior supervisor approval and are responsible for finding another employee to assume their shift.
- In the event of an unforeseen circumstance (family emergency, accident, etc.) which prevents an on-call response, the employee shall notify his/her supervisor as soon as reasonably possible.
 - An employee missing an on-call response shall be removed from on-call status until his supervisor is properly notified by the employee of his/her availability to return to on-call status.

Employees assigned to positions within a collective bargaining unit shall receive on-call pay in accordance with the articles listed within their respective labor agreements. Non-exempt employees in positions outside of a collective bargaining unit shall receive on-call pay in accordance with the Compensation Plan for Non-Organized Employees. Employees failing to respond as detailed above while in a paid on-call status will not receive on-call pay for that day and will be subject to discipline. When an on-call employee, through notice as detailed above, returns to work and/or renders service on behalf of the city, they shall be compensated in accordance with the Call-Back Pay policy as defined above.

Staffing Inventory

Supervisors may contact employees to determine potential availability for a future unscheduled work shift. A positive response to availability does not commit employees to respond. This staffing inventory is a voluntary response, not a commitment to availability.

In the event an employee responds positively and is later unable to respond, supervisors have no remedy for discipline or retaliation.

Time off for Exempt Employees

Positions classified as Exempt do not qualify for overtime compensation per the FLSA. Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors, the city administrator, and the City Council. Generally, to meet these expectations, an exempt employee is often required and expected to work ~~in excess of more than~~ forty (40) hours per week.

Exempt employees are required to use paid leave when on personal business or away from the office for a significant part of the workday. Based on supervisor's discretion, absences of a few hours do not require the use of paid leave as it is presumed that the employee works more than 40 hours per week. Exempt employees ~~shall communicate their absence to the city administrator or his/her designee who receive banked holiday hours shall request their holiday time off in advance of the time being taken off. Personal time off shall not be on a one-for-one basis with excess hours worked.~~

If an exempt employee is regularly absent from work under this policy and it is found there is excessive time away from work that is not justified, the situation will be handled as a performance issue.

If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the city. Additional notification and approval requirements may be adopted by the city administrator for specific situations as determined necessary.

Report of Employee Information Changes

The city attempts to maintain complete and accurate employee information and complies with data privacy laws. It is important that your permanent personnel records are kept accurate and up to date. Immediately notify Human Resources when there is a change in any of the following:

- Name (through marriage or otherwise)
- Address
- Marital status
- Number of children
- Beneficiaries for life insurance and retirement
- Telephone number
- Person to contact in case of emergency
- Other changes which may affect benefits coverage

Many changes can and should be made by the employee directly in the Human Resources Information System.

Performance Appraisals

Performance appraisals are an opportunity for employees, supervisors, and the city to assess employee job performance. The performance appraisal system is designed to:

- Ensure that quality services are provided to the public at the least possible cost.
- Motivate and develop employees to their fullest potential.
- Clarify roles and mutual expectations of supervisors and employees.
- Promote open and ongoing communication between employees at all levels, including feedback from subordinates to supervisors.
- Assist in determination of whether employees are meeting the established performance standards for their position.

Performance appraisals generally will be maintained in the employee's electronic personnel file.

Immediate supervisors will conduct performance appraisals annually and may conduct formal or informal performance appraisals more frequently if necessary or prescribed by the city administrator or the department director. The performance appraisal usually will be in writing and must be acknowledged by the employee and supervisor.

Acknowledgement of the performance appraisal document by the employee recognizes that the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to acknowledge the document by the employee will not delay processing. Employees do not have the right to change or grieve their performance appraisal but may submit a written response which will be included in the employee's profile.

Attendance

Every employee has an important role in maintaining a productive workplace. Therefore, it is essential that all employees report to work every day as scheduled. Unsatisfactory attendance, including reporting late to work and leaving work early may result in disciplinary action up to and including discharge.

If an employee must be absent from work for any reason, other than approved time off, s/he must notify his/her immediate supervisor at least thirty (30) minutes prior to the start of his/her normal working hours. If an emergency prevents the employee from notifying his/her supervisor at such time, the employee must call his/her immediate supervisor as soon as possible during the workday.

Rest/M Meal Break

~~Non-exempt, full-time e~~Employees shall receive a paid rest break ~~not to exceed~~of fifteen (15) minutes ~~or enough time to use the nearest restroom, whichever is longer,~~ away from job duties on one occasion during each four (4) hour work shift. ~~Part-time employees shall receive a paid rest break not to exceed fifteen (15) minutes during a work period of four hours.~~

~~Rest breaks cannot exceed fifteen (15) minutes, including the time required to get to and from a rest break area.~~

~~All e~~Employees scheduled to work ~~eight six (86)~~ or more hours per shift are ~~required allowed~~ to take a half-hour, unpaid meal break.

~~Employees scheduled to work eight (8) or more hours per shift are required to take a half-hour, unpaid meal break.~~

~~Meal and rest breaks shall be taken mid-shift; not at the start or end of a shift.~~

Employees of Northbound and Westbound Liquor are required to stay “on duty” in the building and be reachable by other employees should their assistance be required during their break. In consideration of this, Northbound and Westbound Liquor employees are paid during their break time.

~~Employees may not purposely miss rest breaks in order to accumulate time to leave early at the end of the day; all rest breaks and meal breaks must be taken.~~

Employment of Relatives

All employees are hired as the most qualified candidate based on qualifications, skills, and ability. Employment is not restricted to more than one member of a family (including spouse, children, parents, siblings, in-laws, or other immediate relative). No family member will be hired where:

- One family member would have the authority or practical power to supervise, appoint, remove, or discipline the other.
- One family member would be responsible for auditing the work of the other.
- Circumstances exist which would place the family member in a situation of actual or reasonably foreseeable conflict between the city's interests and their own.
- The family member has a relative employed by an organization with whom the city has business dealings and in the city's judgment the position and job responsibilities of both the employee and family member would create an appearance of improper influence or favor or would jeopardize the confidentiality of data maintained by the city.

Supplemental Employment

Elk River does not restrict employees from engaging in outside employment. However, regular, full-time employees are expected to consider city work their primary employment. Employees may not engage in outside employment that interferes with the performance of one's city duties, that represents a conflict of interest, or that may influence or bias an employee's job-related decision-making ability.

The city will not adjust work hours to facilitate the scheduling of outside employment. If a supervisor believes an employee's outside employment is detrimental to the city and his/her position, the employee may be asked to discontinue the outside employment. If an employee is asked to discontinue outside employment and fails to do so, s/he may be subject to discipline up to and including termination.

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Separation from Employment

Resignation

The purpose of proper notice is to ensure an orderly transition of responsibilities and open work items. Holidays or the use of vacation, sick/~~ESST~~, or compensatory time may only be approved by the city ~~administer~~administrator to be considered proper notice. Employees are not eligible for pay increases after resignation ~~notice~~ has been given.

With proper notice, the employee will be compensated for any accrued, unused vacation time. If eligible, s/he may also be compensated for a portion of banked sick/~~ESST~~ leave as stated in the *Severance Pay Section* of this policy manual.

Proper notice must be submitted in writing to the employee's supervisor. Employees working a typical Monday through Friday schedule must provide notice at least ten (10) working days prior to the separation date. Department directors must provide a twenty (20) working day notice. Employees working a shift schedule that may include weekends and evenings shall provide a fourteen (14) calendar day notice.

Non-exempt employees will be compensated for any accrued but unused compensatory time as of the date of separation.

An unauthorized absence from work for a period of three (3) or more working days may be considered a resignation without proper notice.

Failure to comply with this notice procedure may be considered reason for denying an employee future employment with the city.

Termination

Employees terminated from employment have no right or expectation of payment of accrued vacation, sick/~~ESST~~, and/or holiday leave time.

Retirement

Employees who retire from employment must follow the Resignation policy above and may be eligible for retirement programs as provided by state or federal law.

Layoffs

The City Council has the authority to lay off any employee when such action becomes necessary as determined in the city's sole discretion. The city will attempt to provide a ten (10) working day notice prior to a layoff.

Severance Pay

An ~~regular full-time or regular part-time~~ employee resigning employment may be eligible for a cash payment for a portion of unused sick leave. For ~~the purpose of~~ this section, sick leave is the combination of an employee's sick leave bank and Earned Sick and Safe Time

(ESST) bank. ~~Accrual for the year of payment shall be based on 3.6924 or 2.4616 hours per pay period, whichever is applicable to employee.~~ To receive a severance payout, the following conditions shall be met:

- The employee must ~~be a regular full-time or regular part-time employee~~ ~~earn sick leave per the Sick Leave policy below~~; and
- The employee must leave in good standing, not terminated by the city; and
- S/he must provide proper notice of resignation as stated above ~~(with city administrator discretion)~~; and
- S/he must execute a release of claims.

Payment shall be based on the consecutive years of leave-eligible service completed by the employee with the City of River and his/her accrued sick/~~ESST~~ leave balance. Payment shall be at the rate of pay when the resignation is submitted.

For Employees hired before August 8, 2023, and completing two (2) years of consecutive service, the severance payment is calculated at fifty percent (50%) of the accumulated sick/~~ESST~~ leave balance up to a maximum paid of four hundred eighty (480) hours.

Employees hired August 8, 2023, or later, and completing five (5) years of consecutive service, will receive a payout as outlined below:

5-9 consecutive years of service 40% of up to 960 hours
10 or more consecutive years of service 50% of up to 960 hours

An employee eligible for Severance Pay as noted above and eligible for PERA benefits will receive payout as outlined below.

15-19 consecutive years of service 60% of up to 960 hours
20-24 consecutive years of service 65% of up to 960 hours
25-29 consecutive years of service 70% of up to 960 hours
30-32 consecutive years of service 75% of up to 960 hours
33 or more consecutive years of service 80% of up to 960 hours

Accumulated leave ~~in excess of more than~~ nine hundred sixty (960) hours is not eligible for a severance payment. ~~Sick leave shall continue to accumulate in excess of nine hundred sixty (960) hours to be used in accordance with the Family Medical Leave Act.~~

Due to unforeseen circumstances and in his/her sole discretion, the city administrator may grant exceptions to provide partial payout prior to five (5) years of service.

Exit Interviews

Human Resources shall conduct a brief interview with each employee separating from city employment. The interview seeks to identify employee morale trends triggered by policy concerns, management/communication gaps, workload levels, and the general workplace

environment.

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Leave Benefits

The city and state and federal law provides leaves of absence according to the following policies. A Request for Leave Request of Absence form must be completed for foreseeable leaves other than vacation. Forms are available on Access Elk River or from Human Resources. When possible, advance notice of a leave should be provided to the employee's department director so work schedules can be adjusted accordingly. Many types of leave below have notice requirements. It is the employee's responsibility to review these policies and follow the notice requirements. Notice is not considered given until a Leave Request form has been submitted.

Depending upon an employee's situation, more than one form of leave may apply during the same period (e.g., the Family and Medical Leave Act is likely to apply during a workers' compensation absence). Not all types of leave are compensated. Employees taking FMLA leave are required to take vacation, sick, ESST, or compensatory time concurrently, unless they are also taking MN Paid Leave. An employee will need to meet the requirements of each form of leave separately and all eligible leaves will run concurrently, as allowed by law. Leave requests will be evaluated on a case-by-case basis.

Employees shall record worked hours or use only one type of paid leave for each scheduled work hour. Time off without pay is not allowed outside of the leave policies below.

Except as otherwise stated, all paid time off taken under any of the city's leave programs must be taken concurrently, or, when allowed by law, consecutively, with no intervening unpaid leave. The city will provide employees with time away from work as required by state or federal statutes if there are requirements for such time off that are not described in the personnel policies.

The city will not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting leave rights in accordance with these policies.

Vacation Leave

Paid vacation leave is provided for regular, full-time employees and on a prorated basis for eligible part-time employees. To be eligible, part-time employees must work a set schedule with a minimum of forty (40) hours per biweekly pay period. Most temporary, seasonal, and part-time employees are not eligible for vacation benefits.

Vacation leave is accrued based on consecutive years of leave-eligible service. To determine an employee's vacation accrual rate, years of service will include all continuous time the employee has worked at the city in a position that is eligible for paid leave (including authorized unpaid leave). Employees who are rehired after terminating city employment will not receive credit for their prior service unless specifically negotiated at the time of hire.

Leave-eligible employees hired before December 31, 2020, may carry more than 240 hours of vacation leave during a year but may not carry more than 240 hours forward to the next calendar year.

Employees hired after January 1, 2021, shall accrue 120 working hours per year at the start of eligible employment through the completion of their ninth (9th) year. Effective August 8, 2023, these employees may not carry more than 120 hours forward to the next calendar year but may carry more than 120 hours during a year.

Employees with fewer than eight (8) years of service as of January 1, 2021, who elected to reduce their annual carryover rate in return for the reduced annual accrual may carry more than their annual accrual amount of vacation leave during a year but, effective August 8, 2023, may not carry more than their annual accrual amount forward to the next calendar year. For the purpose of this policy, annual accrual amount is defined as the Accrual Rate hours listed below that reflect the Length of Service of the employee at the end of the calendar year.

Employees accrue vacation leave at the following rates with the exception of 2021 and later hires and eligible employees who have requested and acknowledged the new accrual and carry-over rate:

<u>Length of Service</u>	<u>Accrual Rate</u>
From start of eligible employment through completion of the 5 th year	88 working hours per year
Beginning of the 6 th year through completion of the 7 th year	112 working hours per year
Beginning of the 8 th year through completion of the 9 th year	120 working hours per year
Beginning of the 10 th year through completion of the 11 th year	128 working hours per year
Beginning of the 12 th year through completion of the 13 th year	136 working hours per year
Beginning of the 14 th year through completion of the 15 th year	144 working hours per year
Beginning of the 16 th year through completion of the 17 th year	152 working hours per year
Beginning of the 18 th year	160 working hours per year

Beginning of the 19 th year	168 working hours per year
Beginning of the 20 th year	176 working hours per year
Beginning of the 21 st year	184 working hours per year
Beginning of the 22 nd year through completion of the 24 th year	192 working hours per year
Beginning of the 25 th year and thereafter	200 working hours per year

Vacation leave requires supervisor approval. Employees may not use vacation leave during their Orientation Period unless authorized by the city administrator. Employees taking more than two (2) consecutive weeks of vacation or a combination of vacation and compensatory time must obtain prior approval from the city administrator. The city will make every effort to grant vacation time as requested but reserves the right to deny or approve vacation schedules.

40/40/40 Vacation Payout Option

Employees may request a one-time per year payout of forty (40) hours of accumulated vacation after taking at least forty (40) hours of vacation leave provided that after the reduction of the eighty (80) hours the employee retains a minimum vacation balance of forty (40) hours. The irrevocable election to take the 40/40/40 option must be made by the end of the calendar year prior to taking the vacation. The vacation payout will occur following a valid written request by the employee indicating the above criteria have been met or the second pay day in November of each year, whichever comes first.

Sick Leave

Employees hired before January 1, 2025, may have a bank of sick leave. Leave time is no longer being accrued into sick banks.

Sick leave is not a privilege or vested right that an employee may use at his/her discretion. Eligible employees may use sick leave only for the following:

- When an employee is unable to perform work duties due to illness or disability (including pregnancy).
- For medical, dental, or other care provider appointments.
- When an employee has been exposed to a contagious disease of such a nature that his/her presence at the workplace could endanger the health of others.
- To care for the employee's injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee's attendance with the child may be necessary.
- To take children, or other family members to a medical, dental, or other care

provider appointment.

- To care for an ill family member for such reasonable periods as the employee's attendance may be necessary.

For the purpose of this section, family member is defined as the employee's stepchild, biological, adopted or foster child, spouse, parent, and stepparent. ~~Paid sick leave is provided for regular, full-time and on a prorated basis for eligible part-time employees. Regular, full-time employees accrue sick leave at a rate of eight (8) working hours for each calendar month reduced by Earned Sick and Safe Time (ESST) bank as defined below. To be eligible, part-time employees must work a set schedule with a minimum of forty (40) hours per biweekly pay period. Most temporary, seasonal, and part-time employees are not eligible for sick leave.~~

~~Total leave banked as sick leave and ESST will be checked on the last pay day in October of each year.~~

- ~~• If Employee is at or over 960 accrued hours, they will begin accruing leave at the rate of eight (8) days per year on the first pay day in November.~~
- ~~• If Employee is under 960 accrued hours, they will remain accruing at the rate of twelve (12) days per year.~~

~~When balances are checked on the last pay day in October the following year, employees accruing at the eight (8) days per year rate shall have one-half (1/2) of the previous year's accrued hours paid into Employee's Post Employment Health Care Savings Plan and the remaining half will remain in the employee's sick leave bank. (i.e.: If you begin the year at the eight (8)-day accrual rate half of your year's accrual will be paid into your PEHCSP at the end of the year and the other half will remain in your bank.)~~

~~If the balance is below 960 when checked the following year, the employee returns to the twelve (12) days per year accrual rate. Employees are not eligible for PEHCSP payment when accruing at the twelve (12) days per year rate and all unused accrued hours remain in their bank.~~

~~If the balance is at or above 960 when checked, the employee will move to or remain in the eight (8) day per year accrual plan.~~

~~There is no limit on the amount of accrued sick leave that can be accumulated and carried forward from one year to the next.~~

Employees must notify their immediate supervisor at least thirty (30) minutes before the start of their regular start time if s/he intends to be absent from work. If an emergency prevents the employee from notifying the immediate supervisor, s/he must contact the immediate supervisor as soon as possible during the workday. Employees are required to keep their immediate supervisor informed of their anticipated return to work. Employees

~~are is~~ responsible to ensure sick time usage is recorded in the timekeeping system as soon as practicable but no later than the end of the pay period in which the time was taken.

After an absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Sick leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

The city has the right to obtain a second medical opinion to determine the validity of an employee's workers' compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The city will arrange and pay for an appropriate medical evaluation when it is required by the city.

An employee attempting to use sick time for reasons other than those explicitly permitted in this policy will be subject to disciplinary action up to and including termination.

A doctor's note shall be required if an employee is absent more than ~~three-two~~ (32) days or if abuse of sick leave is suspected. In some circumstances, an employee may be requested to submit to a medical examination by a physician or medical facility licensed to practice medicine. In such a circumstance, the city may select the physician and facility that will conduct the examination.

Earned Sick and Safe Time Leave

~~Earned Sick and Safe Time (ESST) is paid leave that can be used for certain reasons, including when an employee is sick, to care for a sick family member, when work or a child's school is closed, or to seek assistance if an employee or their family member has experienced domestic abuse, sexual assault, or stalking. This specific leave applies to all employees (including temporary and part-time employees) performing work for the city for at least 80 hours in a calendar year for the city. Paid On-Call Firefighters and elected officials or someone appointed to fill an elected office vacancy are not eligible.~~

Accrual of ESST

~~Beginning January 1, 20242025, Minnesota law requires all leave time provided to employees for personal illness or injury to be available for use as the implementation of Earned Sick and Safe Time (ESST). Regular, full-time and part-time employees no longer accrue time into sick banks and accrue ESST at a rate of eight (8) working hours for each calendar month, prorated for regular part-time employees. (Employees with more than 960 hours of Sick and ESST, see *Sick and ESST Bank Balances for Regular Employees* below.) To be eligible as a regular part-time employee, part-time employees must work a~~

set schedule with a minimum of forty (40) hours per biweekly pay period.

~~ESST is paid leave that can be used for certain reasons, including when an employee is sick, to care for a sick family member, when work or a child's school is closed, or to seek assistance if an employee or their family member has experienced domestic abuse, sexual assault, or stalking. This specific leave applies to all employees (including temporary and part-time employees) performing work for at least 80 hours in a year for the city.~~

For all non-regular employees, ESST is earned at the rate of one hour for every 30 hours worked, up to a maximum of 48 hours earned per calendar year with a maximum bank balance of 80 hours.

The hourly rate of ESST is the same hourly rate an employee earns from employment with the city.

~~Employees eligible for Sick Leave as defined in the section above will have a portion of that sick leave designated as ESST. Employees not eligible for Sick Leave as defined in the section above who work for the city at least 80 hours in a calendar year will accrue ESST at the rate of 1 hour for every 30 hours worked. ESST may begin accruing at the beginning of the calendar year employment although employees may not use ESST until they have worked 80 hours in that year. Unused ESST is not paid out at the end of employment except as provided under Severance Pay above.~~

~~After the employee has worked 80 hours in the calendar year,~~ ESST may be used as it is accrued in the smallest increment of time tracked by the city's payroll system for which employees are paid. For employees recording work hours on a timesheet, ESST may be used in 15 minute increments. For employees punching in and out on a kiosk, ESST may be used for the time lost in your scheduled shift.

An employee may use accrued ESST for the following reasons:

- an employee's:
 - mental or physical illness, injury, or other health condition;
 - need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; ~~or~~
 - need for preventive medical or health care; or
 - need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member;
- care of a family member:
 - with a mental or physical illness, injury, or other health condition;
 - who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or other health condition; or
 - who needs preventive medical or health care;
- absence due to domestic abuse, sexual assault, or stalking of the employee or

employee's family member, provided the absence is to:

- seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
- obtain services from a victim services organization;
- obtain psychological or other counseling;
- seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking; or
- seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking;
- closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;
- the employee's inability to work or telework because the employee is:
 - prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
 - seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the employee's employer has requested a test or diagnosis; and
- when it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For the purposes of this subdivision, a public emergency shall include a declared emergency as defined in MN Statute Section 12.03 or a declared local emergency under MN Statute Section 12.29.

ESST may be used for the following family members:

- an employee's:
 - child, 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;
 - spouse or registered domestic partner;
 - sibling, stepsibling, or foster sibling;
 - biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis when the employee was a minor child;
 - grandchild, foster grandchild, or stepgrandchildstep grandchild;
 - grandparent or stepgrandparentstep grandparent;
 - a child of a sibling of the employee (niece or nephew);

- a sibling of the parents of the employee (aunt or uncle); or
- a child-in-law or sibling-in-law;
- a spouse or registered domestic partner's family members as listed above;
- any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
- up to one individual annually designated by the employee.

Required Notices

If the need for the use of ESST is foreseeable, the employee must provide notice at least seven (7) days in advance of the use of the leave. Notice shall be provided by making the request through the employee's time management or HRIS system, or for extended leave, by completing a *Leave Request* form. Employees who punch in and out using a kiosk or timeclock shall provide written notice directly to their supervisor specifically identifying the use of ESST.

If the need is unforeseeable, the employee must provide notice as soon as practicable. If possible, employees must notify their immediate supervisor at least thirty (30) minutes before the start of their regular start time if s/he intends to be absent from work. If an emergency prevents the employee from notifying the immediate supervisor, s/he must contact the immediate supervisor as soon as possible during the workday. Employees are required to keep their immediate supervisor informed of their anticipated return to work. Employees shall follow notice requirements for the use of sick time set forth in union contracts if different from the requirements above. Employees ~~s are~~ is responsible to ensure ~~sick~~ ESST time usage is recorded in the timekeeping system as soon as practicable but no later than the end of the pay period in which the time was taken.

Time-off requests must include who the time is being used for, their relation to the employee, and the reason for the use.

When an employee uses ESST for more than ~~three~~ two consecutive work days, the employee shall provide 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. Employees may volunteer to seek a replacement worker or trade shifts to cover their ESST absence.

Carry Over of ESST

Employees will carry over accrued but unused ESST into the following calendar year. Accrued but unused ESST shall never exceed 80 hours for non-regular employees.

Retaliation Prohibited

The city shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting ESST rights, requesting an ESST **leave** absence, or pursuing remedies. Further, 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 ESST.

Benefits and Return to Work

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 accrued ESST is entitled to return to work 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.

When there is a separation from employment with the city and the employee is rehired again within 180 days of separation, previously accrued ESST that had not been used or paid out will be reinstated. An employee is entitled to use and accrue ESST at the commencement of reemployment.

Sick and ESST Bank Balances for Regular Employees

Total leave banked as sick leave and ESST will be checked on the last pay day in October of each year.

- If Employee is at or over 960 accrued hours, they will begin accruing leave at the rate of eight (8) days per year on the first pay day in November.
- If Employee is under 960 accrued hours, they will remain accruing at the rate of twelve (12) days per year.

When balances are checked on the last pay day in October the following year, employees accruing at the eight (8) days per year rate shall have one-half (1/2) of the previous year's accrued hours paid into Employee's Post Employment Health Care Savings Plan (PEHCSP) and the remaining half will remain in the employee's sick leave bank. (i.e.: If you begin the year at the eight (8)-day accrual rate half of your year's accrual will be paid into your PEHCSP at the end of the year and the other half will remain in your bank.)

If the balance is below 960 when checked the following year, the employee returns to the twelve (12) days per year accrual rate. Employees are not eligible for PEHCSP payment when accruing at the twelve (12) days per year rate and all unused accrued hours remain in their bank.

If the balance is at or above 960 when checked, the employee will move to or remain in the eight (8) day per year accrual plan.

There is no limit on the amount of accrued sick/ESST leave that can be accumulated and carried forward from one year to the next.

Sick Leave Donation

With the written consent of the city administrator, employees who earn Sick Leave may donate leave to fellow employees experiencing a major illness such as, but not limited to, heart attack, stroke, organ transplant, or other illness all of which must be supported by a physician's diagnosis, a catastrophic accident with serious injuries supported by a physician's diagnosis, or to care for a spouse or dependent under the same circumstances.

An employee is eligible to receive donated leave:

- 1.—If the employee currently earns sick leave.
- 2.—After all their own sick, vacation, compensatory, or other leaves are exhausted.
- 3.—Only for normal work hours lost due to the illness for which the leave is donated.
- 4.—Only for time not covered by disability insurance or Workers' Compensation.
- 5.—Up to a maximum of 240 hours.
- 6.—If the physician's diagnosis indicates the employee will be able to return to work after rehabilitation or recovery.

If the employee is eligible for FMLA, donated leave is used concurrently with FMLA leave and must be used within twelve (12) weeks of the date of the illness or be forfeited. If the condition of the recipient improves and s/he is able to return to work either in a light duty capacity, if work is available, or to his/her normal work schedule, any donated leave time shall be forfeited and remain in the bank of the donor.

An employee may donate up to sixteen (16) hours per recipient per year made in increments of not less than eight (8) hours. Employees with a combined sick leave and ESST balance of more than 960 hours shall donate equal shares of sick or ESST and vacation. Employees with a combined sick leave and ESST balance of less than 960 hours may donate only sick or ESST leave. The employee must complete a *Leave Donation Form* to donate leave. All donations are anonymous.

Donated leave will be paid at the recipient's current rate of pay. All donated hours become sick leave to the recipient. Donated hours do not qualify to be included as part of sick leave for the severance pay calculation.

This policy applies on a prorated basis for part-time employees eligible for sick leave.

In the event of a mandatory or recommended quarantine because of a public health event, the city administrator may use his/her discretion to allow leave donation.

Holiday Leave

Regular, full-time employees are eligible to receive pay for the following holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve
- Christmas Day

Regular, PPart-time employees will receive paid holidays on the same basis as regular, full-time employees, except that holiday pay will be pro-rated according to the number of hours worked. To be eligible, part-time employees must work a set schedule with a minimum of forty (40) hours per biweekly pay period.

Most temporary and seasonal employees are not eligible for holiday pay.

For eEmployees working a Monday through Friday workweek, holidays occurring on Saturday are observed the preceding Friday and holidays occurring on Sunday are observed on the following Monday.

When a holiday falls during an employee's vacation or sick leave, the employee will not be charged with vacation or sick leave for the holiday hours; the hours will be considered holiday leave.

Although the city prefers that employees enjoy the observed holidays, emergencies may arise. If a non-exempt employee is required by his/her supervisor to work on an actual holiday, the hours worked (in addition to holiday pay) shall be paid as follows:

1. Regular non-exempt full-time and regular non-exempt part-time employees (excluding employees to which #2 below applies) scheduled for or called in to work on the actual holidays listed above shall receive one and one-half the employee's regular rate of pay in addition to the holiday pay.
2. Holiday benefit-earning liquor store and FT Center employees (excluding senior activity center employees) will be given a bank of holidays (8 hours for each recognized holiday) to use throughout the year. Holidays not used will be paid to

the employee in on the first pay day in December of each year. Holidays to be used in December shall be requested and approved no later than November 15.

Employees will not receive one and one-half the employee's regular rate of pay if working on a holiday.

3. Employees performing emergency or mission critical snow removal shall be paid double time for hours worked on a holiday. For the purpose of this section, the additional pay applies on the actual holiday if different from the day observed by the city.
4. Firefighters shall be paid double time for emergency response and scheduled Fire Watch hours worked on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve and Christmas Day.
5. If scheduled to work on the actual holiday listed above, non-holiday benefit eligible part-time, seasonal, or temporary employees shall be paid at 1.5 times their regular rate of pay. Community Event Center non-holiday benefit eligible part-time, seasonal, or temporary employees shall also be paid at 1.5 times their regular rate for working on Easter.

Minnesota Paid Leave

The city provides time off to eligible employees who qualify for Minnesota Paid Leave (MNPL) benefits under Minnesota law. The city of Elk River is a participant in the MetLife Paid Leave program. MNPL benefits are funded through premium contributions payable to MetLife. The premium cost will be split between the city and employee as follows: The city of Elk River will pay 50% of the required premium and employees will pay 50% of the premium cost through payroll deductions starting January 1, 2026.

Eligibility

Eligibility determinations for MNPL benefits are made by MetLife. Generally, to be eligible for MNPL, you must:

- Work at least 50% of the time from a location in Minnesota, including employees who work from home or spend time in other states occasionally.
- Meet the financial eligibility requirements by having earned over a specific amount of wages as defined by Minnesota law at the time of your requested leave.

Benefit Amount

An employee's weekly MNPL benefits are calculated and determined by the Minnesota Department of Employment and Economic Development (DEED).

Leave Entitlement and Usage

MetLife may approve MNPL leave for the following conditions in a benefit year:

- Up to 12 weeks of medical leave (for yourself) to take care of yourself for a serious health condition, including pregnancy, childbirth, recovery, or surgery.
- Up to 12 weeks of family leave to:
 - Bond with a child through birth, adoption, or foster placement
 - Care for a family member with a serious health condition

- Support a military family member called to active duty
- Receive covered types of care for yourself or a family member because of domestic abuse, sexual assault, or stalking

You can take both types of leave in the same year, but you cannot exceed 20 weeks total within a single benefit year. For example, an employee may be entitled to 12 weeks of family leave to bond with a child and another 8 weeks of medical leave for their serious health condition. Your benefit is a rolling 12-month period measured backward from the first day you take Paid Leave. There is no waiting period for MNPL if you are granted the benefit.

MNPL Intermittent Leave

Employees may apply for intermittent leave in most cases, provided the leave is reasonable and appropriate to the needs of the individual requiring care.

A) Eligibility

In addition to the other eligibility requirements under the MN Paid Leave law, employees seeking intermittent leave must have at least eight hours of accumulated leave (unless more than 30 days have lapsed since taking the initial leave).

B) Notice

In situations where employees seek MNPL on an intermittent basis, employees must make a reasonable effort to provide written notice to the human resources manager of the need for intermittent leave *before* applying for MNPL benefits through MetLife. As part of the notice, employees must provide the city with the following:

- 1) proposed intermittent leave schedule; and
- 2) a completed certification from a health care provider identifying the leave as necessary and a reasonable estimate of the frequency and duration and treatment schedule for the leave.

C) Increments of Leave & Maximum Number of Hours

Employees may take intermittent leave in increments of one hour. If eligible for intermittent leave, the city allows a maximum of 480 hours of intermittent leave in any 12-month period. After reaching the maximum amount of allowed intermittent leave, employees may request continuous MNPL provided the continuous leave does not exceed the maximum amount of MNPL allowed by law.

Definitions

- Family member includes:
 - Spouse or partner
 - Child (including biological, adopted, step, or foster children, or a child you raise even if you are not legally related)
 - Parent or person who raised you
 - Sibling

- Grandchild or grandparent
- In-laws (including son, daughter, father, or mother)
- Anyone close to you who depends on you like family, even if not related by blood
- A **serious health condition** means a physical or mental illness, injury, impairment, condition, or substance use disorder. Taking care of yourself for this serious condition may involve evaluation, treatment, inpatient care, recovery, or not being able to perform regular work, attend school, or do regular daily activities. This includes childbirth, conditions related to pregnancy, or surgery.

Notice

Prior to starting a claim with MetLife, employees need to notify their supervisor of their intent to take leave and complete a *Leave Request*, which can be found on *Access Elk River*. If the need for leave is foreseeable, employees must provide at least 30 days' notice prior to taking leave. The employee must notify the supervisor and human resources as soon as practicable if the dates of scheduled leave change, are extended, or were initially unknown.

If the leave is not foreseeable you will still be able to take leave under MNPL and we ask that you provide as much notice as possible.

How to Apply for Minnesota Paid Leave

After the above Notice requirement has been met, you may apply for MNPL through our third-party administrator MetLife. (Notifying your employer first is a requirement of MNPL law.) Instructions on filing a claim can be found on *Access Elk River* or on your *Benefits & HR Info* page in UKG.

Interaction with Other Laws and Benefits

MNPL will run concurrently with any leave and/or wage supplement for which you may be eligible for under local, state, or federal law, or city policy which may include: Family and Medical Leave Act (FMLA), Minnesota Women's Economic Security Act (WESA) pregnancy and parenting leave, and Workers' Compensation.

The city offers short-term disability (STD) and long-term disability (LTD) that may run concurrently and require their own filing requirement pursuant to the terms of the STD and LTD policies. Please see the applicable plan policy for more information. STD and LTD payments may be reduced, pursuant to the terms of their policy, as a result of receiving MNPL.

Supplementing MNPL Benefits with Accrued Paid Leave

If you are receiving MNPL benefits, the city allows you to supplement, or "top off," your MNPL benefits with any accrued but unused paid leave. If you choose to supplement your MNPL benefits in this way, the combined weekly sum of MNPL benefits and city-provided

paid leave benefits cannot exceed your Individual Average Weekly Wage (IAWW). For more information, contact the human resources department.

Maintaining Health Coverage During Leave

Unless the employee revokes coverage while on MNPL, the city will continue to provide group health insurance coverage for an employee on MNPL under the same conditions as the coverage was provided before the employee took leave. You must continue to make timely payments of your share of the premiums for such coverage. If you are not using paid time off to cover part or all the leave, you will be responsible for remitting your portion of health premiums to the city to ensure continuation of benefits.

Group health insurance may be cancelled if an employee's premium payment is 30 days late. Before terminating coverage, the city will provide written notice to the employee at least 15 days before the coverage is terminated listing the final date payment is due (30 days past the due date) to avoid cancellation and the date coverage will end if payment is not received.

An employee's share of premium payments for their group health insurance coverage may be:

1. prepaid at or before the start of the leave. There are limitations to this when the leave occurs in two calendar years.
2. paid monthly to the city by check.

Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period.

Reinstatement

Upon return from covered MNPL, you will be reinstated to your previous position or to an equivalent position, with the same status, pay, employment benefits, length-of-service credit, and seniority credit as of the date of leave as long as you have worked for the city for a minimum of 90 calendar days.

Upon return to work, if it becomes evident that the employee is unable to perform the key essential functions of their position (with or without reasonable accommodation), the city may engage in an interactive process, consistent with the American with Disability Act (ADA) and/or Minnesota Human Rights Act (MHRA) and other applicable workplace policies, including workplace safety protocols, to determine appropriate next steps.

Retaliation

The city will not interfere or retaliate against employees who request or takes leave in accordance with the MN Paid Leave law

Family and Medical Leave (FMLA)

The city shall determine whether leave is FMLA-qualified. An employee cannot choose to opt out of FMLA leave given a qualifying event.

Employees meeting the following conditions qualify for FMLA leave:

- Have worked for the city for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the city will not consider any service 7 years prior to the employee's most recent hire date.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid ~~leave as~~ leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under the Family and Medical Leave Act (FMLA).

Leave will be granted to all eligible employees for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child, or parent who has a serious health condition.
- Due to a serious health condition that makes the employee unable to perform the essential functions of the position.
- A covered military member's active duty or call to duty, or to care for a covered military member (Military Caregiver and Qualified Exigency Leave, described below).

Definitions

Caring – Psychological as well as physical care. It also includes acquiring care and sharing care duties for a covered family member.

Eligible child – biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or who is 18 years of age or older and incapable of self-care because of a mental or physical disability. A person under 18 years of age or a person incapable of self-care because of a physical or mental disability who is a biological, adopted, foster, or stepchild, a ward of the employee, or a person with whom the employee is charged with a parent's rights, duties, and responsibilities.

Spouse – Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. Does not include domestic partners or common-law spouses.

Eligible parent – Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a

child. This term does not include “parents-in-law.” A biological parent or a person who was charged with parental rights, duties, and responsibilities over the employee when the employee was under the age of 18; does not include in-laws.

Serious Health Condition – As defined under the FMLA means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility.
- Period of incapacity due to pregnancy, prenatal medical care, or childbirth.
- Period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider (Absence plus treatment).
- Incapacity from a chronic condition which requires periodic visits for treatment by a health care provider continues over an extended period and may cause episodic rather than a continuing period of incapacity.
- Permanent/long-term conditions requiring supervision.
- Period of absence to receive multiple treatments (including any recovery period therefrom) by a health care or service provider under orders of, or on referral by, a health care provider.

Length and Amount of Leave

The length of FMLA leave shall not exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated on a rolling year basis measured backwards from the time the employee uses leave.

The entitlement to FMLA leave for the birth or placement of a child for adoption expires twelve (12) months after the birth or placement of that child.

How Leave May be Taken

FMLA leave may be taken in consecutive weeks, intermittently (a day periodically as needed), or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) workweekwork weeks.

Intermittent leave may be taken when medically necessary for the employee’s serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking intermittent leave or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment to not disrupt the city’s business.

In instances when intermittent or reduced schedule leave for the employee or employee’s family member is foreseeable or is for planned medical treatment, including recovery from

a serious health condition, the city may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the city's approval.

Notice

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to the employee's supervisor and human resources.

When the need for the leave is foreseeable, the employee must give verbal and written notice to his/her supervisor at least thirty (30) days prior to the date on which leave is to begin.

If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures.

If an employee fails to give thirty (30) days' notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice.

Certification and Documentation Requirements

For leave due to an employee's serious health condition or a family member's, the city will require the completion of a *Medical Certification Form* by the attending physician or practitioner. The form must be submitted to Human Resources within fifteen (15) calendar days after requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

The city may require an employee obtain a second opinion from a provider which the city selects. If necessary, to resolve a conflict between the original certification and the second opinion, the city may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

When leave is due to an employee's own serious health condition, a **Fitness For Duty Certification (FFD)** may be required before an employee can return to work. Failure to timely provide such certification **in a timely manner** may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave, and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent

leave.

Recertification

Recertification may be required if the employee requests an extension of the original approved leave or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

Annual Medical Certification and Recertification

Where the employee's need for leave due to the employee's own serious health condition lasts beyond a single leave year, the city will require employees to provide a new medical certification in each subsequent leave year. Such new medical certifications are subject to the provisions for authentication and clarification and second and third opinion.

Reinstatement

Employees returning from FMLA will be reinstated in the same position or a position equivalent in pay, benefits, and other terms and conditions of employment.

An employee's reinstatement rights are the same as they would have been had the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.

Notice of Intent to Return from FMLA Leave

The city requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Effect on Benefits

An employee granted leave under this policy will continue to be covered under the city's group health and dental insurance plan under the same conditions and at the same level of city contribution as would have been provided had they been continuously employed during the leave period.

~~Minnesota Parenting Leave and all forms of paid time off (sick leave, disability leave, workers' comp leave, vacation, compensatory time off, etc.) run concurrently with FMLA.~~ If there are changes in the city's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. Arrangements for payment of the employee's portion of premiums must be made by the employee with the city. Group health benefits may be cancelled if an employee's premium payment is 30 days late.

Failure to Return to Work after FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least 30 calendar days, the city may require the employee to repay the portion of the monthly cost paid by the city for group health plan benefits. The city may also require the employee to repay any amounts the city paid on the employee's behalf to maintain benefits other than group health plan benefits.

If an employee does not return to work following 12 weeks of FMLA leave, the employee may be subject to COBRA continuation.

If the employee fails to pay the city a portion of the premiums for which s/he is responsible during the FMLA leave and the employee fails to return to work, coverage may end. Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA.

If the employee does not return from the FMLA leave and coverage ended sometime during the FMLA leave due to lack of payment, there is no COBRA election available. For COBRA to apply, the employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the employee did not return from the leave.

Activities Prohibited During FMLA

While on leave, employees may not engage in activities (including employment) with the same or similar requirements and essential functions of an employee's current position.

Employees shall not engage in activities that conflict with the best interests of the city. Such conduct will result in disciplinary action up to and including termination.

Use of Accrued Paid Leave or Compensatory Time during FMLA

FMLA will run concurrently with any leave and/or wage supplement for which you may be eligible for under local, state, or federal law which may include: Worker's Compensation, Minnesota Paid Leave (MNPL) and/or Minnesota Women's Economic Security Act (WESA) pregnancy and parenting leave.

FMLA will also run ~~Paid leave runs~~ concurrently with ~~FMLA leave~~ any leave within this Personnel Policy Manual. The use of sick leave shall be for reasons allowed according to the Sick Leave Policy. Prior to taking unpaid FMLA leave, employees must use all but 40 hours of accrued sick/ESST leave (unless use is not applicable to policy), all but 40 hours of accrued vacation leave, and all compensatory time unless their medical condition/injury is covered by Worker's Compensation or MN Paid Leave.

Additional Leave

Employees who cannot return from an approved FMLA leave at the end of the approved leave period may request an extension up to the maximum of twelve (12) weeks allowed

under FMLA. If the twelve (12) FMLA weeks have already been used, the employee can request General Leave. If approved, before General Leave begins the employee must use any accrued sick/~~ESST~~ leave, compensatory time, or vacation leave that remains. If the leave is approved the employee will be required to pay the full cost of all group insurance, as provided under COBRA, ~~in-order~~ to continue coverage.

If the General Leave is not approved or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the city administrator's approval.

FMLA – Qualified Exigency and Military Caregiver Leave

Qualified Exigency

Eligible employees (described above) whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to twelve (12) weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following:

1. Short-notice deployment
2. Military events and activities
3. Childcare and school activities
4. Financial and legal arrangements
5. Counseling
6. Rest and recuperation
7. Post-deployment activities
8. Parental care
9. Additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave

An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, ~~or~~ parent, or next of kin of a covered servicemember may take up to 26 weeks in a single 12-month period to care for that servicemember.

The family member must be a current member of the Armed Forces (including a member of the National Guard or Reserves), who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise is on outpatient status or on the temporary disability retired list.

Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

Definitions

Son/Daughter of a covered servicemember -- The biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in *loco parentis*, and who is of any age.

Parent of a covered servicemember -- The biological, adoptive, step, or foster father or mother, or any other individual who stood in *loco parentis* to the covered servicemember. This term does not include parents "in law."

Next of kin of a covered servicemember -- Is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122(j).

Covered active duty, Regular Component of the Armed Forces -- Duty during deployment of the member with the Armed Forces to a foreign country.

Covered active duty, Reserve Components of the Armed Forces -- Duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of Title 10, United States Code.

Covered servicemember -- A member of the Armed Forces (including National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Serious injury or illness -- A member of the Armed Forces (including National Guard or

Reserves), with an injury or illness incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

A veteran who was a member of the Armed Forces (including National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Amount of Leave – Qualified Exigency

An eligible employee can take up to 12 weeks of leave for a qualified exigency.

Amount of Leave – Military Caregiver

An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a single, 12-month period. The single, 12-month period begins the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Leave taken for any FMLA reason counts towards the 26-week entitlement. If an employee does not take all of 26 workweeks of leave entitlement to care for a covered servicemember during the single, 12-month period, the remainder of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited.

Certification of Qualifying Exigency for Military Family Leave

The city will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

The city will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

All other provisions of the FMLA policy, including Use of Paid Leave, Employee status and benefits during leave, the Procedure for Requesting Leave, Benefits during Leave, and Reinstatement, are outlined above in the FMLA policy.

Parental Leave Policy

Federal and state law mandates a number of paid and unpaid types of leave to protect employment and to benefit certain activities. The city provides certain leaves to assist employees with life's challenges enabling employees to be productive at work.

For this purpose, the city has implemented a paid Parental Leave Policy. Paid parental leave is intended to provide workplace support for parents of newborn or adopted children as they adjust to new life changes and to assist with the preservation of accrued sick leave.

Eligibility

Employees must be sick leave benefit-earning to be eligible for Parental Leave after one (1) year of continuous leave benefit-earning city employment.

Leave may be granted following the birth of a biological child or legal adoption placement of a child. Foster child placement, surrogate mothers, and sperm or egg donors are excluded from coverage.

Employees shall notify Human Resources and their supervisor of the desire to take Parental Leave as soon as possible but no later than thirty (30) days before anticipated birth or placement to ensure work/shift coverage. A Request for *Leave of Absence* form shall be submitted at least thirty (30) days before anticipated leave.

Leave is discretionary subject to city service needs.

Use

Eligible parents are permitted five (5) working days (up to 40 hours) of paid leave following the birth or adoption placement of a child. Available hours are prorated for part-time employees. Hours are paid at the employee's regular base wage for regularly scheduled work hours only and do not include overtime, supplemental pay, and/or other additional pay.

Leave must be taken within the first six months of birth or adoption placement. In no case shall Parental Leave combined with other types of leave extend beyond 12 weeks.

Leave may be taken intermittently and may run consecutively with other leave (sick, vacation, or compensatory time). Parental leave shall run concurrently with FMLA, MN Parental Leave, and/or Short Term Disability.

~~Employer benefit contributions and leave accruals (both according to policy) continue during paid parental leave.~~

MN Pregnancy and Parenting Leave

All employees are entitled to take an unpaid leave of absence under the ~~Pregnancy and Parenting Leave Act of Minnesota~~ Minnesota Women's Economic Security Act (WESA).

Female 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 are eligible for up to twelve (12) weeks of unpaid leave. Any paid or unpaid leave taken for prenatal care medical appointments will not count toward the 12-week leave.

~~Leave and~~ must begin within twelve (12) months of the birth or adoption of the 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. Employees should provide as much notice as possible. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees ~~are required to~~ may use accrued leave (sick/~~ESST~~ leave, vacation leave, compensatory time) during Pregnancy and Parenting Leave. If the employee has remaining FMLA eligibility at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. If the employee is taking MN Paid Leave, MN Pregnancy and Parenting Leave will run concurrently as well.

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 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.

~~An employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting parental leave rights or remedies.~~

Adoptive Parents

Adoptive parents have the same leave opportunity as biological parents (see ~~MN~~ Pregnancy and Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Leave must begin before or at the time of the child's placement in the adoptive home.

Reasonable Work Time for Nursing Mothers

Nursing mothers and lactating employees are provided reasonable break time to express milk ~~for her infant child~~. The paid break times can run concurrently with any break time

already provided. The city will provide a private and secure room (other than a restroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and that includes with access to an electrical outlet.

Reasonable Accommodations for Health Conditions Relating to Pregnancy

The city will attempt to provide female employees who request reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth without advice of a licensed health care provider or certified doula.

- More frequent or longer restroom, food, and water breaks
- Seating
- Limits on lifting over 20 pounds

The city will provide reasonable accommodations, including, but not limited to, temporary leaves of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods and limits to heavy lifting to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates the accommodation would impose an undue hardship on the operation of the employer's business. In accordance with state law, no employee is required to take a leave of absence for a pregnancy nor accept a pregnancy accommodation.

The city will engage in an interactive process with respect to an employee's request for a reasonable accommodation, including, but not limited to, temporary transfer to a less strenuous or hazardous position, should one be available, unless such accommodation imposes an undue hardship on the city.

School Conference Leave Policy

Employees may take up to sixteen (16 hours) unpaid leave during any 12-month period to attend school conferences or classroom activities related to the employee's child (through secondary school), provided the conferences or classroom activities cannot be scheduled during non-work hours. If an employee's child receives childcare services or attends a pre-kindergarten regular or special education program, the employee may use the leave time to attend a conference, or activity related to the employee's child, or to observe and monitor the services and program, provided the conference, activity, or observation cannot be scheduled during non-work hours.

When the need for leave under this section is foreseeable, the employee must provide reasonable prior notice of the leave to his or her immediate supervisor and make a reasonable effort to schedule the leave so as not to unduly disrupt city business.

Employees may choose to use vacation leave for this absence but are not required to do so.

Bone Marrow/Organ Donation Leave

Employees who work an average of twenty (20) or more hours per week who seek to undergo a medical procedure to donate bone marrow or an organ or partial organ may take up to forty (40) hours of paid leave. The forty (40) hours is over and above the amount of accrued time the employee has earned. The city may require verification by a physician of the purpose and length of each leave requested by the employee. If a medical determination indicates the employee does not qualify as a donor, the paid leave is not forfeited.

~~Effective July 1, 2023, an employer shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting bone marrow or organ donation leave rights or remedies.~~

Military Leave

State and federal laws provide protections and benefits to city employees who are called to military service, whether for training 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 15 days in any calendar year. City compensation is in addition to the military pay for these 15 days, as per MN Attorney General's Opinion.

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 days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the city at least ten working days in advance of the requested leave. A training notice, signed orders, or battle assembly schedule are examples of typical written notification to share with the city.

If an employee has not yet used his/her fifteen 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.

~~With few exceptions, e~~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 vacation leave and sick leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond

fifteen days will follow the same procedures as for any employee on an unpaid leave of absence.

Employees will be granted up to ten working days of unpaid leave whose immediate family member (defined as a person's parent, child, grandparents, siblings or spouse) is a member of the United States armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Unless the leave would unduly disrupt the operations of the city, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

The city will grant employees an unpaid leave of absence for time spent serving as a member of the Civil Air Patrol upon request and authority of the state or any of its political subdivisions, unless the absence would unduly disrupt the operations of the city. Employees may choose to use vacation leave in place of unpaid leave.

Civil Air Patrol

The city will grant employees an unpaid leave of absence for time spent serving as a member of the Civil Air Patrol upon request and authority of the State or any of its political subdivisions, unless the absence would unduly disrupt the operations of the city. Employees may choose to use vacation leave while on Civil Air Patrol Leave but are not required to do so.

Jury Duty Leave and Court Appearances

Employees are allowed a leave of absence pursuant to state statutes without restriction or sanction when called for jury duty.

- An employee performing jury duty or testifying in court for city-related business will receive the difference between his/her regular rate of pay and the amount received as juror or witness up to the maximum allowed by state or federal law. Upon receipt of payment from the court, documentation of payment shall be provided to Human Resources.
- The employee must notify his/her supervisor and initiate a leave of absence within forty-eight (48) hours of receiving call for jury duty.
- An employee excused or released from jury duty during regular work hours must report to his/her supervisor immediately thereafter.
- Time spent on jury duty will not count as time worked in computing overtime.
- In order to receive regular wages for the period, employees shall report compensation received for jury duty to Human Resources.

- 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.

Victim or Witness Leave

Employees subpoenaed or requested by a prosecutor to testify in court related to sexual assault, domestic abuse, or stalking, who is the victim or is the spouse or immediate family member of such victim, shall be allowed the use of earned sick and safe time for reasonable time off from work to attend criminal proceedings related to the victim's case. See the *Earned Sick and Safe Time policy* for additional information.

Bereavement Leave

Regular full-time and regular part-time employees working a minimum of 1,040 hours per year are permitted a paid leave from scheduled work to make funeral arrangements, for funeral attendance, to care for survivors, gather with relatives, and/or to otherwise grieve a familial death. Bereavement leave is prorated for eligible regular, part-time employees according to the number of hours worked. Leave is limited to the following:

- Up to five (5) days: Husband, wife, mother, father, son, daughter, brother, sister, stepmother, stepfather, stepson, stepdaughter, stepbrother, and stepsister.
- Up to three (3) days: Son-in-law, daughter-in-law, mother-in-law, father-in-law, grandparent, or grandchild.
- One (1) day: Aunt, uncle, cousin, niece, nephew, sister-in-law, brother-in-law, Godchild, grandparent-in-law.
- With city administrator approval, leave may be granted in certain unique family arrangements.

Leave days shall be concurrent unless approved by the city administrator and supervisor.

Additional time off for bereavement may be granted and charged to vacation leave or compensatory time, if available. Employees covered by a collective bargaining agreement shall receive bereavement benefits as stated in the collective bargaining agreement.

General Leave

The city recognizes that unique personal circumstances may cause an employee to seek time off without pay. The city may, at its sole discretion, grant unpaid personal leaves of absence (General Leave). Approval is required from the immediate supervisor, department director, and the city administrator. General Leave shall not exceed ninety (90) days, unless approved by the city administrator.

Vacation and ~~sick-ESST~~ leave do not accrue during a General Leave and the employee is not eligible for holiday pay or other types of leave. The city will not contribute to the cost of insurance premiums for an employee on General Leave.

Employees are expected to return from General Leave when the reason for the leave expires. Employees who take a General Leave have no right to reinstatement.

Voting, Election Judge, and Delegates to Party Conventions Leave

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off with pay for purposes of serving as an election judge, provided the employee gives the city at least twenty (20) days written notice, including a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The city may reduce the wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment. Thus, employees will be paid the difference between their pay as an election judge and their regular rate of pay for their normal workday.

The city reserves the right to restrict the number of employees absent from work for the purpose of serving as an election judge to no more than 20 percent of the total work force at any single worksite.

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 on the election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues. ~~Effective July 1, 2023, e~~Employees may be absent from work for the time necessary to vote to include voting during the period allowed for voting in person before election day.

An employee may be absent from work to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee. The employee may attend any convention of a major political party delegate, including meetings of official convention committees if the employee is a delegate or an alternate delegate to that convention.

Per the statutory requirement, the employee must give at least ten days' written notice of their planned absence to attend committee meetings or conventions. Time away from work for this purpose will be considered unpaid unless the employee chooses to use vacation ~~leave or compensatory time/PTO leave~~ during their absence.

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 administrator.

Athletic Leave of Absence

An employee who qualifies as a member of the United States national team for athletic competition on the world championship, Pan American, or Olympic team in a sport sanctioned by the International Olympic Committee, shall be granted a leave of absence without loss of pay or other benefits for the purpose of preparing for and engaging in the competition. In no event shall the paid leave exceed the period of official training camp and competition combined, or 90 calendar days a year, whichever is less. The employee shall provide documentation establishing their participation on said team and in said event.

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General Benefits

Following is an overview of benefits available to eligible employees. The descriptions provided are not intended to be comprehensive and all questions regarding eligibility and benefit levels should be directed to Human Resources. The plan documents govern any inconsistencies between plan documents and the information provided in this section. Benefits and eligibility requirements are subject to change, and such changes may not be reflected in this description.

The city reserves the right, in its sole discretion, to change, modify or eliminate benefits at any time, except to the extent prohibited by law.

Insurance

Various insurance policies, including group medical insurance, may be available for eligible city employees and their dependents. Information about the benefits an employee is eligible for ~~are~~ is provided to them during their orientation. Questions about benefits should be directed to Human Resources.

The eligibility requirements and benefits provided are specified in materials provided by the respective insurance carriers. Carriers may have different requirements concerning eligibility and they will govern eligibility.

Under some circumstances, eligible employees and their dependents may have the option of continuing coverage under certain city employee insurance plans for a limited time at the employee's own expense when coverage would otherwise end. This continuation right is provided in accordance with the Consolidated Omnibus Budget Reconstruction Act of 1985 (COBRA) and applicable state law.

Retirement/PERA

The city participates in the Public Employees Retirement Association (PERA) to provide pension benefits for its eligible employees to help plan for a *successful and secure retirement*. Participation in PERA is mandatory for most employees, and contributions into PERA begin immediately. The city and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the city matches the employee's Social Security and Medicare withholding for many employees). For information about PERA eligibility and contribution requirements, contact Human Resources.

Post Employment Health Care Savings Plan

Upon retirement, Department Directors and City Administrator shall contribute 100% of their Severance Pay, as paid according to policy, to their Post Employment Health Care Savings Plan (HCSP) unless the Employee has opted out of the program which is approved due to a qualified exemption rule: this provision is irrevocable as set forth by law. Should an Employee choose this opt-out provision, it will be paid to the Employee as severance.

Upon the death of an Employee, contributions can no longer be made to the HCSP. Any payments owed but not yet paid into the HCSP will be paid out as regular income in accordance with state and federal law.

Employee Development / Tuition Reimbursement

The city encourages and recommends lifelong learning and offers reimbursement to regular, full-time employees for up to 75% of the tuition paid by the employee, excluding scholarships and grants up to a maximum reimbursement of \$3,000 per year (based on the budget year the expense is applied) for accredited college or other instruction directly related to the employee's position with the city. To be eligible for reimbursement the following requirements must be met:

1. Prior to registration, a completed *Tuition Reimbursement Request Form* must be signed and on file with Human Resources; and
2. The instruction must be to obtain a degree, certification, or license and apply directly to the employee's position or be required to complete an associate, bachelor's, master's, or doctorate degree in the field in which the employee works; and
3. The employee must successfully complete the instruction. If letter grades are assigned, the minimum grade required for reimbursement is a C; and
4. The reimbursement must be submitted within 60 days of instruction completion.

Books, activity fees, technology fees, and other non-tuition charges do not qualify for reimbursement.

All instruction must be taken on employee time and time spent on instruction is not considered hours worked. If any portion of the employee's class/development activity is conducted during regular work hours, the employee must take vacation or compensatory leave, an unpaid leave of absence, if approved, or arrange for flexible scheduling, if approved by the department director.

Courses taken to maintain licensure, affiliation, certification, or credentialing as well as work-related seminars and training are paid for with City Council approved budgeted training funds.

Employee Wellness

In an effort to promote wellness, the city maintains and encourages the use of a fitness room with exercise equipment. The policy attached as Exhibit A must be read, signed, and returned to Human Resources before using the fitness room.

Throughout the year, events are provided by the city's [Whole](#) Health Rewards Program Committee to promote overall health and wellness. Participation is encouraged.

General Policies

Smoking, Vaping, and Tobacco Policy

The city complies with the Minnesota Clean Indoor Air Act. All city buildings and vehicles, in their entirety, shall be designated as smoke free, meaning that smoking in any form (through the use of products such as pipes, cigars, and cigarettes), or “vaping” with e-cigarettes is prohibited while in a city facility or vehicle.

Smoking and vaping of any kind is prohibited while on duty except for employees 21 and over only during their breaks and lunch, and only in areas designated for that purpose. Employees who use chew/spit tobacco shall not do so in the presence of the public and with respect to fellow employees and shall not cause damage to or soil city vehicles, equipment, or facilities.

Employees violating this policy may be subject to disciplinary action up to and including termination.

Appearance and Dress

Employee appearance is a direct reflection on the professionalism of city services. Departments may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. To respect the rights of employees with fragrance sensitivities, fragrances should be minimal or not worn.

Clothing must always be clean, neat, and in good repair. Good hygiene is always expected. The City Dress and Appearance Policy is available on *Access Elk River*. Violation of this Policy may result in discipline up to and including termination.

Electronic Communication Devices

The city provides telephonic equipment (land line and cellular), computer equipment and software, and services used to communicate and supply email, voicemail, and internet data access. The equipment and services are the property of the city and are intended to be used for official city business. Employees who intentionally misuse Electronic Communication Devices may be subject to discipline up to and including termination. Please reference specific city policies regarding issue eligibility and use of electronic communication devices such as 800 MHz radios, cell phones, smartphones, and iPads/tablets.

Telephone Use

It is critical that employees be courteous, tactful, professional, and efficient on the telephone. Employees are expected to answer and return calls promptly.

Personal calls must not interfere with city work, should be brief and made only when necessary. Preferably, personal calls should be made during scheduled rest break or lunch periods.

The Mobile Phone Policy can be found on *Access Elk River*.

iPad/Tablet Device Use Policy

The City Council has authorized the purchase and assignment of iPads and tablet devices to enhance workflow, reduce paperwork, increase efficiency, and enhance internal and external communication. The full city policy which includes purpose, use, care, and user responsibilities can be found on *Access Elk River*.

Email and Voicemail Use

Emails and voicemails are subject to the Minnesota Records Management and the Government Data Practices Acts and could be classified as public information.

While occasional use of these services for personal, non-business use is acceptable, employees must demonstrate a sense of responsibility and may not abuse email or voicemail privileges.

Communication sent via email or voicemail must be respectful in tone and professional. The transmission, retrieval, or storage of discriminatory, harassing, derogatory, obscene, defamatory, or threatening messages are forbidden. Email shall not be used for chain letters or for any purpose which is illegal, against city policy, or contrary to the city's interests.

There is no expectation of privacy regarding city email or voicemail. The city has the capability to retrieve mail messages even after deletion. Furthermore, the use of passwords on the email and voicemail system does not mean that messages stored on those systems are confidential or may not be retrieved or reviewed by others. The city reserves the right to review employee email files, messages, and usage at any time and without notice and/or permission.

Employees must respect other's electronic communications and may not obtain unauthorized access to another's email or voicemail messages, except pursuant to direction from the city administrator for the purposes specified above.

Internet Access and Use

Acceptable uses of internet access services include information for business-related purposes, professional education, and professional development.

Employees must respect all copyrights and intellectual property rights of materials, and

may not copy, retrieve, modify, or forward copyrighted, patented, or trademarked materials except as permitted by the owner or as a single copy for reference use only.

Internet access and use is not confidential. The city has the right to monitor individual internet usage and to review individual internet usage logs.

Bandwidth Conservation

The city provides for access to the internet for several key government functions, such as police access to records and public access to public records. To ensure sufficient bandwidth to access applications, the city implements bandwidth conservation measures, which include blocking websites with no instructional or administrative value. Use of internet radio stations for casual listening and/or background music is strictly prohibited. Employees shall not download music files.

Password Policy

Passwords protect access to vital city technology resources utilized for daily business. The City Password Policy can be found on *Access Elk River*. The policy outlines the purpose, rules for password use and the composition.

Travel Expenses

An employee will be reimbursed for actual and necessary expenses incurred when traveling on official city business only upon approval of such expenses by the City Council in accordance with the city Travel Policy. To receive reimbursement, promptly complete the appropriate claim form and submit [it](#) to the appropriate department director for consideration and approval.

The Travel Policy can be found in the city's Financial Management Policy on *Access Elk River*.

Keys and Security

Employees are responsible for securing their work area at the end of each day. Properly secure all confidential files and sensitive information. All keys [or electronic access devices](#) in your possession that are for city facilities and/or equipment must be returned to your supervisor upon separation from employment.

Personal Use and Disposal of City Property

City property and equipment shall only be used in the performance of official city business. City-owned equipment and facilities are not available for personal use by employees. Personal use of city vehicles, machinery, tools, and other equipment is strictly prohibited.

As city property becomes obsolete, damaged, or is no longer needed, it shall be disposed of through salvage, trade, public auction, bid, or other means.

Disposal by sale or auction requires a public notice be advertised in the official newspaper and a posting at City Hall and other locations as deemed appropriate. The appropriate department director will determine the minimum price for each item to be sold.

City property shall not be given away to anyone, including employees.

An employee may purchase no more than one motor vehicle from the city or another political subdivision in any 12-month period.

Employees involved in the auction or process pertaining to the administration and collection of sealed bids are prohibited from purchasing city property.

Unauthorized removal of city property or its conversion to personal use may result in discipline up to and including termination.

Use of City Vehicles

City-owned vehicles may be used only by employees for official city business. Employees who drive or may be required to drive city vehicles and equipment must maintain a safe driving record and observe all traffic laws. Seat belts must be properly used at all times. The use of electronic communications devices (cell phones, smart watches) is prohibited unless you are having an emergency or in an emergency vehicle performing official duties. Drivers must carry a current, valid driver's license that is adequate for the type of vehicle driven. Operating a city vehicle without a valid driver's license will result in disciplinary action up to and including termination. All employees must abide by the city's Fleet Safety Program including drug and alcohol testing for all employees who are involved in an accident while driving a city vehicle.

Passengers may be carried only when necessary to conduct city business and/or when their transportation via city vehicle is in the best interests of the city. City vehicles may not be used to travel from work to an employee's residence for rest or lunch breaks without prior supervisor approval. Employees conducting official business out of town (conventions, meetings, etc.) may carry family members as passengers if such accompaniment does not interfere with the best interests of the city and upon approval by the department director.

Resident Complaints

Resident complaints provide an opportunity for feedback and identifying problem areas. How well complaints are handled determines the level of confidence and respect the public holds for their municipal government.

When handling a complaint, be polite and never argue with the complainant even if s/he is angry, unreasonable, or insulting toward you and the city. Stay calm, cool, and collected.

When a complaint is received, complete the following steps:

- Receive and record information pertinent to the complaint.
- Determine which employee is responsible to investigate and take corrective action and forward the complaint accordingly.
- Follow-up to ensure action has been taken to correct the problem.

Emergency Closing

City facilities and functions will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will be allowed to use accrued vacation time or compensatory time, or with supervisor approval, may modify the work schedule, or make other reasonable schedule adjustments.

Sworn police officers, wastewater treatment operators, and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective department director after consultation with the city administrator.

Employee Participation in the City Fire Department

Employees are allowed and encouraged to participate as a part-time paid on call firefighter in the Elk River Fire Department. The following pay provisions, in accordance with state and federal laws, apply to employees who also work outside of their regular department as part-time paid firefighters:

Fire Calls During Working Hours

An employee will be allowed to respond to fire calls as approved and determined by his/her department director, based on the work assignments and responsibilities of the employee.

Employees responding to fire calls during regular work hours will be compensated at the same rate as his/her regular city position with no additional firefighter paid compensation. An employee who completes (flexes) regular work hours interrupted for a fire call during the same day will also receive firefighter pay for the fire call.

Employees responding while on vacation or compensatory time off will also receive firefighter pay for the fire call.

Fire Calls During Non-Work Hours

Employees will receive their normal firefighter pay for fire calls and training that do not occur during the regular work hours of their regular position.

Application of Fair Labor Standards Act (FLSA)

Employees will be paid overtime in accordance with the FLSA. Actual time worked will be used for determining overtime payment, with no consideration to the one-hour minimum call out pay provision for firefighter pay nor to paid leave time in the employee's full-time position. For example, a false alarm that requires 15 minutes of work will be counted as 15 minutes for FLSA purposes even though the minimum call out of one hour of pay would apply for firefighter pay purposes.

By advance mutual agreement, overtime earned for performance of fire department activities shall be paid at one and one-half times the employee's firefighter pay rate.

Employee Participation in Fire Departments Outside of Elk River

Employees who serve as firefighters outside of the City of Elk River must notify their immediate City of Elk River supervisor as soon as possible when they are tardy/delayed for their normal scheduled work shift due to an emergency call. If advance notice is not possible (e.g., emergency calls received while en route to work), the employee should contact their supervisor as soon as reasonably possible.

The employee must provide written documentation (run report, log, etc.) from their department confirming participation in the emergency call or scene (fire, rescue, or medical) as soon as it is available or before the submittal of their timecard whichever comes first.

At the discretion of the supervisor, the employee may be provided the opportunity to make up the time missed within the same workday. If this cannot be accommodated, the employee must use accrued vacation or compensatory time for the missed hours. Supervisors are responsible for ensuring that all time adjustments are accurately recorded. Employees will not receive additional pay from the City of Elk River for time spent responding to said emergencies.

All non-exempt, non-Elk River volunteer firefighters must turn their pagers off during their regular scheduled shift while working for the City of Elk River so as not to cause a distraction for themselves and others in the workplace.

This guideline may be modified by the City of Elk River at any point in time.

Employee Participation in the Police Reserves

City employees who are also member of the Elk River Police Reserves and are paid for their work as a Reserve Officer shall be paid overtime at the Reserve rate when Reserve work contributes to the FLSA requirement for overtime compensation.

Regular position hours worked as overtime shall be paid at the regular overtime rate.

Political Activity

Employees may belong to a political party and are entitled to complete freedom from all

interference in casting votes. Employees may seek election or appointment to public office, except to the extent prohibited by the provisions of state or federal law.

Political activity must not interfere with an employee's job duties or performance. Political activity during work hours is prohibited.

Candidacy

Employees who become candidates for elective office may request a leave of absence for the purpose of pursuing their candidacy, which may be granted at the city's sole discretion.

To the extent that any employee, including one campaigning for office, is unable to perform his or her duties, s/he may be subject to disciplinary action, up to and including termination.

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Labor Relations

Communication

The city encourages open communication throughout the organization to share information and ideas, to raise concerns, and to provide suggestions for improvement. To foster communication and improve responsiveness, the city employs an administration/management structure (chain of command) with a defined span of control intended to enhance communication and accessibility to supervisors, managers, and department directors.

Employees shall first direct all communication to their immediate supervisor. Supervisors shall respond to all inquiries, concerns, or suggestions in a timely manner. Violations of policies, including this policy shall be filed in accordance with the City Grievance Procedure.

In the event the employee's inquiries, concerns, or suggestions are not addressed in a timely manner, or s/he anticipates negative repercussions from communication with the immediate supervisor, the employee may direct the communication to the immediate supervisor's supervisor. Concerns and suggestions shall be advanced to each step including department director, human resources, and city administrator if closure ~~did~~does not occur at the earliest possible level of communication.

Bypassing a step in the administration/management structure does not constitute insubordination. Insubordination in the workplace refers to an employee's intentional refusal to obey an employer's lawful and reasonable orders. Such a refusal would undermine a supervisor's level of respect and ability to manage and, therefore, is often a reason for disciplinary action, up to and including termination.

Elected and appointed officials, including mayor, council members, and commissioners frequently solicit employee feedback to better understand operations, improve policy, and ~~to~~ ensure quality service. Suggestions, grievances, and concerns shall only be addressed with policymakers following the exhaustion of resolution through the administration/management structure.

Notwithstanding the previous paragraph, a disagreement between employee and supervisor shall not be a reason to bypass the administration/management structure and bring issues to elected or appointed officials.

Directors, managers, and supervisors shall respect the administration/management structure of other departments and divisions by coordinating work direction through the respective department director.

Retribution or retaliation by supervisory staff for the expression of ideas is not tolerated. A supervisor's decision to not act on or accept an employee's suggestion or

recommendation shall not be construed as retribution, retaliation, or inaction.

Discipline

The city retains the right to take any disciplinary action deemed appropriate based upon the nature and severity of the infraction(s) and the conditions surrounding the incident. The city retains the sole discretion to determine what behavior warrants disciplinary action and which action will be imposed.

The city may use progressive discipline to correct negative behavior rather than punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies **implies** that any city employee has a contractual right or guarantee (also known as a property right) to the job he/she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee.

The following are descriptions of the types of disciplinary actions:

Oral Reprimand

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors can issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed.

Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected, or the behavior has not consistently improved in a reasonable period.

Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with prior approval from the city administrator.

A written reprimand will: (1) state what happened; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

Suspension With or Without Pay

The city administrator may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans, who have completed their initial probationary period, will not be suspended without pay in conjunction with a termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on Administrative Leave pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on the nature of the allegations. If the allegation is proven false, the relevant documents shall be removed from the employee's personnel file, and the employee will receive any compensation and benefits due had the suspension not taken place.

Demotion and/or Transfer

An employee may be demoted or transferred if attempts at resolving an issue have failed and the city administrator determines a demotion or transfer to be the best solution to the problem.

The employee must be qualified for the position to which they are being demoted or transferred. The City Council must approve this action.

Salary

An employee's salary increase may be withheld, or the salary may be decreased due to performance deficiencies.

Dismissal

The city administrator, with the approval of the City Council, may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with city standards.

If the disciplinary action involves the removal of a qualified veteran, who has completed his/her initial probationary period, the appropriate hearing notice will be provided, and all rights will be afforded to the veteran in accordance with Minnesota law.

While the city strives for consistency, the level of discipline taken in any given case does not establish a precedent for future similar circumstances.

This policy does not change the fact that city employment is at-will, meaning an employee and the city have the right to terminate employment at any time and for any reason, with or without cause or notice.

Grievance Procedure

Any dispute between an employee and the city relative to the application, meaning, or interpretation of personnel policies will be settled in the following manner:

Step 1 - The employee must present a grievance in writing, stating the nature, the facts in which it is based, the provision(s) of the personnel policy allegedly violated, and the remedy requested, to the immediate supervisor and department director within twelve (12) days after the alleged violation or dispute has occurred. The immediate supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2 - If the grievance is not settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts in which it is based, the provision(s) of the personnel policy allegedly violated and the remedy requested, to the department directorcity administrator within seven (7) days after the due date of the supervisor's response. The department directorcity administrator and grievant shall schedule an in-person meeting to include necessary participants within seven (7) days as practicable. The city administrator will respond to the employee in writing within seven (7) calendar days of the in-person meeting.

~~**Step 3** - If the grievance is not settled in accordance with Step 2, it must be presented in writing, stating the nature of the grievance, the facts in which it is based, the provision(s) of the personnel policy allegedly violated and the remedy requested, to the city administrator within seven (7) days after the due date of the department director's response. The city administrator or his/her designee will respond to the employee in writing within seven (7) calendar days.~~ The decision of the city administrator is final for all disputes with exception of those specific components in a performance evaluation subject to a challenge through the Department of Administration.

Waiver - If a grievance is not presented within the time limits set forth above, it will be considered "waived." A grievance not appealed to the next step in the specified time limit or any agreed extension thereof will be considered settled based on the city's last answer. If the city does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the city and employee without prejudice to either party.

The following actions are not grievable:

- While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
- Pay increases or lack thereof.

The above list is not meant to be all inclusive or exhaustive.

Choice of Remedy

It is specifically understood that any matters governed by statutory or regulatory provisions, except as expressly provided for in the policy, shall not be considered grievances under this policy. If more than one procedure is available for resolution of a dispute arising from any provisions covered by the agreement, the aggrieved employee shall be limited to one procedure through which remedy may be sought. If the aggrieved employee utilizes a procedure other than the grievance procedure herein, then the employee is precluded from appealing under this procedure. If the employee utilizes this procedure, then the employee is precluded from appealing under another procedure. Employees may use both this grievance procedure and a statutory procedure to the extent that it is required by state or federal law.

Safety

The city seeks to ensure the personal safety of employees and to prevent occupationally induced injuries and illnesses. To the greatest degree possible, management seeks to maintain a safe and hazard-free work environment.

It is the policy of the City Council to provide employees with safe working conditions through the following means:

A Safety Committee consisting of employees and management representing each department and employee group is charged with creating and maintaining a safety program in compliance with all applicable federal, state, and local laws.

The Committee or sub-committee reviews occupational illness and injury, and incidents that result in damage to city property, and strives to take action to ensure that unsafe work methods, unsafe work sites, and unsafe equipment are identified and made safe.

All employees are required to fully comply with the Safety Program as administered by the Safety Committee.

Department directors, management, and supervisory employees are responsible for implementing the Safety Program by training their employees in safe work methods and by enforcing compliance with safety standards set by the Safety Committee.

Department directors are responsible for providing all employees with ~~the~~ safety equipment and safety clothing that is necessary for employees to perform their duties in a safe manner.

New employees receive a copy of the *City of Elk River Employee Safety Manual* during their onboarding. Employees are required to read the manual carefully and discuss areas of concern with their supervisor. Employees are required to develop safe work habits and to contribute to the safety of themselves and co-workers.

To be successful, the safety program must be the shared responsibility of all employees. Employees are required to:

- Immediately report to their supervisor all unsafe equipment, practices, or procedures that pose a threat to the safety of employees or others.
- Cooperate with and assist in the investigation of accidents to identify the causes and to prevent recurrence.
- Be active in department and city safety programs.
- Observe and promote safe work habits.
- Report injuries to supervisor immediately.

Employees who do not follow and abide by the city's safety policies will be subject to discipline up to and including termination.

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

Supervisors are authorized to send an employee home immediately when the employee's behavior violates the city's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

Safety Equipment Reimbursement

The city reimburses employees for certain foot and eye protection required by the city safety policy. Employees required to wear protective footwear may be reimbursed based on the Foot Protection Policy attached as Exhibit B. Employees required to wear eye protection may be reimbursed based on the Prescription Safety Eyewear Policy attached as Exhibit C.

Incident Reporting

Employees are required to report accidents resulting in personal injuries and/or vehicle, equipment, or property damage to their supervisor immediately.

Employees shall immediately report all accidents and injuries occurring within the course of employment to their supervisor and complete an Employee Incident Report. The supervisor shall submit a Supervisor's Report of Injury Form to Human Resources within twenty-four (24) hours of the injury. Both forms are on *Access Elk River*.

Employees shall immediately report all damage to city property to their supervisor. The supervisor shall submit documentation regarding the incident to the Finance Department within twenty-four (24) hours of the time of the damage or accident. A copy of the Minnesota Motor Vehicle Accident Report must be submitted for all vehicle accidents.

Further details on this policy and a complete summary of responsibilities and procedures are available from the Safety Coordinator.

Workers' Compensation

An employee temporarily unable to work due to an injury or illness sustained in the performance of their city work may be eligible for Workers' Compensation subject to the provisions of the State of Minnesota Workers' Compensation Law.

An employee who becomes eligible to receive Workers' Compensation will retain the total amount of the Workers' Compensation check and may receive the difference between their Workers' Compensation payment and the employee's regular gross salary with accrued sick leave. If accrued sick leave is not available, vacation or compensatory time may be used. The total of the Workers' Compensation check and the accrued leave compensation may not exceed the employee's normal gross pay.

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Conduct

Ethics of Public Employment

The city affirms it is in the public's interest and general welfare of the community and its residents that a statement of ethics be established for all city employees.

Employees shall not use their official position for personal gain, engage in any business, transaction, or have a financial interest, directly or indirectly, conflicting with the proper performance of their official duties.

Accepting Gifts

Employees shall not accept, either directly or indirectly, any money, property, gift, gratuity, reward, loan, fee, discount, special consideration, or special accommodation arising from or offered because of their employment or any activity connected with their employment with the city.

Employee Endorsements

No employee shall, in any manner or form, endorse, recommend, or advertise a product or service by using the city's name or the employee's name and/or title.

Conflict of Interest

The credibility of local government rests heavily upon the confidence residents have in public officials to render fair and impartial services to all without regard to personal interest and/or political influence. Thus, city officials and employees must scrupulously avoid any activities that suggest a conflict of interest between their private interests and city responsibilities.

The city has adopted a Conflict of Interest Ordinance that addresses these issues (Chapter 2, Article 3, Division 3, Section 2-132). Employees and officials are required to follow all applicable laws related to conflicts of interest, including the city's Conflict of Interest Ordinance which can be found on *Access Elk River* and in the City Code of Ordinances.

Whistleblower Protections

An employee of the city who, in good faith, reports an activity that s/he considers to be illegal or dishonest to one or more of the parties may have whistleblower protections. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate city management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or Human Resources. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to discipline up to and including termination.

It is the city's legal responsibility to protect employees who make a complaint of employment discrimination, who serve as a witness or participate in an investigation, or who are exercising their rights when requesting religious or disability accommodation from retaliation.

Whistleblower protections are provided in two important areas – confidentiality and against retaliation; insofar as consistent with Minnesota Government Data Practices, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals with their legal rights of defense.

The city will not retaliate against a whistleblower. This includes but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes s/he is being retaliated against must contact Human Resources immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing.

Sexual Harassment and Respectful Workplace

Employees have a right to work in an environment free from discrimination and intimidation, including harassment. The mission of the city is best accomplished in an atmosphere of professionalism that in turn is supported by mutual respect and trust. The city expects all employees to work toward this goal.

Harassment based on a person's race, color, creed, religion, national origin, sex, sexual orientation, gender, gender identity, gender expression, disability, age, marital status, familial status, pregnancy, status regarding public assistance, veteran status, or any other protected class status may be unlawful and is strictly prohibited.

Abusive Customer Behavior

While the city has a strong commitment to customer service, the city does not expect employees to accept verbal and other abuse from any customer.

An employee may request that a supervisor intervene when a customer is abusive, or the employee may defuse the situation themselves, including professionally ending the contact.

If there is a concern about the possibility of violence, the employee should use his/her

discretion to call 911, and as soon as feasible, a supervisor. Employees should leave the area immediately when violence is imminent unless their duties require them to remain (such as police officers). Employees must notify their supervisor about the incident as soon as possible.

Definitions of Sexual and Other Forms of Harassment

Harassment consists of unwelcome conduct based on a person's race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), color, creed, religion, national origin, sex, sexual orientation, gender, gender identity, gender expression, disability, age, marital status, familial status, pregnancy, status with regard to public assistance, veteran status, or any other protected class status that is interfering with your job performance; or creating an intimidating, hostile, or offensive work environment; or when submission to such conduct is explicitly or implicitly:

- a term or condition of employment; or
- a basis for an employment decision affecting your job; or
- has the purpose or result of unreasonably interfering with your work performance or creating an intimidating, hostile, or offensive work environment.

The city prohibits harassment in any form, including verbal, physical, and visual harassment.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature that is interfering with your job performance; or creating an intimidating, hostile, or offensive work environment; or when submission to such conduct is explicitly or implicitly:

- a term or condition of employment; or
- a basis for an employment decision affecting your job; or
- has the purpose or result or unreasonably interfering with your work performance or creating an intimidating, hostile, or offensive work environment.

The city prohibits sexual harassment in any form, including verbal, physical, and visual harassment.

Some examples of conduct that may be sexual harassment under this policy include:

- Use of offensive or demeaning terms which have sexual connotations.
- Telling suggestive jokes or stories and conversations about sexual exploits, sexual preferences, and desires.
- Posting jokes, cartoons, pictures, objects, or stories which have a sexual content.
- Threats, demands or suggestions that an employee's work status, advancement, or other terms and conditions of employment are contingent upon the employee's

toleration of or acquiescence to unwelcome sexual advances.

- Repeated, unwelcome sexual flirtations, propositions, or invitations to social engagements; or unwelcome and objectionable physical contact or physical proximity.

Types of Disrespectful Behavior

- Violent behavior including the use of physical force, harassment, bullying, or intimidation.
- Discriminatory behavior including inappropriate remarks about or conduct related to a person's legally protected characteristic such as race, color, creed, religion, national origin, disability, sex, gender, pregnancy, marital status, age, sexual orientation, gender identity or gender expression, familial status, or status regarding public assistance.
- Offensive behavior including such actions as rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, considering the sensibilities of employees and the possibility of public reaction.

Although the standard for how employees treat each other and the public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the city administrator.

Scope of Policy

This policy prohibits harassment, sexual harassment, and disrespectful behavior by members of the same or opposite sex. In addition, this policy prohibits any form of harassment or disrespectful behavior by any individual, including managers and supervisors, employees, co-workers, and third parties such as clients, elected officials, consultants, contractors, or vendors who interact with employees.

Responding to Disrespectful Workplace Behavior

All employees should feel comfortable calling their supervisor or another manager to request assistance should they not feel comfortable with a situation. If situations involve violent behavior call the police, ask the individual to leave the area, and/or take other reasonable action.

If employees see or overhear what they believe is a violation of this policy, employees should advise a supervisor, the city administrator, or human resources promptly.

Employees who believe disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. If there is a concern about the possibility of

violence, the individual should use his/her discretion to call 911, and as soon as feasible, notify a supervisor. In the event the disrespectful behavior occurring involves the employee's supervisor, the employee should contact human resources, the supervisor's manager, or the city administrator.

Step 1(a). If you feel comfortable doing so, professionally, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor, human resources, your supervisor's supervisor, or the city administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter.

In some situations, such as with an offender from the public, it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with the offender.

Step 1(c). The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. It is vitally important you notify a supervisor, the city administrator, or human resources promptly of your concerns. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it promptly to a supervisor, human resources, or the city administrator.

Reporting Harassment including Sexual Harassment

If at any time you feel you are being harassed, you should immediately contact:

- your supervisor; and/or
- a department director; and/or
- Human Resources; and/or
- the city administrator.

The city wants to resolve any problems, but it can do so only if it is aware of them. The city encourages anyone who believes s/he is being harassed to immediately report all incidents of perceived harassment.

Your report may be verbal or written; in either case, it is important that you state that your report is being made under this harassment policy, or that it concerns harassment. You may choose to whom you make the report; that choice, however, must be made from the list of individuals named above.

The city will promptly investigate harassment complaints and take appropriate action. Employees found to have committed harassing acts will be subject to corrective action up

to and including termination.

City's Response

Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations promptly to human resources or the city administrator, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim.

In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1(a). If the nature of the allegation and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring the conduct not to reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful. The allegation shall be reported to human resources or the city administrator.

Step 1(b). Supervisors, when talking with the reporting employee, will be encouraged to ask him/her what he/she wants to see happen next. When an employee comes forward with a complaint, it is important to note the city cannot promise complete confidentiality, due to the need to investigate the issue properly. However, any investigation process will be handled as confidentially as practical and related information will only be shared on a need-to-know basis and in accordance with the Minnesota Government Data Practices Act and/or any other applicable laws.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. Formal investigations will be prompt, impartial, and thorough. The person being interviewed may have someone of his/her choosing be present during the interview. Typically, the investigator will obtain the following description of the incident, including date, time, and place:

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

To facilitate fostering a respectful work environment, all employees are encouraged to respond to questions or to otherwise participate in investigations regarding alleged harassment.

Step 3. The supervisor must notify human resources or the city administrator about the allegations.

Step 4. In most cases, as soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations, and the alleged violator will have the opportunity to answer questions and respond to the allegations. The city will follow any other applicable policies or laws in the investigatory process.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable and to the extent permitted by the Minnesota Government Data Practices Act.

Step 7. The city will take reasonable and timely action, depending on the circumstances of the situation.

The city is not voluntarily engaging in a dispute resolution process within the meaning of Minn. Stat. § 363A.28, subd. 3(b) by adopting and enforcing this workplace policy. The filing of a complaint under this policy and any subsequent investigation does not suspend the one-year statute of limitations period under the Minnesota Human Rights Act for bringing a civil action or for filing a charge with the Commissioner of the Department of Human Rights.

Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Retaliation

Retaliation is strictly prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Individuals who report harassing conduct, participate in investigations, or take any other actions protected under federal or state employment discrimination laws will not be subject to retaliation.

Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal, or harassment. While each situation is very fact dependent, retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations, or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of EEO laws.

It can also include threats of reassignment, removal of supervisory responsibilities, filing civil action, deportation or other action with immigration authorities, disparagement to

others or the media, and making false reports to government authorities because an employee has engaged or may engage in protected activities. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

If you feel retaliation is occurring within the workplace, report your concern immediately to your immediate supervisor, your supervisor's manager, human resources, or the city administrator.

Supervisors who have been approached by employees with claims of retaliation will take the complaint seriously and promptly report the allegations to the city administrator, or if the complaint is against the city administrator to human resources, who will decide how to proceed in addressing the complaint.

Consistent with the terms of applicable statutes and city personnel policies, the city may discipline any individual who retaliates against any person who reports alleged violations of this policy. The city may also discipline any individual who retaliates against any participant in an investigation, proceeding, or hearing relating to the report of alleged violations.

Questions About Policy

Any questions about this policy or a related matter should be referred to the city administrator or Human Resources.

Workplace Violence and Possession of Dangerous Weapons

The city seeks to provide a safe and secure workplace environment for employees, volunteers, vendors, and citizens. Violence, or the threat of violence, has no place on city premises.

The city is committed to preventing the potential for violence in and around the workplace and to fostering a work environment of respect and positive conflict resolution.

Many employees may be exposed to violence by the nature of their jobs. Violence or the threat of violence by or against any employee or other person while on city premises is strictly prohibited and may subject the individual to serious disciplinary action and/or criminal charges.

Possession, use, or threatened use of an object that could be considered a dangerous weapon, including all firearms, is prohibited on city premises, including city vehicles and personal vehicles used for city business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid

permit, if required, and said firearm is concealed from view within a locked personal vehicle while that person is working on city property.

- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

The city strives to provide a workplace environment in which all its officials and employees treat each other, their customers, clients, and all others with courtesy, dignity, and respect.

Drug and Alcohol Policy

Employees are expected and required to report to work on time and in appropriate mental and physical condition. It is the city's intent and obligation to provide a drug-free, safe, and secure work environment.

The city contracts with federal agencies and is subject to the federal Drug-Free Workplace Act which places certain requirements on employers to maintain a drug-free workplace. In accordance with the act, you are hereby notified:

The unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance (including alcohol) is prohibited on city property or while conducting city business. Employees violating this prohibition may be subject to disciplinary action including, but not limited to, suspension or termination, and may have legal consequences.

Controlled substances include, but are not limited to, opiates, hallucinogenic substances, depressants, stimulants, and narcotics. The Drug-Free Workplace Act prohibits only *unlawful* (federal) use, possession, or distribution of such drugs in the workplace, and not the lawful use of prescription medications.

The lawful use of a controlled substance, including alcohol and cannabis is prohibited on city property or while conducting city business with an exception for use in the Alcohol Product Sampling Policy pertaining to municipal liquor store employees **or while attending an event as a participant that is being held on city property**. Employees violating this prohibition may be subject to disciplinary action including, but not limited to, suspension or termination.

Employees taking prescription or over-the-counter drugs that may affect the safety of others must obtain a determination from their physician as to whether the drug could affect the job safety of the employee or others. If job safety may be affected, the employee must inform his or her immediate supervisor so that appropriate accommodations and arrangements can be made.

The city recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Plan or their health insurance plans, as appropriate.

As a condition of continued employment at the city, all employees must:

- Abide by the terms of this policy; and
- Notify the employee's supervisor, Human Resources, or city administrator of any criminal drug statute conviction arising out of a violation occurring on or off work premises while conducting city business no later than five days after the conviction.

The city retains the right, at its sole discretion, to report employee conduct violating this policy to law enforcement officials and to turn over any controlled substances to the custody of law enforcement officials.

It is the city's continued policy to maintain a drug-free workplace. If you have questions about this policy, its implementation, or its application to you, please contact the city administrator or Human Resources.

City of Elk River

Fitness Room Policy

INTRODUCTION

The City of Elk River strongly believes in a philosophy of promoting employee wellness. An employee wellness program benefits both the employer and employee as well as the community. Healthy employees tend to be more productive, and healthy employees reduce expenditures (i.e. city insurance costs; use of sick time and its related overtime expenses; etc.).

In the spirit of a healthy workplace, the city provides and outfits a fitness room as one part of a greater city wellness program.

POLICY

This policy encourages everyone to utilize the wellness room; with respect to limitations of types of equipment, locker space and workout space.

Employee and Guest

The fitness room is not a health club. Use of this room and equipment is open to all city and municipal utilities employees, and city council Members. Employees may bring one guest at any one time. Guests are not allowed use of the facility without the Employee. Guests must be over the age of eighteen (18). Due to safety and insurance issues, no one under the age of eighteen (18) is allowed in the fitness room under any circumstances.

Waiver

All employees who use the fitness room and equipment, and all guests, must sign a release waiver prior to using the fitness room. This is a requirement of the city insurance company.

Available Times

The fitness room is open 24-hours a day, but guests are only allowed with an employee.

Lockers and Showers

Lockers and showers are available. Lockers are intended to secure street clothes and valuables while exercising, not as an extended use. Employees shall leave the locker rooms in a clean, neat condition and shall not leave personal items in the lockers. Employees should be courteous - keep your time limited in the locker rooms if others are waiting.

The city does not provide towels for the locker room or for use with the equipment.

Miscellaneous Issues

- Training on the use of the equipment can be arranged in group settings, as necessary.
- After receipt of a signed agreement, key reader access will be provided to employees who desire access to the room.
- Disinfecting supplies are in the fitness room and users must clean equipment after use.

Conduct and Procedures

1. Proper Attire is required at all times including shirts and closed-toe footwear.
2. Foul or Abusive Language is prohibited.
3. Dumbbells, plates, and other equipment must be returned to the proper rack, stand, or location.
4. Dropping of Dumbbells or other equipment on the fitness room floor is not allowed.
5. Machines such as exercise bike, treadmill, and stair climber should be powered off after use unless others are waiting to use it.
6. Disinfecting Supplies are provided. All equipment should be disinfected after each use.
7. Breakdown of any piece of equipment should be tagged and brought to the attention of a supervisor as soon as possible.
8. Chalk is allowed if used neatly.
9. Music is allowed if kept at a reasonable level and is powered off when leaving the room.
10. Lights and fans should be turned off when the fitness room is not in use.

Update: December 2023

Fitness Room Agreement and Release

The City of Elk River ("City") has made available a fitness and workout facility (the "Facility") for the exclusive use of city and municipal utilities employees, and city council members ("Employee"). Employee's may be accompanied by one (1) guest who must be 18 years of age or older.. City and municipal utilities employees and council members are responsible for their guest. The undersigned employee and their guest ("Employee") shall be permitted to make use of the Facility upon the following terms and conditions:

1. Employee agrees to use the Facility only in accordance with rules and regulations adopted by the City, in the City's sole discretion.
2. Employee specifically agrees not to use the Facility while under the influence of any mind-altering drug or chemical, including specifically, but not exclusively, alcohol of any sort.
3. Employee acknowledges that no instruction as to the use of the Facility or any equipment therein will be provided by the City. Employee agrees to take sole responsibility to become familiar with the proper and safe use of any equipment within the Facility.
4. Employee acknowledges that certain risks may exist in the use of fitness and workout equipment. These risks include injury through defective equipment or improper use of equipment or improper conduct by Employee or third parties. Employee agrees to release City and its respective officers and employees from any claim Employee may have to any incident which occurs in or arises in any way out of Employee's use of the Facility or any equipment therein including specifically, but not exclusively, claims for personal injury, death, or property damage. Employee further agrees to indemnify, defend and hold harmless the city and its officers and employees and agents from claims for personal injury, death, or property damage for incidents occurring in or about the Facility.
5. EMPLOYEE ACKNOWLEDGES THAT THE FACILITY WILL NOT BE SUPERVISED AND AGREES THAT EMPLOYEE MAKES USE OF THE FACILITY AT EMPLOYEE'S OWN RISK.
6. EMPLOYEE HAS READ THE FITNESS ROOM POLICY AND AGREES TO ABIDE BY THE RULES STATED IN THE POLICY.
7. Terms of this Agreement apply equally to the guest as to the Employee.

Employee's Signature

Print Name

Date

Update: December 2023

City of Elk River

Foot Protection Policy

All employees will wear footwear appropriate to their job duties. Each affected employee shall wear protective footwear when working in areas where there is a danger of foot injuries due to:

- Falling and rolling objects
- Objects piercing the sole
- Exposure to electrical hazards

Employees required to wear protective footwear include: Street/Parks employees, Wastewater Treatment Facility employees, Building Maintenance employees except custodians, Building Inspectors, Fire Inspectors, and any city employee required to wear protective footwear as determined by their supervisor.

Protective Footwear Standard

Must comply with ASTM F2413 Standard which provide both impact and compression protection.

Allowance

The city will provide up to \$200 per year for regular employees and up to \$75 per year for temporary employees toward the purchase of protective footwear. Funds more than those used for footwear may be used to purchase approved safety equipment as authorized by their department director.

Some vendors may bill the city directly or original receipts must be submitted to the Finance Department for reimbursement. The cost of footwear exceeding approved allowance is the responsibility of the employee.

Adopted: May 17, 1999
Updated: February 9, 2004
December 2020
August 8, 2023

City of Elk River

Prescription Safety Eyewear Policy

Prescription Safety Eyewear

For those regular employees required to wear eye protection, the city will pay for basic protective eyewear for single vision, bifocal, and trifocal prescriptions (includes safety lenses, standard frame with side shields, case, and dispensing fee).

The city will provide one (1) complete pair of clear protective industrial safety eyewear every two (2) years or at the supervisor's discretion due to prescription change or damage resulting from work-related hazards. "Clear" lenses under this definition will also include lens tints in shades 1 or 2. Transition or changeable tint lenses that meet OSHA standard 87Z will be allowed.

The eye protection selected must clearly identify the manufacturer. Any new eye protective devices must comply with any of the following: ANSI Z87.1-2010, ANSI Z87.1-2003, or ANSI Z87.1-1989(R1998) or be at least as effective as this standard requires.

All charges relating to eye examinations, optional frame styles, or lens treatments will be the responsibility of the employee.

Employees shall use only Walman Optical approved providers. A list of approved providers can be found at www.WalmanOpticalsafetyeyewear.com under Resources, Find an Eye Doctor. Order forms are on Access under Safety, Safety Forms.

Adopted: May 17, 1999

Updated: July 18,
2001

September 2014

December 2020

December 2023



Personnel Policy Manual

(Revised August 2008)

(Updated August 2010)

(Updated June 2012)

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Mini-update August 2023

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Updated Severance Pay retro to 12/2023 update

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Introduction

This policy manual contains personnel policies and procedures for City of Elk River employees.

The city strives to provide an efficient system of personnel administration, and this policy manual serves as a guide for administrative actions concerning city personnel matters. It is not a contract between the city and its employees. The manual attempts to cover general matters and does not cover every situation that may arise.

Other than any applicable collective bargaining agreement, this policy manual replaces and supersedes all prior manuals, memos, and any other written or oral statements of employment policies and procedures. Manuals and policies that provide department specific information remain in effect.

Except as provided by statute or applicable collective bargaining agreement, employment of all city employees is at-will. At-will means both the city and its employees have the right to terminate employment at any time, with or without cause or notice.

No representative of the city has the authority to alter the at-will nature of an employee's employment except the City Council by approval of a written contract of employment executed by the city. No employee has a protectable property interest in his or her employment with the city.

The policies in this manual shall apply to all employees unless specifically exempted by the City Council. Consultants rendering professional services on a fee basis are not considered city employees.

The city may add to, modify, or revise portions of this manual as the city deems appropriate, with or without prior notice.

This manual may be superseded to the extent that it is inconsistent with state or federal statute, a collective bargaining agreement entered between the city and its employees, or a written contract of employment signed by the city.

Employment

Equal Employment Opportunity

The City of Elk River is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, selection, lay-off, disciplinary action, termination, compensation, and selection for training. The city will not discriminate against any employee or job applicant on the basis of race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, or gender expression, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission, or lawful participation in the Minnesota Medical Cannabis Patient Registry.

The city prohibits discrimination against or harassment of any employee or job applicant on the basis of protected class status. Employees who participate in discrimination in violation of this policy are subject to discipline up to and including termination. Retaliation against any employee for making a complaint under this policy or assisting with investigations of complaints made under this policy is also strictly prohibited.

Any person who feels that s/he has been discriminated against should contact the city administrator or Human Resources.

Employment Status Definitions

Full-Time - A regular work schedule consisting of 2,080 hours per year.

Part-Time - A regular work schedule of less than 2,080 hours per year, generally over the 12 months.

Orientation Period - First six months of initial employment, following a promotion, reassignment or transfer.

Probationary Period - Period of time as defined in a union contract. For paid on-call firefighters, the probationary period is the first twelve (12) months of initial employment.

Regular - An employee who has completed his or her Orientation or Probationary Period and works a set schedule.

Non-Regular - An employee who has completed his or her Orientation or Probationary Period and works a variety of hours and days, not a set schedule.

Seasonal - A part- or full-time position assigned to work part of the year to conduct seasonal work.

Temporary - A part- or full-time position scheduled to work with a defined start and termination date or duration of a special project.

Elected or Appointed Official - A person elected as mayor or council member, or a person appointed by the mayor and council to serve on a city commission or board.

Applicant - Any person applying for a paid or volunteer position.

Work Rules

In accepting employment with the City of Elk River, employees become representatives of the city and are responsible for assisting and serving the residents for whom they work. Employees shall exhibit conduct that is ethical, professional, responsive, and of standards becoming of a city employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

All City of Elk River employees are expected to meet the following job requirements:

- Always perform assigned duties satisfactorily and to the best of their abilities.
- Always render prompt and courteous service to the public as appropriate.
- Read, understand, and comply with the rules and regulations set forth in these Personnel Policies as well as those of their departments.
- Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and courtesy.
- Report all unsafe conditions to the immediate supervisor.
- Maintain good attendance.

Orientation Period

The Orientation Period is an integral part of the employment process in which the city and the new employee should consider whether the employment is mutually satisfactory.

The Orientation Period consists of the first six (6) months of employment. During the period, the city will observe the employee's work to determine whether the employee demonstrates s/he is qualified for the position to which s/he was appointed. Performance, skills, ability, and other factors observed and demonstrated during the period are evaluated by the employee's supervisor. If the employee does not meet established standards, and there is reason to believe, in the city's sole discretion, that a longer review period is needed, the Orientation Period may be extended to a total of 12 months.

New employees are not allowed to take vacation leave during their Orientation Period unless approved by the city administrator or approved before hire.

Upon completion of the Orientation Period, the employee will become a Regular employee and are eligible to use vacation leave. This does not imply employment is permanent.

Employees promoted or appointed to new positions must successfully complete a six-month Orientation Period. If found during the orientation to be unsuited for the position, the city, at its sole discretion, may reinstate the employee to his/her former position and former rate of pay. Reinstatement is not guaranteed.

Employees taking a leave of absence during the Orientation Period will have their Orientation Period paused and begin where they left off when they return from leave.

Minnesota Government Data Practices Act

Pursuant to the *Minnesota Government Data Practices Act* (DPA) data is categorized as private, non-public, or confidential. All data is public unless classified otherwise. In many circumstances, data may not be disclosed except with authorization of the subject of the data or pursuant to court order. In compliance with the DPA, employees are strictly prohibited from disclosing to a third party, within or outside the city, any personnel data, data relating to pending civil legal actions, or any other data that might be classified as private, non-public, or confidential, without the city administrator's express authorization.

The City Council appoints the city administrator as the responsible authority to administer the requirements for collection, storage, use, and dissemination of data. Refer to the city's Guidelines and Procedures for the Minnesota Government Data Practices Act for additional information.

Employee Records Advisory

Employee records are maintained in a location designated by the city administrator. Personnel data is retained in personnel files, finance files, and benefit/medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc.

Employees have the right to know what data is retained, where it is kept, and how it is used. All employee data will be received, retained, and disseminated according to the DPA.

Media Requests

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority.

Any employee who identifies a mistake in reporting should bring the error to the city administrator or appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use, etc.

Except for routine events and basic information readily available to the public, all requests for interviews or information from the media are to be routed through the city

administrator. No city employee is authorized to speak on behalf of the city without prior authorization from the city administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify the city administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if an employee is unsure if the request is a “routine” question, forward the request to the city administrator.

All news releases concerning city personnel will be the responsibility of the city administrator.

When the city administrator authorizes an employee to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing the city. Account names on social media sites must be clearly connected to the city and approved by the city administrator.
- Be respectful, professional, and truthful when providing information. Only factual information (not opinions or editorial comments) shall be provided. Corrections must be issued when needed.
- Generally, not include personal opinions in official city statements. Employees who have been approved to use social media sites on behalf of the city should seek assistance from the city administrator on this topic.
- Notify the city administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

Personal Communications and Use of Social Media

It is important for employees to remember that their personal communications may reflect on the city, especially if employees are commenting on city business or commenting on issues that implicate their city employment. As city representatives, employees share the responsibility of earning and preserving the public’s trust in the city. An employee’s own personal communications, such as on social media, can have a significant impact on the public’s belief that all city staff will carry out city functions faithfully and impartially and without regard to factors such as race, sex/gender, religion, national origin, disability, sexual orientation, or other protected categories. Nonpersonal communications (performed within one’s job duties) to members of the public must always be professional. The following guidelines apply to personal communications, including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.),

letters to the editor of newspapers, and personal endorsements:

- Do not share private or confidential information you have access to as a result of your city position.
- Any personal communications made on a matter of public concern must not disrupt the efficiency of the city's operation, including by negatively affecting morale. Public comments must not undermine any city department's ability to effectively serve the public. Disruptive personal communications can include liking or republishing (sharing/retweeting) a social media post of another individual or entity. The city can act on the personal communication that violates this policy without waiting for the actual disruption.
- Remember what you write, or post cannot easily be undone. It may also be spread to a larger audience than you intended. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation concerning a co-worker or between co-workers that would not be permissible in the workplace is not permissible online, even if it is done after hours, from home and on home computers.
- The city expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video, or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying.
- If you publish something related to city business and there is potential for confusion whether you are speaking on behalf of the city, it would be best to identify yourself and use a disclaimer such as, "These are my own opinions and do not represent those of the City of Elk River."
- City resources, work time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity.
- Personal social media account name or email names should not be tied to the city.

Compensation

Employees will be compensated according to the compensation plan approved by the City Council. The city will develop and maintain a compensation plan for all positions in accordance with federal and state laws. This plan may be reviewed and changed periodically at the sole discretion of the city.

Under the Minnesota Wage Disclosure Protection law, employees have the right to tell any person the amount of their own wages. While the Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end and in accordance with Minn.

Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minnesota Statute §181.172, subd. 3.

The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at 651.284.5070 or 800.342.5354.

Work Week

Work schedules will be established by the appropriate department director with the approval of the city administrator. The regular workweek for regular full-time employees is forty (40) hours per week. The regular workweek for regular part-time employees is a set schedule between 20 and less than 40 hours per week. Unless otherwise provided, the normal workday will begin at 8:00 a.m. and end at 4:30 p.m. The normal workweek will consist of five consecutive workdays, Monday through Friday.

Employees shall account for each hour of their work week by working or utilizing leave time. (See Leave Benefits below) Employees shall not take time off without pay unless it falls within the leave benefits provided.

Flextime arrangements must be approved by the department director and city administrator. The department director or city administrator may deny requests for flextime at their sole discretion. Flextime arrangements shall not negatively affect service levels. Employees with flextime arrangements may be asked to adjust their schedules periodically or to discontinue flextime to accommodate vacations, sick/ESST leave, or other issues within the department.

Seniority Patrol Shift Bid

The Chief of Police or their designee shall post the seniority patrol shift bid for the following year on the second Monday of October. Patrol officers and patrol sergeants shall have until October 31st to complete their shift bids.

City Hall Summer Office Hours

Summer Office Hours shall be the period between the Sunday preceding Memorial Day and the Saturday preceding Labor Day.

City Hall Summer Office Hours shall be staffed as follows:

7:30 a.m. to 5:00 p.m. Monday – Thursday

7:30 a.m. to Noon, Fridays

All City Hall customer service desks shall be staffed and all City Hall services will be available during the period of Summer Office Hours.

Employee Schedule

Supervisors shall set a schedule with their employees for the Summer Office Hours period or review a schedule with their employees at the beginning of each work week.

Employees working 7:30 a.m. to Noon on Friday shall work one 8.5-hour day another day of the same week.

Summer Office Hours shall not create overtime for any non-exempt employees.

Flextime Arrangements

Employees approved to work a flextime arrangement shall determine their Summer Office Hours flextime arrangement with their supervisor prior to the beginning of Summer Office Hours period.

Employee Leave

All City Hall employees taking leave on a Friday during the Summer Office Hours period shall take four (4) or four and one half (4.5) hours' leave for that day depending on their Summer Office Hours schedule.

All City Hall employees taking leave on Monday through Thursday shall take eight and one half (8.5) or nine (9) hours of leave for each day depending on their Summer Office Hours schedule.

Bereavement leave is explained in the *Bereavement Leave* section of this manual.

Holidays

For holidays that fall on Monday through Thursday, eight (8) hours of holiday shall be paid and one (1) hour of vacation or compensatory time shall be used or one (1) additional hour of work may be performed on another day of the same work week with department director approval.

For holidays that fall on Friday, employees will take four (4) or four and one half (4.5) hours of holiday time and utilize the remaining four (4) or three and one half (3.5) hours of holiday time, with supervisor approval, at another time during the same pay period.

Paydays

As provided by Minnesota law, all employees are required to participate in direct deposit. Employees (except on-call firefighters) will be paid biweekly on alternate Fridays, adjusted

according to bank holiday schedules.

Timekeeping

Timesheets and any other time reports shall be approved and submitted to payroll by noon on the Monday before pay day. Failure to submit time reports on time or to approve employee's time reports on time may be subject to discipline.

An accurate record of hours worked, and any leave time used by nonexempt employees is necessary to comply with the provisions of the federal and state Fair Labor Standards Acts. Elk River utilizes different types of timekeeping systems.

Employees using a schedule-based electronic timekeeping system have work schedules that are set by supervisors before each work period. Any deviation to an employee's work schedule shall be immediately updated in the timekeeping system. It is the employee's responsibility to ensure their time records are maintained accurately. Your finalized work schedule and approved exceptions signify physical approval of your time record per FLSA and state statutes.

Non-exempt employees utilizing a timesheet-based timekeeping system shall record their hours worked each day in 15 minute increments. Requests for time off shall be made and approved prior to the time off. If time off is unscheduled, the request and approval shall be made as soon as practicable but no later than the end of the pay period. Submission of timesheets acknowledges accuracy of your time record per FLSA.

Employees utilizing a kiosk to punch in and punch out are responsible to punch in at the beginning of each shift and punch out at the end, punch in and out for meal breaks, and to notify their supervisor immediately of any missed punches or other errors in their time record. Requests for use of Earned Sick and Safe Time (ESST) shall be made in writing directly to the supervisor.

Exempt employees are paid a set salary for each pay period and do not record hours worked. Exempt employees utilizing paid leave time shall request leave time and receive approval through the time keeping system prior to the leave being taken. Submission of timesheet acknowledges accuracy of paid time off.

Time off and overtime requests shall be made by the employee through the timekeeping system and shall be approved or denied by the supervisor through the timekeeping system. Requests shall be made in 15 minute increments. Requested leave (vacation or compensatory time and planned leaves of absence) must be submitted to supervisors through the timekeeping system with as much advance notice as possible. Leave requests are not final until approved by the supervisor in the timekeeping system.

Employees are provided with secure access to their time records and shall not share their password with co-workers. All employees are responsible to ensure their time records are

accurate.

The hours reflected in the timekeeping system are the hours employees will be paid for each pay period. It is the employee's responsibility to monitor their hours to ensure they accurately reflect the hours worked. If the employee feels there is a discrepancy, it is their responsibility to bring it to the attention of their supervisor. Supervisors are responsible to ensure employees maintain their time records accurately.

Reporting false information is a crime and shall result in disciplinary action up to and including immediate termination.

Overtime and Compensatory Time for Non-Exempt Employees

The City Council considers and approves projected overtime expenses in the annual budget process. Department directors and division managers must manage overtime costs in accordance with their budget and exceptions must be communicated in writing to the city administrator.

Overtime

All employees may be required to work overtime as requested by their supervisor. Refusal to work overtime as requested may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

All overtime must be authorized in advance by the employee's supervisor. An employee who works overtime without prior approval may be subject to disciplinary action. Non-exempt employees (eligible for overtime pay) are not authorized to take work home or work through lunch without prior approval from their supervisor.

The city complies with applicable state and federal laws governing accrual and use of overtime. Only employees to whom the overtime provisions of the state and/or the federal FLSA apply are required to be compensated for overtime work. The city administrator and human resources manager will determine whether each employee is "exempt" or "non-exempt" in accordance with federal law.

Overtime eligible (non-exempt) employees will be compensated at the rate of one and one-half times their base hourly rate for hours worked over 40 in one workweek. However, non-exempt employees employed in fire protection or law enforcement activities may be paid overtime based on the 7(k) exemption as defined by the FLSA (29 U.S.C. § 207(k)).

Vacation time, compensatory leave hours taken, holiday time off (pursuant to the Holidays policy below), bereavement, and sick and ESST leaves generally will count toward "hours worked" for non-exempt employees.

Compensatory Time

Overtime compensation will be paid for overtime hours, unless the employee and

department director mutually agree in advance of performance of the work that the overtime will be banked as compensatory time in lieu of overtime compensation.

Employees may request and use compensatory time off in the same manner as other leave requests. Compensatory time must be marked as such on timesheets, both when it is earned and used. Overtime hours not specified as compensatory time will be paid with overtime compensation. Finance maintains compensatory time records.

Employees may accumulate and “bank” up to 40 hours of compensatory time. As compensatory time off is utilized, additional compensatory time may be banked, not to exceed 40 hours. Overtime earned after 40 hours of banked compensatory time will be paid at the overtime rate. No more than forty (40) hours of compensatory time may roll over from one calendar year to the next.

Upon termination of employment, employees will be paid for all accrued but unused compensatory time.

Call Back Pay

Employees called to work on an unscheduled or emergency basis shall receive a minimum of two (2) hours overtime pay for returning to their designated work location and performing duties associated with the event requiring the call-back. Call Backs resulting in work beyond two (2) hours will be paid according to the actual time worked by the employee calculated to the nearest 15-minutes at regular or overtime pay depending on the number of hours worked for the week.

Employees who can respond to a Call Back remotely without returning to their designated work area using electronic means to address problems/concerns will be compensated with 15-minutes of pay at regular or overtime pay depending on the number of hours worked for the week. Extended or continual problems/concerns resulting in excessive remote monitoring will be evaluated for compensation by the supervisor and administration.

Overtime pay for holidays is explained in the *Holidays* section of this manual.

On-Call Pay

Employees may be assigned by the city to respond on short notice to render service outside of their regularly scheduled work shift.

Wastewater operators in an on-call status must carry the city-issued iPad (or compatible smart phone) to perform diagnostic review of alarm conditions, report to and perform required duties on the wastewater system on Saturday, Sunday, and paid holidays that fall within their assigned week.

Establishment of an on-call schedule shall be at the discretion of the supervisor based on the needs of the city. Scheduled on-call time shall be distributed as equally as practicable.

On-call schedules shall be posted in the workplace at least two (2) weeks prior to initiation of the on-call schedule.

The weekly on-call period begins and ends on Monday mornings at 8:00 a.m.

Expectations of employees on call:

- Employees shall be available for response outside of scheduled work hours when in an on-call status.
- Wastewater employees in an on-call status shall report to work within thirty (30) minutes of phone call attempt from their supervisor, emergency dispatch, or from an alarm condition reported through an electronic control monitoring program.
- Non-wastewater employees in an on-call status shall report to work within forty-five (45) minutes of phone call attempt from their supervisor, emergency dispatch, or from an alarm condition reported through an electronic control monitoring program.
- Employees shall be prohibited from chemical impairment when in an on-call status. Chemical impairment is defined as a mental or physical state which would be illegal to operate a vehicle or equipment consistent with the position description.
- Employees may request vacation or compensatory time off when on-call with prior supervisor approval and are responsible for finding another employee to assume their shift.
- In the event of an unforeseen circumstance (family emergency, accident, etc.) which prevents an on-call response, the employee shall notify his/her supervisor as soon as reasonably possible.
 - An employee missing an on-call response shall be removed from on-call status until his supervisor is properly notified by the employee of his/her availability to return to on-call status.

Employees assigned to positions within a collective bargaining unit shall receive on-call pay in accordance with the articles listed within their respective labor agreements. Non-exempt employees in positions outside of a collective bargaining unit shall receive on-call pay in accordance with the Compensation Plan for Non-Organized Employees. Employees failing to respond as detailed above while in a paid on-call status will not receive on-call pay for that day and will be subject to discipline. When an on-call employee, through notice as detailed above, returns to work and/or renders service on behalf of the city, they shall be compensated in accordance with the Call-Back Pay policy as defined above.

Staffing Inventory

Supervisors may contact employees to determine potential availability for a future unscheduled work shift. A positive response to availability does not commit employees to respond. This staffing inventory is a voluntary response, not a commitment to availability.

In the event an employee responds positively and is later unable to respond, supervisors have no remedy for discipline or retaliation.

Time off for Exempt Employees

Positions classified as Exempt do not qualify for overtime compensation per the FLSA. Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors, the city administrator, and the City Council. Generally, to meet these expectations, an exempt employee is often required and expected to work more than forty (40) hours per week.

Exempt employees are required to use paid leave when on personal business or away from the office for a significant part of the workday. Based on supervisor's discretion, absences of a few hours do not require the use of paid leave as it is presumed that the employee works more than 40 hours per week. Exempt employees who receive banked holiday hours shall request their holiday time off in advance of the time being taken off.

If an exempt employee is regularly absent from work under this policy and it is found there is excessive time away from work that is not justified, the situation will be handled as a performance issue.

If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the city. Additional notification and approval requirements may be adopted by the city administrator for specific situations as determined necessary.

Report of Employee Information Changes

The city attempts to maintain complete and accurate employee information and complies with data privacy laws. It is important that your permanent personnel records are kept accurate and up to date. Immediately notify Human Resources when there is a change in any of the following:

- Name (through marriage or otherwise)
- Address
- Marital status
- Number of children
- Beneficiaries for life insurance and retirement
- Telephone number
- Person to contact in case of emergency
- Other changes which may affect benefits coverage

Many changes can and should be made by the employee directly in the Human Resources Information System.

Performance Appraisals

Performance appraisals are an opportunity for employees, supervisors, and the city to assess employee job performance. The performance appraisal system is designed to:

- Ensure that quality services are provided to the public at the least possible cost.
- Motivate and develop employees to their fullest potential.
- Clarify roles and mutual expectations of supervisors and employees.
- Promote open and ongoing communication between employees at all levels, including feedback from subordinates to supervisors.
- Assist in determination of whether employees are meeting the established performance standards for their position.

Performance appraisals generally will be maintained in the employee's electronic personnel file.

Immediate supervisors will conduct performance appraisals annually and may conduct formal or informal performance appraisals more frequently if necessary or prescribed by the city administrator or the department director. The performance appraisal usually will be in writing and must be acknowledged by the employee and supervisor.

Acknowledgement of the performance appraisal document by the employee recognizes that the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to acknowledge the document by the employee will not delay processing. Employees do not have the right to change or grieve their performance appraisal but may submit a written response which will be included in the employee's profile.

Attendance

Every employee has an important role in maintaining a productive workplace. Therefore, it is essential that all employees report to work every day as scheduled. Unsatisfactory attendance, including reporting late to work and leaving work early may result in disciplinary action up to and including discharge.

If an employee must be absent from work for any reason, other than approved time off, s/he must notify his/her immediate supervisor at least thirty (30) minutes prior to the start of his/her normal working hours. If an emergency prevents the employee from notifying his/her supervisor at such time, the employee must call his/her immediate supervisor as soon as possible during the workday.

Rest/M meal Break

Employees shall receive a paid rest break of fifteen (15) minutes **or enough time to use the nearest restroom, whichever is longer**, away from job duties on one occasion during each four (4) hour work shift.

Employees scheduled to work six (6) or more hours per shift are allowed to take a half-

hour unpaid meal break.

Employees scheduled to work eight (8) or more hours per shift are required to take a half-hour, unpaid meal break.

Meal and rest breaks shall be taken mid-shift; not at the start or end of a shift.

Employees of Northbound and Westbound Liquor are required to stay “on duty” in the building and be reachable by other employees should their assistance be required during their break. In consideration of this, Northbound and Westbound Liquor employees are paid during their break time.

Employment of Relatives

All employees are hired as the most qualified candidate based on qualifications, skills, and ability. Employment is not restricted to more than one member of a family (including spouse, children, parents, siblings, in-laws, or other immediate relative). No family member will be hired where:

- One family member would have the authority or practical power to supervise, appoint, remove, or discipline the other.
- One family member would be responsible for auditing the work of the other.
- Circumstances exist which would place the family member in a situation of actual or reasonably foreseeable conflict between the city's interests and their own.
- The family member has a relative employed by an organization with whom the city has business dealings and in the city's judgment the position and job responsibilities of both the employee and family member would create an appearance of improper influence or favor or would jeopardize the confidentiality of data maintained by the city.

Supplemental Employment

Elk River does not restrict employees from engaging in outside employment. However, regular, full-time employees are expected to consider city work their primary employment. Employees may not engage in outside employment that interferes with the performance of one's city duties, that represents a conflict of interest, or that may influence or bias an employee's job-related decision-making ability.

The city will not adjust work hours to facilitate the scheduling of outside employment. If a supervisor believes an employee's outside employment is detrimental to the city and his/her position, the employee may be asked to discontinue the outside employment. If an employee is asked to discontinue outside employment and fails to do so, s/he may be subject to discipline up to and including termination.

Separation from Employment

Resignation

The purpose of proper notice is to ensure an orderly transition of responsibilities and open work items. Holidays or the use of vacation, sick/ESST, or compensatory time may only be approved by the city administrator to be considered proper notice. Employees are not eligible for pay increases after resignation notice has been given.

With proper notice, the employee will be compensated for any accrued, unused vacation time. If eligible, s/he may also be compensated for a portion of banked sick/ESST leave as stated in the *Severance Pay Section* of this policy manual.

Proper notice must be submitted in writing to the employee's supervisor. Employees working a typical Monday through Friday schedule must provide notice at least ten (10) working days prior to the separation date. Department directors must provide a twenty (20) working day notice. Employees working a shift schedule that may include weekends and evenings shall provide a fourteen (14) calendar day notice.

Non-exempt employees will be compensated for any accrued but unused compensatory time as of the date of separation.

An unauthorized absence from work for a period of three (3) or more working days may be considered a resignation without proper notice.

Failure to comply with this notice procedure may be considered reason for denying an employee future employment with the city.

Termination

Employees terminated from employment have no right or expectation of payment of accrued vacation, sick/ESST, and/or holiday leave time.

Retirement

Employees who retire from employment must follow the Resignation policy above and may be eligible for retirement programs as provided by state or federal law.

Layoffs

The City Council has the authority to lay off any employee when such action becomes necessary as determined in the city's sole discretion. The city will attempt to provide a ten (10) working day notice prior to a layoff.

Severance Pay

A regular full-time or regular part-time employee resigning employment may be eligible for a cash payment for a portion of unused sick leave. For this section, sick leave is the combination of an employee's sick leave bank and Earned Sick and Safe Time (ESST) bank.

To receive a severance payout, the following conditions shall be met:

- The employee must be a regular full-time or regular part-time employee; and
- The employee must leave in good standing, not terminated by the city; and
- S/he must provide proper notice of resignation as stated above (with city administrator discretion); and
- S/he must execute a release of claims.

Payment shall be based on the consecutive years of leave-eligible service completed by the employee with the City of River and his/her accrued sick/ESST leave balance. Payment shall be at the rate of pay when the resignation is submitted.

For Employees hired before August 8, 2023, and completing two (2) years of consecutive service, the severance payment is calculated at fifty percent (50%) of the accumulated sick/ESST leave balance up to a maximum paid of four hundred eighty (480) hours.

Employees hired August 8, 2023, or later, and completing five (5) years of consecutive service, will receive a payout as outlined below:

5-9 consecutive years of service 40% of up to 960 hours

10 or more consecutive years of service 50% of up to 960 hours

An employee eligible for Severance Pay as noted above and eligible for PERA benefits will receive payout as outlined below.

15-19 consecutive years of service 60% of up to 960 hours

20-24 consecutive years of service 65% of up to 960 hours

25-29 consecutive years of service 70% of up to 960 hours

30-32 consecutive years of service 75% of up to 960 hours

33 or more consecutive years of service 80% of up to 960 hours

Accumulated leave more than nine hundred sixty (960) hours is not eligible for a severance payment.

Due to unforeseen circumstances and in his/her sole discretion, the city administrator may grant exceptions to provide partial payout prior to five (5) years of service.

Exit Interviews

Human Resources shall conduct a brief interview with each employee separating from city employment. The interview seeks to identify employee morale trends triggered by policy concerns, management/communication gaps, workload levels, and the general workplace environment.

Leave Benefits

The city and state and federal law provides leaves of absence according to the following policies. A *Leave Request* form must be completed for foreseeable leaves other than vacation. Forms are available on *Access Elk River* or from Human Resources. When possible, advance notice of a leave should be provided to the employee's department director so work schedules can be adjusted accordingly. Many types of leave below have notice requirements. It is the employee's responsibility to review these policies and follow the notice requirements. Notice is not considered given until a *Leave Request* form has been submitted.

Not all types of leave are compensated. Employees taking FMLA leave are required to take vacation, sick, ESST, or compensatory time concurrently, unless they are also taking MN Paid Leave. An employee will need to meet the requirements of each form of leave separately and all eligible leaves will run concurrently, as allowed by law. Leave requests will be evaluated on a case-by-case basis.

Employees shall record worked hours or use only one type of paid leave for each scheduled work hour. Time off without pay is not allowed outside of the leave policies below.

Except as otherwise stated, all paid time off taken under any of the city's leave programs must be taken concurrently, or, when allowed by law, consecutively, with no intervening unpaid leave. The city will provide employees with time away from work as required by state or federal statutes if there are requirements for such time off that are not described in the personnel policies.

The city will not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting leave rights in accordance with these policies.

Vacation Leave

Paid vacation leave is provided for regular, full-time employees and on a prorated basis for eligible part-time employees. To be eligible, part-time employees must work a set schedule with a minimum of forty (40) hours per biweekly pay period. Most temporary, seasonal, and part-time employees are not eligible for vacation benefits.

Vacation leave is accrued based on consecutive years of leave-eligible service. To determine an employee's vacation accrual rate, years of service will include all continuous time the employee has worked at the city in a position that is eligible for paid leave (including authorized unpaid leave). Employees who are rehired after terminating city employment will not receive credit for their prior service unless specifically negotiated at the time of hire.

Leave-eligible employees hired before December 31, 2020, may carry more than 240 hours

of vacation leave during a year but may not carry more than 240 hours forward to the next calendar year.

Employees hired after January 1, 2021, shall accrue 120 working hours per year at the start of eligible employment through the completion of their ninth (9th) year. Effective August 8, 2023, these employees may not carry more than 120 hours forward to the next calendar year but may carry more than 120 hours during a year.

Employees with fewer than eight (8) years of service as of January 1, 2021, who elected to reduce their annual carryover rate in return for the reduced annual accrual may carry more than their annual accrual amount of vacation leave during a year but, effective August 8, 2023, may not carry more than their annual accrual amount forward to the next calendar year. For the purpose of this policy, annual accrual amount is defined as the Accrual Rate hours listed below that reflect the Length of Service of the employee at the end of the calendar year.

Employees accrue vacation leave at the following rates with the exception of 2021 and later hires and eligible employees who have requested and acknowledged the new accrual and carry-over rate:

<u>Length of Service</u>	<u>Accrual Rate</u>
From start of eligible employment through completion of the 5 th year	88 working hours per year
Beginning of the 6 th year through completion of the 7 th year	112 working hours per year
Beginning of the 8 th year through completion of the 9 th year	120 working hours per year
Beginning of the 10 th year through completion of the 11 th year	128 working hours per year
Beginning of the 12 th year through completion of the 13 th year	136 working hours per year
Beginning of the 14 th year through completion of the 15 th year	144 working hours per year
Beginning of the 16 th year through completion of the 17 th year	152 working hours per year
Beginning of the 18 th year	160 working hours per year

Beginning of the 19 th year	168 working hours per year
Beginning of the 20 th year	176 working hours per year
Beginning of the 21 st year	184 working hours per year
Beginning of the 22 nd year through completion of the 24 th year	192 working hours per year
Beginning of the 25 th year and thereafter	200 working hours per year

Vacation leave requires supervisor approval. Employees may not use vacation leave during their Orientation Period unless authorized by the city administrator. Employees taking more than two (2) consecutive weeks of vacation or a combination of vacation and compensatory time must obtain prior approval from the city administrator. The city will make every effort to grant vacation time as requested but reserves the right to deny or approve vacation schedules.

40/40/40 Vacation Payout Option

Employees may request a one-time per year payout of forty (40) hours of accumulated vacation after taking at least forty (40) hours of vacation leave provided that after the reduction of the eighty (80) hours the employee retains a minimum vacation balance of forty (40) hours. The irrevocable election to take the 40/40/40 option must be made by the end of the calendar year prior to taking the vacation. The vacation payout will occur following a valid written request by the employee indicating the above criteria have been met or the second pay day in November of each year, whichever comes first.

Sick Leave

Employees hired before January 1, 2025, may have a bank of sick leave. Leave time is no longer being accrued into sick banks.

Sick leave is not a privilege or vested right that an employee may use at his/her discretion. Eligible employees may use sick leave only for the following:

- When an employee is unable to perform work duties due to illness or disability (including pregnancy).
- For medical, dental, or other care provider appointments.
- When an employee has been exposed to a contagious disease of such a nature that his/her presence at the workplace could endanger the health of others.
- To care for the employee's injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee's attendance with the child may be necessary.
- To take children, or other family members to a medical, dental, or other care

provider appointment.

- To care for an ill family member for such reasonable periods as the employee's attendance may be necessary.

For the purpose of this section, family member is defined as the employee's stepchild, biological, adopted or foster child, spouse, parent, and stepparent.

Employees must notify their immediate supervisor at least thirty (30) minutes before the start of their regular start time if s/he intends to be absent from work. If an emergency prevents the employee from notifying the immediate supervisor, s/he must contact the immediate supervisor as soon as possible during the workday. Employees are required to keep their immediate supervisor informed of their anticipated return to work. Employees are responsible to ensure sick time usage is recorded in the timekeeping system as soon as practicable but no later than the end of the pay period in which the time was taken.

After an absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation.

Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Sick leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

The city has the right to obtain a second medical opinion to determine the validity of an employee's workers' compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The city will arrange and pay for an appropriate medical evaluation when it is required by the city.

An employee attempting to use sick time for reasons other than those explicitly permitted in this policy will be subject to disciplinary action up to and including termination.

A doctor's note shall be required if an employee is absent more than **two (2) days** or if abuse of sick leave is suspected. In some circumstances, an employee may be requested to submit to a medical examination by a physician or medical facility licensed to practice medicine. In such a circumstance, the city may select the physician and facility that will conduct the examination.

Earned Sick and Safe Time Leave

Earned Sick and Safe Time (ESST) is paid leave that can be used for certain reasons, including when an employee is sick, to care for a sick family member, when work or a child's school is closed, or to seek assistance if an employee or their family member has experienced domestic abuse, sexual assault, or stalking. This specific leave applies to

employees (including temporary and part-time employees) performing work for the city for at least 80 hours in a calendar year. Paid On-Call Firefighters and elected officials or someone appointed to fill an elected office vacancy are not eligible.

Accrual of ESST

Beginning January 1, 2025, Minnesota law requires all leave time provided to employees for personal illness or injury to be available for use as ESST. Regular, full-time and part-time employees no longer accrue time into sick banks and accrue ESST at a rate of eight (8) working hours for each calendar month, prorated for regular part-time employees. (Employees with more than 960 hours of Sick and ESST, see *Sick and ESST Bank Balances for Regular Employees* below.) To be eligible as a regular part-time employee, employees must work a set schedule with a minimum of forty (40) hours per biweekly pay period.

For all non-regular employees, ESST is earned at the rate of one hour for every 30 hours worked, up to a maximum of 48 hours earned per calendar year with a maximum bank balance of 80 hours.

The hourly rate of ESST is the same hourly rate an employee earns from employment with the city.

ESST may begin accruing at the beginning of employment although employees may not use ESST until they have worked 80 hours. Unused ESST is not paid out at the end of employment except as provided under Severance Pay above.

ESST may be used as it is accrued in the smallest increment of time for which employees are paid. For employees recording work hours on a timesheet, ESST may be used in 15 minute increments. For employees punching in and out on a kiosk, ESST may be used for the time lost in your scheduled shift.

An employee may use accrued ESST for the following reasons:

- an employee's:
 - mental or physical illness, injury, or other health condition;
 - need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition;
 - need for preventive medical or health care; or
 - need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member;
- care of a family member:
 - with a mental or physical illness, injury, or other health condition;
 - who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or other health condition; or
 - who needs preventive medical or health care;
- absence due to domestic abuse, sexual assault, or stalking of the employee or

employee's family member, provided the absence is to:

- seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
- obtain services from a victim services organization;
- obtain psychological or other counseling;
- seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking; or
- seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking;
- closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;
- the employee's inability to work or telework because the employee is:
 - prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or
 - seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the employee's employer has requested a test or diagnosis; and
- when it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For the purposes of this subdivision, a public emergency shall include a declared emergency as defined in MN Statute Section 12.03 or a declared local emergency under MN Statute Section 12.29.

ESST may be used for the following family members:

- an employee's:
 - child, 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;
 - spouse or registered domestic partner;
 - sibling, stepsibling, or foster sibling;
 - biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis when the employee was a minor child;
 - grandchild, foster grandchild, or step grandchild;
 - grandparent or step grandparent;
 - a child of a sibling of the employee (niece or nephew);

- a sibling of the parents of the employee (aunt or uncle); or
- a child-in-law or sibling-in-law;
- a spouse or registered domestic partner's family members as listed above;
- any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
- up to one individual annually designated by the employee.

Required Notices

If the need for the use of ESST is foreseeable, the employee must provide notice at least seven (7) days in advance of the use of the leave. Notice shall be provided by making the request through the employee's time management or HRIS system, or for extended leave, by completing a *Leave Request* form. Employees who punch in and out using a kiosk or timeclock shall provide written notice directly to their supervisor specifically identifying the use of ESST.

If the need is unforeseeable, the employee must provide notice as soon as practicable. If possible, employees must notify their immediate supervisor at least thirty (30) minutes before the start of their regular start time if s/he intends to be absent from work. If an emergency prevents the employee from notifying the immediate supervisor, s/he must contact the immediate supervisor as soon as possible during the workday. Employees are required to keep their immediate supervisor informed of their anticipated return to work. Employees shall follow notice requirements for the use of sick time set forth in union contracts if different from the requirements above. Employees are responsible to ensure ESST time usage is recorded in the timekeeping system as soon as practicable but no later than the end of the pay period in which the time was taken.

When an employee uses ESST for more than two consecutive workdays, the employee shall provide 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. Employees may volunteer to seek a replacement worker or trade shifts to cover their ESST absence.

Carry Over of ESST

Employees will carry over accrued but unused ESST into the following calendar year. Accrued but unused ESST shall never exceed 80 hours for non-regular employees.

Retaliation Prohibited

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, 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 ESST.

Benefits and Return to Work

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 accrued ESST is entitled to return to work 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.

When there is a separation from employment with the city and the employee is rehired again within 180 days of separation, previously accrued ESST that had not been used or paid out will be reinstated. An employee is entitled to use and accrue ESST at the commencement of reemployment.

Sick and ESST Bank Balances for Regular Employees

Total leave banked as sick leave and ESST will be checked on the last pay day in October of each year.

- If Employee is at or over 960 accrued hours, they will begin accruing leave at the rate of eight (8) days per year on the first pay day in November.
- If Employee is under 960 accrued hours, they will remain accruing at the rate of twelve (12) days per year.

When balances are checked on the last pay day in October the following year, employees accruing at the eight (8) days per year rate shall have one-half (1/2) of the previous year's accrued hours paid into Employee's Post Employment Health Care Savings Plan (PEHCSP) and the remaining half will remain in the employee's sick leave bank. (i.e.: If you begin the year at the eight (8)-day accrual rate half of your year's accrual will be paid into your PEHCSP at the end of the year and the other half will remain in your bank.)

If the balance is below 960 when checked the following year, the employee returns to the twelve (12) days per year accrual rate. Employees are not eligible for PEHCSP payment when accruing at the twelve (12) days per year rate and all unused accrued hours remain in their bank.

If the balance is at or above 960 when checked, the employee will move to or remain in the eight (8) day per year accrual plan.

There is no limit on the amount of accrued sick/ESST leave that can be accumulated and carried forward from one year to the next.

Sick Leave Donation policy has been removed.

Holiday Leave

Regular, full-time employees are eligible to receive pay for the following holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve
- Christmas Day

Regular part-time employees will receive paid holidays on the same basis as regular full-time employees, except that holiday pay will be pro-rated according to the number of hours worked. To be eligible, part-time employees must work a set schedule with a minimum of forty (40) hours per biweekly pay period.

Most temporary and seasonal employees are not eligible for holiday pay.

For employees working a Monday through Friday workweek, holidays occurring on Saturday are observed the preceding Friday and holidays occurring on Sunday are observed on the following Monday.

When a holiday falls during an employee's vacation or sick leave, the employee will not be charged with vacation or sick leave for the holiday hours; the hours will be considered holiday leave.

Although the city prefers that employees enjoy the observed holidays, emergencies may arise. If a non-exempt employee is required by his/her supervisor to work on an actual holiday, the hours worked (in addition to holiday pay) shall be paid as follows:

1. Regular non-exempt full-time and regular non-exempt part-time employees (excluding employees to which #2 below applies) scheduled for or called in to work on the actual holidays listed above shall receive one and one-half the employee's regular rate of pay in addition to the holiday pay.
2. Holiday benefit-earning liquor store and FT Center employees (excluding senior activity center employees) will be given a bank of holidays (8 hours for each recognized holiday) to use throughout the year. Holidays not used will be paid to the employee on the first pay day in December of each year. Holidays to be used in December shall be requested and approved no later than November 15. Employees

will not receive one and one-half the employee's regular rate of pay if working on a holiday.

3. Employees performing emergency or mission critical snow removal shall be paid double time for hours worked on a holiday. For the purpose of this section, the additional pay applies on the actual holiday if different from the day observed by the city.
4. Firefighters shall be paid double time for emergency response and scheduled Fire Watch hours worked on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve and Christmas Day.
5. If scheduled to work on the actual holiday listed above, non-holiday benefit eligible part-time, seasonal, or temporary employees shall be paid at 1.5 times their regular rate of pay. Community Event Center non-holiday benefit eligible part-time, seasonal, or temporary employees shall also be paid at 1.5 times their regular rate for working on Easter.

Minnesota Paid Leave

The city provides time off to eligible employees who qualify for Minnesota Paid Leave (MNPL) benefits under Minnesota law. The city of Elk River is a participant in the MetLife Paid Leave program. MNPL benefits are funded through premium contributions payable to MetLife. The premium cost will be split between the city and employee as follows: The city of Elk River will pay 50% of the required premium and employees will pay 50% of the premium cost through payroll deductions starting January 1, 2026.

Eligibility

Eligibility determinations for MNPL benefits are made by MetLife. Generally, to be eligible for MNPL, you must:

- Work at least 50% of the time from a location in Minnesota, including employees who work from home or spend time in other states occasionally.
- Meet the financial eligibility requirements by having earned over a specific amount of wages as defined by Minnesota law at the time of your requested leave.

Benefit Amount

An employee's weekly MNPL benefits are calculated and determined by the Minnesota Department of Employment and Economic Development (DEED).

Leave Entitlement and Usage

MetLife may approve MNPL leave for the following conditions in a benefit year:

- Up to 12 weeks of medical leave (for yourself) to take care of yourself for a serious health condition, including pregnancy, childbirth, recovery, or surgery.
- Up to 12 weeks of family leave to:
 - Bond with a child through birth, adoption, or foster placement
 - Care for a family member with a serious health condition
 - Support a military family member called to active duty

- Receive covered types of care for yourself or a family member because of domestic abuse, sexual assault, or stalking

You can take both types of leave in the same year, but you cannot exceed 20 weeks total within a single benefit year. For example, an employee may be entitled to 12 weeks of family leave to bond with a child and another 8 weeks of medical leave for their serious health condition. Your benefit is a rolling 12-month period measured backward from the first day you take Paid Leave. There is no waiting period for MNPL if you are granted the benefit.

MNPL Intermittent Leave

Employees may apply for intermittent leave in most cases, provided the leave is reasonable and appropriate to the needs of the individual requiring care.

A) Eligibility

In addition to the other eligibility requirements under the MN Paid Leave law, employees seeking intermittent leave must have at least eight hours of accumulated leave (unless more than 30 days have lapsed since taking the initial leave).

B) Notice

In situations where employees seek MNPL on an intermittent basis, employees must make a reasonable effort to provide written notice to the human resources manager of the need for intermittent leave *before* applying for MNPL benefits through MetLife. As part of the notice, employees must provide the city with the following:

- 1) proposed intermittent leave schedule; and
- 2) a completed certification from a health care provider identifying the leave as necessary and a reasonable estimate of the frequency and duration and treatment schedule for the leave.

C) Increments of Leave & Maximum Number of Hours

Employees may take intermittent leave in increments of one hour. If eligible for intermittent leave, the city allows a maximum of 480 hours of intermittent leave in any 12-month period. After reaching the maximum amount of allowed intermittent leave, employees may request continuous MNPL provided the continuous leave does not exceed the maximum amount of MNPL allowed by law.

Definitions

- **Family member** includes:
 - Spouse or partner
 - Child (including biological, adopted, step, or foster children, or a child you raise even if you are not legally related)
 - Parent or person who raised you
 - Sibling
 - Grandchild or grandparent

- In-laws (including son, daughter, father, or mother)
- Anyone close to you who depends on you like family, even if not related by blood
- A **serious health condition** means a physical or mental illness, injury, impairment, condition, or substance use disorder. Taking care of yourself for this serious condition may involve evaluation, treatment, inpatient care, recovery, or not being able to perform regular work, attend school, or do regular daily activities. This includes childbirth, conditions related to pregnancy, or surgery.

Notice

Prior to starting a claim with MetLife, employees need to notify their supervisor of their intent to take leave and complete a *Leave Request*, which can be found on *Access Elk River*. If the need for leave is foreseeable, employees must provide at least 30 days' notice prior to taking leave. The employee must notify the supervisor and human resources as soon as practicable if the dates of scheduled leave change, are extended, or were initially unknown.

If the leave is not foreseeable you will still be able to take leave under MNPL and we ask that you provide as much notice as possible.

How to Apply for Minnesota Paid Leave

After the above Notice requirement has been met, you may apply for MNPL through our third-party administrator MetLife. (Notifying your employer first is a requirement of MNPL law.) Instructions on filing a claim can be found on *Access Elk River* or on your *Benefits & HR Info* page in UKG.

Interaction with Other Laws and Benefits

MNPL will run concurrently with any leave and/or wage supplement for which you may be eligible for under local, state, or federal law, or city policy which may include: Family and Medical Leave Act (FMLA), Minnesota Women's Economic Security Act (WESA) pregnancy and parenting leave, and Workers' Compensation.

The city offers short-term disability (STD) and long-term disability (LTD) that may run concurrently and require their own filing requirement pursuant to the terms of the STD and LTD policies. Please see the applicable plan policy for more information. STD and LTD payments may be reduced, pursuant to the terms of their policy, as a result of receiving MNPL.

Supplementing MNPL Benefits with Accrued Paid Leave

If you are receiving MNPL benefits, the city allows you to supplement, or "top off," your MNPL benefits with any accrued but unused paid leave. If you choose to supplement your MNPL benefits in this way, the combined weekly sum of MNPL benefits and city-provided paid leave benefits cannot exceed your Individual Average Weekly Wage (IAWW). For more information, contact the human resources department.

Maintaining Health Coverage During Leave

Unless the employee revokes coverage while on MNPL, the city will continue to provide group health insurance coverage for an employee on MNPL under the same conditions as the coverage was provided before the employee took leave. You must continue to make timely payments of your share of the premiums for such coverage. If you are not using paid time off to cover part or all the leave, you will be responsible for remitting your portion of health premiums to the city to ensure continuation of benefits.

Group health insurance may be cancelled if an employee's premium payment is 30 days late. Before terminating coverage, the city will provide written notice to the employee at least 15 days before the coverage is terminated listing the final date payment is due (30 days past the due date) to avoid cancellation and the date coverage will end if payment is not received.

An employee's share of premium payments for their group health insurance coverage may be:

1. prepaid at or before the start of the leave. There are limitations to this when the leave occurs in two calendar years.
2. paid monthly to the city by check.

Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period.

Reinstatement

Upon return from covered MNPL, you will be reinstated to your previous position or to an equivalent position, with the same status, pay, employment benefits, length-of-service credit, and seniority credit as of the date of leave as long as you have worked for the city for a minimum of 90 calendar days.

Upon return to work, if it becomes evident that the employee is unable to perform the key essential functions of their position (with or without reasonable accommodation), the city may engage in an interactive process, consistent with the American with Disability Act (ADA) and/or Minnesota Human Rights Act (MHRA) and other applicable workplace policies, including workplace safety protocols, to determine appropriate next steps.

Retaliation

The city will not interfere or retaliate against employees who request or takes leave in accordance with the MN Paid Leave law.

Family and Medical Leave (FMLA)

The city shall determine whether leave is FMLA-qualified. An employee cannot choose to opt out of FMLA leave given a qualifying event.

Employees meeting the following conditions qualify for FMLA leave:

- Have worked for the city for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the city will not consider any service 7 years prior to the employee's most recent hire date.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under the Family and Medical Leave Act (FMLA).

Leave will be granted to all eligible employees for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child, or parent who has a serious health condition.
- Due to a serious health condition that makes the employee unable to perform the essential functions of the position.
- A covered military member's active duty or call to duty, or to care for a covered military member (Military Caregiver and Qualified Exigency Leave, described below).

Definitions

Caring – Psychological as well as physical care. It also includes acquiring care and sharing care duties for a covered family member.

Eligible child – biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or who is 18 years of age or older and incapable of self-care because of a mental or physical disability.

Spouse – Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage.

Eligible parent – Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include "parents-in-law."

Serious Health Condition – As defined under the FMLA means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility.
- Period of incapacity due to pregnancy, prenatal medical care, or childbirth.
- Period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider

(Absence plus treatment).

- Incapacity from a chronic condition which requires periodic visits for treatment by a health care provider continues over an extended period and may cause episodic rather than a continuing period of incapacity.
- Permanent/long-term conditions requiring supervision.
- Period of absence to receive multiple treatments (including any recovery period therefrom) by a health care or service provider under orders of, or on referral by, a health care provider.

Length and Amount of Leave

The length of FMLA leave shall not exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated on a rolling year basis measured backwards from the time the employee uses leave.

The entitlement to FMLA leave for the birth or placement of a child for adoption expires twelve (12) months after the birth or placement of that child.

How Leave May be Taken

FMLA leave may be taken in consecutive weeks, intermittently (a day periodically as needed), or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) work weeks.

Intermittent leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking intermittent leave or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment to not disrupt the city's business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the city may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with the city's approval.

Notice

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to the employee's supervisor and human resources.

When the need for the leave is foreseeable, the employee must give verbal and written

notice to his/her supervisor at least thirty (30) days prior to the date on which leave is to begin.

If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures.

If an employee fails to give thirty (30) days' notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice.

Certification and Documentation Requirements

For leave due to an employee's serious health condition or a family member's, the city will require the completion of a *Medical Certification Form* by the attending physician or practitioner. The form must be submitted to Human Resources within fifteen (15) calendar days after requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

The city may require an employee obtain a second opinion from a provider which the city selects. If necessary, to resolve a conflict between the original certification and the second opinion, the city may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

When leave is due to an employee's own serious health condition, a Fitness For Duty Certification (FFD) may be required before an employee can return to work. Failure to timely provide such certification in a timely manner may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave, and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, a FFD certificate may be required as frequently as every 30 days during periods when the employee has used intermittent leave.

Recertification

Recertification may be required if the employee requests an extension of the original approved leave or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

Annual Medical Certification and Recertification

Where the employee's need for leave due to the employee's own serious health condition lasts beyond a single leave year, the city will require employees to provide a new medical certification in each subsequent leave year. Such new medical certifications are subject to

the provisions for authentication and clarification and second and third opinion.

Reinstatement

Employees returning from FMLA will be reinstated in the same position or a position equivalent in pay, benefits, and other terms and conditions of employment.

An employee's reinstatement rights are the same as they would have been had the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.

Notice of Intent to Return from FMLA Leave

The city requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Effect on Benefits

An employee granted leave under this policy will continue to be covered under the city's group health and dental insurance plan under the same conditions and at the same level of city contribution as would have been provided had they been continuously employed during the leave period.

If there are changes in the city's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job.

The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. Arrangements for payment of the employee's portion of premiums must be made by the employee with the city. **Group health benefits may be cancelled if an employee's premium payment is 30 days late.**

Failure to Return to Work after FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least 30 calendar days, the city may require the employee to repay the portion of the monthly cost paid by the city for group health plan benefits. The city may also require the employee to repay any amounts the city paid on the employee's behalf to maintain benefits other than group health plan benefits.

If an employee does not return to work following 12 weeks of FMLA leave, the employee may be subject to COBRA continuation.

If the employee fails to pay the city a portion of the premiums for which s/he is responsible during the FMLA leave and the employee fails to return to work, coverage may end. Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA.

If the employee does not return from the FMLA leave and coverage ended sometime during the FMLA leave due to lack of payment, there is no COBRA election available. For COBRA to apply, the employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the employee did not return from the leave.

Activities Prohibited During FMLA

While on leave, employees may not engage in activities (including employment) with the same or similar requirements and essential functions of an employee's current position.

Employees shall not engage in activities that conflict with the best interests of the city. Such conduct will result in disciplinary action up to and including termination.

Use of Accrued Paid Leave or Compensatory Time during FMLA

FMLA will run concurrently with any leave and/or wage supplement for which you may be eligible for under local, state, or federal law which may include: Worker's Compensation, Minnesota Paid Leave (MNPL) and/or Minnesota Women's Economic Security Act (WESA) pregnancy and parenting leave.

FMLA will also run concurrently with any leave within this Personnel Policy Manual. The use of sick leave shall be for reasons allowed according to the Sick Leave Policy. Prior to taking unpaid FMLA leave, employees must use all but 40 hours of accrued sick/ESST leave (unless use is not applicable to policy), all but 40 hours of accrued vacation leave, and all compensatory time unless their medical condition/injury is covered by Worker's Compensation or MN Paid Leave.

Additional Leave

Employees who cannot return from an approved FMLA leave at the end of the approved leave period may request an extension up to the maximum of twelve (12) weeks allowed under FMLA. If the twelve (12) FMLA weeks have already been used, the employee can request General Leave. If approved, before General Leave begins the employee must use any accrued sick/ESST leave, compensatory time, or vacation leave that remains. If the leave is approved the employee will be required to pay the full cost of all group insurance, as provided under COBRA, to continue coverage.

If the General Leave is not approved or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the city administrator's approval.

FMLA – Qualified Exigency and Military Caregiver Leave

Qualified Exigency

Eligible employees (described above) whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is

already on covered active duty may take up to twelve (12) weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following:

1. Short-notice deployment
2. Military events and activities
3. Childcare and school activities
4. Financial and legal arrangements
5. Counseling
6. Rest and recuperation
7. Post-deployment activities
8. Parental care
9. Additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave

An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, parent, or next of kin of a covered servicemember may take up to 26 weeks in a single 12-month period to care for that servicemember.

The family member must be a current member of the Armed Forces (including a member of the National Guard or Reserves), who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise is on outpatient status or on the temporary disability retired list.

Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

Definitions

Son/Daughter of a covered servicemember -- The biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in *loco parentis*, and who is of any age.

Parent of a covered servicemember -- The biological, adoptive, step, or foster father or mother, or any other individual who stood in *loco parentis* to the covered servicemember. This term does not include parents "in law."

Next of kin of a covered servicemember -- Is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military

caregiver leave under the FMLA.

When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122(j).

Covered active duty, Regular Component of the Armed Forces -- Duty during deployment of the member with the Armed Forces to a foreign country.

Covered active duty, Reserve Components of the Armed Forces -- Duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of Title 10, United States Code.

Covered servicemember -- A member of the Armed Forces (including National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Serious injury or illness -- A member of the Armed Forces (including National Guard or Reserves), with an injury or illness incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

A veteran who was a member of the Armed Forces (including National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Amount of Leave – Qualified Exigency

An eligible employee can take up to 12 weeks of leave for a qualified exigency.

Amount of Leave – Military Caregiver

An eligible employee taking military caregiver leave is entitled to 26 workweeks of leave during a single, 12-month period. The single, 12-month period begins the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Leave taken for any FMLA reason counts towards the 26-week entitlement. If an employee does not take all of 26 workweeks of leave entitlement to care for a covered servicemember during the single, 12-month period, the remainder of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited.

Certification of Qualifying Exigency for Military Family Leave

The city will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

The city will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

All other provisions of the FMLA policy, including Use of Paid Leave, Employee status and benefits during leave, the Procedure for Requesting Leave, Benefits during Leave, and Reinstatement, are outlined above in the FMLA policy.

Parental Leave Policy has been removed.

MN Pregnancy and Parenting Leave

All employees are entitled to take an unpaid leave of absence under the Minnesota Women's Economic Security Act (WESA). Female 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 the birth or adoption of a child are eligible for up to twelve (12) weeks of unpaid leave. Any paid or unpaid leave taken for prenatal care medical appointments will not count toward the 12-week leave.

Leave must begin within twelve (12) months of the birth or adoption of the 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. Employees should

provide as much notice as possible. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees may use accrued leave (sick/ESST leave, vacation leave, compensatory time) during Pregnancy and Parenting Leave. If the employee has remaining FMLA eligibility at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. If the employee is taking MN Paid Leave, MN Pregnancy and Parenting Leave will run concurrently as well.

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 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.

Adoptive Parents

Adoptive parents have the same leave opportunity as biological parents (see MN Pregnancy and Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Leave must begin before or at the time of the child's placement in the adoptive home.

Reasonable Work Time for Nursing Mothers

Nursing mothers and lactating employees are provided reasonable break time to express milk. The paid break times can run concurrently with any break time already provided. The city will provide a private and secure room (other than a restroom) as close as possible to the employee's work area, that is shielded from view and free from intrusion from coworkers and the public and that includes access to an electrical outlet.

Reasonable Accommodations for Health Conditions Relating to Pregnancy

The city will attempt to provide female employees who request reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth without advice of a licensed health care provider or certified doula.

- More frequent or longer restroom, food, and water breaks
- Seating
- Limits on lifting over 20 pounds

The city will provide reasonable accommodations, including, but not limited to, temporary leaves of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods and limits to heavy lifting to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the employer demonstrates the

accommodation would impose an undue hardship on the operation of the employer's business. In accordance with state law, no employee is required to take a leave of absence for a pregnancy nor accept a pregnancy accommodation.

School Conference Leave Policy

Employees may take up to sixteen (16 hours) unpaid leave during any 12-month period to attend school conferences or classroom activities related to the employee's child (through secondary school), provided the conferences or classroom activities cannot be scheduled during non-work hours. If an employee's child receives childcare services or attends a pre-kindergarten regular or special education program, the employee may use the leave time to attend a conference, or activity related to the employee's child, or to observe and monitor the services and program, provided the conference, activity, or observation cannot be scheduled during non-work hours.

When the need for leave under this section is foreseeable, the employee must provide reasonable prior notice of the leave to his or her immediate supervisor and make a reasonable effort to schedule the leave so as not to unduly disrupt city business.

Employees may choose to use vacation leave for this absence but are not required to do so.

Bone Marrow/Organ Donation Leave

Employees who work an average of twenty (20) or more hours per week who seek to undergo a medical procedure to donate bone marrow or an organ or partial organ may take up to forty (40) hours of paid leave. The forty (40) hours is over and above the amount of accrued time the employee has earned. The city may require verification by a physician of the purpose and length of each leave requested by the employee. If a medical determination indicates the employee does not qualify as a donor, the paid leave is not forfeited.

Military Leave

State and federal laws provide protections and benefits to city employees who are called to military service, whether for training 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 15 days in any calendar year. City compensation is in addition to the military pay for these 15 days, as per MN Attorney General's Opinion.

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 days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the city at least ten working days in advance of the requested leave. A training notice, signed orders, or battle assembly schedule are examples of typical written notification to share with the city.

If an employee has not yet used his/her fifteen 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 vacation leave and sick leave accruals.

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

Employees will be granted up to ten working days of unpaid leave whose immediate family member (defined as a person's parent, child, grandparents, siblings or spouse) is a member of the United States armed forces who has been injured or killed while engaged in active service. The 10 days may be reduced if an employee elects to use appropriate accrued paid leave.

Unless the leave would unduly disrupt the operations of the city, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

The city will grant employees an unpaid leave of absence for time spent serving as a member of the Civil Air Patrol upon request and authority of the state or any of its political subdivisions, unless the absence would unduly disrupt the operations of the city. Employees may choose to use vacation leave in place of unpaid leave.

Civil Air Patrol

The city will grant employees an unpaid leave of absence for time spent serving as a member of the Civil Air Patrol upon request and authority of the State or any of its political subdivisions, unless the absence would unduly disrupt the operations of the city. Employees may choose to use vacation leave while on Civil Air Patrol Leave but are not required to do so.

Jury Duty Leave and Court Appearances

Employees are allowed a leave of absence pursuant to state statutes without restriction or

sanction when called for jury duty.

- An employee performing jury duty or testifying in court for city-related business will receive the difference between his/her regular rate of pay and the amount received as juror or witness up to the maximum allowed by state or federal law. Upon receipt of payment from the court, documentation of payment shall be provided to Human Resources.
- The employee must notify his/her supervisor and initiate a leave of absence within forty-eight (48) hours of receiving call for jury duty.
- An employee excused or released from jury duty during regular work hours must report to his/her supervisor immediately thereafter.
- Time spent on jury duty will not count as time worked in computing overtime.
- In order to receive regular wages for the period, employees shall report compensation received for jury duty to Human Resources.
- 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.

Victim or Witness Leave

Employees subpoenaed or requested by a prosecutor to testify in court related to sexual assault, domestic abuse, or stalking, who is the victim or is the spouse or immediate family member of such victim, shall be allowed the use of earned sick and safe time for reasonable time off from work to attend criminal proceedings related to the victim's case. See the *Earned Sick and Safe Time policy* for additional information.

Bereavement Leave

Regular full-time and regular part-time employees working a minimum of 1,040 hours per year are permitted a paid leave from scheduled work to make funeral arrangements, for funeral attendance, to care for survivors, gather with relatives, and/or to otherwise grieve a familial death. Bereavement leave is prorated for eligible regular, part-time employees according to the number of hours worked. Leave is limited to the following:

- Up to five (5) days: Husband, wife, mother, father, son, daughter, brother, sister, stepmother, stepfather, stepson, stepdaughter, stepbrother, and stepsister.
- Up to three (3) days: Son-in-law, daughter-in-law, mother-in-law, father-in-law, grandparent, or grandchild.
- One (1) day: Aunt, uncle, cousin, niece, nephew, sister-in-law, brother-in-law, Godchild, grandparent-in-law.
- With city administrator approval, leave may be granted in certain unique family arrangements.

Leave days shall be concurrent unless approved by the city administrator and supervisor.

Additional time off for bereavement may be granted and charged to vacation leave or

compensatory time, if available. Employees covered by a collective bargaining agreement shall receive bereavement benefits as stated in the collective bargaining agreement.

General Leave

The city recognizes that unique personal circumstances may cause an employee to seek time off without pay. The city may, at its sole discretion, grant unpaid personal leaves of absence (General Leave). Approval is required from the immediate supervisor, department director, and the city administrator. General Leave shall not exceed ninety (90) days, unless approved by the city administrator.

Vacation and ESST leave do not accrue during General Leave and the employee is not eligible for holiday pay or other types of leave. The city will not contribute to the cost of insurance premiums for an employee on General Leave.

Employees are expected to return from General Leave when the reason for the leave expires. Employees who take a General Leave have no right to reinstatement.

Voting, Election Judge, and Delegates to Party Conventions Leave

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off with pay for purposes of serving as an election judge, provided the employee gives the city at least twenty (20) days written notice, including a certification from the appointing authority stating the hourly compensation to be paid the employee for service as an election judge and the hours during which the employee will serve. The city may reduce the wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment. Thus, employees will be paid the difference between their pay as an election judge and their regular rate of pay for their normal workday.

The city reserves the right to restrict the number of employees absent from work for the purpose of serving as an election judge to no more than 20 percent of the total work force at any single worksite.

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 on the election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues. Employees may be absent from work for the time necessary to vote to include voting during the period allowed for voting in person before election day.

An employee may be absent from work to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee. The employee may attend any convention of a major political party delegate, including meetings of official convention committees if the employee is a

delegate or an alternate delegate to that convention.

Per the statutory requirement, the employee must give at least ten days' written notice of their planned absence to attend committee meetings or conventions. Time away from work for this purpose will be considered unpaid unless the employee chooses to use vacation leave or compensatory time during their absence.

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 administrator.

Athletic Leave of Absence

An employee who qualifies as a member of the United States national team for athletic competition on the world championship, Pan American, or Olympic team in a sport sanctioned by the International Olympic Committee, shall be granted a leave of absence without loss of pay or other benefits for the purpose of preparing for and engaging in the competition. In no event shall the paid leave exceed the period of official training camp and competition combined, or 90 calendar days a year, whichever is less. The employee shall provide documentation establishing their participation on said team and in said event.

General Benefits

Following is an overview of benefits available to eligible employees. The descriptions provided are not intended to be comprehensive and all questions regarding eligibility and benefit levels should be directed to Human Resources. The plan documents govern any inconsistencies between plan documents and the information provided in this section. Benefits and eligibility requirements are subject to change, and such changes may not be reflected in this description.

The city reserves the right, in its sole discretion, to change, modify or eliminate benefits at any time, except to the extent prohibited by law.

Insurance

Various insurance policies, including group medical insurance, may be available for eligible city employees and their dependents. Information about the benefits an employee is eligible for is provided to them during their orientation. Questions about benefits should be directed to Human Resources.

The eligibility requirements and benefits provided are specified in materials provided by the respective insurance carriers. Carriers may have different requirements concerning eligibility and they will govern eligibility.

Under some circumstances, eligible employees and their dependents may have the option of continuing coverage under certain city employee insurance plans for a limited time at the employee's own expense when coverage would otherwise end. This continuation right is provided in accordance with the Consolidated Omnibus Budget Reconstruction Act of 1985 (COBRA) and applicable state law.

Retirement/PERA

The city participates in the Public Employees Retirement Association (PERA) to provide pension benefits for its eligible employees to help plan for a *successful and secure retirement*. Participation in PERA is mandatory for most employees, and contributions into PERA begin immediately. The city and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the city matches the employee's Social Security and Medicare withholding for many employees). For information about PERA eligibility and contribution requirements, contact Human Resources.

Post Employment Health Care Savings Plan

Upon retirement, Department Directors and City Administrator shall contribute 100% of their Severance Pay, as paid according to policy, to their Post Employment Health Care Savings Plan (HCSP) unless the Employee has opted out of the program which is approved due to a qualified exemption rule: this provision is irrevocable as set forth by law. Should an Employee choose this opt-out provision, it will be paid to the Employee as severance.

Upon the death of an Employee, contributions can no longer be made to the HCSP. Any payments owed but not yet paid into the HCSP will be paid out as regular income in accordance with state and federal law.

Employee Development / Tuition Reimbursement

The city encourages and recommends lifelong learning and offers reimbursement to regular, full-time employees for up to 75% of the tuition paid by the employee, excluding scholarships and grants up to a maximum reimbursement of \$3,000 per year (based on the budget year the expense is applied) for accredited college or other instruction directly related to the employee's position with the city. To be eligible for reimbursement the following requirements must be met:

1. Prior to registration, a completed *Tuition Reimbursement Request Form* must be signed and on file with Human Resources; and
2. The instruction must be to obtain a degree, certification, or license and apply directly to the employee's position or be required to complete an associate, bachelor's, master's, or doctorate degree in the field in which the employee works; and
3. The employee must successfully complete the instruction. If letter grades are assigned, the minimum grade required for reimbursement is a C; and
4. The reimbursement must be submitted within 60 days of instruction completion.

Books, activity fees, technology fees, and other non-tuition charges do not qualify for reimbursement.

All instruction must be taken on employee time and time spent on instruction is not considered hours worked. If any portion of the employee's class/development activity is conducted during regular work hours, the employee must take vacation or compensatory leave, an unpaid leave of absence, if approved, or arrange for flexible scheduling, if approved by the department director.

Courses taken to maintain licensure, affiliation, certification, or credentialing as well as work-related seminars and training are paid for with City Council approved budgeted training funds.

Employee Wellness

In an effort to promote wellness, the city maintains and encourages the use of a fitness room with exercise equipment. The policy attached as Exhibit A must be read, signed, and returned to Human Resources before using the fitness room.

Throughout the year, events are provided by the city's Whole Health Rewards Program Committee to promote overall health and wellness. Participation is encouraged.

General Policies

Smoking, Vaping, and Tobacco Policy

The city complies with the Minnesota Clean Indoor Air Act. All city buildings and vehicles, in their entirety, shall be designated as smoke free, meaning that smoking in any form (through the use of products such as pipes, cigars, and cigarettes), or “vaping” with e-cigarettes is prohibited while in a city facility or vehicle.

Smoking and vaping of any kind is prohibited while on duty except for employees 21 and over only during their breaks and lunch, and only in areas designated for that purpose. Employees who use chew/spit tobacco shall not do so in the presence of the public and with respect to fellow employees and shall not cause damage to or soil city vehicles, equipment, or facilities.

Employees violating this policy may be subject to disciplinary action up to and including termination.

Appearance and Dress

Employee appearance is a direct reflection on the professionalism of city services. Departments may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. To respect the rights of employees with fragrance sensitivities, fragrances should be minimal or not worn.

Clothing must always be clean, neat, and in good repair. Good hygiene is always expected. The City Dress and Appearance Policy is available on *Access Elk River*. Violation of this Policy may result in discipline up to and including termination.

Electronic Communication Devices

The city provides telephonic equipment (land line and cellular), computer equipment and software, and services used to communicate and supply email, voicemail, and internet data access. The equipment and services are the property of the city and are intended to be used for official city business. Employees who intentionally misuse Electronic Communication Devices may be subject to discipline up to and including termination. Please reference specific city policies regarding issue eligibility and use of electronic communication devices such as 800 MHz radios, cell phones, smartphones, and iPads/tablets.

Telephone Use

It is critical that employees be courteous, tactful, professional, and efficient on the telephone. Employees are expected to answer and return calls promptly.

Personal calls must not interfere with city work, should be brief and made only when necessary. Preferably, personal calls should be made during scheduled rest break or lunch periods.

The Mobile Phone Policy can be found on *Access Elk River*.

iPad/Tablet Device Use Policy

The City Council has authorized the purchase and assignment of iPads and tablet devices to enhance workflow, reduce paperwork, increase efficiency, and enhance internal and external communication. The full city policy which includes purpose, use, care, and user responsibilities can be found on *Access Elk River*.

Email and Voicemail Use

Emails and voicemails are subject to the Minnesota Records Management and the Government Data Practices Acts and could be classified as public information.

While occasional use of these services for personal, non-business use is acceptable, employees must demonstrate a sense of responsibility and may not abuse email or voicemail privileges.

Communication sent via email or voicemail must be respectful in tone and professional. The transmission, retrieval, or storage of discriminatory, harassing, derogatory, obscene, defamatory, or threatening messages are forbidden. Email shall not be used for chain letters or for any purpose which is illegal, against city policy, or contrary to the city's interests.

There is no expectation of privacy regarding city email or voicemail. The city has the capability to retrieve mail messages even after deletion. Furthermore, the use of passwords on the email and voicemail system does not mean that messages stored on those systems are confidential or may not be retrieved or reviewed by others. The city reserves the right to review employee email files, messages, and usage at any time and without notice and/or permission.

Employees must respect other's electronic communications and may not obtain unauthorized access to another's email or voicemail messages, except pursuant to direction from the city administrator for the purposes specified above.

Internet Access and Use

Acceptable uses of internet access services include information for business-related purposes, professional education, and professional development.

Employees must respect all copyrights and intellectual property rights of materials, and

may not copy, retrieve, modify, or forward copyrighted, patented, or trademarked materials except as permitted by the owner or as a single copy for reference use only.

Internet access and use is not confidential. The city has the right to monitor individual internet usage and to review individual internet usage logs.

Bandwidth Conservation

The city provides for access to the internet for several key government functions, such as police access to records and public access to public records. To ensure sufficient bandwidth to access applications, the city implements bandwidth conservation measures, which include blocking websites with no instructional or administrative value. Use of internet radio stations for casual listening and/or background music is strictly prohibited. Employees shall not download music files.

Password Policy

Passwords protect access to vital city technology resources utilized for daily business. The City Password Policy can be found on *Access Elk River*. The policy outlines the purpose, rules for password use and the composition.

Travel Expenses

An employee will be reimbursed for actual and necessary expenses incurred when traveling on official city business only upon approval of such expenses by the City Council in accordance with the city Travel Policy. To receive reimbursement, promptly complete the appropriate claim form and submit it to the appropriate department director for consideration and approval.

The Travel Policy can be found in the city's Financial Management Policy on *Access Elk River*.

Keys and Security

Employees are responsible for securing their work area at the end of each day. Properly secure all confidential files and sensitive information. All keys or electronic access devices in your possession that are for city facilities and/or equipment must be returned to your supervisor upon separation from employment.

Personal Use and Disposal of City Property

City property and equipment shall only be used in the performance of official city business. City-owned equipment and facilities are not available for personal use by employees. Personal use of city vehicles, machinery, tools, and other equipment is strictly prohibited.

As city property becomes obsolete, damaged, or is no longer needed, it shall be disposed of through salvage, trade, public auction, bid, or other means.

Disposal by sale or auction requires a public notice be advertised in the official newspaper and a posting at City Hall and other locations as deemed appropriate. The appropriate department director will determine the minimum price for each item to be sold.

City property shall not be given away to anyone, including employees.

An employee may purchase no more than one motor vehicle from the city or another political subdivision in any 12-month period.

Employees involved in the auction or process pertaining to the administration and collection of sealed bids are prohibited from purchasing city property.

Unauthorized removal of city property or its conversion to personal use may result in discipline up to and including termination.

Use of City Vehicles

City-owned vehicles may be used only by employees for official city business. Employees who drive or may be required to drive city vehicles and equipment must maintain a safe driving record and observe all traffic laws. Seat belts must be properly used at all times. The use of electronic communications devices (cell phones, smart watches) is prohibited unless you are having an emergency or in an emergency vehicle performing official duties. Drivers must carry a current, valid driver's license that is adequate for the type of vehicle driven. Operating a city vehicle without a valid driver's license will result in disciplinary action up to and including termination. All employees must abide by the city's Fleet Safety Program including drug and alcohol testing for all employees who are involved in an accident while driving a city vehicle.

Passengers may be carried only when necessary to conduct city business and/or when their transportation via city vehicle is in the best interests of the city. City vehicles may not be used to travel from work to an employee's residence for rest or lunch breaks without prior supervisor approval. Employees conducting official business out of town (conventions, meetings, etc.) may carry family members as passengers if such accompaniment does not interfere with the best interests of the city and upon approval by the department director.

Resident Complaints

Resident complaints provide an opportunity for feedback and identifying problem areas. How well complaints are handled determines the level of confidence and respect the public holds for their municipal government.

When handling a complaint, be polite and never argue with the complainant even if s/he is angry, unreasonable, or insulting toward you and the city. Stay calm, cool, and collected.

When a complaint is received, complete the following steps:

- Receive and record information pertinent to the complaint.
- Determine which employee is responsible to investigate and take corrective action and forward the complaint accordingly.
- Follow-up to ensure action has been taken to correct the problem.

Emergency Closing

City facilities and functions will generally be open during adverse weather. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will be allowed to use accrued vacation time or compensatory time, or with supervisor approval, may modify the work schedule, or make other reasonable schedule adjustments.

Sworn police officers, wastewater treatment operators, and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective department director after consultation with the city administrator.

Employee Participation in the City Fire Department

Employees are allowed and encouraged to participate as a part-time paid on call firefighter in the Elk River Fire Department. The following pay provisions, in accordance with state and federal laws, apply to employees who also work outside of their regular department as part-time paid firefighters:

Fire Calls During Working Hours

An employee will be allowed to respond to fire calls as approved and determined by his/her department director, based on the work assignments and responsibilities of the employee.

Employees responding to fire calls during regular work hours will be compensated at the same rate as his/her regular city position with no additional firefighter paid compensation. An employee who completes (flexes) regular work hours interrupted for a fire call during the same day will also receive firefighter pay for the fire call.

Employees responding while on vacation or compensatory time off will also receive firefighter pay for the fire call.

Fire Calls During Non-Work Hours

Employees will receive their normal firefighter pay for fire calls and training that do not occur during the regular work hours of their regular position.

Application of Fair Labor Standards Act (FLSA)

Employees will be paid overtime in accordance with the FLSA. Actual time worked will be used for determining overtime payment, with no consideration to the one-hour minimum call out pay provision for firefighter pay nor to paid leave time in the employee's full-time position. For example, a false alarm that requires 15 minutes of work will be counted as 15 minutes for FLSA purposes even though the minimum call out of one hour of pay would apply for firefighter pay purposes.

By advance mutual agreement, overtime earned for performance of fire department activities shall be paid at one and one-half times the employee's firefighter pay rate.

Employee Participation in Fire Departments Outside of Elk River

Employees who serve as firefighters outside of the City of Elk River must notify their immediate City of Elk River supervisor as soon as possible when they are tardy/delayed for their normal scheduled work shift due to an emergency call. If advance notice is not possible (e.g., emergency calls received while en route to work), the employee should contact their supervisor as soon as reasonably possible.

The employee must provide written documentation (run report, log, etc.) from their department confirming participation in the emergency call or scene (fire, rescue, or medical) as soon as it is available or before the submittal of their timecard whichever comes first.

At the discretion of the supervisor, the employee may be provided the opportunity to make up the time missed within the same workday. If this cannot be accommodated, the employee must use accrued vacation or compensatory time for the missed hours. Supervisors are responsible for ensuring that all time adjustments are accurately recorded. Employees will not receive additional pay from the City of Elk River for time spent responding to said emergencies.

All non-exempt, non-Elk River volunteer firefighters must turn their pagers off during their regular scheduled shift while working for the City of Elk River so as not to cause a distraction for themselves and others in the workplace.

This guideline may be modified by the City of Elk River at any point in time.

Employee Participation in the Police Reserves

City employees who are also member of the Elk River Police Reserves and are paid for their work as a Reserve Officer shall be paid overtime at the Reserve rate when Reserve work contributes to the FLSA requirement for overtime compensation.

Regular position hours worked as overtime shall be paid at the regular overtime rate.

Political Activity

Employees may belong to a political party and are entitled to complete freedom from all

interference in casting votes. Employees may seek election or appointment to public office, except to the extent prohibited by the provisions of state or federal law.

Political activity must not interfere with an employee's job duties or performance. Political activity during work hours is prohibited.

Candidacy

Employees who become candidates for elective office may request a leave of absence for the purpose of pursuing their candidacy, which may be granted at the city's sole discretion.

To the extent that any employee, including one campaigning for office, is unable to perform his or her duties, s/he may be subject to disciplinary action, up to and including termination.

Labor Relations

Communication

The city encourages open communication throughout the organization to share information and ideas, to raise concerns, and to provide suggestions for improvement. To foster communication and improve responsiveness, the city employs an administration/management structure (chain of command) with a defined span of control intended to enhance communication and accessibility to supervisors, managers, and department directors.

Employees shall first direct all communication to their immediate supervisor. Supervisors shall respond to all inquiries, concerns, or suggestions in a timely manner. Violations of policies, including this policy shall be filed in accordance with the City Grievance Procedure.

In the event the employee's inquiries, concerns, or suggestions are not addressed in a timely manner, or s/he anticipates negative repercussions from communication with the immediate supervisor, the employee may direct the communication to the immediate supervisor's supervisor. Concerns and suggestions shall be advanced to each step including department director, human resources, and city administrator if closure does not occur at the earliest possible level of communication.

Bypassing a step in the administration/management structure does not constitute insubordination. Insubordination in the workplace refers to an employee's intentional refusal to obey an employer's lawful and reasonable orders. Such a refusal would undermine a supervisor's level of respect and ability to manage and, therefore, is often a reason for disciplinary action, up to and including termination.

Elected and appointed officials, including mayor, council members, and commissioners frequently solicit employee feedback to better understand operations, improve policy, and ensure quality service. Suggestions, grievances, and concerns shall only be addressed with policymakers following the exhaustion of resolution through the administration/management structure.

Notwithstanding the previous paragraph, a disagreement between employee and supervisor shall not be a reason to bypass the administration/management structure and bring issues to elected or appointed officials.

Directors, managers, and supervisors shall respect the administration/management structure of other departments and divisions by coordinating work direction through the respective department director.

Retribution or retaliation by supervisory staff for the expression of ideas is not tolerated. A supervisor's decision to not act on or accept an employee's suggestion or

recommendation shall not be construed as retribution, retaliation, or inaction.

Discipline

The city retains the right to take any disciplinary action deemed appropriate based upon the nature and severity of the infraction(s) and the conditions surrounding the incident. The city retains the sole discretion to determine what behavior warrants disciplinary action and which action will be imposed.

The city may use progressive discipline to correct negative behavior rather than punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies imply that any city employee has a contractual right or guarantee (also known as a property right) to the job he/she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee.

The following are descriptions of the types of disciplinary actions:

Oral Reprimand

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors can issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed.

Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected, or the behavior has not consistently improved in a reasonable period.

Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with prior approval from the city administrator.

A written reprimand will: (1) state what happened; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

Suspension With or Without Pay

The city administrator may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans, who have completed their initial probationary period, will not be suspended without pay in conjunction with a termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on Administrative Leave pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on the nature of the allegations. If the allegation is proven false, the relevant documents shall be removed from the employee's personnel file, and the employee will receive any compensation and benefits due had the suspension not taken place.

Demotion and/or Transfer

An employee may be demoted or transferred if attempts at resolving an issue have failed and the city administrator determines a demotion or transfer to be the best solution to the problem.

The employee must be qualified for the position to which they are being demoted or transferred. The City Council must approve this action.

Salary

An employee's salary increase may be withheld, or the salary may be decreased due to performance deficiencies.

Dismissal

The city administrator, with the approval of the City Council, may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with city standards.

If the disciplinary action involves the removal of a qualified veteran, who has completed his/her initial probationary period, the appropriate hearing notice will be provided, and all rights will be afforded to the veteran in accordance with Minnesota law.

While the city strives for consistency, the level of discipline taken in any given case does not establish a precedent for future similar circumstances.

This policy does not change the fact that city employment is at-will, meaning an employee and the city have the right to terminate employment at any time and for any reason, with or without cause or notice.

Grievance Procedure

Any dispute between an employee and the city relative to the application, meaning, or interpretation of personnel policies will be settled in the following manner:

Step 1 - The employee must present a grievance in writing, stating the nature, the facts in which it is based, the provision(s) of the personnel policy allegedly violated, and the remedy requested, to the immediate supervisor and department director within twelve (12) days after the alleged violation or dispute has occurred. The immediate supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2 - If the grievance is not settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts in which it is based, the provision(s) of the personnel policy allegedly violated and the remedy requested, to the city administrator within seven (7) days after the due date of the supervisor's response. The city administrator and grievant shall schedule an in-person meeting to include necessary participants within seven (7) days as practicable. The city administrator will respond to the employee in writing within seven (7) calendar days of the in-person meeting.

The decision of the city administrator is final for all disputes with exception of those specific components in a performance evaluation subject to a challenge through the Department of Administration.

Waiver - If a grievance is not presented within the time limits set forth above, it will be considered "waived." A grievance not appealed to the next step in the specified time limit or any agreed extension thereof will be considered settled based on the city's last answer. If the city does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the city and employee without prejudice to either party.

The following actions are not grievable:

- While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
- Pay increases or lack thereof.

The above list is not meant to be all inclusive or exhaustive.

Choice of Remedy

It is specifically understood that any matters governed by statutory or regulatory provisions, except as expressly provided for in the policy, shall not be considered grievances under this policy. If more than one procedure is available for resolution of a dispute arising from any provisions covered by the agreement, the aggrieved employee

shall be limited to one procedure through which remedy may be sought. If the aggrieved employee utilizes a procedure other than the grievance procedure herein, then the employee is precluded from appealing under this procedure. If the employee utilizes this procedure, then the employee is precluded from appealing under another procedure. Employees may use both this grievance procedure and a statutory procedure to the extent that it is required by state or federal law.

Safety

The city seeks to ensure the personal safety of employees and to prevent occupationally induced injuries and illnesses. To the greatest degree possible, management seeks to maintain a safe and hazard-free work environment.

It is the policy of the City Council to provide employees with safe working conditions through the following means:

A Safety Committee consisting of employees and management representing each department and employee group is charged with creating and maintaining a safety program in compliance with all applicable federal, state, and local laws.

The Committee or sub-committee reviews occupational illness and injury, and incidents that result in damage to city property, and strives to take action to ensure that unsafe work methods, unsafe work sites, and unsafe equipment are identified and made safe.

All employees are required to fully comply with the Safety Program as administered by the Safety Committee.

Department directors, management, and supervisory employees are responsible for implementing the Safety Program by training their employees in safe work methods and by enforcing compliance with safety standards set by the Safety Committee.

Department directors are responsible for providing all employees with safety equipment and safety clothing that is necessary for employees to perform their duties in a safe manner.

New employees receive a copy of the *City of Elk River Employee Safety Manual* during their onboarding. Employees are required to read the manual carefully and discuss areas of concern with their supervisor. Employees are required to develop safe work habits and to contribute to the safety of themselves and co-workers.

To be successful, the safety program must be the shared responsibility of all employees. Employees are required to:

- Immediately report to their supervisor all unsafe equipment, practices, or procedures that pose a threat to the safety of employees or others.
- Cooperate with and assist in the investigation of accidents to identify the causes and to prevent recurrence.
- Be active in department and city safety programs.
- Observe and promote safe work habits.
- Report injuries to supervisor immediately.

Employees who do not follow and abide by the city's safety policies will be subject to

discipline up to and including termination.

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

Supervisors are authorized to send an employee home immediately when the employee's behavior violates the city's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

Safety Equipment Reimbursement

The city reimburses employees for certain foot and eye protection required by the city safety policy. Employees required to wear protective footwear may be reimbursed based on the Foot Protection Policy attached as Exhibit B. Employees required to wear eye protection may be reimbursed based on the Prescription Safety Eyewear Policy attached as Exhibit C.

Incident Reporting

Employees are required to report accidents resulting in personal injuries and/or vehicle, equipment, or property damage to their supervisor immediately.

Employees shall immediately report all accidents and injuries occurring within the course of employment to their supervisor and complete an Employee Incident Report. The supervisor shall submit a Supervisor's Report of Injury Form to Human Resources within twenty-four (24) hours of the injury. Both forms are on *Access Elk River*.

Employees shall immediately report all damage to city property to their supervisor. The supervisor shall submit documentation regarding the incident to the Finance Department within twenty-four (24) hours of the time of the damage or accident. A copy of the Minnesota Motor Vehicle Accident Report must be submitted for all vehicle accidents.

Further details on this policy and a complete summary of responsibilities and procedures are available from the Safety Coordinator.

Workers' Compensation

An employee temporarily unable to work due to an injury or illness sustained in the performance of their city work may be eligible for Workers' Compensation subject to the provisions of the State of Minnesota Workers' Compensation Law.

An employee who becomes eligible to receive Workers' Compensation will retain the total amount of the Workers' Compensation check and may receive the difference between their Workers' Compensation payment and the employee's regular gross salary with accrued sick leave. If accrued sick leave is not available, vacation or compensatory time may be used. The total of the Workers' Compensation check and the accrued leave compensation may not exceed the employee's normal gross pay.

Conduct

Ethics of Public Employment

The city affirms it is in the public's interest and general welfare of the community and its residents that a statement of ethics be established for all city employees.

Employees shall not use their official position for personal gain, engage in any business, transaction, or have a financial interest, directly or indirectly, conflicting with the proper performance of their official duties.

Accepting Gifts

Employees shall not accept, either directly or indirectly, any money, property, gift, gratuity, reward, loan, fee, discount, special consideration, or special accommodation arising from or offered because of their employment or any activity connected with their employment with the city.

Employee Endorsements

No employee shall, in any manner or form, endorse, recommend, or advertise a product or service by using the city's name or the employee's name and/or title.

Conflict of Interest

The credibility of local government rests heavily upon the confidence residents have in public officials to render fair and impartial services to all without regard to personal interest and/or political influence. Thus, city officials and employees must scrupulously avoid any activities that suggest a conflict of interest between their private interests and city responsibilities.

The city has adopted a Conflict of Interest Ordinance that addresses these issues (Chapter 2, Article 3, Division 3, Section 2-132). Employees and officials are required to follow all applicable laws related to conflicts of interest, including the city's Conflict of Interest Ordinance which can be found on *Access Elk River* and in the City Code of Ordinances.

Whistleblower Protections

An employee of the city who, in good faith, reports an activity that s/he considers to be illegal or dishonest to one or more of the parties may have whistleblower protections. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate city management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity,

the employee is to contact his/her immediate supervisor or Human Resources. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to discipline up to and including termination.

It is the city's legal responsibility to protect employees who make a complaint of employment discrimination, who serve as a witness or participate in an investigation, or who are exercising their rights when requesting religious or disability accommodation from retaliation.

Whistleblower protections are provided in two important areas – confidentiality and against retaliation; insofar as consistent with Minnesota Government Data Practices, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals with their legal rights of defense.

The city will not retaliate against a whistleblower. This includes but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes s/he is being retaliated against must contact Human Resources immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing.

Sexual Harassment and Respectful Workplace

Employees have a right to work in an environment free from discrimination and intimidation, including harassment. The mission of the city is best accomplished in an atmosphere of professionalism that in turn is supported by mutual respect and trust. The city expects all employees to work toward this goal.

Harassment based on a person's race, color, creed, religion, national origin, sex, sexual orientation, gender, gender identity, gender expression, disability, age, marital status, familial status, pregnancy, status regarding public assistance, veteran status, or any other protected class status may be unlawful and is strictly prohibited.

Abusive Customer Behavior

While the city has a strong commitment to customer service, the city does not expect employees to accept verbal and other abuse from any customer.

An employee may request that a supervisor intervene when a customer is abusive, or the employee may defuse the situation themselves, including professionally ending the contact.

If there is a concern about the possibility of violence, the employee should use his/her discretion to call 911, and as soon as feasible, a supervisor. Employees should leave the

area immediately when violence is imminent unless their duties require them to remain (such as police officers). Employees must notify their supervisor about the incident as soon as possible.

Definitions of Sexual and Other Forms of Harassment

Harassment consists of unwelcome conduct based on a person's race (including traits associated with race, including, but not limited to, hair texture and hair styles such as braids, locs and twists), color, creed, religion, national origin, sex, sexual orientation, gender, gender identity, gender expression, disability, age, marital status, familial status, pregnancy, status with regard to public assistance, veteran status, or any other protected class status that is interfering with your job performance; or creating an intimidating, hostile, or offensive work environment; or when submission to such conduct is explicitly or implicitly:

- a term or condition of employment; or
- a basis for an employment decision affecting your job; or
- has the purpose or result of unreasonably interfering with your work performance or creating an intimidating, hostile, or offensive work environment.

The city prohibits harassment in any form, including verbal, physical, and visual harassment.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature that is interfering with your job performance; or creating an intimidating, hostile, or offensive work environment; or when submission to such conduct is explicitly or implicitly:

- a term or condition of employment; or
- a basis for an employment decision affecting your job; or
- has the purpose or result of unreasonably interfering with your work performance or creating an intimidating, hostile, or offensive work environment.

The city prohibits sexual harassment in any form, including verbal, physical, and visual harassment.

Some examples of conduct that may be sexual harassment under this policy include:

- Use of offensive or demeaning terms which have sexual connotations.
- Telling suggestive jokes or stories and conversations about sexual exploits, sexual preferences, and desires.
- Posting jokes, cartoons, pictures, objects, or stories which have a sexual content.
- Threats, demands or suggestions that an employee's work status, advancement, or other terms and conditions of employment are contingent upon the employee's toleration of or acquiescence to unwelcome sexual advances.

- Repeated, unwelcome sexual flirtations, propositions, or invitations to social engagements; or unwelcome and objectionable physical contact or physical proximity.

Types of Disrespectful Behavior

- Violent behavior including the use of physical force, harassment, bullying, or intimidation.
- Discriminatory behavior including inappropriate remarks about or conduct related to a person's legally protected characteristic such as race, color, creed, religion, national origin, disability, sex, gender, pregnancy, marital status, age, sexual orientation, gender identity or gender expression, familial status, or status regarding public assistance.
- Offensive behavior including such actions as rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, considering the sensibilities of employees and the possibility of public reaction.

Although the standard for how employees treat each other and the public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from their supervisor or the city administrator.

Scope of Policy

This policy prohibits harassment, sexual harassment, and disrespectful behavior by members of the same or opposite sex. In addition, this policy prohibits any form of harassment or disrespectful behavior by any individual, including managers and supervisors, employees, co-workers, and third parties such as clients, elected officials, consultants, contractors, or vendors who interact with employees.

Responding to Disrespectful Workplace Behavior

All employees should feel comfortable calling their supervisor or another manager to request assistance should they not feel comfortable with a situation. If situations involve violent behavior call the police, ask the individual to leave the area, and/or take other reasonable action.

If employees see or overhear what they believe is a violation of this policy, employees should advise a supervisor, the city administrator, or human resources promptly.

Employees who believe disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible,

notify a supervisor. In the event the disrespectful behavior occurring involves the employee's supervisor, the employee should contact human resources, the supervisor's manager, or the city administrator.

Step 1(a). If you feel comfortable doing so, professionally, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor, human resources, your supervisor's supervisor, or the city administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter.

In some situations, such as with an offender from the public, it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with the offender.

Step 1(c). The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. It is vitally important you notify a supervisor, the city administrator, or human resources promptly of your concerns. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it promptly to a supervisor, human resources, or the city administrator.

Reporting Harassment including Sexual Harassment

If at any time you feel you are being harassed, you should immediately contact:

- your supervisor; and/or
- a department director; and/or
- Human Resources; and/or
- the city administrator.

The city wants to resolve any problems, but it can do so only if it is aware of them. The city encourages anyone who believes s/he is being harassed to immediately report all incidents of perceived harassment.

Your report may be verbal or written; in either case, it is important that you state that your report is being made under this harassment policy, or that it concerns harassment. You may choose to whom you make the report; that choice, however, must be made from the list of individuals named above.

The city will promptly investigate harassment complaints and take appropriate action. Employees found to have committed harassing acts will be subject to corrective action up to and including termination.

City's Response

Employees who have a complaint of disrespectful workplace behavior will be taken seriously.

In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations promptly to human resources or the city administrator, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim.

In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1(a). If the nature of the allegation and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring the conduct not to reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful. The allegation shall be reported to human resources or the city administrator.

Step 1(b). Supervisors, when talking with the reporting employee, will be encouraged to ask him/her what he/she wants to see happen next. When an employee comes forward with a complaint, it is important to note the city cannot promise complete confidentiality, due to the need to investigate the issue properly. However, any investigation process will be handled as confidentially as practical and related information will only be shared on a need-to-know basis and in accordance with the Minnesota Government Data Practices Act and/or any other applicable laws.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. Formal investigations will be prompt, impartial, and thorough. The person being interviewed may have someone of his/her choosing be present during the interview. Typically, the investigator will obtain the following description of the incident, including date, time, and place:

- Corroborating evidence.
- A list of witnesses.
- Identification of the offender.

To facilitate fostering a respectful work environment, all employees are encouraged to respond to questions or to otherwise participate in investigations regarding alleged harassment.

Step 3. The supervisor must notify human resources or the city administrator about the allegations.

Step 4. In most cases, as soon as practical after receiving the written or verbal complaint,

the alleged policy violator will be informed of the allegations, and the alleged violator will have the opportunity to answer questions and respond to the allegations. The city will follow any other applicable policies or laws in the investigatory process.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable and to the extent permitted by the Minnesota Government Data Practices Act.

Step 7. The city will take reasonable and timely action, depending on the circumstances of the situation.

The city is not voluntarily engaging in a dispute resolution process within the meaning of Minn. Stat. § 363A.28, subd. 3(b) by adopting and enforcing this workplace policy. The filing of a complaint under this policy and any subsequent investigation does not suspend the one-year statute of limitations period under the Minnesota Human Rights Act for bringing a civil action or for filing a charge with the Commissioner of the Department of Human Rights.

Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Retaliation

Retaliation is strictly prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Individuals who report harassing conduct, participate in investigations, or take any other actions protected under federal or state employment discrimination laws will not be subject to retaliation.

Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal, or harassment. While each situation is very fact dependent, retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations, or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of EEO laws.

It can also include threats of reassignment, removal of supervisory responsibilities, filing civil action, deportation or other action with immigration authorities, disparagement to others or the media, and making false reports to government authorities because an

employee has engaged or may engage in protected activities. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

If you feel retaliation is occurring within the workplace, report your concern immediately to your immediate supervisor, your supervisor's manager, human resources, or the city administrator.

Supervisors who have been approached by employees with claims of retaliation will take the complaint seriously and promptly report the allegations to the city administrator, or if the complaint is against the city administrator to human resources, who will decide how to proceed in addressing the complaint.

Consistent with the terms of applicable statutes and city personnel policies, the city may discipline any individual who retaliates against any person who reports alleged violations of this policy. The city may also discipline any individual who retaliates against any participant in an investigation, proceeding, or hearing relating to the report of alleged violations.

Questions About Policy

Any questions about this policy or a related matter should be referred to the city administrator or Human Resources.

Workplace Violence and Possession of Dangerous Weapons

The city seeks to provide a safe and secure workplace environment for employees, volunteers, vendors, and citizens. Violence, or the threat of violence, has no place on city premises.

The city is committed to preventing the potential for violence in and around the workplace and to fostering a work environment of respect and positive conflict resolution.

Many employees may be exposed to violence by the nature of their jobs. Violence or the threat of violence by or against any employee or other person while on city premises is strictly prohibited and may subject the individual to serious disciplinary action and/or criminal charges.

Possession, use, or threatened use of an object that could be considered a dangerous weapon, including all firearms, is prohibited on city premises, including city vehicles and personal vehicles used for city business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is concealed from view within a locked

personal vehicle while that person is working on city property.

- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

The city strives to provide a workplace environment in which all its officials and employees treat each other, their customers, clients, and all others with courtesy, dignity, and respect.

Drug and Alcohol Policy

Employees are expected and required to report to work on time and in appropriate mental and physical condition. It is the city's intent and obligation to provide a drug-free, safe, and secure work environment.

The city contracts with federal agencies and is subject to the federal Drug-Free Workplace Act which places certain requirements on employers to maintain a drug-free workplace. In accordance with the act, you are hereby notified:

The unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance (including alcohol) is prohibited on city property or while conducting city business. Employees violating this prohibition may be subject to disciplinary action including, but not limited to, suspension or termination, and may have legal consequences.

Controlled substances include, but are not limited to, opiates, hallucinogenic substances, depressants, stimulants, and narcotics. The Drug-Free Workplace Act prohibits only *unlawful* (federal) use, possession, or distribution of such drugs in the workplace, and not the lawful use of prescription medications.

The lawful use of a controlled substance, including alcohol and cannabis is prohibited on city property or while conducting city business with an exception for use in the Alcohol Product Sampling Policy pertaining to municipal liquor store employees or while attending an event as a participant that is being held on city property. Employees violating this prohibition may be subject to disciplinary action including, but not limited to, suspension or termination.

Employees taking prescription or over-the-counter drugs that may affect the safety of others must obtain a determination from their physician as to whether the drug could affect the job safety of the employee or others. If job safety may be affected, the employee must inform his or her immediate supervisor so that appropriate accommodation and arrangements can be made.

The city recognizes drug abuse as a potential health, safety, and security problem.

Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Plan or their health insurance plans, as appropriate.

As a condition of continued employment at the city, all employees must:

- Abide by the terms of this policy; and
- Notify the employee's supervisor, Human Resources, or city administrator of any criminal drug statute conviction arising out of a violation occurring on or off work premises while conducting city business no later than five days after the conviction.

The city retains the right, at its sole discretion, to report employee conduct violating this policy to law enforcement officials and to turn over any controlled substances to the custody of law enforcement officials.

It is the city's continued policy to maintain a drug-free workplace. If you have questions about this policy, its implementation, or its application to you, please contact the city administrator or Human Resources.

City of Elk River

Fitness Room Policy

INTRODUCTION

The City of Elk River strongly believes in a philosophy of promoting employee wellness. An employee wellness program benefits both the employer and employee as well as the community. Healthy employees tend to be more productive, and healthy employees reduce expenditures (i.e. city insurance costs; use of sick time and its related overtime expenses; etc.).

In the spirit of a healthy workplace, the city provides and outfits a fitness room as one part of a greater city wellness program.

POLICY

This policy encourages everyone to utilize the wellness room; with respect to limitations of types of equipment, locker space and workout space.

Employee and Guest

The fitness room is not a health club. Use of this room and equipment is open to all city and municipal utilities employees, and city council Members. Employees may bring one guest at any one time. Guests are not allowed use of the facility without the Employee. Guests must be over the age of eighteen (18). Due to safety and insurance issues, no one under the age of eighteen (18) is allowed in the fitness room under any circumstances.

Waiver

All employees who use the fitness room and equipment, and all guests, must sign a release waiver prior to using the fitness room. This is a requirement of the city insurance company.

Available Times

The fitness room is open 24-hours a day, but guests are only allowed with an employee.

Lockers and Showers

Lockers and showers are available. Lockers are intended to secure street clothes and valuables while exercising, not as an extended use. Employees shall leave the locker rooms in a clean, neat condition and shall not leave personal items in the lockers. Employees should be courteous - keep your time limited in the locker rooms if others are waiting.

The city does not provide towels for the locker room or for use with the equipment.

Miscellaneous Issues

- Training on the use of the equipment can be arranged in group settings, as necessary.
- After receipt of a signed agreement, key reader access will be provided to employees who desire access to the room.
- Disinfecting supplies are in the fitness room and users must clean equipment after use.

Conduct and Procedures

1. Proper Attire is required at all times including shirts and closed-toe footwear.
2. Foul or Abusive Language is prohibited.
3. Dumbbells, plates, and other equipment must be returned to the proper rack, stand, or location.
4. Dropping of Dumbbells or other equipment on the fitness room floor is not allowed.
5. Machines such as exercise bike, treadmill, and stair climber should be powered off after use unless others are waiting to use it.
6. Disinfecting Supplies are provided. All equipment should be disinfected after each use.
7. Breakdown of any piece of equipment should be tagged and brought to the attention of a supervisor as soon as possible.
8. Chalk is allowed if used neatly.
9. Music is allowed if kept at a reasonable level and is powered off when leaving the room.
10. Lights and fans should be turned off when the fitness room is not in use.

Update: December 2023

Fitness Room Agreement and Release

The City of Elk River ("City") has made available a fitness and workout facility (the "Facility") for the exclusive use of city and municipal utilities employees, and city council members ("Employee"). Employee's may be accompanied by one (1) guest who must be 18 years of age or older.. City and municipal utilities employees and council members are responsible for their guest. The undersigned employee and their guest ("Employee") shall be permitted to make use of the Facility upon the following terms and conditions:

1. Employee agrees to use the Facility only in accordance with rules and regulations adopted by the City, in the City's sole discretion.
2. Employee specifically agrees not to use the Facility while under the influence of any mind-altering drug or chemical, including specifically, but not exclusively, alcohol of any sort.
3. Employee acknowledges that no instruction as to the use of the Facility or any equipment therein will be provided by the City. Employee agrees to take sole responsibility to become familiar with the proper and safe use of any equipment within the Facility.
4. Employee acknowledges that certain risks may exist in the use of fitness and workout equipment. These risks include injury through defective equipment or improper use of equipment or improper conduct by Employee or third parties. Employee agrees to release City and its respective officers and employees from any claim Employee may have to any incident which occurs in or arises in any way out of Employee's use of the Facility or any equipment therein including specifically, but not exclusively, claims for personal injury, death, or property damage. Employee further agrees to indemnify, defend and hold harmless the city and its officers and employees and agents from claims for personal injury, death, or property damage for incidents occurring in or about the Facility.
5. EMPLOYEE ACKNOWLEDGES THAT THE FACILITY WILL NOT BE SUPERVISED AND AGREES THAT EMPLOYEE MAKES USE OF THE FACILITY AT EMPLOYEE'S OWN RISK.
6. EMPLOYEE HAS READ THE FITNESS ROOM POLICY AND AGREES TO ABIDE BY THE RULES STATED IN THE POLICY.
7. Terms of this Agreement apply equally to the guest as to the Employee.

Employee's Signature

Print Name

Date

Update: December 2023

EXHIBIT B

City of Elk River

Foot Protection Policy

All employees will wear footwear appropriate to their job duties. Each affected employee shall wear protective footwear when working in areas where there is a danger of foot injuries due to:

- Falling and rolling objects
- Objects piercing the sole
- Exposure to electrical hazards

Employees required to wear protective footwear include: Street/Parks employees, Wastewater Treatment Facility employees, Building Maintenance employees except custodians, Building Inspectors, Fire Inspectors, and any city employee required to wear protective footwear as determined by their supervisor.

Protective Footwear Standard

Must comply with ASTM F2413 Standard which provide both impact and compression protection.

Allowance

The city will provide up to \$200 per year for regular employees and up to \$75 per year for temporary employees toward the purchase of protective footwear. Funds more than those used for footwear may be used to purchase approved safety equipment as authorized by their department director.

Some vendors may bill the city directly or original receipts must be submitted to the Finance Department for reimbursement. The cost of footwear exceeding approved allowance is the responsibility of the employee.

Adopted: May 17, 1999
Updated: February 9, 2004
December 2020
August 8, 2023

EXHIBIT C

City of Elk River

Prescription Safety Eyewear Policy

Prescription Safety Eyewear

For those regular employees required to wear eye protection, the city will pay for basic protective eyewear for single vision, bifocal, and trifocal prescriptions (includes safety lenses, standard frame with side shields, case, and dispensing fee).

The city will provide one (1) complete pair of clear protective industrial safety eyewear every two (2) years or at the supervisor's discretion due to prescription change or damage resulting from work-related hazards. "Clear" lenses under this definition will also include lens tints in shades 1 or 2. Transition or changeable tint lenses that meet OSHA standard 87Z will be allowed.

The eye protection selected must clearly identify the manufacturer. Any new eye protective devices must comply with any of the following: ANSI Z87.1-2010, ANSI Z87.1-2003, or ANSI Z87.1-1989(R1998) or be at least as effective as this standard requires.

All charges relating to eye examinations, optional frame styles, or lens treatments will be the responsibility of the employee.

Employees shall use only Walman Optical approved providers. A list of approved providers can be found at www.WalmanOpticalsafetyeyewear.com under Resources, Find an Eye Doctor. Order forms are on Access under Safety, Safety Forms.

Adopted: May 17, 1999
Updated: July 18, 2001
September 2014
December 2020
December 2023



Request for Action

To
City Council

Item Number
4.5

Meeting Date
December 15, 2025

Prepared By
Lindsay Brandner, Senior Administrative Assistant

Item Description
Agreement 25-38: Accurint Virtual Crime Center
Servic38

Reviewed by
David Kuhnly
Cal Portner
Tina Allard

Action Requested
Adopt, by motion, Agreement 25-38: Accurint Virtual Crime Center.

Background/Discussion

Accurint is an investigative software used by police officers and the crime analyst to assist in investigating crimes by using public source information and law enforcement information. This software was discussed and requested during the 2026 budgeting process, replacing two current software applications, First To and TLO.

Financial Impact

The cost for this software is \$4,400.00 and is budgeted in the police department's 2026 budget.

Mission/Policy/Goal

Improve citizen quality of life.

Attachments

1. Accurint Addendum
2. Accurint Agreement

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity

**Accurant Virtual Crime Center/Accurant Crime Analysis/
LexisNexis Community Crime Map/
AVCC XML Addendum**

This Accurant Virtual Crime Center/Accurant Crime Analysis/LexisNexis Community Crime Map/AVCC XML Addendum ("Addendum") sets forth additional or amended terms and conditions for the use of Accurant Virtual Crime Center; Accurant Crime Analysis; LexisNexis Community Crime Map and/or AVCC XML (the "LN Services" provided herein), which are in addition to, and without limitation of, the terms and conditions set forth in the services agreement between the customer identified below ("Customer") and LexisNexis Risk Solutions FL Inc. or its affiliated entity ("LN") for the LN Services (such services agreement, the "Agreement"). The LN Services subscribed to herein will be listed on Customer's Schedule A. Capitalized terms used herein but not defined herein shall have the meanings ascribed to them in the Agreement.

I. Public Safety Data Exchange Database

1. LN, as a vendor that processes information for its government customers, maintains the LexisNexis Public Safety Data Exchange Database ("PSDEX"), which contains information related to public safety and law enforcement investigations. PSDEX is compiled from information submitted by PSDEX customers and enhanced by LN data and technology such as LexID or data updates to allow LN's PSDEX customers to easily search and access information beyond their jurisdiction for analysis, investigations and reporting or other applications to accomplish their mission.
2. In exchange for good and valuable consideration, including access to PSDEX, Customer hereby agrees to contribute public safety information (the "Customer Data Contribution") that it and other PSDEX customers may use for analysis, investigations and reporting or other applications to accomplish their mission.
3. LN's obligations.
 - a. LN agrees to provide PSDEX information to Customer.
 - b. LN agrees to provide Customer with instructions for submitting information to the PSDEX database and for using the PSDEX service.
 - c. LN agrees to provide all LN employees, with physical or logical access to Customer Data Contributions, level four security awareness training as defined and listed in the Criminal Justice Information Services (CJIS) Security Policy.
 - d. LN agrees to access, store, and process Customer's Customer Data Contributions in accordance with the CJIS Security Policy, to the extent applicable to LN's accessing, storage, and processing of such data.
4. Customer obligations.
 - a. Customer agrees to submit to LN, with reasonable promptness and consistency, Customer Data Contributions.
 - b. Customer acknowledges and agrees that it is solely responsible for the content of the Customer Data Contributions submitted to LN and that it shall use reasonable care to ensure the information submitted is a reasonable reflection of the actual report. Each submission to LN with respect to an incident or subject constitutes a Customer Data Contribution.
 - c. Customer's disclosure of information to LN is and will be in compliance with all applicable laws, regulations and rulings.
 - d. Customer agrees to access, store, and process other customer's Customer Data Contributions in accordance with the CJIS Security Policy, to the extent applicable to Customer's accessing, storage, and processing of such data.
 - e. Customer agrees to notify LN promptly of any change in status, factual background, circumstances or errors concerning any Customer Data Contribution previously provided to LN. Customer further agrees to submit corrected information in a timely manner. Customer agrees that it will fully and promptly cooperate with LN should any inquiry about the Customer Data Contributions arise.
 - f. The following named individual/department shall serve as the contact person(s) for submissions made to LN. The contact person shall respond to requests from LN for clarification or updates on incident reports submitted by Customer during normal business hours, and Customer will not unreasonably withhold from LN information on any such submission. LN shall not reveal the identity of the Customer's contact person(s) to any other PSDEX customer without Customer's consent.

Name: _____
Title: _____
Address: _____
Phone: _____
Fax: _____
Email: _____

- g. Customer agrees that it will access information contributed to PSDEX by other customers only through LN and any Customer employee permitted access to PSDEX by Customer shall be a CJI Authorized User/Personnel that has undergone appropriate Security Awareness Training as those terms are used in the CJIS Security Policy.
- h. Customer agrees that, to the extent permitted under applicable law, LN and all other PSDEX customers shall not be liable to Customer, and Customer hereby releases LN and all other PSDEX customers from liability to Customer, for any claims, damages, liabilities, losses and injuries arising out of, or caused in whole or in part by LN or each such other PSDEX customer's acts and omissions in reporting or updating Customer Data Contributions for inclusion in PSDEX. Other PSDEX customers are intended to be third party beneficiaries of this paragraph.

II. General Terms

1. **LICENSE GRANT.** Customer, at no charge, hereby grants to LN a paid up, irrevocable, worldwide, non-exclusive license to use, adapt, compile, aggregate, create derivative works, transfer, transmit, publish and distribute the Customer Data Contributions (1) to PSDEX customers; and (2) by agreement by initialing below, a de-identified subset (e.g., crime type, date/time of the incident, and the area that the incident has occurred) to third-parties assisting the public with a view of de-identified crime data. For purposes of clarification, Customer is the owner of its Customer Data Contributions and is hereby licensing to LN a copy of its Customer Data Contributions.

Customer will not provide a de-identified subset of its data to third parties (initials _____).

2. **FBI CJIS SECURITY ADDENDUM.** This Addendum incorporates by reference the requirements of the FBI CJIS Security Policy and the FBI CJIS Security Addendum (FBI CJIS Security Policy Appendix H attached hereto as Exhibit A), as in force as of the date of this Addendum and as may, from time to time hereafter, be amended. The parties warrant that they have the technological capability to handle Criminal Justice Information (CJI), as that term is defined by the FBI CJIS Security Policy, in the manner required by the CJIS Security Policy. The parties expressly acknowledge that the CJIS Security Policy places restrictions and limitations on the access to, use of, and dissemination of CJI and hereby warrant that their respective systems abide by those restrictions and limitations.
3. **GOOGLE GEOCODER.** LN uses Google Geocoder to geocode address locations that do not already contain "X" and "Y" coordinates. Any "X" and "Y" coordinate information provided by the Customer is assumed by LN to be accurate and will not be geocoded by Google Geocoder. Crime dot locations geocoded by Google Geocoder as displayed in PSDEX are approximate due to automated location methods and address inconsistencies.
4. **DATA DISCLAIMER.** LN is not responsible for the loss of any data or the accuracy of the data, or for any errors or omissions in the LN Services or the use of the LN Services or data therein by any third party, including the public or any law enforcement or governmental agencies. Due to the nature of the origin of public safety information, the data contained in PSDEX may contain errors. Source data is sometimes reported or entered inaccurately, processed poorly or incorrectly, and is generally not free from defect. The LN Services aggregate and report data as provided by PSDEX customers and is not the source of the data, nor is it a comprehensive compilation of all law enforcement data. Before Customer relies on any data, it should be independently verified.
5. **LINKS TO THIRD PARTY SITES.** PSDEX may contain links or produce search results that reference links to third party websites ("Linked Sites"). LN has no control over these Linked Sites or the content within them. LN cannot and does not guarantee, represent, or warrant that the content contained in the Linked Sites, including, without limitation other links, is accurate, legal, and/or inoffensive. LN does not endorse the content of any Linked Site, nor does it warrant that a Linked Site will not contain computer viruses or other harmful

code. By using PSDEX to search for or link to Linked Sites, Customer agrees and understands that such use is entirely at its own risk, and that Customer may not make any claim against LN for any damages or losses whatsoever resulting from such use.

6. **OWNERSHIP OF SUBMITTED CONTENT.** All information provided by a PSDEX customer is offered and owned by that customer. Unless otherwise indicated by written request from Customer, all data will be retained by LN and remain accessible by others in accordance with the provisions of this Addendum.

AUTHORIZATION AND ACCEPTANCE

I HEREBY CERTIFY that I am authorized to execute this Addendum on behalf of Customer.

Required: Customer ORI number (Originating Agency Identifier): _____

CUSTOMER: _____

Signature: _____

Print: _____

Title: _____

Date: _____

Exhibit A

FEDERAL BUREAU OF INVESTIGATION CRIMINAL JUSTICE INFORMATION SERVICES SECURITY ADDENDUM

The goal of this document is to augment the CJIS Security Policy to ensure adequate security is provided for criminal justice systems while (1) under the control or management of a private entity or (2) connectivity to FBI CJIS Systems has been provided to a private entity (contractor). Adequate security is defined in Office of Management and Budget Circular A-130 as "security commensurate with the risk and magnitude of harm resulting from the loss, misuse, or unauthorized access to or modification of information."

The intent of this Security Addendum is to require that the Contractor maintain a security program consistent with federal and state laws, regulations, and standards (including the CJIS Security Policy in effect when the contract is executed), as well as with policies and standards established by the Criminal Justice Information Services (CJIS) Advisory Policy Board (APB).

This Security Addendum identifies the duties and responsibilities with respect to the installation and maintenance of adequate internal controls within the contractual relationship so that the security and integrity of the FBI's information resources are not compromised. The security program shall include consideration of personnel security, site security, system security, and data security, and technical security.

The provisions of this Security Addendum apply to all personnel, systems, networks and support facilities supporting and/or acting on behalf of the government agency.

1.00 Definitions

1.01 Contracting Government Agency (CGA) - the government agency, whether a Criminal Justice Agency or a Noncriminal Justice Agency, which enters into an agreement with a private contractor subject to this Security Addendum.

1.02 Contractor - a private business, organization or individual which has entered into an agreement for the administration of criminal justice with a Criminal Justice Agency or a Noncriminal Justice Agency.

2.00 Responsibilities of the Contracting Government Agency.

2.01 The CGA will ensure that each Contractor employee receives a copy of the Security Addendum and the CJIS Security Policy and executes an acknowledgment of such receipt and the contents of the Security Addendum. The signed acknowledgments shall remain in the possession of the CGA and available for audit purposes. The acknowledgement may be signed by hand or via digital signature (see glossary for definition of digital signature).

3.00 Responsibilities of the Contractor.

3.01 The Contractor will maintain a security program consistent with federal and state laws, regulations, and standards (including the CJIS Security Policy in effect when the contract is executed and all subsequent versions), as well as with policies and standards established by the Criminal Justice Information Services (CJIS) Advisory Policy Board (APB).

4.00 Security Violations.

4.01 The CGA must report security violations to the CJIS Systems Officer (CSO) and the Director, FBI, along with indications of actions taken by the CGA and Contractor.

4.02 Security violations can justify termination of the appended agreement.

4.03 Upon notification, the FBI reserves the right to:

- a. Investigate or decline to investigate any report of unauthorized use;
- b. Suspend or terminate access and services, including telecommunications links. The FBI will provide the CSO with timely written notice of the suspension. Access and services will be reinstated only after satisfactory assurances have been provided to the FBI by the CGA and Contractor. Upon termination, the Contractor's records containing CHRI must be deleted or returned to the CGA.

5.00 Audit

5.01 The FBI is authorized to perform a final audit of the Contractor's systems after termination of the Security Addendum.

6.00 Scope and Authority

6.01 This Security Addendum does not confer, grant, or authorize any rights, privileges, or obligations on any persons other than the Contractor, CGA, CJA (where applicable), CSA, and FBI.

6.02 The following documents are incorporated by reference and made part of this agreement: (1) the Security Addendum; (2) the NCIC 2000 Operating Manual; (3) the CJIS Security Policy; and (4) Title 28, Code of Federal Regulations, Part 20. The parties are also subject to applicable federal and state laws and regulations.

6.03 The terms set forth in this document do not constitute the sole understanding by and between the parties hereto; rather they augment the provisions of the CJIS Security Policy to provide a minimum basis for the security of the system and contained information and it is understood that there may be terms and conditions of the appended Agreement which impose more stringent requirements upon the Contractor.

6.04 This Security Addendum may only be modified by the FBI, and may not be modified by the parties to the appended Agreement without the consent of the FBI.

6.05 All notices and correspondence shall be forwarded by First Class mail to:

Information Security Officer
Criminal Justice Information Services Division, FBI
1000 Custer Hollow Road
Clarksburg, West Virginia 26306

LexisNexis® Risk Solutions

SCHEDULE A
Accurint Virtual Crime Center
Online (Subscription)

Customer Name:	<u>Elk River Police Department</u>
Billgroup #:	<u>ACC-1724587</u>
LN Account Manager:	<u>Brian Burson</u>

This Schedule A sets forth additional or amended terms and conditions for the use of the Accurint Virtual Crime Center services ("LN Services"), as set forth in the services agreement for the LN Services between Customer and the LexisNexis Risk Solutions entity as further defined therein ("Agreement"), to which this Schedule A is incorporated by reference. For purposes of the Agreement and this Schedule A, all applicable LexisNexis Risk Solutions entities shall be individually and collectively referred to as "LN". Customer acknowledges that the services provided under this Schedule A are non-FCRA services.

1. SCHEDULE A TERM

The term of this Schedule A will be 12 months beginning January 1, 2026 (the "Initial Term"). Following the Initial Term, this Schedule A shall automatically renew for additional periods of twelve (12) months (each one, a "Renewal Term"), unless written notice of termination is provided to either party at least sixty (60) days prior to the expiration of the Initial Term or any Renewal Term. If an account is activated after the first day of a calendar month, charges will not be pro-rated.

2. ACCURINT VIRTUAL CRIME CENTER FEES

2.1 Subscription Fees: Beginning on the effective date hereof, each 12-month period ("Year") Customer shall pay to LN \$4,400.00 ("AVCC Annual Subscription Fee"), to be invoiced in equal monthly installments, in exchange for unlimited use of Accurint Virtual Crime Center, Accurint for Law Enforcement (as further described in Section 2.2) and Accurint for Law Enforcement Mobile. The AVCC Annual Subscription Fee shall include up to 0 Database Interfaces. In the event Customer elects to purchase additional Database Interfaces, Customer shall pay to LN a fee of \$1,600.00 per Year for each additional Database Interface, to be invoiced in equal monthly installments.

2.2 Accurint for Law Enforcement Subscription: All of the searches and reports included in the attached Price Schedules are referred to as the "Features". The AVCC Annual Subscription Fee includes unlimited access to all Features, excluding those Features identified herein as Excluded Features but including the Premium Features listed in Section 2.3.

2.3 Accurint for Law Enforcement Premium Features: Email Search Premium, Real Time Phones and Virtual Identity Search & Report, including when these features are report components.

2.4 Jail Booking Search & Report Option: Access to the Jail Booking Search & Report features are included in the AVCC Annual Subscription Fee. The Jail Booking Search & Report data provided under this Schedule A shall only be used for the purposes of determining the arrest/incarceration status of particular individuals and shall serve solely as a tip or lead from which Customer can then initiate its own independent investigation. Any determination reached by Customer with regard to an individual or individuals featured in the Jail Booking Search & Report shall be based solely on data gathered by Customer pursuant to its own internal investigations.

2.5 Features Not Included: The following Features ("Excluded Features") are not included in the AVCC Annual Subscription Fee and shall in all cases be charged separately according to the pricing specified in the attached Price Schedule:

Advanced Sexual Offender Search
Bankruptcy Docket Sheet
Bankruptcy Documents
Canadian Phones
Comprehensive Healthcare Business and Provider Report
Court Search Wizard

Dun & Bradstreet Global Market Identifiers
Dun & Bradstreet Search and Report
DE Corporation Search and Report
FCRA Credit Reports
Flat Rate Comprehensive Healthcare Business and Provider Report
InstantID Q&A
Law Enforcement Location Report
News Searches
Online Batch Services
OSHA Investigative Reports Search
Property Deed Image
Provider Report Card
Provider Sanction Search and Report
Provider Search and Report
Real Time Person Search
SEC Filings
Workplace Locator
XML

LN standard pricing will be in effect for any new features made generally available by LN subsequent to the execution of this Schedule A.

2.6 Accurant TraX Option: In addition to the other fees set forth herein, Customer shall pay to LN each Year \$2,000.00, to be invoiced in equal monthly installments, in exchange for access to the Accurant TraX option.

2.7 Fee Increases: At the end of each Year, all fees herein will be increased 5.00%.

2.8 Amounts Payable: Customer agrees to pay LN in accordance with any invoice for the fees set forth above.

3. EXPIRATION

Unless otherwise accepted by LN, the terms herein are valid if the Schedule A is signed by the Customer and received by LN on or before **December 23, 2025**.

4. CONFIDENTIAL INFORMATION

This Schedule A contains the confidential pricing information of LN. Customer acknowledges that the disclosure of such pricing information could cause competitive harm to LN, and as such, Customer agrees to maintain this Schedule A in trust and confidence and take reasonable precautions against disclosure to any third party to the extent permitted by local and state law.

AGREED TO AND ACCEPTED BY: Elk River Police Department

Signed: _____

Name: _____

Job Title: _____

Date: _____

Accurint for Law Enforcement

(Updated March 20, 2025)
(Plan 44)

(Pricing is per hit unless otherwise indicated. All searches/reports with a price of \$0.00 are considered "Standard Features" and are included in Subscription plan.)

PRICE SCHEDULE (Subscription)	
ACCURINT FOR LAW ENFORCEMENT FEATURES	PRICE
Advanced Motor Vehicle Search	\$0.00
Advanced Person Search	\$0.00
Automated Valuation Model (AVM) Report	\$0.00
Associates ("Next Steps")	\$0.00
Bankruptcies, Liens & Judgments Search	\$0.00
Bankruptcy Search	\$0.00
Bankruptcy Report	\$0.00
Bankruptcy Docket Sheet (\$0.50 For First 5 Pages & \$0.20 Per Page Thereafter) (not discountable)	\$0.50
Bankruptcy Documents (Per Page, Up To Max Charge Of \$6 Per Document) (not discountable)	\$0.20
Boolean Search	\$0.00
Business Credit	\$0.00
Business Credit Report	\$0.00
Business Search	\$0.00
Businesses In The News (not discountable)	\$5.00
Canadian Phones	\$0.40
Civil Courts Search (Report Included)	\$0.00
CLIA Report	\$0.00
Concealed Weapons Permit	\$0.00
Corporation Filings (Report Included Except In Delaware)	\$0.00
Court Search Wizard (Additional Fees May Apply; Orders Are Non-Refundable)	--
-County Civil Lower & Upper Court - 7 Year (not discountable)	\$35.00
-County Civil Lower & Upper Court - 10 Year (not discountable)	\$40.00
-County Criminal - 7 Year (not discountable)	\$25.00
-County Criminal - 10 Year (not discountable)	\$30.00
-Federal Division Civil - 7 Year (not discountable)	\$16.00
-Federal Division Civil - 10 Year (not discountable)	\$25.00
-Federal Division Criminal - 7 Year (not discountable)	\$16.00
-Federal Division Criminal - 10 Year (not discountable)	\$25.00
-Statewide Criminal (not discountable)	\$24.00
Criminal Records	\$0.00
Criminal Records Report	\$0.00
DEA Controlled Substances License Search	\$0.00
Death Records	\$0.00
Death Records Report	\$0.00
Delaware Corporations (not discountable)	\$1.00
Delaware Corporations Report (not discountable)	\$11.00

Disclosed Entity Service	\$0.00
Driver Licenses	\$0.00
Dun & Bradstreet Global Market Identifiers Search	\$3.75
Dun & Bradstreet Search (not discountable)	\$0.25
Dun & Bradstreet Report (not discountable)	\$3.75
Email Search Premium (not discountable)	\$0.40
FAA Aircraft (Report Included)	\$0.00
FAA Pilots (Report Included)	\$0.00
Federal Civil Court Records Search	\$0.00
Federal Criminal Court Records Search	\$0.00
Federal Firearms & Explosives	\$0.00
Federal Employer ID Numbers (FEIN)	\$0.00
Fictitious Business Name	\$0.00
Foreclosures Search (Report Included)	\$0.00
Hunting/Fishing Licenses	\$0.00
InstantID Q&A (charged per search)	\$1.30
Law Enforcement Location Report (charged per search)	\$1.00
Liens & Judgments	\$0.00
Liens & Judgments Report	\$0.00
Marriages / Divorces Search	\$0.00
Motor Vehicles Search	\$0.00
Motor Vehicles Report	\$0.00
MVR Wildcard Search	\$0.00
National UCC Filings (Report Included)	\$0.00
NCPDP (National Council for Prescription Drug Programs) Search	\$0.00
NCPDP (National Council for Prescription Drug Programs) Report	\$0.00
Neighbors ("Next Steps")	\$0.00
NPI Data Search	\$0.00
NPI Report	\$0.00
Official Records Search (Report Included)	\$0.00
OSHA Investigative Reports Search	\$1.00
Passport Validation	\$0.00
People At Work Search	\$0.00
People In The News (not discountable)	\$5.00
Person Alerts Monitoring (Monthly Monitoring Transactions Per Acct.) (Alerts Charged At Regular Price)	--
-1 - 50	\$0.00
-51 - 250	\$0.00
-251 - 500	\$0.00
-501 - 1,000	\$0.00
-1,001 - 5,000	\$0.00
-5,001 - 25,000	\$0.00
-25,001 - 100,000	\$0.00
Professional Licenses (Report Included)	\$0.00
Property Deed Search	\$0.00

Property Assessment Search	\$0.00
Property Assessment Report	\$0.00
Property Deed Report (excluding Deed Image)	\$0.00
Property Deed Image (additional charge when ordered from within Property Reports) (not discountable)	\$8.00
Property Search (Property Assessments, Deeds & Mortgages)	\$0.00
Property Report (Property Assessments, Deeds & Mortgages, excluding Deed Image)	\$0.00
Provider Search	\$0.25
Provider Report	\$5.00
Provider Report Card (charged per search)	\$5.00
Provider Sanction Search (charged per search)	\$0.25
Provider Sanction Report	\$5.00
Real Time Person Search (charged per search)	\$3.50
Real Time Phone Search	\$0.50
Relatives ("Next Steps")	\$0.00
Relatives, Neighbors & Associates ("Next Steps")	\$0.00
Relavint Visual Link Analysis (Per Diagram)	\$0.00
Satellite Image Search	\$0.00
SEC Filings Search	\$3.50
Sexual Offenders (Report Included)	\$0.00
USA Patriot Act	\$0.00
Virtual Identity Search & Report	\$2.00
Voter Registrations	\$0.00
Watercraft	\$0.00
Watercraft Report	\$0.00
WorkPlace Locator (not discountable)	\$3.50
Reports	
Asset Report: Property Deeds & Assessments, Vehicle Registrations, Watercraft, FAA Pilots, FAA Aircraft, and UCC Filings.	\$0.00
Business Link Report	\$0.00
Comprehensive Report (Best Value): Summary Report, Associates, Bankruptcy, Concealed Weapons Permits, Criminal Records, DEA Controlled Substances License Search, Driver's Licenses, Email Search Premium, FAA Aircraft, FAA Pilots, Federal Firearms & Explosives License Search, Hunting/Fishing Permits, Liens/Judgments, Neighbors, People at Work, Phones Plus, Possible Education, Professional Licenses, Property, Relatives (3 Degrees), Sexual Offenders, UCC Filings, Vehicle Registrations, Voter Registration and Watercraft.	\$0.00
Additional Report Options:	--
-Real Time Phone Search (not discountable)	\$0.50
Contact Card Report: Summary Report: Names Associated with Subject, Contact List: At Home, At Work, Through Family, Through Associates, Through Neighbors, Possible Relocation, Email Search Premium, Address Summary and Phones Plus (optional).	\$0.00
Finder Report: Address Summary, Others Using SSN, Date/Location Where SSN Issued, Phone Summary, Current Listed Phones, Unverified Phones With Type And Date Indicators, Current Neighbor Phones, Possible Relative Phones (2 Degrees), Possible Associate Phones, Phones At Historical Addresses, Email Search Premium, Bankruptcy Filings And Corporate Affiliations.	\$0.00

Summary Report: Address Summary, Others Using SSN, Date/Location Where SSN Issued, Census Data, Bankruptcy Indicator, Property Indicator And Corporate Affiliations Indicator.	\$0.00
Comprehensive Address Report: (Base Report Features: Current And Previous Residents And Phones At Address)	\$0.00
Additional Report Options:	--
-Bankruptcy	\$0.00
-Businesses At Address	\$0.00
-Concealed Weapons Permit Search	\$0.00
-Criminal Records Search	\$0.00
-Criminal Records Report	\$0.00
-Driver Licenses At Address	\$0.00
-Hunting/Fishing License Search	\$0.00
-Liens And Judgments	\$0.00
-Motor Vehicles Registered At Address	\$0.00
-Neighborhood Profile (2010 Census)	\$0.00
-Neighbors At Address	\$0.00
-Property Ownership Current / Previous	\$0.00
-Sexual Offenders Search (Report Included)	\$0.00
Comprehensive Business Report (Base Report Features: Name and TIN Variations, Parent Company, and Industry Information)	\$0.00
Additional Report Options:	--
-Associated Businesses	\$0.00
-Associated People	\$0.00
-Bankruptcy	\$0.00
-Business Registrations	\$0.00
-Corporation Filings	\$0.00
-Dun & Bradstreet Records (not discountable)	\$3.75
-FAA Aircraft	\$0.00
-IRS 5500	\$0.00
-Liens and Judgments	\$0.00
-Motor Vehicles	\$0.00
-Properties	\$0.00
-UCC Filings	\$0.00
-Watercraft	\$0.00
Custom Comprehensive Report (Base Report Features: Others Using Same SSN, Date and Location where SSN Issued, Company Header, Address Summary, Possible Education, Comprehensive Report Summary)	\$0.00
Additional Report Options:	--
-Associates	\$0.00
-Bankruptcy	\$0.00
-Criminal Records	\$0.00
-DEA Controlled Substances License Search	\$0.00
-Driver Licenses Information	\$0.00
-Email Search Premium (not discountable)	\$0.40
-Federal Firearms & Explosives License Search	\$0.00

-Liens And Judgments	\$0.00
-Motor Vehicle(s) Registration (Watercraft & Boat Trailers Included)	\$0.00
-Neighborhood Profile (2010 Census)	\$0.00
-Neighbors (Up To 6 Neighbors At 10 Different Addresses)	\$0.00
-People At Work	\$0.00
-Phones Plus	\$0.00
-Professional Licenses (Report Included)	\$0.00
-Properties	\$0.00
-Real Time Phone Search (not discountable)	\$0.50
-Real Time Vehicle Registrations (charged per search) (not discountable)	\$3.50
-Relatives (Up to 3 Degrees of Separation)	\$0.00
-Sexual Offenders	\$0.00
-Supplemental Data Sources	\$0.00
-UCC Filings	\$0.00
Flat Rate Comprehensive Healthcare Business Report (includes Base Report Features and Additional Report Options listed below)	\$10.00
Comprehensive Healthcare Business Report (Base Report Features: Name, Address and Phone Variations; Parent Company, ID Numbers and Industry Information)	\$0.50
Additional Report Options:	--
-Associated Businesses	\$1.00
-Associated People	\$1.00
-Bankruptcy (charged per search)	\$1.00
-Business Phone Matches	\$0.25
-Business Registrations	\$0.25
-Corporation Filings	\$1.00
-Dun & Bradstreet Records (not discountable)	\$3.75
-FAA Aircraft	\$0.25
-IRS 5500	\$0.00
-Liens And Judgments (charged per search)	\$0.25
-Motor Vehicles	\$0.75
-Properties	\$1.00
-Sanctions	\$0.50
-UCC Filings	\$0.50
-Verification	\$0.75
-Watercraft	\$1.00
Flat Rate Comprehensive Healthcare Provider Report (includes Base Report Features and Additional Report Options listed below)	\$6.00
Comprehensive Healthcare Provider Report (Base Report Features: Gender, Date of Birth, Social Security Number, Tax ID(s) UPIN and NPI number)	\$0.50
Additional Report Options:	--
-Additional Deceased Data Sources	\$0.00
-Associates	\$0.00
-Bankruptcy (charged per search) (not discountable)	\$0.25
-Business Address Summary	\$0.25
-Business Affiliations	\$0.50
-Business Phone Matches	\$0.25

-DEA Licenses	\$0.25
-Degrees	\$0.00
-Education	\$0.50
-Group Affiliations	\$0.50
-GSA Sanctions (charged per search)	\$0.50
-Hospital Affiliations	\$0.50
-Liens And Judgments (charged per search)	\$0.25
-Medical Licenses (charged per search)	\$1.00
-Possible Criminal Records (charged per search)	\$0.25
-Professional Licenses (charged per search)	\$1.00
-Sanctions (Disciplinary) (charged per search)	\$0.50
-Sexual Offenses (charged per search)	\$1.00
-Specialties	\$0.00
-Verification	\$0.75
Online Batch	
Advanced Person Search	\$0.50
Deceased Person	\$0.25
Address (Single)	\$0.13
Address (Multiple)	\$0.16
Reverse Phone Append (not discountable)	\$0.10
Waterfall Phones: Directory Assistance Match, Address And Name Variations, Co-Residents, Phones Plus & Relatives; Add-Ons Possible Relocation, Neighbors & People At Work (Single)	\$0.23
Waterfall Phones: Directory Assistance Match, Address And Name Variations, Co-Residents, Phones Plus & Relatives; Add-Ons Possible Relocation, Neighbors & People At Work (Multiple)	\$0.25
Waterfall Phone with Address (single)	\$0.25
Waterfall Phone with Address (multiple)	\$0.30
Address and/or Phone Confirmation (per input) (single)	\$0.03
Address and/or Phone Confirmation (per input) (multiple)	\$0.04
Phones Plus	\$0.50
Real Time Phone Search	\$0.50
Real Time Motor Vehicle Registrations	\$1.50
Property - Add Up To Five Properties Owned By The Subject	\$1.00
Consumer InstantID	\$0.65
Consumer InstantID With Fraud Defender	\$0.95
Consumer InstantID With Red Flags Rule	\$0.90
Multiple = 2 Or More Phones/Addresses Returned	--

Accurant for Law Enforcement Mobile

(Updated March 20, 2025)

(Plan 44)

PRICE SCHEDULE	
FEATURES	PRICE
Advanced Motor Vehicle Search	\$0.00
Advanced Person Search	\$0.00
Business Search	\$0.00
Motor Vehicles Search	\$0.00
Motor Vehicles Report	\$0.00
Phones Plus	\$0.00
Property Search (Property Assessments, Deeds & Mortgages)	\$0.00
Property Report (Property Assessments, Deeds & Mortgages, excluding Deed Image)	\$0.00
Real Time Phone Search	\$0.00
Reports	
Comprehensive Report (Best Value): Summary Report, Associates, Bankruptcy, Concealed Weapons Permits, Criminal Records, DEA Controlled Substances License Search, Driver's Licenses, Email Search Premium, FAA Aircraft, FAA Pilots, Federal Firearms & Explosives License Search, Hunting/Fishing Permits, Liens/Judgments, Neighbors, People at Work, Phones Plus, Possible Education, Professional Licenses, Property, Relatives (3 Degrees), Sexual Offenders, UCC Filings, Vehicle Registrations, Voter Registration and Watercraft.	\$0.00
Comprehensive Address Report: (Base Report Features: Current And Previous Residents And Phones At Address)	\$0.00
Additional Report Options:	--
-Bankruptcy	\$0.00
-Businesses At Address	\$0.00
-Concealed Weapons Permit Search	\$0.00
-Criminal Records Search	\$0.00
-Criminal Records Report	\$0.00
-Driver Licenses At Address	\$0.00
-Hunting/Fishing License Search	\$0.00
-Liens And Judgments	\$0.00
-Motor Vehicles Registered At Address	\$0.00
-Neighborhood Profile (2010 Census)	\$0.00
-Neighbors At Address	\$0.00
-Property Ownership Current / Previous	\$0.00
-Sexual Offenders Search (Report Included)	\$0.00
Comprehensive Business Report (Base Report Features: Name and TIN Variations, Parent Company, and Industry Information)	\$0.00
Additional Report Options:	--
-Associated Businesses	\$0.00
-Associated People	\$0.00
-Bankruptcy	\$0.00
-Business Registrations	\$0.00

December 9, 2025

-Corporation Filings	\$0.00
-Dun & Bradstreet Records (not discountable)	\$3.75
-FAA Aircraft	\$0.00
-IRS 5500	\$0.00
-Liens and Judgments	\$0.00
-Motor Vehicles	\$0.00
-Properties	\$0.00
-UCC Filings	\$0.00
-Watercraft	\$0.00



Request for Action

To
City Council

Item Number
6.1

Meeting Date
December 15, 2025

Prepared By
Jolene Richter, Deputy Clerk

Item Description
City of Elk River Volunteer of the Month

Reviewed by
Cal Portner
Tina Allard

Action Requested
Mayor Dietz will recognize and present a plaque to the December Volunteer of the Month Award recipient.

Background/Discussion
Mayor Dietz established the City of Elk River Volunteer of the Month Award program to recognize Elk River residents for their volunteer contributions and commitment to community service.

Financial Impact
N/A

Mission/Policy/Goal
Elk River Mission

Attachments
None

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



Request for Action

To
City Council

Item Number
6.2

Meeting Date
December 15, 2025

Prepared By
Tina Allard, City Clerk

Item Description
Introduction of New Employee

Reviewed by
Cal Portner
Tina Allard

Action Requested
Welcome Giselle to the city.

Background/Discussion
Fire Department staff will be in attendance to introduce our new Fire Administrative Assistant, Giselle Hattesoehl.

Financial Impact
N/A

Mission/Policy/Goal
Together we win.

Attachments
None

The Elk River Vision

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Request for Action

To
City Council

Item Number
6.3

Meeting Date
December 15, 2025

Prepared By
Joe Libor Jr., Deputy Fire Chief

Item Description
Promotion of Fire Lieutenant

Reviewed by
Cal Portner
Tina Allard

Action Requested

Mayor Dietz and Council to recognize the promotion of Gordon Myette to the position of Lieutenant with the fire department.

Mayor Dietz to present the oath of office to Lieutenant Myette.

Background/Discussion

The fire department provides leadership development and training for firefighters interested in pursuing leadership in the fire service.

The core component is our Officer Development Program, where firefighters are assigned a current captain or lieutenant as a mentor and receive a workbook outlining multiple tasks, skills, emergency responses, training methods delivery, and leadership development. Depending on the firefighter's performance, the program takes approximately one year.

Firefighters work with department chiefs and officers to complete the task book, while continuing their regularly required training and duties as firefighters. After the program, firefighters can pursue a formal leadership role in the department. Gordon Myette completed this program and, after being interviewed by a panel of three chiefs and a captain, was offered the position of lieutenant with the department.

Financial Impact
N/A

Mission/Policy/Goal
Community engagement that encourages and inspires prosperity.

Attachments
I. Oath of Office (Lieutenant) 2025

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**STATE OF MINNESOTA
COUNTY OF SHERBURNE
CITY OF ELK RIVER**

FIRE LIEUTENANT OATH OF OFFICE

I, Gordon Myette, solemnly pledge to protect life, health, and property against fire and other dangers.

I will uphold the standards of my profession and honor the trust bestowed upon me.

I will respect the rights of all and fulfill my duties with integrity and dedication.

So, help me God.

Gordon Myette, Lieutenant

Subscribed and sworn to before me this 15th day of December, 2025

John J. Dietz, Mayor



Request for Action

To
City Council

Item Number
6.4

Meeting Date
December 15, 2025

Prepared By
Joe Libor Jr., Deputy Fire Chief

Item Description
Oath of Office: Firefighters

Reviewed by
Cal Portner
Tina Allard

Action Requested

Mayor Dietz and Council to recognize the completion of the first year of service for new firefighters and for Mayor Dietz to present the oath of office to our newest members of the fire department.

Background/Discussion

Newly hired firefighters are placed into the Elk River Fire Academy and are required to complete 170 hours of training, receiving certifications in Firefighter I, II, and HAZMAT Operations. After the fire training, they go on to complete Emergency Medical Responder (EMR) training.

Probationary firefighters serve an additional six months of probation, in which they are required to complete a probationary task book consisting of skills testing and various other tasks that firefighters are expected to be proficient in before becoming full-fledged firefighters for the City of Elk River.

The academy class is working through the final stages of their probationary period and is being recognized for their accomplishments this first year. This class includes Firefighters Brown, Johannes, Lusignan, McClurg, Mohlis Jr., Prehatney, Rosa, and Strand.

Financial Impact
N/A

Mission/Policy/Goal
Community engagement that encourages and inspires prosperity.

Attachments
I. Oath of Office (Firefighter) 2025

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**STATE OF MINNESOTA
COUNTY OF SHERBURNE
CITY OF ELK RIVER**

FIREFIGHTER OATH OF OFFICE

I, NAME, solemnly pledge to protect life, health, and property against fire and other dangers.

I will uphold the standards of my profession and honor the trust bestowed upon me.

I will respect the rights of all and fulfill my duties with integrity and dedication.

So, help me God.

NAME, Firefighter

Subscribed and sworn to before me this DATE

John J. Dietz, Mayor



Request for Action

To
City Council

Item Number
7.1

Meeting Date
December 15, 2025

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Conditional Use Permit: Amendment to CU 24-21
for Outdoor Storage of Vehicles and Equipment,
15861 Jarvis St NW, Northstar Trucking

Reviewed by
Zack Carlton
Cal Portner
Tina Allard

Action Requested

Approve, by motion, the Conditional Use Permit amendment with the following conditions to satisfy the standards set forth in Section 30-654:

- I. Outdoor storage shall be allowed for only the following vehicles:
 - a. Properly licensed, registered, and operable;
 - b. Semi-trucks, semi-trailers, and other delivery trucks;
 - c. Motor vehicles;
 - d. Recreational vehicles, campers, motor homes, and fifth-wheel trailers;
 - e. Trailers;
 - f. Boats;
 - g. Light and heavy equipment;
 - h. Enclosed shipping containers; and
 - i. Cars and trucks.
2. Vehicle Wrecking Yards and Salvage Yards, as defined by the City of Ramsey, and Salvage Yards, as defined by the City of Elk River, shall not be permitted.
3. Outdoor storage of products, equipment, materials, supplies, debris, or any vehicles not properly licensed, registered, or operable is not permitted, except for snow removal equipment and supplies for the site in conformance with the applicable municipality's regulations.
4. If any violations of condition #3 are documented more than once in a calendar year, in either jurisdiction, the Conditional Use Permit will be brought to the City Council for direction on revocation.
5. Motor vehicle, trailer, and boat sales are prohibited.
6. Car dealer overflow parking is prohibited.
7. Approvals from the City of Ramsey, PUD Ordinance, Site Plan Review Resolution, and Development Agreement shall be recorded and copies provided.
8. Schedule a site visit with the Building Official and Fire Marshal to review and complete any required code updates by **June 1, 2026**.
9. All driving and parking areas shall be paved with an approved surface (bituminous, Class 5, or concrete) by **June 1, 2026**.
10. Stripe the parking lot as shown on the city site plan dated March 17, 2025, by **June 1, 2026**.
11. Drive lanes need to maintain a minimum of 24-foot width throughout the site.

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12. All driving areas and outdoor storage/parking areas shall be bound by a B612 concrete curb and gutter by **June 1, 2026**.
13. A reinforced concrete strip, a minimum of one (1) foot wide and centered on the property line, must be installed and maintained along the city/county border to clarify any relevant jurisdictional issues by **June 1, 2026**.
14. Site lighting shall comply with Section 30-937 by **June 1, 2026**.
15. Update submitted plans as needed to demonstrate compliance with state and local stormwater management requirements across both parcels/jurisdictions by **June 1, 2026**.
16. Submit documentation showing compliance with all Minnesota Pollution Control standards by **June 1, 2026**.
17. A 6-foot-tall, 100% opaque privacy fence shall be installed along the north property lines by **June 1, 2026**.
18. This Conditional Use Permit (CU 24-21) must be recorded by **June 15, 2026**, or the operation on the property must cease.
19. A 200 sq ft. guard shack/office shall be allowed in Elk River, and will require all necessary commercial building permits and meet the required setbacks.
20. There shall be no repair or maintenance of any vehicles, trailers, or boats on the site.
21. The idling of a truck tractor or other business equipment in excess of 15 minutes is prohibited from April 16 through October 31, and idling in excess of 30 minutes is prohibited from November 1 through April 15.
22. In the event a gate is installed, access to the property must include key boxes for both the Elk River and Ramsey Fire Departments.
23. In the event either parcel is owned separately, or one municipality revokes its approval, each parcel will need to conform to each jurisdiction's ordinance and codes individually, including, but not limited to, stormwater ponds, setbacks, screening, curbing, and landscaping.
24. An amendment to this Conditional Use Permit will be required for future expansions/additions not shown on the city site plan dated March 17, 2025.
25. Conditional Use Permits, case numbers CU 23-16 and CU 24-21, shall become void.

Background/Discussion

The applicant, Mr. Babkin, received approval of his Conditional Use Permit (CUP) in March 2025. As part of that approval, numerous conditions were included, and the applicant was required to complete them by November 1, 2025. The applicant is requesting an amendment to their approved CUP (CU 24-21) to extend the deadline from November 1, 2025, to June 1, 2026, to complete the outstanding conditions. The Ramsey City Council granted an extension to this date at their meeting on October 28, 2025.

Other than the requested amended completion date, the applicant is not proposing anything different from the approved CU 24-21 CUP.

Planning Commission

During the public hearing, no one spoke for or against the request, and staff have not received any comments since the commission meeting. The Planning Commission had no questions or concerns about the request and unanimously recommended approval.

Financial Impact

None

Mission/Policy/Goal

Meet changing needs - agile.

Attachments

I. Planning Commission Staff Report 11-25-2025



Request for Action

To
Planning Commission

Item Number
4.2

Meeting Date
November 25, 2025

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Conditional Use Permit: Amendment to CUP,
Northstar Trucking - 15861 Jarvis St NW

Reviewed by
Zack Carlton

Action Requested

Recommend approval of the Conditional Use Permit Amendment, subject to the following conditions:

- I. Outdoor storage shall be allowed for only the following vehicles:
 - a. Properly licensed, registered, and operable;
 - b. Semi-trucks, semi-trailers, and other delivery trucks;
 - c. Motor vehicles;
 - d. Recreational vehicles, campers, motor homes, and fifth-wheel trailers;
 - e. Trailers;
 - f. Boats;
 - g. Light and heavy equipment;
 - h. Enclosed shipping containers; and
 - i. Cars and trucks.
2. Vehicle Wrecking Yards and Salvage Yards, as defined by the City of Ramsey, and Salvage Yards, as defined by the City of Elk River shall not be permitted.
3. Outdoor storage of products, equipment, materials, supplies, debris, or any vehicles not properly licensed, registered, or operable, is not permitted, except for snow removal equipment and supplies for the site in conformance with the applicable municipality's regulations.
4. If any violations of condition #3 are documented more than once in a calendar year, in either jurisdiction, the Conditional Use Permit will be brought to the City Council for direction on revocation.
5. Motor vehicle, trailer, and boat sales is prohibited.
6. Car dealer overflow parking is prohibited.
7. Approvals from the City of Ramsey, PUD Ordinance, Site Plan Review Resolution, and Development Agreement, shall be recorded and copies provided.
8. Schedule a site visit with the Building Official and Fire Marshal to review and complete any required code updates by **June 1, 2026**.
9. All driving and parking areas shall be paved with an approved surface (bituminous, Class 5, or concrete) by **June 1, 2026**.
10. Stripe the parking lot as shown on the city site plan dated March 17, 2025, by **June 1, 2026**.
11. Drive lanes need to maintain a minimum of 24-foot width throughout the site.
12. All driving areas and outdoor storage/parking areas shall be bound by B612 concrete curb and gutter by **June 1, 2026**.

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13. A reinforced concrete strip, a minimum of one (1) foot wide and centered on the property line, must be installed and maintained along the city/county border to clarify any relevant jurisdictional issues by **June 1, 2026**.
14. Site lighting shall comply with Section 30-937 by **June 1, 2026**.
15. Update submitted plans as needed to demonstrate compliance with state and local stormwater management requirements across both parcels/jurisdictions by **June 1, 2026**.
16. Submit documentation showing compliance with all Minnesota Pollution Control standards by **June 1, 2026**.
17. A 6-foot-tall, 100% opaque privacy fence shall be installed along the north property lines by **June 1, 2026**.
18. This Conditional Use Permit (CU 24-21) must be recorded by **June 15, 2026**, or the operation on the property must cease.
19. A 200 sq.ft. guard shack/office shall be allowed in Elk River, and will require all necessary commercial building permits and meet the required setbacks.
20. There shall be no repair or maintenance of any vehicles, trailers, or boats on the site.
21. The idling of a truck tractor or other business equipment in excess of 15 minutes is prohibited from April 16 through October 31, and idling in excess of 30 minutes is prohibited from November 1 through April 15.
22. In the event a gate is installed, access to the property must include key boxes for both Elk River and Ramsey Fire Departments.
23. In the event either parcel is owned separately, or one municipality revokes their approval, each parcel will need to conform to each jurisdiction's ordinance and codes individually, including, but not limited to, stormwater ponds, setbacks, screening, curbing, and landscaping.
24. An amendment to this Conditional Use Permit will be required for future expansions/additions not shown on the city site plan dated March 17, 2025.
25. Conditional Use Permits, case numbers CU 23-16 and CU 24-21, shall become void.

Background/Discussion

The applicant, Mr. Babkin, received approval of his Conditional Use Permit (CUP) in March 2025. As part of that approval, numerous conditions were included, and the applicant was required to complete them by November 1, 2025. To date, none of those conditions have been met, as the city of Ramsey has not permitted site work to begin until the Lower Rum River Watershed Management Organization (LRRWMO) approves the project plans. The bulk of the site improvements will be within Ramsey and no improvements, or construction may proceed until both municipalities have granted final approval. Ramsey notified Elk River on November 20, 2025, the LRRWMO plans have been approved.

The applicant is requesting an amendment to their approved CUP (CU 24-21) to extend the deadline from November 1, 2025, to June 1, 2026, to complete all conditions. The Ramsey City Council granted an extension to this date at their meeting on October 28, 2025.

Other than the requested amended completion date, the applicant is not proposing anything different from the approved CU 24-21 CUP. Staff have attached portions of the City Council memo, from March 17, 2025, to provide background information on the overall project.

Financial Impact

None

Mission/Policy/Goal

Meet changing needs - agile.

Attachments

1. CU 25-12 Location Map
2. Narrative
3. City Council Staff Report 3-17-2025_Partial



Project Location Map

Northstar Trucking
Conditional Use Permit

Case No: CU 25-12



Legal Description of Property
Parcel 1: That part of the South 1155 feet of the West 297 feet of the Southwest Quarter of the Southwest Quarter of Section 18, Township 32, Range 25, Lying North of Railroad Right-of-Way, Excluding Road, Subject to Easement of Record. Anoka County, Minnesota Abstract Property Property Address (FOR REFERENCE PURPOSES ONLY): 15861 Jarvis Street NW Ramsey, MN 55330 Parcel 2: That part of the Southeast Quarter of the Southeast Quarter of Section 13, Township 32, Range 26, Sherburne County, Minnesota, described as follows: Beginning on the East line of said Section, 2.56 chains North of the Southeast corner thereof and at a point where said line is crossed by the Easterly line of the right-of-way of the St. Paul, Minneapolis & Manitoba Railway Company; thence North on section line 11.39 chains to center of road from State Road to Quarter post in said section line; thence South 47-1/2 degrees West to said Easterly line of said right-of-way; thence South 30 degrees East along said right-of-way to beginning. Sherburne County, Minnesota Abstract Property Property Address (FOR REFERENCE PURPOSES ONLY): Unassigned Elk River, MN 55330 Final conveyance instrument, Title Commitment, or Attorney's Opinion to govern. Commonly known or referred to as Real Property in Sherburne County and 15861 Jarvis Street Northwest, Ramsey, Minnesota. Parcel 1: That part of the South 70 rods of the West 18 rods of the Southwest Quarter of the Southwest Quarter of Section 18, Township 32, Range 25, Anoka County, Minnesota, lying North of the railroad right-of-way. (Real Estate ID. No. 18-32-25-33-0002) Parcel 2: That part of the Southeast Quarter of the Southeast Quarter of Section 13, Township 32, Range 26, Sherburne County, Minnesota, described as follows: Beginning on the East line of said Section, 2.56 chains North of the Southeast corner thereof and at a point where said line is crossed by the Easterly line of the right-of-way of the St. Paul, Minneapolis & Manitoba Railway Company; thence North on section line 11.39 chains to center of road from State Road to Quarter post in said section line; thence South 47-1/2 degrees West to said Easterly line of said right-of-way; thence South 30 degrees East along said right-of-way to beginning. (Real Estate ID No. 75-013-4405)
The narrative is your opportunity to describe, promote, and sell your proposal to the Planning Commission and/or City Council before the meeting(s). Please fill in the following information <i>explaining</i> your request in detail (<i>type N/A if not applicable</i>). Describe the scope of your project (what is being proposed)? <i>For example: we are proposing the construction of a new daycare facility or, to allow for a motor vehicle sales office with motor vehicle repairs in X-square feet of the existing building.</i>
NorthStar Truck & RV Parking LLC is seeking to provide outdoor storage for semi-trucks, trailers, recreational vehicles, buses, boats, containers, container chassis, heavy equipment, light equipment and personal vehicles.

Hours of Operation	24/7
Number of Employees	1- Nikolay Babkin
Number of parking stalls required by ordinance: City Ordinance Section 30-903 outlines these requirements.	Plans have been approved by the Elk River engineering team.
Number of existing and proposed parking stalls	91 proposed parking spots
If screening, not associated with outdoor storage, is being proposed, what will it consist of?	Opaque mesh screen applied to fence for privacy
What are the proposed building materials? <i>The required building materials vary from zoning district to zoning district.</i>	No building will be on the property.
Is outdoor storage being proposed? If yes, detail what is being stored, how much/many, and what is the proposed screening? City Ordinance Section 30-807 outlines these requirements.	The company is planning to install a gate with a code that will be provided to clients so that they have 24-hour access to their assets. NorthStar Truck & RV Parking LLC currently has one employee who is the owner himself working the property. There are currently 91 parking stalls installed. Currently, the parking area is covered with Class 5- reclaimed asphalt gravel, compacted but will be covered with asphalt in the near future. The subject parcel is part of a larger parcel divided between two cities with approximately 6.75 acres of additional land in Ramsey. The city review will only be for the 3.83 portion located in the city limits. We are not planning on building any buildings. We currently have a Porta Potty provided for the clients on the left side of the property next to the gate. In regards to landscaping, the property has multiple trees on it. 40 Thuja trees have been planted on the Elk River property to provide privacy and to make it more aesthetically pleasing. We plan to install 12 light posts on the Elk River property. We also plan to install 24- hour surveillance

	throughout the property for security purposes and electrical units for clients convenience.
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Request for Action

To
City Council

Item Number
7.1

Meeting Date
March 17, 2025

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Conditional Use Permit: Outdoor Storage of
Vehicles and Equipment, PID 75-00013-4405,
Northstar Trucking & RV Parking LLC

Reviewed by
Zack Carlton
Cal Portner
Tina Allard

Action Requested

Approve the Conditional Use Permit with the following conditions to satisfy the standards set forth in Section 30-654:

- I. Outdoor storage shall be allowed for only the following vehicles:
 - a. Properly licensed, registered, and operable;
 - b. Semi-trucks, semi-trailers, and other delivery trucks;
 - c. Motor vehicles;
 - d. Recreational vehicles, campers, motor homes, and fifth-wheel trailers;
 - e. Trailers;
 - f. Boats;
 - g. Light and heavy equipment;
 - h. Enclosed shipping containers; and
 - i. Cars and trucks.
2. Vehicle Wrecking Yards and Salvage Yards, as defined by the City of Ramsey, and Salvage Yards, as defined by the City of Elk River shall not be permitted.
3. Outdoor storage of products, equipment, materials, supplies, debris, or any vehicles not properly licensed, registered, or operable, is not permitted, except for snow removal equipment and supplies for the site in conformance with the applicable municipality's regulations.
4. If any violations of condition #3 are documented more than once in a calendar year, in either jurisdiction, the Conditional Use Permit will be brought to the City Council for direction on revocation.
5. Motor vehicle, trailer, and boat sales is prohibited.
6. Car dealer overflow parking is prohibited.
7. Approvals from the City of Ramsey shall be recorded and copies provided.
8. Schedule a site visit with the Building Official and Fire Marshal to review and complete any required code updates by **November 1, 2025**.
9. All driving and parking areas shall be paved with an approved surface (bituminous, Class 5, or concrete) by **November 1, 2025**.
10. Stripe the parking lot as shown on the city site plan dated March 17, 2025, by **November 1, 2025**.
11. Drive lanes need to maintain a minimum of 24-foot width throughout the site.

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



12. All driving areas and outdoor storage/parking areas shall be bound by B612 concrete curb and gutter by **November 1, 2025**.
13. A reinforced concrete strip, a minimum of one (1) foot wide and centered on the property line, must be installed and maintained along the city/county border to clarify any relevant jurisdictional issues by **November 1, 2025**.
14. Site lighting shall comply with Section 30-937 by **November 1, 2025**.
15. Update submitted plans as needed to demonstrate compliance with state and local stormwater management requirements across both parcels/jurisdictions by **November 1, 2025**.
16. Submit documentation showing compliance with all Minnesota Pollution Control standards by **November 1, 2025**.
17. A 6-foot-tall, 100% opaque privacy fence shall be installed along the north property lines by **November 1, 2025**.
18. A temporary guard shack no larger than 200 sq.ft. shall be allowed in Elk River, until **November 1, 2025**. The location shall be approved by city staff.
19. This Conditional Use Permit (CU 24-21) must be recorded by **November 1, 2025**, or the operation on the property must cease.
20. A 200 sq.ft. guard shack/office shall be allowed in Elk River, and will require all necessary commercial building permits and meet the required setbacks.
21. There shall be no repair or maintenance of any vehicles, trailers, or boats on the site.
22. The idling of a truck tractor or other business equipment in excess of 15 minutes is prohibited from April 16 through October 31, and idling in excess of 30 minutes is prohibited from November 1 through April 15.
23. In the event a gate is installed, access to the property must include key boxes for both Elk River and Ramsey Fire Departments.
24. In the event either parcel is owned separately, or one municipality revokes their approval, each parcel will need to conform to each jurisdiction's ordinance and codes individually, including, but not limited to, stormwater ponds, setbacks, screening, curbing, and landscaping.
25. An amendment to this Conditional Use Permit will be required for future expansions/additions not shown on the city site plan dated March 17, 2025.
26. Conditional Use Permit, case number CU 23-16, shall become void.

Background/Discussion

The subject parcel was granted a Conditional Use Permit (CUP) in 2023 but has yet to be recorded. The property owner has applied for a new CUP to facilitate a joint operation of their current use on two parcels, one in Elk River and the other in Ramsey. The business has been, and continues to operate, on both parcels.

Through the CUP, a master plan can be reviewed and approved to accommodate their use while having a uniform set of uses, rules, regulations, and site amenities that work for both municipalities and conform to each city's Comprehensive Plans.

Planning Commission

Aside from the applicant's representative, no one spoke during the public hearing. The representative expressed a preference for a temporary guard shack larger than the 5' x 5' structure recommended by staff, instead proposing a 10' x 20' structure to accommodate both a guard shack and office space. The commission agreed that allowing a temporary structure until November 1, 2025, was reasonable, giving the applicant time to consider a permanent solution.

The commission did discuss at their January 28, 2025, meeting whether or not to require the lot to be paved with asphalt to be consistent with Ramsey's side, but they did not make a recommendation either way at their

February 25, 2025, meeting.

As this CUP review pertains to an existing business, staff sought the commission's input on an appropriate timeline for completing all required conditions. They recommended that all conditions be completed by November 1, 2025.

Ramsey March 11, 2025, City Council Meeting

The Ramsey City Council questioned their staff if certain vehicles such as those with hazardous waste or full garbage trucks would be stored on site. They asked if there was adequate distance from the entrance to the railroad tracks for semi truck movement. They approved the project by a 4 to 3 vote, with those opposed indicating the previous and ongoing code violations likely would continue.

Financial Impact

All costs associated with processing this application are the responsibility of the applicant.

Mission/Policy/Goal

Appropriately govern in an ever-changing environment.

Attachments

1. PC Staff Report 02-25-2025
2. CU 24-21 Recording Document



Request for Action

To
Planning Commission

Item Number
4.1

Meeting Date
February 25, 2025

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Conditional Use Permit Amendment: Outdoor Storage of Semis (tractor and/or trailer), motor vehicles, recreational vehicles, trailers, boats, light and heavy equipment, and vehicle storage, and shipping containers, PID 75-00013-4405, Northstar Trucking & RV Parking LLC

Reviewed by
Zack Carlton

Action Requested

Recommend, by motion, approval of the Conditional Use Permit with the following conditions to satisfy the standards set forth in Section 30-654:

1. Schedule a site visit with the Building Official and Fire Marshal to review and complete any required code updates.
2. The outdoor storage shall be allowed for only the following vehicles:
 - a. Properly licensed, registered, and operable.
 - b. Semi-trucks, semi-trailers, and other delivery trucks;
 - c. Recreational vehicles, campers, motorhomes, and fifth-wheel trailers;
 - d. Boats;
 - e. Enclosed shipping containers; and
 - f. Cars and trucks.
3. Vehicle Wrecking Yards and Salvage Yards, as defined by the City of Ramsey, and Salvage Yards, as defined by the City of Elk River shall not be permitted.
4. Outdoor storage of any products, equipment, materials, supplies, or debris is not permitted, except for snow removal equipment and supplies for the site in conformance with the applicable municipality's regulations.
5. Motor vehicle, trailer, and boat sales is prohibited.
6. Car dealer overflow parking is prohibited.
7. All driving and parking areas shall be paved with an approved surface (bituminous, Class 5, or concrete).
8. Drive lanes need to maintain a minimum 24-foot width throughout the site.
9. All driving areas and outdoor storage/parking areas shall be bounded by B612 concrete curb and gutter.
10. The B612 concrete curb and gutter shall be installed on the east side of the fence along Jarvis Street and 10 feet from the remaining property lines.
11. Site lighting shall comply with Section 30-937.

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12. There shall be no repair or maintenance of any vehicles, trailers, or boats on the site.
13. The idling of a truck tractor or other business equipment in excess of 15 minutes is prohibited from April 16 through October 31, and idling in excess of 30 minutes is prohibited from November 1 through April 15.
14. A guard shack no larger than 25 sq.ft. shall be allowed near the entrance gate. Location to be approved by city staff.
15. In the event a gate is installed, access to the property must include key boxes for both Elk River and Ramsey Fire Departments.
16. A reinforced concrete strip, a minimum one (1) foot wide and centered on the property line, must be maintained along the city/county border in order to clarify any relevant jurisdictional issues.
17. In the event either parcel is owned separately, or one municipality revokes their approval, each parcel will need to conform to each jurisdiction's ordinance and codes individually, including, but not limited to, stormwater ponds, setbacks, screening, curbing, and landscaping.
18. Update submitted plans as needed to demonstrate compliance with state and local stormwater management requirements across both parcels/jurisdictions.
19. Submit documentation showing compliance with all Minnesota Pollution Control standards.
20. An amendment to this Conditional Use Permit will be required for future expansions/additions not shown on the city site plan dated February 25, 2025.
21. Conditional Use Permit, case number CU 23-16, shall become void.
22. Approvals from the city of Ramsey shall be recorded and copies provided.
23. Conditions #1, 7, 9, 10, 11, 16, 18, and 19 shall be completed by .
24. A 6-foot tall, 100% opaque privacy fence shall be installed along the north property lines.

Background/Discussion

The subject parcel was granted a Conditional Use Permit (CUP) in 2023 but has yet to be recorded. The property owner has applied for a new CUP to facilitate a joint operation of their current use on two parcels, one in Elk River and the other in Ramsey. The business has been, and continues to operate, on both parcels and staff have not received any complaints as it relates to their Elk River operation.

Through the CUP, a master plan can be reviewed and approved to accommodate their use while having a uniform set of uses, rules, regulations, and site amenities that work for both municipalities and conforms to each city's Comprehensive Plans.

The property is 3.83 acres in size and is zoned I-3 General Industrial, where bus, motor vehicle, and implement storage require a Conditional Use Permit . NorthStar Truck & RV Parking LLC is seeking the CUP to provide outdoor storage of Semis (tractor and/or trailer), motor vehicles, recreational vehicles, trailers, boats, light and heavy equipment, and vehicle storage, and shipping containers.

The subject parcel is part of a larger parcel divided between two cities with approximately 6.75 acres of additional land in Ramsey.

The site is currently fenced, but no security gate has been installed, and clients have 24-hour access to the property. The owner will be the sole employee working on-site. The applicant asked about the possibility of installing a temporary guard shack, such as a job site trailer, to house hardware in a heated structure for operating a security gate. Staff expressed concerns about the size of such a structure and the potential for it to be used as a sleeping area. Therefore, staff recommends that the guard shack be limited to a maximum size of 25 square feet and be positioned near the entrance gate.

Parking

The applicant stated in their narrative that 80 storage stalls are available, and the surface consists of Class 5 material. The submitted site plan shows how they plan to park vehicles on site. Drive lanes need to maintain a minimum 24-foot width throughout the site.

The closest regulation in the ordinance is self-storage facilities stating one parking stall for each 400 square feet of office space or four stalls, whichever is greater. As there is no office on site, four stalls should be provided.

Section 30-901 states all driving areas and parking areas shall be bounded by B612 concrete curb and gutter, but the city council can grant an exemption where installing concrete curb and gutter presents a hardship due to the uniqueness of the business or other conditions. An exemption was not granted by the council for the first CUP request.

Fencing

There is existing decorative fencing along the railroad tracks and Jarvis Street. The applicant is also proposing a six (6) foot tall wooden privacy fence along the northern property line on the Ramsey side.

Landscaping

The number of trees the ordinance requires is 32; 16 overstory, 8 ornamental, and 8 coniferous. This is determined by taking the perimeter of the property (1,300 feet) divided by 40. Staff are only using the property lines facing Elk River, as the use does encroach across the property line into Ramsey. The ordinance does allow for credit of existing trees.

Lighting

The applicant is proposing site lights, which are shown on the site plan. Portions of Section 30-937: Lighting, state: "All sources of artificial lights shall be so fixed, directed, designed or sized that the minimum subtotal of their illumination will not increase the level of illumination on any nearby residential property by more than 0.1 footcandle in or within 25 feet of a dwelling or by more than 0.5 footcandle on any part of the property. Glare, whether direct or reflected, as different from general illumination, shall not be visible from beyond the limits of the immediate site from which it originates." Site lighting shall comply with Section 30-937.

Applicable Regulations

In approving a Conditional Use Permit, the city council may impose such specific conditions with regard to the development or operation of the proposed use as it considers necessary to satisfy the seven standards set forth in Section 30-654 and the requirements contained in this article and to promote compatibility with and minimize any potentially adverse effects upon adjacent properties, the neighborhood or the city.

The issuance of a Conditional Use Permit can be ordered only if the use at the proposed location:

- I. *Will not endanger, injure or detrimentally affect the use and enjoyment of other property in the immediate vicinity or the public health, safety, morals, comfort, convenience or general welfare of the neighborhood or the city.*

The site currently operates in a similar fashion and will not detrimentally affect the use and enjoyment of the properties in the immediate vicinity. However, the addition of motor vehicles and the associated potentially toxic chemicals will require additional oversight from the MPCA, Sherburne County, and the city.

To ensure any concerns for public health and groundwater contamination are addressed, staff have included conditions requiring compliance with all state and local standards related to stormwater management. Additionally, to minimize visibility from surrounding properties, potentially impacting the use and enjoyment of those parcels, staff recommends the existing fencing along the railroad tracks and Jarvis Street have opaque screening incorporated into it. It is understood that semi-trailers and taller box vehicles will still be visible.

2. Will be consistent with the comprehensive plan.

The property is guided as Industrial and the Industrial Use category includes both heavy and light industrial businesses such as manufacturing, warehousing, and excavation. These uses are primarily located off of Highway 169, Highway 10, and the BNSF Railroad which provide easy access for the transferring of goods throughout the region.

Staff do not see a need to impose specific conditions to satisfy this standard.

3. Will not impede the normal and orderly development and improvement of surrounding vacant property.

The surrounding area is developed. The use will not impede the normal and orderly development and improvement of surrounding vacant property.

Staff do not see a need to impose specific conditions to satisfy this standard.

4. Will be served adequately by and will not adversely affect essential public facilities and services including streets, police and fire protection, drainage, refuse disposal, water and sewer systems, parks and schools; and will not, in particular, create traffic congestion or interference with traffic on adjacent and neighboring public thoroughfares.

The property will be served adequately by and will not adversely affect essential public facilities and services including streets, police and fire protection, drainage, refuse disposal, water and sewer systems, parks and schools; and will not, in particular, create traffic congestion or interference with traffic on adjacent and neighboring public thoroughfares.

While the stormwater holding pond is in Ramsey, staff continues to work with Ramsey to ensure stormwater compliance across both parcels.

5. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons or property because of excessive traffic, noise, smoke, fumes, glare, odors, dust or vibrations.

If dust can be controlled, the proposed storage use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons or property because of excessive traffic, noise, smoke, fumes, glare, odors, dust, or vibrations.

To prevent dust becoming a problem, dust control measures shall be utilized in the fenced yard area.

6. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

The site is an open, relatively flat area, and already used for the outdoor storage of materials. The use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Staff do not see a need to impose specific conditions to satisfy this standard.

7. Will fully comply with all other requirements of this Code, including any applicable requirements and standards for the issuance of a license or permit to establish and operate the proposed use in the city.

Staff included conditions requiring compliance with state, county, and city ordinances related to salvage yards.

Included conditions address compliance with this standard.

If denial of such a permit should occur, it shall accompany recommendations or determinations by findings or a report stating how the proposed use does not comply with the standards set forth in Section 30-654.

Ramsey Planning Commission

The Ramsey Planning Commission reviewed this at their regular meeting on January 23, 2025. To ensure both municipalities are reviewing the same information, please refer to the site exhibits in the attached Ramsey Planning Commission memo dated January 23, 2025.

Elk River staff attended the meeting, where the Ramsey Planning Commission expressed appreciation for the collaborative efforts between both cities in addressing the unique application. During the presentation, Ramsey staff shared an image of damaged vehicles and other materials currently on-site, and the commission concurred that such items should not be permitted. Aside from the applicant, no one spoke during the public hearing, and the Ramsey Planning Commission unanimously recommended approval of the request.

Elk River Planning Commission (1-28-2025)

The commission reviewed the proposal and discussed the paving of the site, repair of vehicles, and construction of a building. As the applicant brought the desire for vehicle repair and a building to the commission meeting, the commission did not want to make a recommendation until more concrete information was before them and the applicant requested their item be postponed until February 25, 2025..

Financial Impact

None

Mission/Policy/Goal

Appropriately govern in an ever-changing environment.

Attachments

1. Location Map
2. Site Aerials
3. City Plan 2-25-2025
4. Ramsey Memo dated 1-23-2025



Project Location Map

Northstar Trucking

Zone Change
Conditional Use Permit

Case No: ZC 24-05, CU 24-21



75-00013-4400

75-00811-0115

110

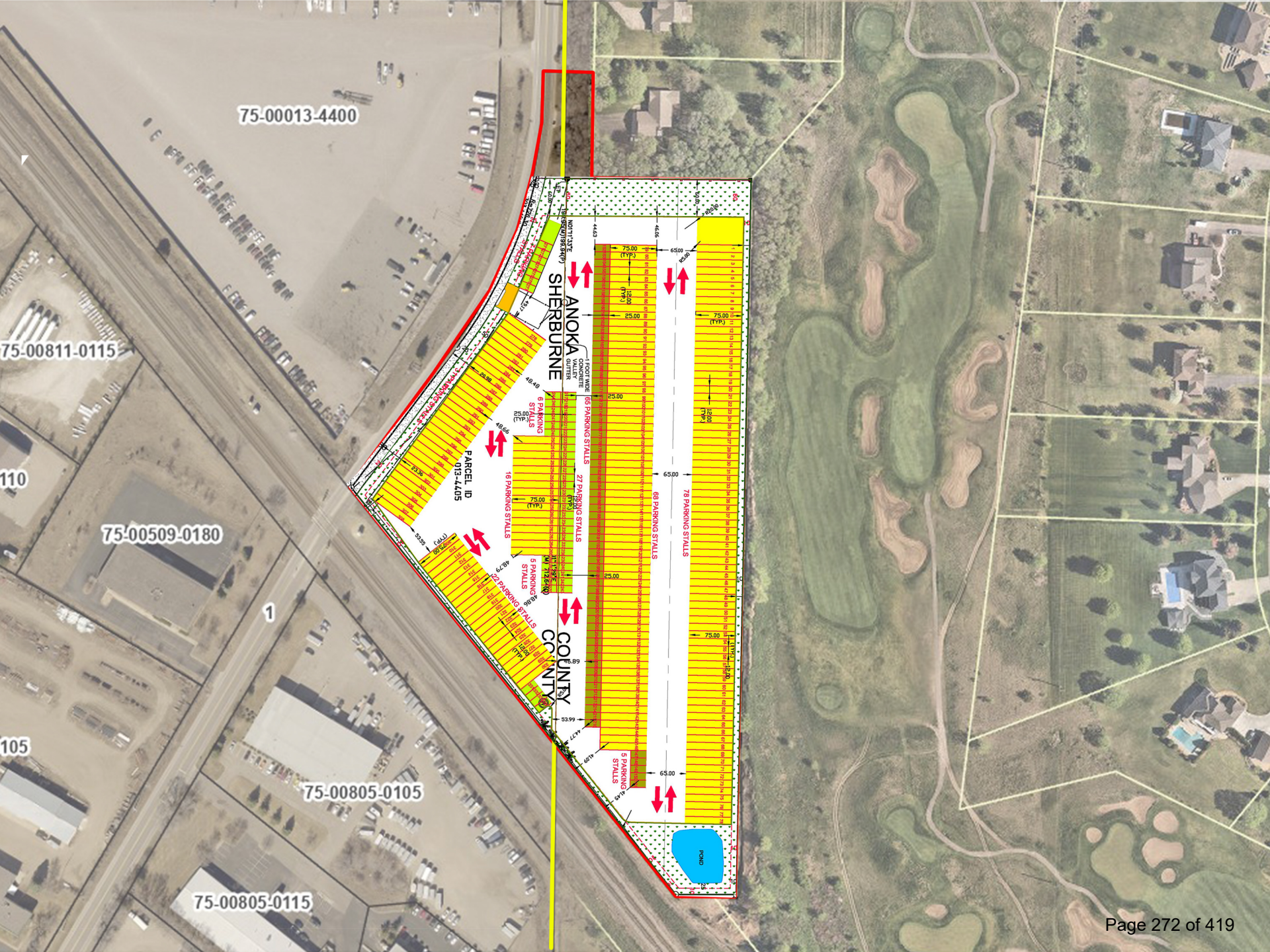
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75-00805-0115



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75-00805-0115

SHERBURNE

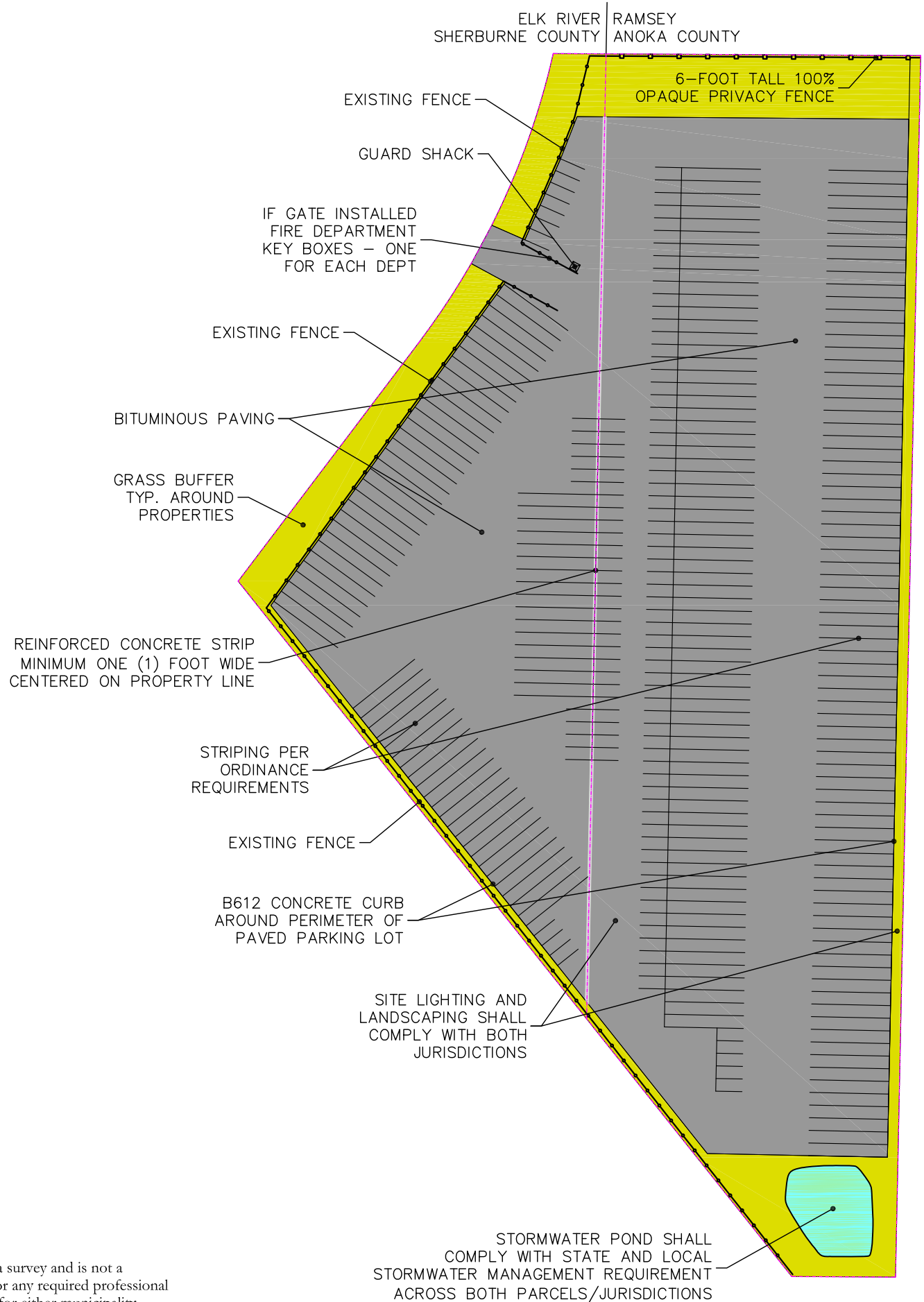
CO. INTX

PARCEL ID
013-4405

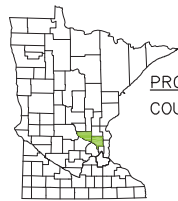
ANOKA BUTLER

POND

City Site Plan - February 25, 2025



This is not a survey and is not a substitute for any required professional documents for either municipality.



PROJECT LOCATION
COUNTIES: ANOKA &
SHERBURNE

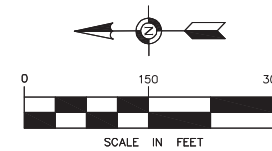
CITY: ELK RIVER & RAMSEY

NORTHSTAR TRUCK AND RV PARKING

15861 JARVIS ST. NW, RAMSEY, MN 55330 - ANOKA COUNTY
PID 75-013-4405 SHERBURNE COUNTY

CIVIL DESIGN PLANS FOR:

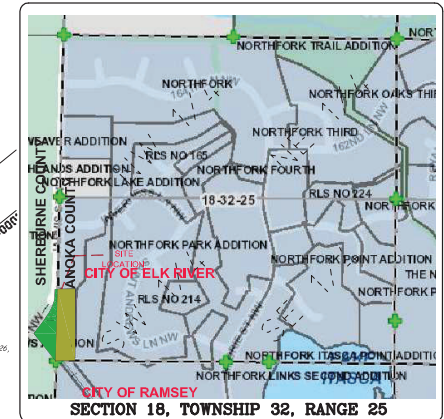
PROPOSED CONSTRUCTION PARKING LOT,
SITE, EROSION, GRADING, DRAINAGE PLANS, STORM WATER MANAGEMENT,



Call 48 Hours before digging
GOPHER STATE ONE CALL

Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166

VICINITY MAP



CONTACTS

OWNER
NIKOLAY BABKIN
NORTHSTAR TRUCK
AND RV PARKING LLC
(763) 913-6874
northstarparkingmn@gmail.com

GENERAL CONTRACTOR
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NORTHSTAR TRUCK
AND RV PARKING LLC
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9961 TROY LANE NORTH
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PUBLIC WORKS DIRECTOR
/CHIEF ENGINEER
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info@edsdmn.com

BUILDING SETBACKS

CITY OF ELK RIVER

ZONING: I-3 = GENERAL INDUSTRIAL
BUILDING: FRONT = 30 FT
SIDE = 25 FT
REAR = 20 FT
PARKING: FRONT = 25 FT (STREET)
SIDE = 10 FT
REAR = 10 FT
PROPOSED ZONING: PUD= PLANNED UNIT
DEVELOPMENT

BUILDING SETBACKS CITY OF RAMSEY

ZONING: I-1 = LIGHT INDUSTRIAL DISTRICT
BUILDING: FRONT = 35 FT
SIDE = 25 FT
REAR = 25 FT
PARKING: NORTH SIDE = 35 FT,
LANDSCAPE BUFFER = 60 FT
FRONT = N/A
REAR = N/A
PROPOSED ZONING: PUD= PLANNED UNIT
DEVELOPMENT

PROJECT BENCHMARK

ELEVATION = 891.26 (NAVD 88)
MMDOT DISK "RUSTIC".

PROPOSED PARKING

TRUCK PARKING STALLS	75X12	217
REGULAR PARKING STALLS	25X12	119
TOTAL PARKING STALLS		334

NOTES

1. PUD ZONING REQUIRES ALL VEHICLES / TRAILERS BE OPERABLE AND CURRENTLY LICENSED.
2. FIRE WILL REQUIRE A GATE KEY SWITCH FROM THE KNOX COMPANY
(HTTPS://WWW.KNOXBOX.COM/PRODUCTS) THAT WILL ALLOW THE FIRE DEPARTMENT TO ACCESS
PROPERTY IN THE CASE OF AN EMERGENCY. MSFC 506.1 WHERE REQUIRED, WHERE ACCESS TO
OR WITHIN A STRUCTURE OR AN AREA IS UNDULY DIFFICULT BECAUSE OF SECURED OPENINGS
OR WHERE IMMEDIATE ACCESS IS NECESSARY FOR LIFE-SAVING OR FIRE-FIGHTING PURPOSES,
THE FIRE CODE OFFICIAL IS AUTHORIZED TO REQUIRE A KEY BOX TO BE INSTALLED IN AN
APPROVED LOCATION. THE KEY BOX SHALL BE OF AN APPROVED TYPE AND SHALL CONTAIN KEYS
TO GAIN NECESSARY ACCESS AS REQUIRED BY THE FIRE CODE OFFICIAL.

SHEET INDEX

C1.....TITLE SHEET
C2.....EXISTING TOPOGRAPHY
C3.....EXISTING TOPOGRAPHY(CONTINUE)
C4.....DEMOLITION AND REMOVAL PLAN
C5.....SITE PLAN AND DIMENSION PLAN
C6.....GRADING AND DRAINAGE PLAN
C7.....EROSION CONTROL AND SEDIMENT PLAN
C8.....GRADING, DRAINAGE AND EROSION CONTROL NOTES
C9.....STORM WATER MANAGEMENT PLAN
C10.....STORM WATER MANAGEMENT NOTES
C11.....INFILTRATION TRENCH DETAILS
C12.....LANDSCAPE PLAN
C13.....TREE DETAILS
C14.....PARKING LOT AND EROSION CONTROL DETAILS
C15.....EXISTING DRAINAGE AREAS
C16.....PROPOSED DRAINAGE AREAS

PROPOSED LEGEND

	DENOTES PROPOSED BITUMINOUS SURFACE
	DENOTES PROPOSED CONCRETE AND CURB
	DENOTES PROPOSED PARKING STALLS 75X12
	DENOTES PROPOSED PARKING STALLS 25X12
	DENOTES PROPOSED CONCRETE 1 FOOT CURB
	DENOTES PROPOSED GRASS BUFFER
	DENOTES PROPOSED 1 FOOT GUTTER
	DENOTES PROPOSED TRAFFIC FLOW
	DENOTES PROPOSED POND
	DENOTES PROPOSED 6 FT HEIGHT OPAQUE FENCE

LEGEND

	DENOTES FOUND PROPERTY IRON
	DENOTES SET 1/2" X 18" REBAR WITH PLASTIC CAP "PLS 25105"
	DENOTES BOUNDARY LINE
	DENOTES LOT LINE
	DENOTES SETBACK LINE
	DENOTES RAILROAD LINE
	DENOTES EXISTING SPOT ELEVATION
	DENOTES CONCRETE SURFACE
	DENOTES EXISTING CONTOUR LINE
	DENOTES FINISH FLOOR ELEVATION
	DENOTES BITUMINOUS SURFACE
	DENOTES TREE LINE
	DENOTES STEEL FENCE
	DENOTES OVERHEAD ELECTRIC
	DENOTES ELECTRIC POWER POLE
	DENOTES MEASURED DISTANCE
	DENOTES PLATTED DISTANCE
	DENOTES SANITARY MANHOLE
	DENOTES ELECTRIC METER
	DENOTES DRAINAGE FLOW
	DENOTES ELECTRIC TRANSFORMER
	DENOTES WATER WELL
	DENOTES SHRUB



ENGINEERING DESIGN & SURVEYING
6480 Wayzata Blvd, Minneapolis, MN 55426
OFFICE: (763) 545-2800 FAX: (763) 545-2801
EMAIL: info@edsdmn.com WEBSITE: http://edsdmn.com

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND
THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF
MINNESOTA.

Vladimir Sirivyer DATED: 12/31/2024
VLADIMIR SIRIVYER P.E., NO. 25105

TITLE SHEET

LOCATION: 15861 JARVIS STREET NORTHWEST
RAMSEY, MN 55330

FIELD WORK DATE: 09/26/2023

DRAWN BY: IS

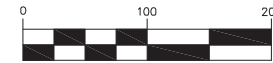
PROJECT NO.: 23-146

FIELD BOOK NO.: EDS-15

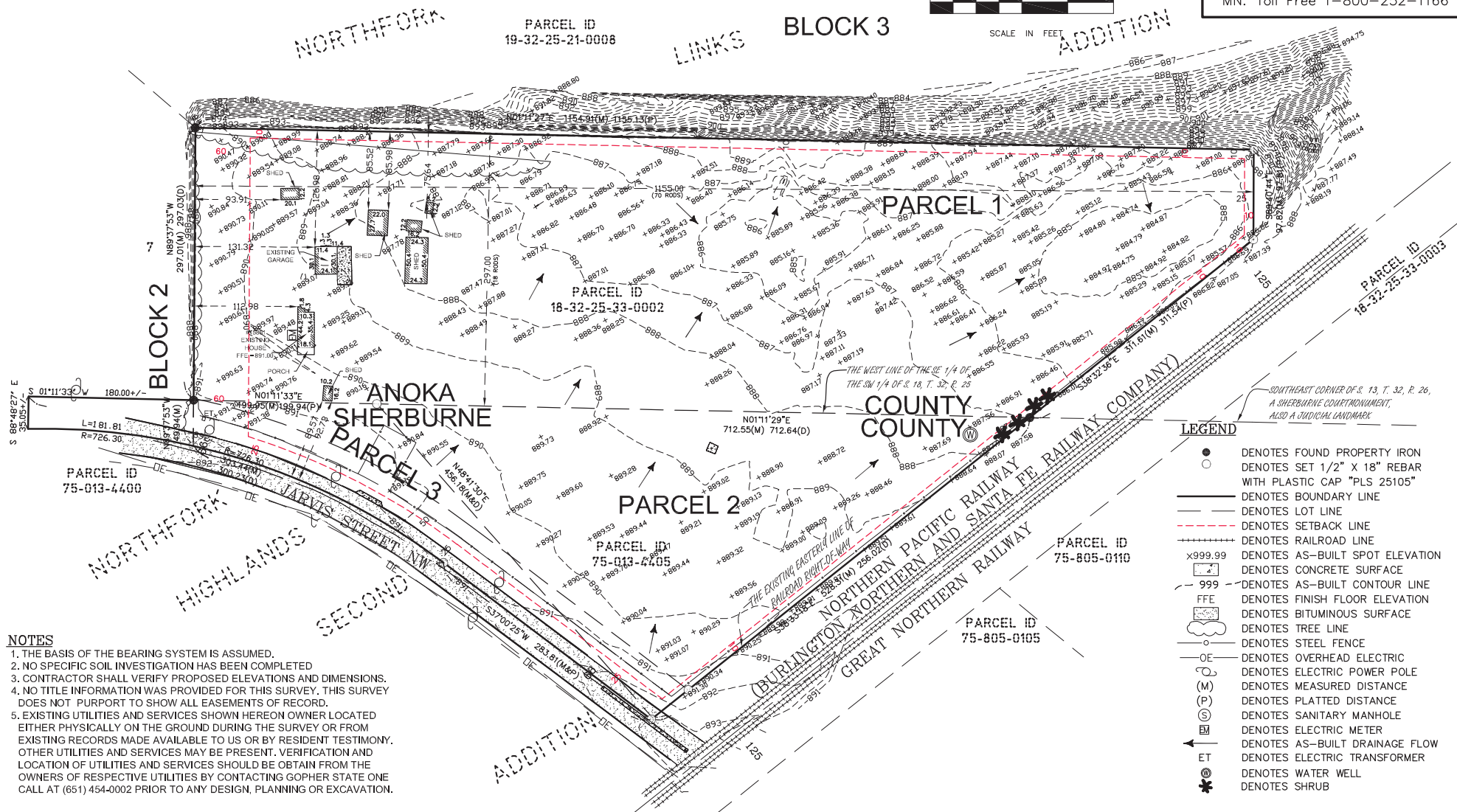
CHECKED BY: VS

SHEET NO. C1

Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166



SCALE IN FEE



1. THE BASIS OF THE BEARING SYSTEM IS ASSUMED.
2. NO SPECIFIC SOIL INVESTIGATION HAS BEEN COMPLETED
3. CONTRACTOR SHALL VERIFY PROPOSED ELEVATIONS AND DIMENSIONS
4. NO TITLE INFORMATION WAS PROVIDED FOR THIS SURVEY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD.
5. EXISTING UTILITIES AND SERVICES SHOWN HEREON OWNER LOCATED EITHER PHYSICALLY ON THE GROUND DURING THE SURVEY OR FROM EXISTING RECORDS MADE AVAILABLE TO US OR BY RESIDENT TESTIMONY. OTHER UTILITIES AND SERVICES MAY BE PRESENT. VERIFICATION AND LOCATION OF UTILITIES AND SERVICES SHOULD BE OBTAIN FROM THE OWNERS OF RESPECTIVE UTILITIES BY CONTACTING GOPHER STATE ONE CALL AT (651) 454-0002 PRIOR TO ANY DESIGN, PLANNING OR EXCAVATION.



ENGINEERING DESIGN & SURVEYING
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OFFICE: (763) 545-2800 FAX: (763) 545-2801
EMAIL: info@edsnmn.com WEBSITE: <http://edsnmn.com>

Vlad Sivriver DATED: 12/13/2024
VLADIMIR SIVRIVER L.S. NO. 25105

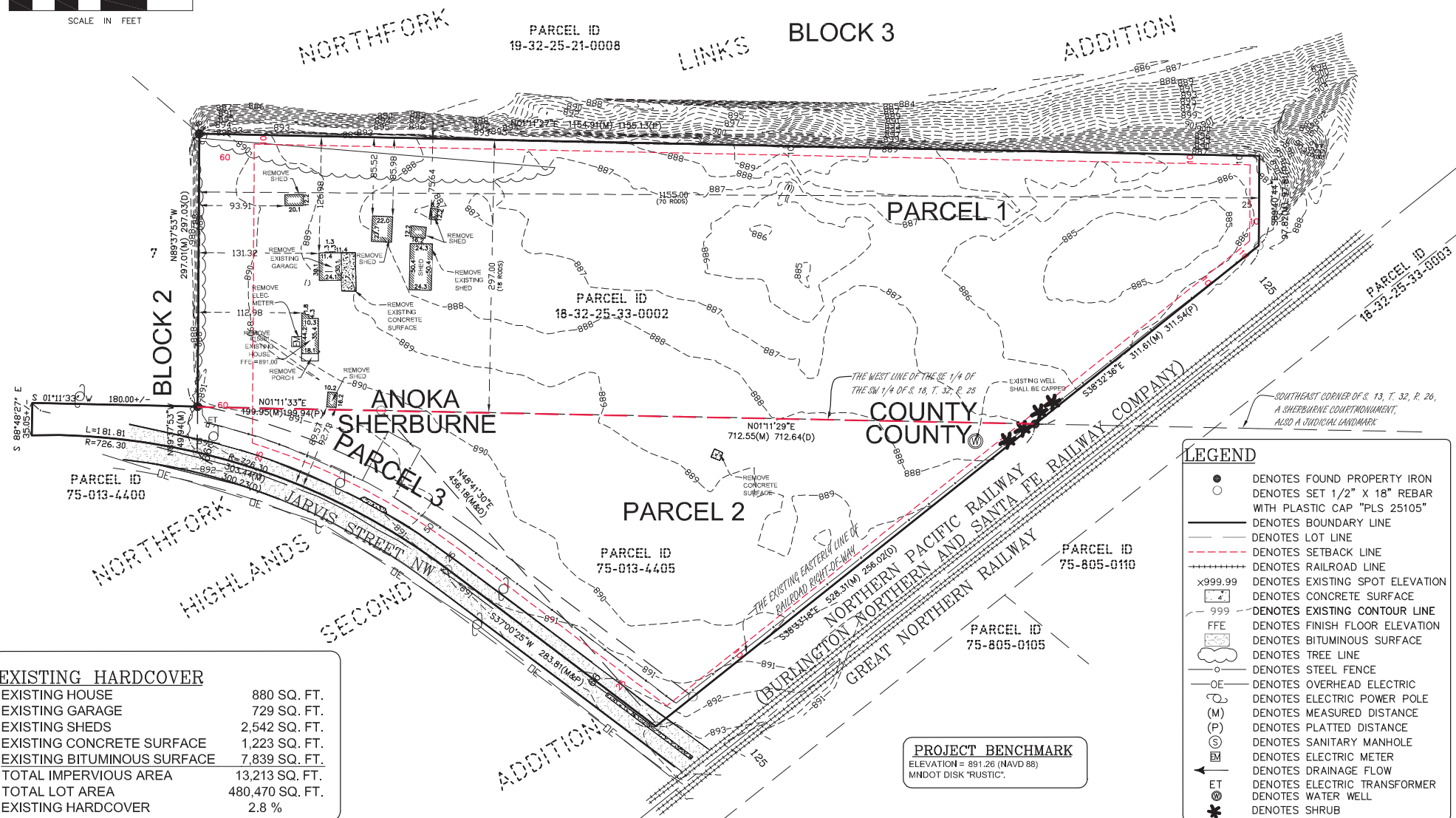
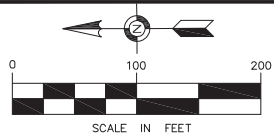
LOCATION: 15861 JARVIS STREET NORTHWEST
RAMSEY, MN 55330

FIELD BOOK NO.: EDS-15

CHECKED BY: VS

SHEET NO. C2

REMOVAL AND DEMOLITION PLAN



EXISTING HARDCOVER

EXISTING HOUSE	880 SQ. FT.
EXISTING GARAGE	729 SQ. FT.
EXISTING SHEDS	2,542 SQ. FT.
EXISTING CONCRETE SURFACE	1,223 SQ. FT.
EXISTING BITUMINOUS SURFACE	7,839 SQ. FT.
TOTAL IMPERVIOUS AREA	13,213 SQ. FT.
TOTAL LOT AREA	480,470 SQ. FT.
EXISTING HARDCOVER	2.8 %

LEGEND

- DENOTES FOUND PROPERTY IRON
- DENOTES SET 1/2" X 18" REBAR WITH PLASTIC CAP "PLS 25105"
- DENOTES BOUNDARY LINE
- - - DENOTES LOT LINE
- - - DENOTES SETBACK LINE
- +++++ DENOTES RAILROAD LINE
- x999.99 DENOTES EXISTING SPOT ELEVATION
- 4 DENOTES CONCRETE SURFACE
- 999 DENOTES EXISTING CONTOUR LINE
- FFE DENOTES FINISH FLOOR ELEVATION
- ☁ DENOTES BITUMINOUS SURFACE
- DENOTES TREE LINE
- DENOTES STEEL FENCE
- OE DENOTES OVERHEAD ELECTRIC
- ⊕ DENOTES ELECTRIC POWER POLE
- (M) DENOTES MEASURED DISTANCE
- (P) DENOTES PLATTED DISTANCE
- (S) DENOTES SANITARY MANHOLE
- ⊕ DENOTES ELECTRIC METER
- DENOTES DRAINAGE FLOW
- ET DENOTES ELECTRIC TRANSFORMER
- ⊕ DENOTES WATER WELL
- * DENOTES SHRUB

PROJECT BENCHMARK

ELEVATION = 891.26 (NAVD 88)
MNDOT DISK "RUSTIC"



ENGINEERING DESIGN & SURVEYING
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I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Vladimir Sivriyev
VLADIMIR SIVRIYEV P.E., NO. 25105 DATED: 12/31/2024

REMOVAL AND DEMOLITION PLAN

LOCATION: 15861 JARVIS STREET NORTHWEST
RAMSEY, MN 55330

FIELD WORK DATE: 09/26/2023

FIELD BOOK NO.: EDS-15

DRAWN BY: IS

CHECKED BY: VS

PROJECT NO.: 23-146

SHEET NO. C4

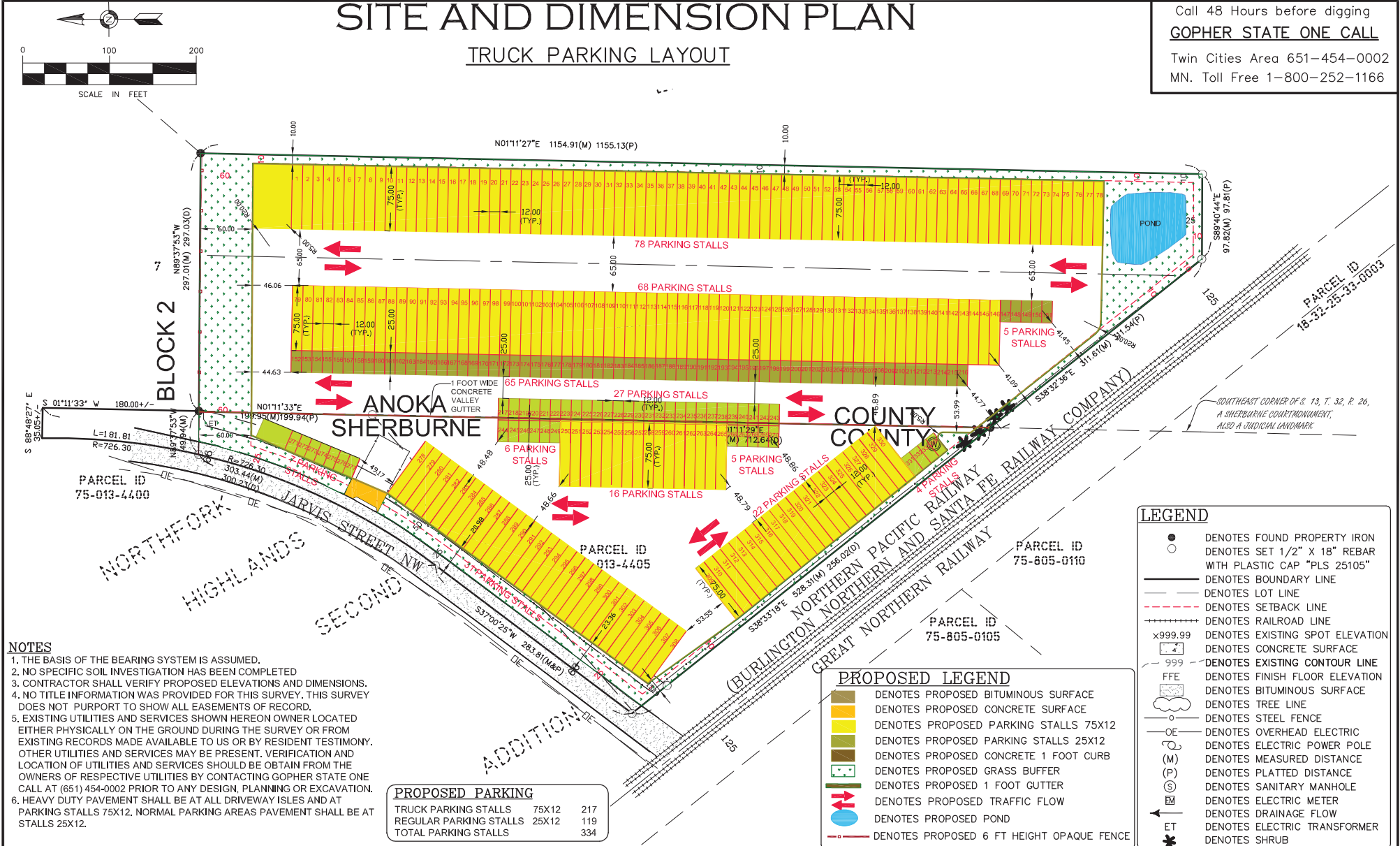


SITE AND DIMENSION PLAN

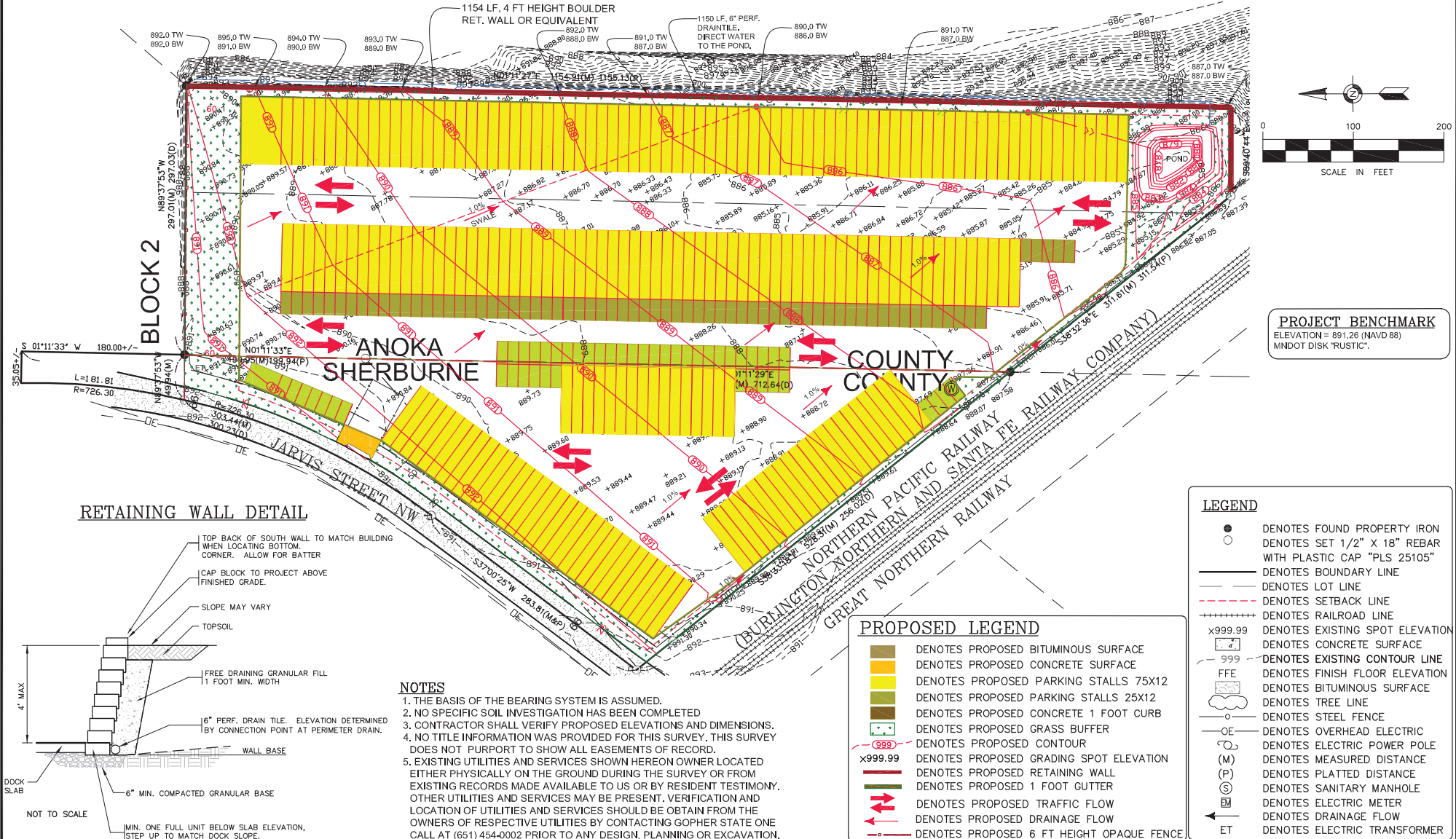
TRUCK PARKING LAYOUT

Call 48 Hours before digging
GOPHER STATE ONE CALL

Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166



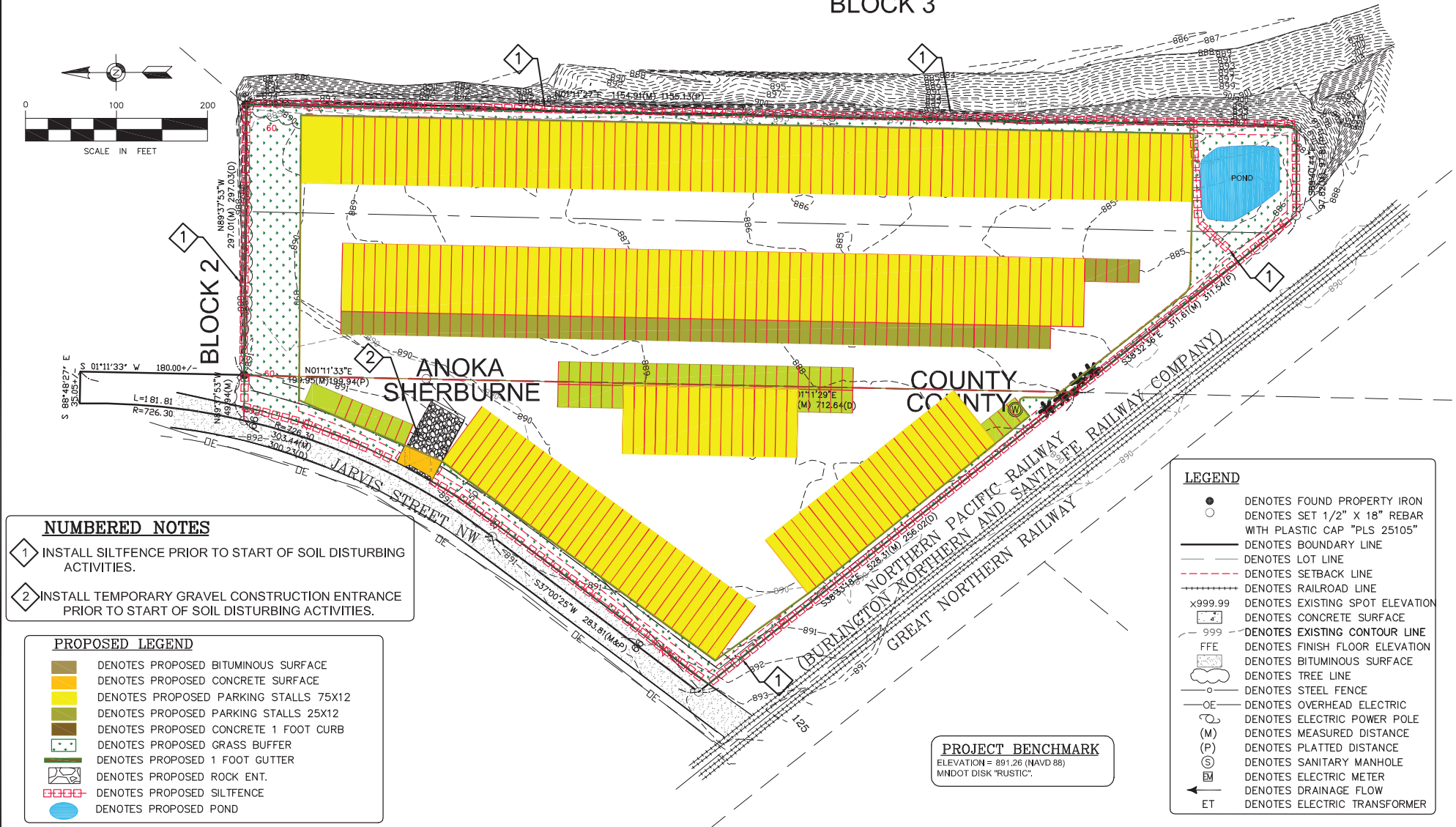
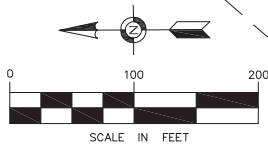
GRADING AND DRAINAGE PLAN



 ENGINEERING DESIGN & SURVEYING 6480 Woyzata Blvd, Minneapolis, MN 55426 OFFICE: (763) 545-2800 FAX: (763) 545-2801 EMAIL: info@edsmn.com WEBSITE: http://edsmn.com	I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. <i>Vladimir Sivriyev</i> VLADIMIR SIVRIYEV P.E., NO. 25105 DATED: 12/31/2024	GRADING AND DRAINAGE PLAN LOCATION: 15861 JARVIS STREET NORTHWEST RAMSEY, MN 55330	FIELD WORK DATE: 09/26/2023 FIELD BOOK NO.: EDS-15	DRAWN BY: IS CHECKED BY: VS PROJECT NO.: 23-146 SHEET NO. C6
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EROSION CONTROL AND SEDIMENT PLAN

BLOCK 3



ENGINEERING DESIGN & SURVEYING
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Vlad Sivriyev
VLADIMIR SIVRIYEV P.E., NO. 25105 DATED: 12/31/2024

EROSION CONTROL AND SEDIMENT PLAN

LOCATION: 15861 JARVIS STREET NORTHWEST
RAMSEY, MN 55330

FIELD WORK DATE: 09/26/2023

FIELD BOOK NO.: EDS-15

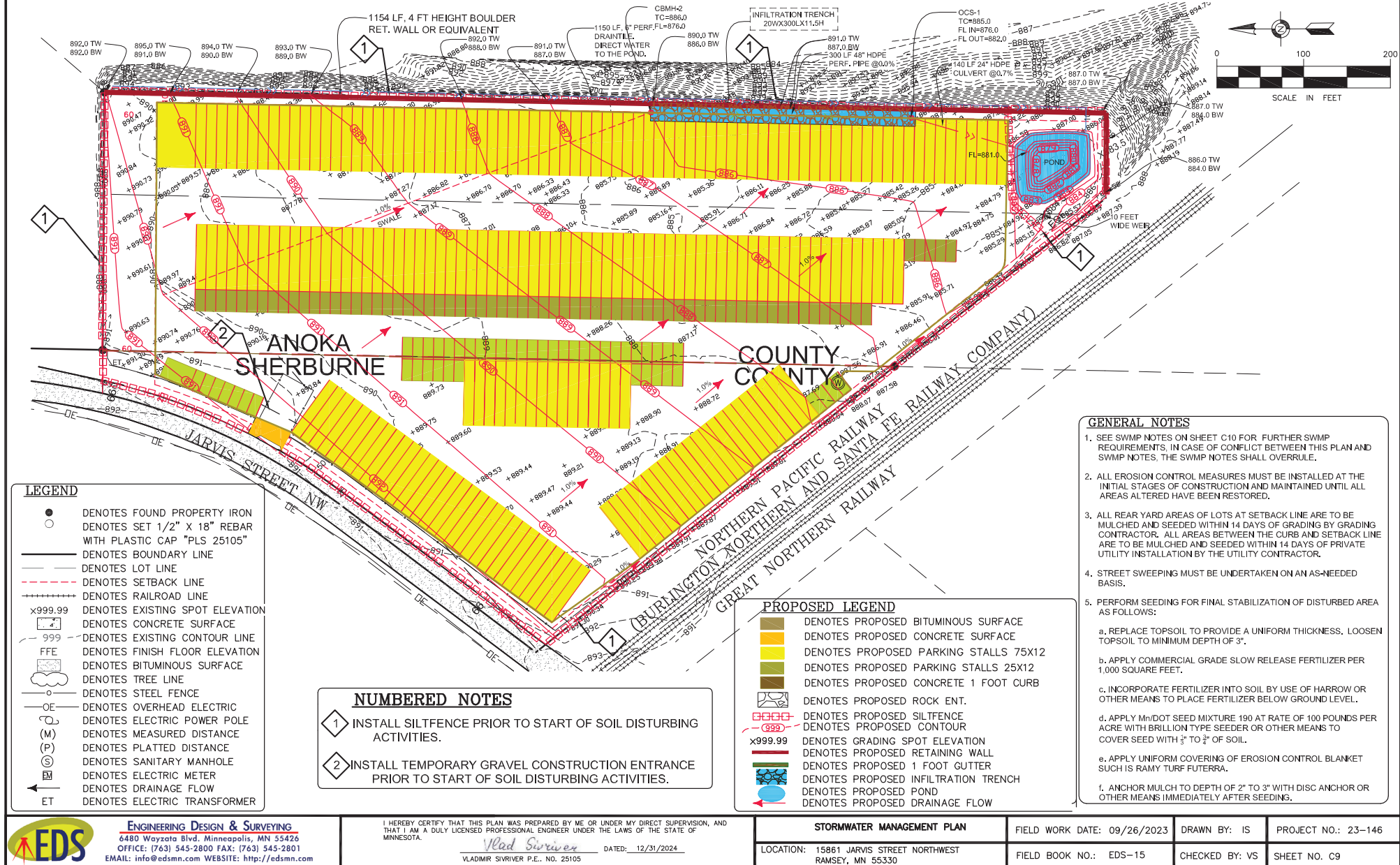
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PROJECT NO.: 23-146

SHEET NO. C7

STORMWATER MANAGEMENT PLAN



EDS ENGINEERING DESIGN & SURVEYING
 6480 Woyzata Blvd, Minneapolis, MN 55426
 OFFICE: (763) 545-2800 FAX: (763) 545-2801
 EMAIL: info@edsmn.com WEBSITE: http://edsmn.com

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 Vladimir Sivriyev
 VLADIMIR SIVRIYEV P.E., NO. 25105 DATED: 12/31/2024

STORMWATER MANAGEMENT PLAN	FIELD WORK DATE: 09/26/2023	DRAWN BY: IS	PROJECT NO.: 23-146
LOCATION: 1561 JARVIS STREET NORTHWEST RAMSEY, MN 55330	FIELD BOOK NO.: EDS-15	CHECKED BY: VS	SHEET NO. C9

LANDSCAPE PLAN



PROPOSED LEGEND	
	DENOTES PROPOSED BITUMINOUS SURFACE
	DENOTES PROPOSED CONCRETE SURFACE
	DENOTES PROPOSED PARKING STALLS 75X12
	DENOTES PROPOSED PARKING STALLS 25X12
	DENOTES PROPOSED CONCRETE 1 FOOT CURB
	DENOTES PROPOSED GRASS (SHALL BE SEEDS)
	DENOTES PROPOSED 1 FOOT GUTTER
	DENOTES PROPOSED POND

PROPOSED LEGEND TREES, BUSHES, SHRUBS

	DENOTES GREEN GIANT ARBORVITAE TREE	19
	DENOTES MEDORA JUNIPER THUJA	46
	DENOTES BRANDON ARBORVITAE SHRUBS	8
	DENOTES SMOOTH HYDRANGEA BUSHES	6
	DENOTES RIVER BIRCH	10
	DENOTES RED MAPLE	16
% DECIDUOUS		30%

BUFFERYARDS (CITY OF RAMSEY)

BUFFERYARDS HELP TO ACHIEVE SCREENING BETWEEN DIFFERING USES WITH VARIED INTENSITIES AND IMPACTS THAT ARE NOT ALWAYS COMPLEMENTARY WHEN ADJACENT TO ONE ANOTHER, WHEN A BUFFERYARD IS REQUIRED, THE YARD SPACE AND PLANTING REQUIREMENTS ARE NOT TO BE REDUCED FOR OTHER PURPOSES SUCH AS FUTURE PARKING AND DRIVEWAYS, BUILDING EXPANSIONS, OR OTHER ACTIVITIES THAT ARE NOT IN KEEPING WITH THE PURPOSES OF BUFFERING AND SCREENING.

1. BUFFERYARDS ARE INTENDED TO PROVIDE ADDITIONAL SCREENING OF BUSINESSES THAT ARE ADJACENT TO RESIDENTIAL AREAS, THE FOLLOWING TABLE DETAILS THE WIDTH OF THE BUFFERYARD ALONG THE COMMON ADJACENT PROPERTY LINE, AN ADDITIONAL INCREASE OF LANDSCAPE PLANTINGS IS REQUIRED IN THE BUFFERYARD, THE TABLE BELOW OUTLINES THE MINIMUM REQUIRED ADDITIONAL PLANTINGS, EXPRESSED AS A PERCENTAGE OF THE TOTAL REQUIRED SITE LANDSCAPING (THE PERCENTAGE IS APPLIED TO THE TOTAL NUMBER OF TREES AND SHRUBS FOR THE PROPOSED DEVELOPMENT).

2. AS AN ALTERNATIVE METHOD FOR SCREENING WITHIN THE BUFFERYARD, FENCES THAT ARE 100 PERCENT OPAQUE MAY BE USED TO MITIGATE THE IMPACTS OF BUSINESSES THAT ARE ADJACENT TO RESIDENTIAL AREAS, WHEN A FENCE IS USED FOR SCREENING PURPOSES, THE BUFFERYARD PLANTING REQUIREMENTS MAY BE REDUCED BY 50 PERCENT FROM THE STATED MINIMUM REQUIREMENT.

PLANTING REQUIREMENTS (CITY OF RAMSEY)

PLANTING TYPE	REQUIREMENTS	LF/NO. STALLS	QUANTITY
TREES (NORTH)	ONE TREE PER 50 LINEAL FEET OF SITE PERIMETER	297	6
TREES (EAST)	ONE TREE PER 50 LINEAL FEET OF SITE PERIMETER	1155	23
SHRUB (NORTH)	ONE SHRUB PER 30 LINEAL FEET OF SITE PERIMETER	297	10
SHRUB (EAST)	ONE SHRUB PER 30 LINEAL FEET OF SITE PERIMETER	1155	38
TREES	ONE TREE PER EVERY 10 PARKING SPACES	243	25
TREES TOTAL			54
SHRUB TOTAL			48
SHRUB /TREE TOTAL			102

PARKING LOT LANDSCAPING REQUIREMENTS (CITY OF RAMSEY)

ALL PARKING LOTS ARE REQUIRED TO PROVIDE INTERNAL AND/OR ADJACENT OVERSTORY TREE PLANTINGS IN AN EFFORT TO SHADE PARKING SURFACES AND PROVIDE VISUAL RELIEF. THE PLANTING SCHEDULE IS ESTABLISHED TO PROVIDE AN ACCEPTABLE NUMBER OF PLANTINGS THAT MAY BE PLANTED IN REGULAR SYMMETRICAL PATTERNS OR IRREGULAR CLUSTERS OR GROUPINGS. PLANTINGS ARE REQUIRED AT THE FOLLOWING MINIMUM SCHEDULE AND ARE CREDITED TOWARD THE MINIMUM PLANTING REQUIREMENTS FOR THE DISTRICT:

- ONE TREE PER EVERY TEN PARKING SPACES.
- EVERY OVERSTORY TREE PLANTING SHALL BE PROVIDED WITH A PLANTING AREA OF AT LEAST 162 SQUARE FEET (EQUIVALENT OF A NINE FOOT BY 18 FOOT PARKING STALL).
- ACCEPTABLE GROUND COVER MATERIALS INCLUDE SOD, MULCH, AND OTHER NATURAL GROUND COVER. LANDSCAPING ROCK AND PLASTIC UNDERLAYMENT IS PROHIBITED IN PLANTING ISLANDS.



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Vladimir Sivirer
VLADIMIR SIVIRER P.E., NO. 25105

DATED: 12/31/2024

LANDSCAPE PLAN

LOCATION: 15861 JARVIS STREET NORTHWEST
RAMSEY, MN 55330

FIELD WORK DATE: 09/26/2023

FIELD BOOK NO.: EDS-15

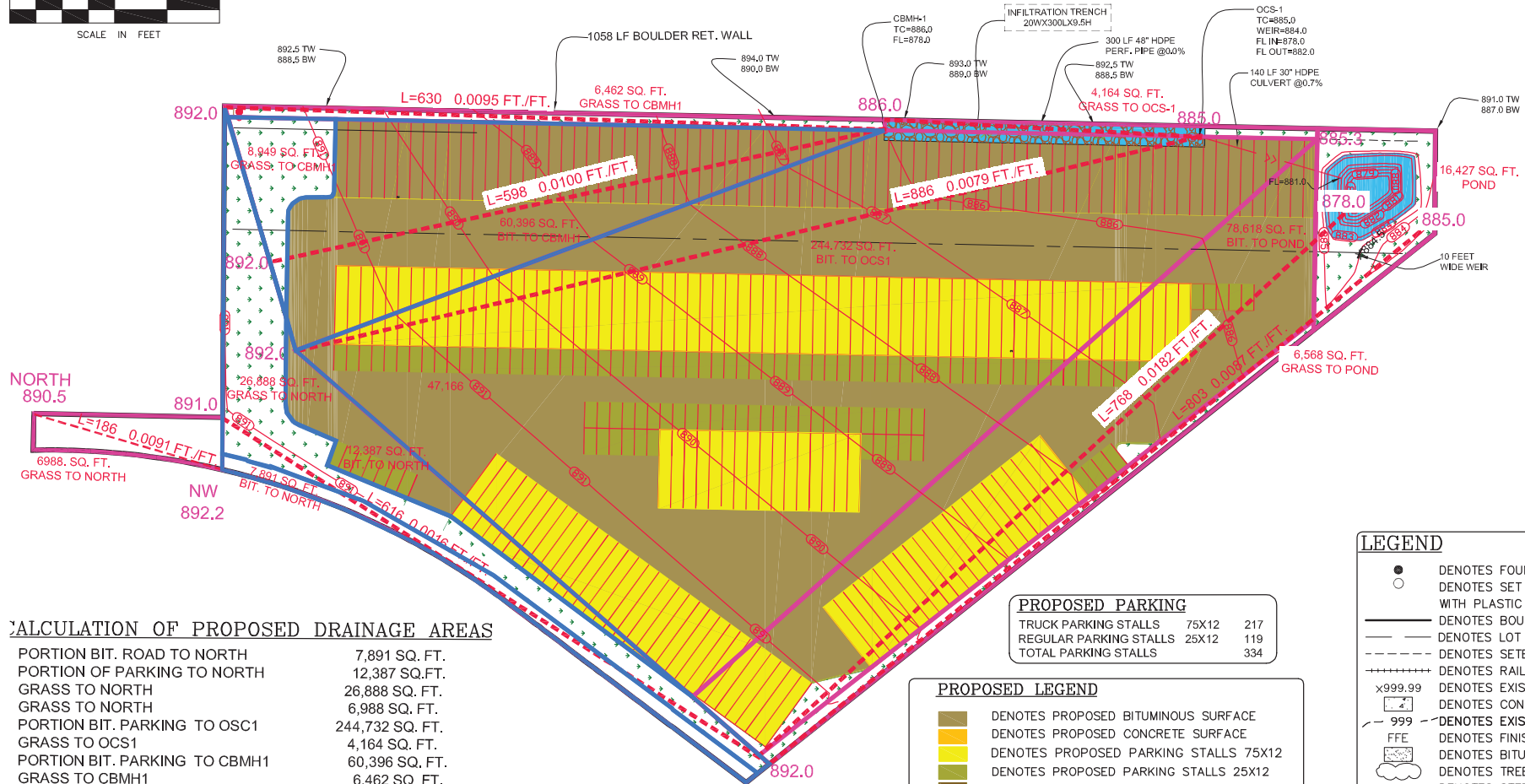
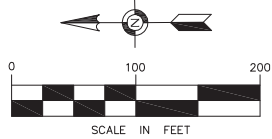
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PROJECT NO.: 23-146

SHEET NO. C12

PROPOSED DRAINAGE AREAS



CALCULATION OF PROPOSED DRAINAGE AREAS

PORTION BIT. ROAD TO NORTH	7,891 SQ. FT.
PORTION OF PARKING TO NORTH	12,387 SQ. FT.
GRASS TO NORTH	26,888 SQ. FT.
GRASS TO NORTH	6,988 SQ. FT.
PORTION BIT. PARKING TO OSC1	244,732 SQ. FT.
GRASS TO OCS1	4,164 SQ. FT.
PORTION BIT. PARKING TO CBMH1	60,396 SQ. FT.
GRASS TO CBMH1	6,462 SQ. FT.
GRASS TO CBMH1	8,949 SQ. FT.
PORTION BIT. PARKING TO POND	78,618 SQ. FT.
GRASS TO POND	6,568 SQ. FT.
POND	16,427 SQ. FT.
DRAINAGE AREA	480,470 SQ. FT.
TOTAL LOT AREA	480,470 SQ. FT.

PROPOSED PARKING

TRUCK PARKING STALLS	75X12	217
REGULAR PARKING STALLS	25X12	119
TOTAL PARKING STALLS		334

PROPOSED LEGEND

	DENOTES PROPOSED BITUMINOUS SURFACE
	DENOTES PROPOSED CONCRETE SURFACE
	DENOTES PROPOSED PARKING STALLS 75X12
	DENOTES PROPOSED PARKING STALLS 25X12
	DENOTES PROPOSED CONCRETE 1 FOOT CURB
	DENOTES PROPOSED GRASS BUFFER
	DENOTES PROPOSED 1 FOOT GUTTER
	DENOTES PROPOSED TRAFFIC FLOW
	DENOTES PROPOSED RETAINING WALL
	DENOTES PROPOSED POND
	DENOTES PROPOSED CONTOUR
	DENOTES PROPOSED GRADING SPOT ELEVATION

LEGEND

	DENOTES FOUND PROPERTY IRON
	DENOTES SET 1/2" X 18" REBAR WITH PLASTIC CAP "PLS 25105"
	DENOTES BOUNDARY LINE
	DENOTES LOT LINE
	DENOTES SETBACK LINE
	DENOTES RAILROAD LINE
	DENOTES EXISTING SPOT ELEVATION
	DENOTES CONCRETE SURFACE
	DENOTES EXISTING CONTOUR LINE
	DENOTES FINISH FLOOR ELEVATION
	DENOTES BITUMINOUS SURFACE
	DENOTES TREE LINE
	DENOTES STEEL FENCE
	DENOTES OVERHEAD ELECTRIC
	DENOTES ELECTRIC POWER POLE
	DENOTES MEASURED DISTANCE
	DENOTES PLATTED DISTANCE
	DENOTES SANITARY MANHOLE
	DENOTES ELECTRIC METER
	DENOTES DRAINAGE FLOW
	DENOTES ELECTRIC TRANSFORMER



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Vladimir Sivriyev
VLADIMIR SIVRIYEV P.E., NO. 25105 DATED: 12/13/2024

PROPOSED DRAINAGE AREAS

LOCATION: 15861 JARVIS STREET NORTHWEST
RAMSEY, MN 55330

FIELD WORK DATE: 09/26/2023

FIELD BOOK NO.: EDS-15

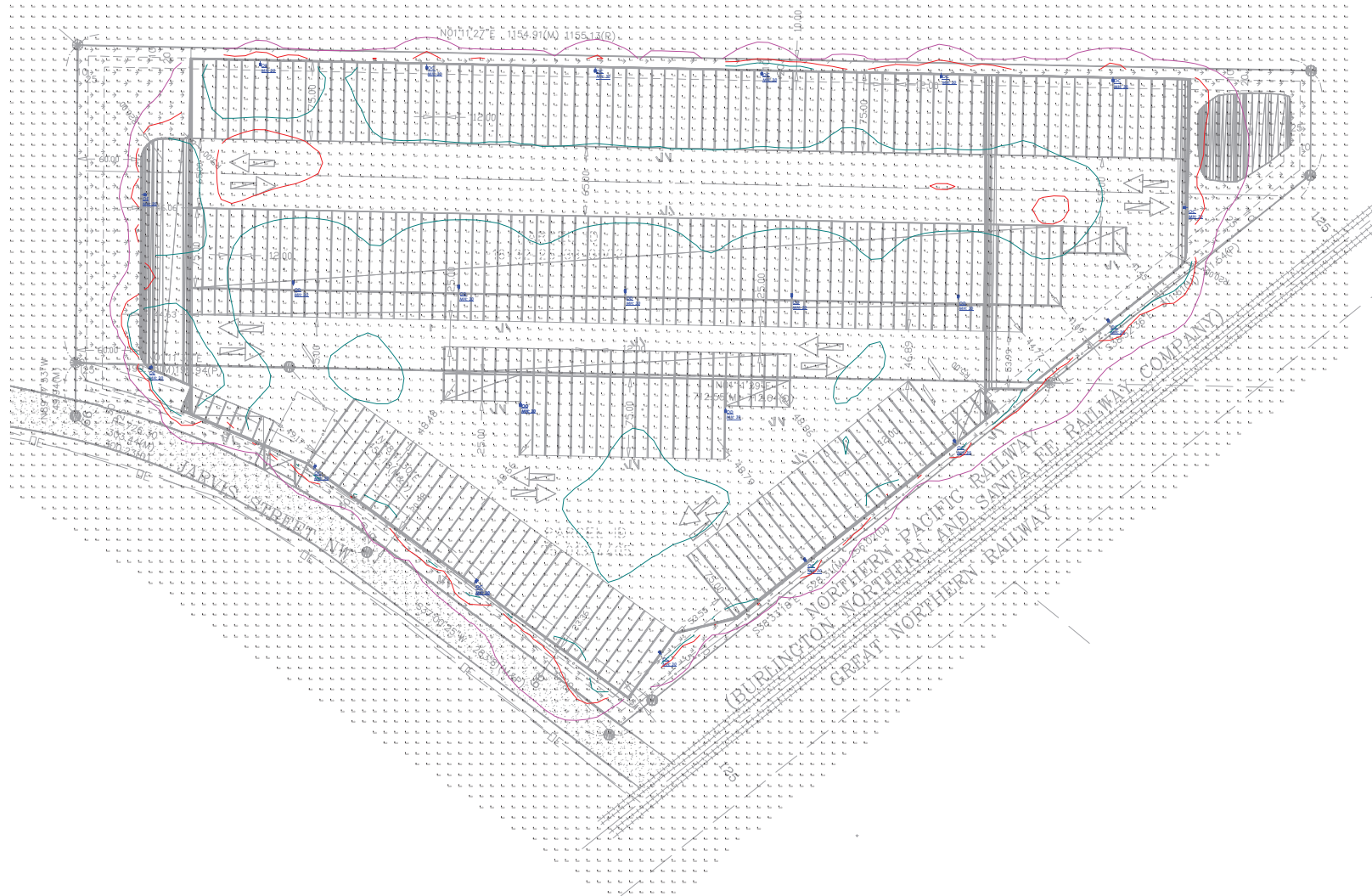
DRAWN BY: IS

CHECKED BY: VS

PROJECT NO.: 23-146

SHEET NO. C16





Calculation Summary							
Label	Calc Type	Units	Avg	Max	Min	Avg/Min	Max/Min
PARKING	Illuminance	Fc	1.42	8.3	0.2	8.10	41.50
SITE	Illuminance	Fc	0.07	3.8	0.0	N.A.	N.A.

Luminaire Schedule							
Symbol	Qty	Label	Manufacturer	Description	Arrangement	Lum. Lumens	Lum. Watts
	13	OC	COOPER LIGHTING SOLUTIONS - LUMARK (FORMERLY EATON)	PRV-XL-PA48-740-U-T4W-HSS (28' POLE WITH 2' BASE)	Single	28286	303
	8	OD	COOPER LIGHTING SOLUTIONS - LUMARK (FORMERLY EATON)	PRV-XL-PA48-740-U-5WQ (30' POLE WITH 2' BASE)	Single	40868	303
	3	OE	COOPER LIGHTING SOLUTIONS - LUMARK (FORMERLY EATON)	PRV-XL-PA3A-740-U-T4W-HSS (18' POLE WITH 2' BASE)	Single	17617	172
							0.900

- Standard Reflectance of 80/50/20 unless noted otherwise
- Not a Construction Document, for Design purposes only
- Standard indoor calc points @ 30' A.F.F. unless noted otherwise
- Standard outdoor calc points @ Grade unless noted otherwise
- Egress calc points @ 0' A.F.F.
- Mazgar Associates assumes no responsibility for installed light levels due to field conditions, etc.



Request for Action

To
Board of Adjustments

Item Number
7.2

Meeting Date
December 15, 2025

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Variance: Water Oriented Structure Size, Benjamin
Poythress - 13640 Island View Dr NW

Reviewed by
Zack Carlton
Cal Portner
Tina Allard

Action Requested

Direct staff to draft a resolution making Findings of Fact, denying the variance to exceed the permitted size of a water-oriented storage structure, as the standards for approval, as noted below, are not met. The City Council will consider the resolution on January 20, 2026.

1. Allowing a structure nearly one and a half times the size of what is permitted within the shore impact zone does not meet the general purpose and intent of the ordinance.
2. The property has land use guidance for residential, and the proposed single-family residential use is consistent with the Comprehensive Plan.
3. The proposed use is not reasonable as the property already contains a permitted 100 sf water-oriented structure that serves the intended purpose of storing lake-related equipment.
4. There are no circumstances unique to the property that create hardship. The request results from the applicant's desire for additional space, which is a self-created condition, not a property hardship.
5. Granting the variance would permit a structure nearly twice the size allowed within proximity to the lake that could alter the essential character.

Background/Discussion

The applicant is requesting approval to exceed the limit of 400 sf for a water-oriented structure by proposing a combination of deck and structure improvements for a total of 590 sf. Throughout the review process, the applicant has questioned the staff's interpretation of what constitutes a Water-Oriented Structure, asserting that the deck component should not be included because it is not used for storage. Staff consulted with legal counsel, who confirmed that the deck is, by definition, a Water-Oriented Structure. These structures are not limited to storage and, per city code, include boathouses, gazebos, screen houses, fish houses, and decks.

Public Hearing

The Board of Adjustments (BOA) reviewed the application at its November 25, 2025, Regular Meeting. There was discussion regarding the proposed location of the Water-Oriented Structure and the limited visibility from the lake. Staff informed the Board that there are no concerns with the location and reiterated that the variance request relates solely to the structure's size.

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During the public hearing, the applicant presented a revised plan reducing the requested size from the original 780 sf to 590 sf. The applicant also indicated that neighboring property owners had submitted letters of support, which were provided to the Commission for consideration.

The BOA, after reviewing the new plans, did not feel that the proposal met the ordinance standards for approval of a variance. They felt that a small encroachment, consistent with what was currently under construction, met the ordinance standards and approved a variance for 20 sf above the ordinance limit.

The city code provides an appeal process, and the applicant has exercised that option to request City Council review of their updated request for a 590 sf structure (190 sf variance).

Staff's concern has been, and continues to be, that there are no plight/circumstances unique to the property that created a hardship to allow for an increase in personal storage. The desire for additional storage is not a hardship but a plight the property owner created.

Applicable Regulations

Variances may be granted when the petitioner establishes that the variance satisfies all five of the criteria described below. The variance is:

- I. Is in harmony with the general purpose and intent of the ordinance, and

Applicants' response: This request is in harmony with the intent of the ordinance because it allows us to safely and responsibly improve existing lakeshore amenities without creating environmental impacts. The variance supports the continued use of a modest storage structure for water-oriented items (kayaks, oars, lifejackets, etc.) and the replacement of a deteriorating deck with a safe structure. Neither project contributes to erosion, runoff, or shoreline degradation.

The intent of the lakeshore setback and accessory structure standards is to provide some unique storage (400 sf. max) opportunities because of the relationship to a water feature and to preserve the natural character of the shoreline, protect water quality, and maintain consistency among lakeshore properties. Allowing a structure larger than what is permitted within the shore impact zone would conflict with these goals. The variance is therefore not in harmony with the purpose and intent of the ordinance.

2. Is consistent with the City of Elk River's comprehensive plan.

Applicants' response: The request is consistent with the City's Comprehensive Plan by preserving the residential and recreational character of the lakeshore. The addition to the small storage shed ensures adequate space for water-oriented equipment, while the rebuilt deck provides safe access and enjoyment of the property. Both improvements update pre-existing structures and are compatible with the development pattern of surrounding lakeshore homes.

While the property has a land use guidance for residential, and the proposed single-family residential use is consistent with the Comprehensive Plan, the plan also emphasizes protecting natural resources, especially along lakes and wetlands, by enforcing setbacks and size limitations for structures near the water. Expanding the existing water-oriented structure beyond ordinance limits is not consistent with these objectives.

Variances may be granted when the petitioner establishes that there are practical difficulties in complying with the zoning ordinance. Practical difficulties means that:

3. The petitioner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

Applicants' response: The proposed improvements are reasonable uses of a lakeshore property. Expanding the existing shed provides adequate space to safely store water-oriented equipment, preventing shoreline clutter. Replacing the deteriorating deck ensures safe enjoyment of the property while aligning with typical residential lakeshore uses.

The property already contains a permitted 100 sf water-oriented structure that serves the intended purpose of storing lake-related equipment. The applicant also has sufficient space elsewhere on the property to construct additional storage structures that meet ordinance requirements. The desire for additional convenience or larger storage capacity does not constitute a practical difficulty. Therefore, the request does not represent a reasonable use that is otherwise prohibited by the ordinance.

4. The plight of the petitioner is due to circumstances unique to the property, not a consequence of the petition's own action or inaction; and

Applicants' response: The property's unique site conditions—including the shoreline location, wetlands, and easements—limit alternative placement of both the shed addition and the deck. These constraints create practical difficulties in meeting zoning requirements while still allowing safe and reasonable use of the property. The request is not the result of actions or inactions by the property owners.

There are no circumstances unique to the property that have created a hardship. The lot is a standard lakeshore parcel with adequate buildable area for compliant accessory structures outside the shore impact zone. The request results from the applicant's desire for additional space, which is a self-created condition, not a hardship.

5. The variance, if granted, will not alter the essential character of the locality.

Applicants' response: The requested variance will not change the essential character of the neighborhood. Nearby lakeshore properties commonly have decks and small water-oriented storage structures. The proposed improvements are modest in scale, consistent with surrounding properties, and will preserve the residential and recreational nature of the lakeshore.

Granting the variance would permit a structure over one and a half times the size allowed within proximity to the lake, setting a precedent inconsistent with surrounding lakeshore development patterns. Approval would alter the essential character of the locality by introducing a more intensive level of lakeshore development than intended by ordinance.

Findings

Staff find that the requested variance does not meet the required criteria for approval. There is no demonstrated hardship or unique property condition that justifies exceeding the allowed size for a water-oriented structure. The property already benefits from a permitted structure that serves the intended purpose, and expanding it would conflict with the intent of the ordinance to protect lakeshore character and water qua

Financial Impact

None

Mission/Policy/Goal

Ethical, efficient, and responsible.

Attachments

1. Board of Adjustments Staff Reports 11-25-2025 & 10-28-2025
2. Handout 10-28-2025
3. Letters of Support



Request for Action

To
Board of Adjustments

Item Number
5.1

Meeting Date
November 25, 2025

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Variance: Structure Size Variance, Benjamin
Poythress - 13640 Island View Dr NW

Reviewed by
Zack Carlton

Action Requested

Deny, by motion, the variance proposal to exceed the permitted size of a water-oriented storage structure, as the following standards have not been met:

1. Allowing a structure nearly twice the size of what is permitted within the shore impact zone does not meet the general purpose and intent of the ordinance.
2. The property has a land use guidance for residential, and the proposed single-family residential use is consistent with the Comprehensive Plan.
3. The proposed use is not reasonable as the property already contains a permitted 100 SF. water-oriented structure that serves the intended purpose of storing lake-related equipment.
4. There are no circumstances unique to the property that create hardship. The request results from the applicant's desire for additional space, which is a self-created condition, not a property hardship.
5. Granting the variance would permit a structure nearly twice the size allowed within proximity to the lake that could alter the essential character.

Background/Discussion

The Board of Adjustments initially reviewed this request on October 28, 2025, and after hearing comments and concerns from the Board, the applicant requested to postpone action until the November 25, 2025, meeting to provide additional time to explore alternative solutions/designs. Prior to providing any alternative, the applicant requested an explanation be provided specifying the ordinance language that requires a deck to be included in water-oriented structure square footage, as well as additional information. That correspondence is included as an attachment. They have reduced the size of the deviation, and are now requesting a 10-foot x 17-foot building addition. An outline of the proposed square footage is as follows:

- 100 SF. Existing Building (10' x 10')
- 320 SF. "Proposed" Deck (currently under construction)
- **420 SF. Existing Water-Oriented Structure** (400 allowed)
- 170 SF. Proposed Building (10' x 17')
- **590 SF. Total Existing and Proposed**

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While the existing conditions exceed the maximum allowed square footage by 20 SF, a viable alternative, which the Board suggested at the October meeting, is utilizing space under the deck for storage, which may satisfy the applicants' desire for additional storage.

Staff's concern has been, and continues to be, that there is no plight/circumstances unique to the property that created a hardship to allow for an increase in personal storage. The desire for additional storage is not a hardship but a plight the property owner created.

Applicable Regulations

Variances may be granted when the petitioner establishes that the variance satisfies all five of the criteria described below. The variance is:

1. Is in harmony with the general purpose and intent of the ordinance, and

Applicants' response: This request is in harmony with the intent of the ordinance because it allows us to safely and responsibly improve existing lakeshore amenities without creating environmental impacts. The variance supports the continued use of a modest storage structure for water-oriented items (kayaks, oars, lifejackets, etc.) and the replacement of a deteriorating deck with a safe structure. Neither project contributes to erosion, runoff, or shoreline degradation.

The intent of the lakeshore setback and accessory structure standards is to provide some unique storage (400 sq.ft. max) opportunities because of the relationship to a water feature and to preserve the natural character of the shoreline, protect water quality, and maintain consistency among lakeshore properties. Allowing a structure larger than what is permitted within the shore impact zone would conflict with these goals. The variance is therefore not in harmony with the purpose and intent of the ordinance.

2. Is consistent with the City of Elk River comprehensive plan.

Applicants' response: The request is consistent with the City's Comprehensive Plan by preserving the residential and recreational character of the lakeshore. The addition to the small storage shed ensures adequate space for water-oriented equipment, while the rebuilt deck provides safe access and enjoyment of the property. Both improvements update pre-existing structures and are compatible with the development pattern of surrounding lakeshore homes.

While the property has a land use guidance for residential, and the proposed single-family residential use is consistent with the Comprehensive Plan, the plan also emphasizes protecting natural resources, especially along lakes and wetlands, by enforcing setbacks and size limitations for structures near the water. Expanding the existing water-oriented structure beyond ordinance limits is not consistent with these objectives.

Variances may be granted when the petitioner establishes that there are practical difficulties in complying with the zoning ordinance. Practical difficulties means that:

3. The petitioner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

Applicants' response: The proposed improvements are reasonable uses of a lakeshore property. Expanding the existing shed provides adequate space to safely store water-oriented equipment, preventing shoreline clutter. Replacing the deteriorating deck ensures safe enjoyment of the property while aligning with typical residential lakeshore uses.

The property already contains a permitted 100 sq.ft. water-oriented structure that serves the intended purpose of storing lake-related equipment. The applicant also has sufficient space elsewhere on the property to construct additional storage structures that meet ordinance requirements. The desire for additional

convenience or larger storage capacity does not constitute a practical difficulty. Therefore, the request does not represent a reasonable use that is otherwise prohibited by the ordinance.

4. The plight of the petitioner is due to circumstances unique to the property, not a consequence of the petition's own action or inaction; and

Applicants' response: The property's unique site conditions—including the shoreline location, wetlands, and easements—limit alternative placement of both the shed addition and the deck. These constraints create practical difficulties in meeting zoning requirements while still allowing safe and reasonable use of the property. The request is not the result of actions or inactions by the property owners.

There are no circumstances unique to the property that has created a hardship. The lot is a standard lakeshore parcel with adequate buildable area for compliant accessory structures outside the shore impact zone. The request results from the applicant's desire for additional space, which is a self-created condition, not a hardship.

5. The variance, if granted, will not alter the essential character of the locality.

Applicants' response: The requested variance will not change the essential character of the neighborhood. Nearby lakeshore properties commonly have decks and small water-oriented storage structures. The proposed improvements are modest in scale, consistent with surrounding properties, and will preserve the residential and recreational nature of the lakeshore.

Granting the variance would permit a structure nearly twice the size allowed within proximity to the lake, setting a precedent inconsistent with surrounding lakeshore development patterns. Approval would alter the essential character of the locality by introducing a more intensive level of lakeshore development than intended by ordinance.

Findings

Staff find that the requested variance does not meet the required criteria for approval. There is no demonstrated hardship or unique property condition that justifies exceeding the allowed size for a water-oriented structure. The property already benefits from a permitted structure that serves the intended purpose and expanding it would conflict with the intent of the ordinance to protect lakeshore character and water quality.

Financial Impact

None

Mission/Policy/Goal

Ethical, efficient, and responsible.

Attachments

1. Location Map
2. Staff Site Plan 11-25-25
3. Correspondence
4. Board of Adjustments Staff Report 10-28-2025



Project Location Map

Benjamin Poythress

Variance



Case No: V 25-18

Staff Site Plan 11-25-25

Existing Water-Oriented
Accessory Structure
10ft x 10ft

Approximate location of
proposed 10'x17' addition

Existing Deck
Replacement
16ft x 20ft

22ft

Lake Orono

City of Elk River Definition - *Water-oriented accessory structure or facility means a small, aboveground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.*

Staff's interpretation is the deck is detached from the house.

I. Purpose of This Submission

This memo is being submitted prior to the continued hearing scheduled for November 25, 2025 in order to:

1. Correct the square-footage calculation currently reflected in staff interpretation of the variance request;
2. Provide the legal basis for excluding the deck from the water-oriented structure square-foot limit under applicable ordinance and Minnesota law;
3. Request that staff update the staff report, or provide written clarification, prior to the continued hearing so that the Board is evaluating the correct variance scope; and
4. Preserve the public record, given the statutory limitations on variance denial and the appeal rights afforded under Minn. Stat. § 394.27.

This memo is not intended to replace oral testimony, but to ensure accuracy and transparency in advance of the continued public hearing.

II. Correction to Variance Square-Footage Calculation

The current staff position frames the request as 780 sq. ft. (100 existing + 360 proposed structure + 320 deck). (see city definition) That calculation is not supported by ordinance language and materially misstates the variance request.

Actual enclosed structure square footage:

- Existing enclosed storage structure – 100 sq. ft.
- Proposed enclosed storage expansion – 360 sq. ft.
- Total enclosed structure – 460 sq. ft. (regulated)

Deck square footage:

- Elevated replacement deck – 320 sq. ft. (not enclosed, not used for storage)
- Ground impact = 2.73 sq. ft. (13 posts)

Actual variance requested:

Allowed = 400 sq. ft.

Proposed = 460 sq. ft.

Variance requested = +60 sq. ft.

III. Applicable Law – Minn. Stat. § 394.27, Subd. 7 (Practical Difficulties Standard) This is citing the County statute for variances.

Minnesota law requires that variance decisions be based on the three-part “practical difficulties” test. The statute does not authorize denial based on an internal staff interpretation (see city definition) that expands the scope of the request beyond what is legally regulated.

The statutory test Minn. Stat. 462.357, subd. 6 requires:

1. A reasonable use of property not permitted by ordinance; *§ 462.357 states: the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*
2. Circumstances unique to the parcel; *§ 462.357 states: the plight of the landowner is due to circumstances unique to the property not created by the landowner.*

There are no circumstances unique to the property that created a hardship to allow for an increase of personal storage, regardless if it is 60 or 380 square feet over. The desire for additional storage is not a hardship but a plight the property owner created. The property is a standard lakeshore parcel with adequate buildable area for a code compliant water-oriented structure.

3. No alteration of essential character of locality. *§ 462.357 states: the variance, if granted, will not alter the essential character of the locality.*

Additional information in § 462.357, Subd. 6

1. *Is in harmony with the general purpose and intent of the ordinance, and*
2. *Is consistent with the city of Elk River comprehensive plan.*

The intent is to provide storage (400 sq.ft.) near the water, and as also noted in the Planning Commission memo, to preserve the natural character of the shoreline, protect water quality, and maintain consistency among lakeshore properties.

This analysis applies only to the portion of the project actually regulated — the enclosed storage area. It does not permit a city to artificially inflate the size of a variance request by including elements that are not regulated by ordinance. Staff are classifying the deck as a water-oriented structure, as defined. Based on information staff have available, the deck under construction is within a large wetland complex that would not allow a traditional deck at all.

IV. DNR Shoreland Variance Guidance – Deck Classification

The Minnesota DNR Shoreland Management Variance Guidance (2021) distinguishes between enclosed or roofed accessory structures and open platforms, walkways, and decks. Only the former are counted toward structure square footage.

The deck portion of this project is an unenclosed elevated platform and therefore does not fall within the regulated definition. It is detached deck/water-oriented structure (see city

definition) and within a large wetland complex that would not allow a “traditional deck”. A municipality can be more restrictive.

V. Comparison to Minnesota Municipal Practice

Multiple Minnesota cities with similar ordinance language interpret decks separately from water-oriented accessory structures:

- City of Orono – Water-oriented accessory structure defined as “a small storage structure used for recreational equipment.” Decks regulated separately.
- City of Scandia – Decks permitted in shoreland district but excluded from 400 sq. ft. structure limit unless enclosed.
- City of Elk River - *Water-oriented accessory structure or facility means a small, aboveground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.*
- Staff's interpretation is the deck is detached from the house.

VI. Deck Permitting Is Not Part of Variance Review

If the City determines that the deck requires a separate floodplain, shoreline, or building permit, that process will be completed. **Decks require a Building Permit, the current water-oriented accessory structure is being built without a permit.** However, Minnesota variance law does not allow denial based on a permitting process that occurs outside the variance standard.

Accordingly:

- The Board may approve **or deny** the variance now;
- Staff may still require deck permitting later; **The city requires a permit for decks and water-oriented structures**
- The two are legally separate actions. **Based on the city definition, the enclosed structure and the deck are one unit and part of one action.**

VII. Request for Staff Action Before November 25 Hearing

To prevent confusion at the hearing and ensure the Board is acting on a legally valid record, we respectfully request:

1. That the staff report be updated to reflect the correct variance request of 460 sq. ft., not 780 sq. ft.; OR
2. That written explanation be provided specifying the ordinance language that requires a deck to be included in water-oriented structure square footage. **See water-oriented accessory structure or facility definition.**

If staff maintains the position that the deck must be included, we respectfully request that

the justification be provided in writing so it can be reviewed by the Board, City Council (if appealed), or a reviewing court. See water-oriented accessory structure or facility definition.

VIII. Record Preservation

Because variance denials must be supported by legally valid findings, and because Minnesota courts routinely reverse denials based on misapplied standards, this memo is being entered into the record to preserve our right to appeal if necessary.

IX. Conclusion

We respectfully request that staff update the variance calculation before the November 25 hearing so that the Board votes on the actual variance being requested (+60 sq. ft. enclosed storage). We welcome further clarification or discussion prior to the hearing.

Sincerely,

Benjamin & Andrea Poythress

Applicants – Case V 25-18



Request for Action

To
Board of Adjustments

Item Number
5.2

Meeting Date
October 28, 2025

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Variance: Structure Size Variance, Benjamin
Poythress - 13640 Island View Dr NW

Reviewed by
Zack Carlton

Action Requested

Deny, by motion, the variance proposal to exceed the permitted size of a water-oriented storage structure, as the following standards have not been met:

1. Allowing a structure nearly twice the size of what is permitted within the shore impact zone does not meet the general purpose and intent of the ordinance.
2. The property has a land use guidance for residential, and the proposed single-family residential use is consistent with the Comprehensive Plan.
3. The proposed use is not reasonable as the property already contains a permitted 100 SF. water-oriented structure that serves the intended purpose of storing lake-related equipment.
4. There are no circumstances unique to the property that create hardship. The request results from the applicant's desire for additional space, which is a self-created condition, not a property hardship.
5. Granting the variance would permit a structure nearly twice the size allowed within proximity to the lake that could alter the essential character.

Background/Discussion

The applicant is requesting a variance to exceed the allowed square footage (400 SF) for a water-oriented structure by adding a 12' x 30' addition to the existing 10' x 10' storage shed as well as constructing a new deck attached to the storage structure. The existing structure and the proposed additions are near the Ordinary High-Water Level (OHWL). The proposal proposes a total of 780 SF of water-oriented structures, exceeding the 400 SF permitted by ordinance.

- 100 SF. Existing Building (10' x 10')
- 360 SF. Proposed Building (12' x 30')
- 320 SF. "Proposed" Deck (currently under construction)
- 780 SF. Total (400 allowed)

The applicant would like to replace an existing deteriorated deck with a larger, code-compliant structure of 320 SF, approximately 22 feet from the OHWL. The applicant has already begun construction of the

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



replacement deck but has since stopped.

Applicable Regulations

Variances may be granted when the petitioner establishes that the variance satisfies all five of the criteria described below. The variance is:

1. Is in harmony with the general purpose and intent of the ordinance, and

Applicants' response: This request is in harmony with the intent of the ordinance because it allows us to safely and responsibly improve existing lakeshore amenities without creating environmental impacts. The variance supports the continued use of a modest storage structure for water-oriented items (kayaks, oars, lifejackets, etc.) and the replacement of a deteriorating deck with a safe structure. Neither project contributes to erosion, runoff, or shoreline degradation.

The intent of the lakeshore setback and accessory structure standards are to preserve the natural character of the shoreline, protect water quality, and maintain consistency among lakeshore properties. Allowing a structure nearly twice the size of what is permitted within the shore impact zone would conflict with these goals. The variance is therefore not in harmony with the purpose and intent of the ordinance.

2. Is consistent with the City of Elk River comprehensive plan.

Applicants' response: The request is consistent with the City's Comprehensive Plan by preserving the residential and recreational character of the lakeshore. The addition to the small storage shed ensures adequate space for water-oriented equipment, while the rebuilt deck provides safe access and enjoyment of the property. Both improvements update pre-existing structures and are compatible with the development pattern of surrounding lakeshore homes.

While the property has a land use guidance of residential, and the proposed single-family residential use is consistent with the Comprehensive Plan, the plan also emphasizes protecting natural resources, especially along lakes and wetlands, by enforcing setbacks and size limitations for structures near the water. Expanding the existing water-oriented structure beyond ordinance limits is not consistent with these objectives.

Variances may be granted when the petitioner establishes that there are practical difficulties in complying with the zoning ordinance. Practical difficulties means that:

3. The petitioner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

Applicants' response: The proposed improvements are reasonable uses of a lakeshore property. Expanding the existing shed provides adequate space to safely store water-oriented equipment, preventing shoreline clutter. Replacing the deteriorating deck ensures safe enjoyment of the property while aligning with typical residential lakeshore uses.

The property already contains a permitted 100 sq.ft. water-oriented structure that serves the intended purpose of storing lake-related equipment. The applicant also has sufficient space elsewhere on the property to construct additional storage structures that meet ordinance requirements. The desire for additional convenience or larger storage capacity does not constitute a practical difficulty. Therefore, the request does not represent a reasonable use that is otherwise prohibited by the ordinance.

4. The plight of the petitioner is due to circumstances unique to the property, not a consequence of the petition's own action or inaction; and

Applicants' response: The property's unique site conditions—including the shoreline location, wetlands, and easements—limit alternative placement of both the shed addition and the deck. These constraints create practical difficulties in meeting zoning requirements while still allowing safe and reasonable use of the property. The request is not the result of actions or inactions by the property owners.

There are no circumstances unique to the property that has created a hardship. The lot is a standard lakeshore parcel with adequate buildable area for compliant accessory structures outside the shore impact zone. The request results from the applicant's desire for additional space, which is a self-created condition, not a hardship.

5. The variance, if granted, will not alter the essential character of the locality.

Applicants' response: The requested variance will not change the essential character of the neighborhood. Nearby lakeshore properties commonly have decks and small water-oriented storage structures. The proposed improvements are modest in scale, consistent with surrounding properties, and will preserve the residential and recreational nature of the lakeshore.

Granting the variance would permit a structure nearly twice the size allowed within proximity to the lake, setting a precedent inconsistent with surrounding lakeshore development patterns. Approval would alter the essential character of the locality by introducing a more intensive level of lakeshore development than intended by ordinance.

Findings

Staff find that the requested variance does not meet the required criteria for approval. There is no demonstrated hardship or unique property condition that justifies exceeding the allowed size for a water-oriented structure. The property already benefits from a permitted structure that serves the intended purpose and expanding it would conflict with the intent of the ordinance to protect lakeshore character and water quality.

Financial Impact

None

Mission/Policy/Goal

Ethical, efficient, and responsible.

Attachments

1. Location Map
2. Applicant's Narrative
3. Site Plan
4. Aerial View



Project Location Map

Benjamin Poythress

Variance



Case No: V 25-18

Legal Description of Property	
ISLAND VIEW FIFTH ADDITION LOT 2, BLK 3	
The narrative is your opportunity to describe, promote, and sell your proposal to the Board of Adjustment and City Council (if needed) and should explain your request in detail and how the five criteria are met in order to be granted a variance.	
We are requesting a variance to add onto an existing 10'x10' (100sf) storage shed used for water-oriented equipment such as kayaks, oars, and lifejackets, and to rebuild a deteriorating deck. We are proposing an additional 12'x30' addition to the existing storage shed which puts the total square feet at 460sf and is 60sf over the 400sf that is allowed. This addition is beyond the OHWL at 22' and does not encroach the 45' Wetland Setback. This addition also adheres to the City of Elk River's Zoning Setbacks for Accessory Structures and keeps the total square feet of attached/detached sf at 1,360 which below the 2,500sf that is allowed for our 2.53 acre property. Adding onto the existing structure also keeps us at only one accessory structure. The existing deck was not constructed to current codes and had become a safety concern due to its age and condition. The proposed replacement deck is larger than the previous one but is designed to be safe, code-compliant, and consistent with the character of surrounding lakeshore properties. The deck will also be beyond the OHWL setback at 22' and will be 320sf when completed.	
A variance may be granted by the board only if it finds that:	
The variance is in harmony with the general purpose and intent of the ordinance	This request is in harmony with the intent of the ordinance because it allows us to safely and responsibly improve existing lakeshore amenities without creating environmental impacts. The variance supports the continued use of a modest storage structure for water-oriented items (kayaks, oars, lifejackets, etc.) and the replacement of a deteriorating deck with a safe structure. Neither project contributes to erosion, runoff, or shoreline degradation.
The variance is consistent with the City of Elk River Comprehensive Plan (discuss with city staff if needed)	The request is consistent with the City's Comprehensive Plan by preserving the residential and recreational character of

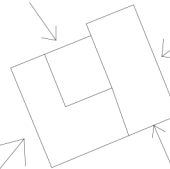
	the lakeshore. The addition to the small storage shed ensures adequate space for water-oriented equipment, while the rebuilt deck provides safe access and enjoyment of the property. Both improvements update pre-existing structures and are compatible with the development pattern of surrounding lakeshore homes.
Variances may be granted when the petitioner establishes that there are practical difficulties in complying with the zoning ordinance. Practical difficulties means that:	
The petitioner proposes to use the property in a reasonable manner not permitted by the zoning ordinance	The proposed improvements are reasonable uses of a lakeshore property. Expanding the existing shed provides adequate space to safely store water-oriented equipment, preventing shoreline clutter. Replacing the deteriorating deck ensures safe enjoyment of the property while aligning with typical residential lakeshore uses.
The plight of the petitioner is due to circumstances unique to the property not a consequence of the petition's own action or inaction; and	The property's unique site conditions—including the shoreline location, wetlands, and easements—limit alternative placement of both the shed addition and the deck. These constraints create practical difficulties in meeting zoning requirements while still allowing safe and reasonable use of the property. The request is not the result of actions or inactions by the property owners.
The variance, if granted, will not alter the essential character of the locality	The requested variance will not change the essential character of the neighborhood. Nearby lakeshore properties commonly have decks and small water-oriented storage structures. The proposed improvements are modest in scale, consistent with surrounding properties, and will preserve the residential and recreational nature of the lakeshore.

75-00638-0310



320sf of De minimis
outside of setbacks and
verified by the City of Elk
River.

Existing Water-Oriented
Accessory Structure
10ft x 10ft



Proposed Water-Oriented
Accessory Structure
12ft x 30ft

Existing Deck
Replacement
16ft x 20ft

22ft

75-00130-4415

Lake Orono

I hereby certify that this plan,
specification or report was
prepared by me or under my
direct supervision and that I
am a duly Licensed Architect
under the Laws of the State
of Minnesota.
ARCHITECT/SEAL

Signature: _____
Print Name: _____
Date: _____ License No. _____

PROJECT TITLE

POYTHRESS
RESIDENCE

13640 Island View Dr.
Elk River, MN 55330

DATE	DESCRIPTION

PROJECT NO.

PROJECT NAME

DATE
Drawn By: _____ Checked By: _____



NEWER CONSTRUCTION
ALLOWED WITHIN
RECENT YEARS

-
-



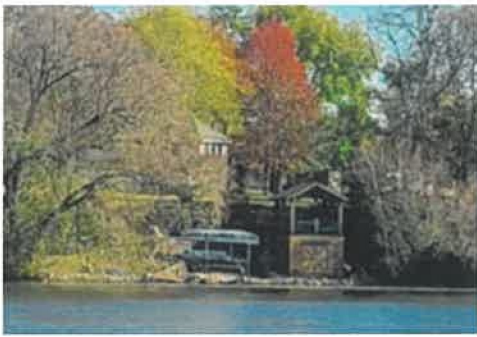
2X
SIZE
OF
NEIGHBOR

-

Here are several examples of what the properties look like from the lake:

Structures extremely close to the lake:

5 EXAMPLES OF STANDARD ALLOWED STRUCTURES



Variance Request – Case V 25-18

Benjamin & Andrea Poythress
13640 Island View Drive NW
Elk River, MN 55330

October 28, 2025

Board of Adjustment

City of Elk River
13065 Orono Parkway
Elk River, MN 55330

Re: Variance Request – Expansion of Water-Oriented Structure and Deck Replacement

Dear Chair and Members of the Board,

Thank you for the opportunity to present our variance request. We respect the City's review process and appreciate staff's careful consideration of our application. As long-time residents of Elk River, we are committed to maintaining our property in a way that protects Lake Orono's environment and character. We would like to provide clarification and additional information that demonstrates why our request is consistent with the purpose and intent of Elk River's ordinances, addresses practical difficulties unique to our property, and preserves the character of Lake Orono.

Project Description

We are requesting a variance to:

1. Expand our existing 10'x10' (100 sq. ft.) water-oriented storage structure by an additional 12'x30' (360 sq. ft.) to safely store kayaks, canoes, oars, lifejackets, lily-pad, and related equipment.
2. Rebuild and enlarge our deteriorating deck (320 sq. ft.) that was unsafe and not constructed to current code. The replacement deck will cover the footprint of an existing patio and be elevated approximately 8 feet, with only 13 posts (2.73 sq. ft. ground impact).

Responses to Staff Concerns

1. Purpose and Intent of Water-Oriented Structures

- Staff calculated our proposal as 780 SF, “nearly double” the 400 SF allowance. We respectfully clarify: the shed addition totals **460 SF**, only **+60 SF over allowed**. The deck is a replacement, not a water-oriented structure, and should not be included in the calculation.
- Our impervious coverage remains well below thresholds, and Lake Orono is dam-controlled and regulated, minimizing runoff risk.
- **A berm lies between the structure and shoreline**, providing natural screening. In addition, our bay is shallow, secluded, and unused for recreation, meaning the structure has virtually no public visibility.
- Enclosing equipment reduces shoreline clutter, further supporting the ordinance’s intent to minimize impact.

2. Comprehensive Plan

- The Plan emphasizes protecting resources and preserving residential use. Our project consolidates storage, improving shoreline appearance and limiting clutter.
- The structure is **125 feet from the shoreline**, farther than many other existing or permitted structures.
- The project supports recreational residential use and aligns with the character envisioned in the Plan.

3. Reasonable Use

- A 100 SF shed is not reasonable for a family of five with multiple kayaks and lake-use equipment.
- Staff suggested other compliant areas exist, but **wetlands and a city-held stormwater easement/retention pond** eliminate those options.
- **DNR representative James Bedell and City staff member Joseph Hale** confirmed during their site visit that this is the only feasible location.

4. Hardship and Unique Circumstances

- Staff identified the hardship as “self-created.” We respectfully disagree.
- Our hardship stems from **protected wetlands and a city-held stormwater easement**, which restricts usable land. We pay taxes on this land but cannot use it.
- This constraint is unique to our lot and not a result of our actions.

- These limitations make this variance the only option for locating reasonable storage.

5. Character of the Locality

- Staff expressed concern over precedent. In reality, **many homes already have structures at or near the shoreline.**
- A new home was permitted within the past two years only **20–35 feet from the shoreline.** This home is significantly larger than neighbors, demonstrating approval of much greater visual impacts.
- By contrast, our structure is **125 feet back, screened by a berm, in a secluded bay.**
- Our immediate neighbors, Christian and Briana Schwamberger, who are most impacted, provided a letter of support confirming no visual or privacy concerns.

Additional Considerations

- Lake Orono already includes a wide variety of shoreline structures; our request is modest in scale compared to precedent.
- We consulted with the City Planner for the City of Rogers, who indicated no concerns from a planning perspective. While not affiliated with Elk River, his professional opinion reinforces that our proposal is reasonable.
- We also spoke with neighbors and members of the Orono Lake Improvement District; none expressed concerns.

Conclusion

We are not asking for anything excessive or out of character for Lake Orono. Our request is modest compared to many structures already approved and located closer to the shoreline. What we seek is simply the ability to reasonably and safely enjoy our property, within the spirit of the City's ordinances, despite the unique constraints we face from wetlands and a city stormwater easement. Approval of this variance is the only way for us to equitably use our property while maintaining safe, code-compliant improvements. We respectfully ask the Board to recognize this hardship and grant our request so that we may continue to be responsible stewards of our property and the Lake Orono community.

Sincerely,

Benjamin & Andrea Poythress
13640 Island View Drive NW

Christian & Briana Schwamberger
13696 Island View Dr NW
Elk River, MN 55330

October 26, 2025

To Whom It May Concern:

We are writing as the adjoining property owners at **13696 Island View Dr NW**, Lot 1, Block 3, Island View Fifth Addition, Sherburne County, Minnesota, regarding the variance request submitted by our neighbors, **Benjamin and Andrea Poythress**. Their request involves the proposed extension of an existing backyard structure as well as an addition or modification to their boat deck.

After reviewing the nature of the proposed improvements and considering their proximity to our shared property line, we would like to state that **we have no objections or concerns** with the proposed variances. From our perspective as adjacent homeowners, the planned extensions:

- Do not encroach on or negatively impact our property line or privacy.
- Will not block or obstruct any view from our property or from other neighboring homes.
- Will not create any access or aesthetic issues from our side of the property.

Based on these considerations, we **fully support the approval of the Poythress's variance request** and have no concerns from a neighboring property standpoint.

Thank you for your time and consideration.

Respectfully,

Christian & Briana Schwamberger
13696 Island View Dr NW
Lot 1, Block 3, Island View Fifth Addition
Sherburne County, Minnesota 55330



Christian Schwamberger

Date: 10/26/25

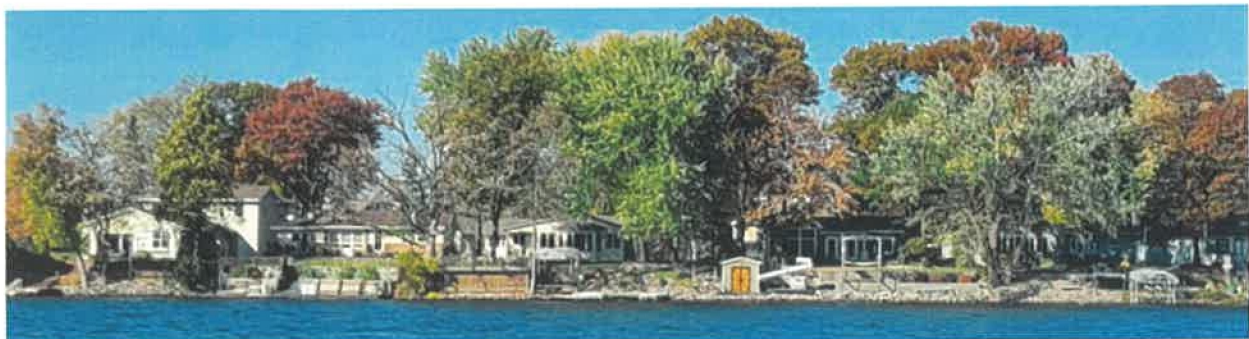
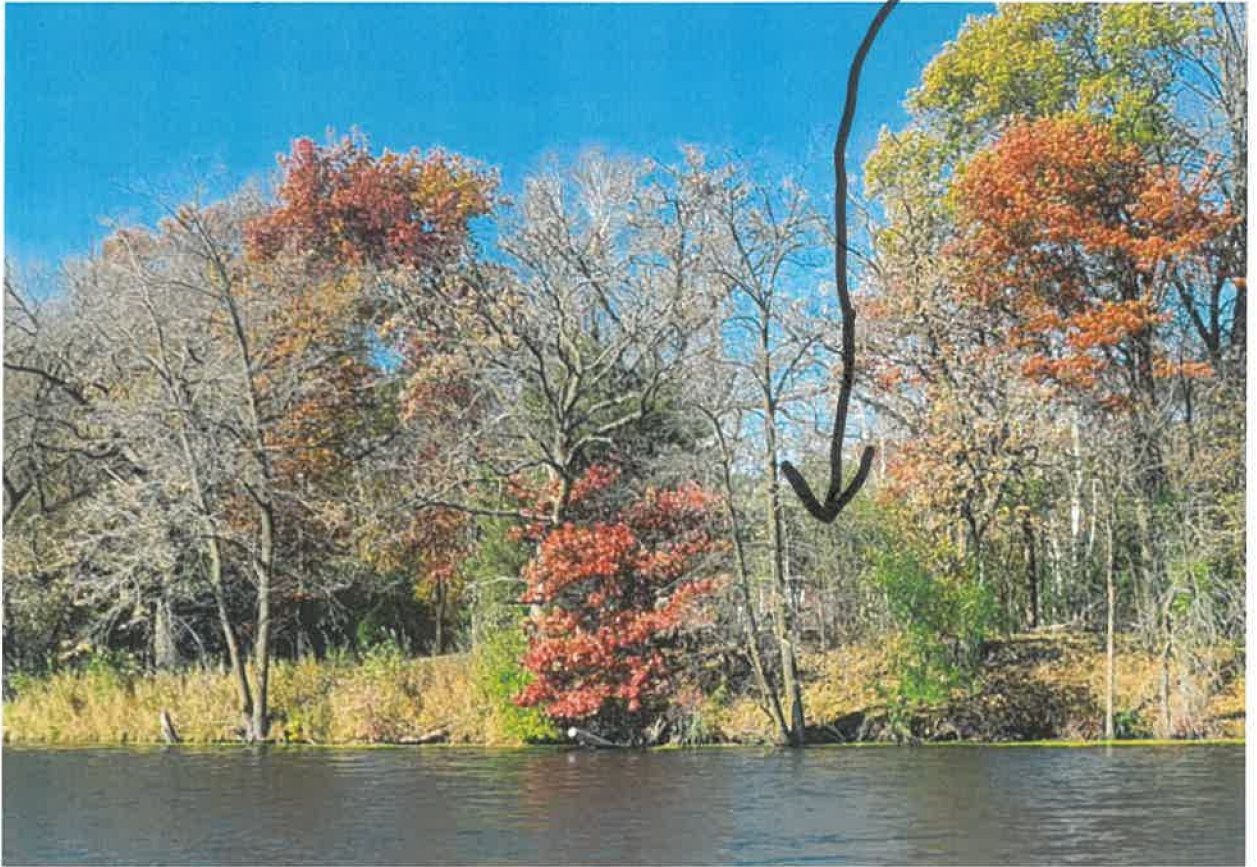


Briana Schwamberger

Date: 10/26/25

OUR PROPERTY w/ EXISTING SHED

structures on lake properties.



Chris,

See attached letters of support from our neighbors and a revised site plan.

On Tue, Nov 25, 2025 at 10:38 AM Chris Leeseberg <CLeeseberg@elkrivernm.gov> wrote:

Andrea and Ben,

Yes, please forward us anything you want me to send to the Board ahead of time and I will include it with this information you just shared. We will also provide hard copies to the Board.

Thank you

Chris Leeseberg

City of Elk River – Senior Planner

13065 Orono Parkway, Elk River, MN 55330

763.635.1033 ElkRiverMN.gov

From: Benjamin Poythress <poybenp@gmail.com>

Sent: Tuesday, November 25, 2025 10:33 AM

To: Chris Leeseberg <CLeeseberg@ElkRiverMN.gov>

Cc: Katie Porath <kporath@ElkRiverMN.gov>; Andrea Poythress <dreaelise1414@gmail.com>

Subject: Re: Board of Adjustments Staff Report and Agenda - City of Elk River

Hi Chris,

Thank you for reaching out before tonight's meeting.

Based on the Board's feedback and the discussion at the October 28 hearing, we have prepared additional information and have revised our proposal in a way that we hope will directly address the concerns raised.

1. Revised Shed Plan

We have significantly reduced the size of the proposed shed addition from **360 sq ft** down to **170 sq ft**, attached to the existing 100 sq ft shed (total enclosed storage now 270 sq ft). This reduction was made specifically in response to the Board's request that we bring the total project size materially closer to the 400 sq ft standard.

2. Deck (Replacement)

We are keeping the deck as previously proposed.

It replaces an unsafe, deteriorating structure and remains within the existing patio footprint, with minimal ground impact (posts only).

This maintains the intent of improving safety without expanding ground disturbance.

3. Updated Total Square Footage

Using the City's interpretation that the deck must be included in the total water-oriented structure calculation, the project now totals **590 sq ft**, a significant reduction from the earlier calculation—bringing it much closer to the ordinance intent while still allowing functional use.

4. Neighbor Support

We have collected several letters of support from nearby and adjacent property owners, including the neighbors most affected by visibility.

We are happy to email these for inclusion in the packet or bring printed copies tonight—whichever you prefer.

5. Updated Visuals (if needed)

We can also provide updated drawings reflecting the reduced shed size prior to the meeting or present printed copies tonight.

Please let us know if you would like these documents emailed before the meeting or provided in person.

We appreciate the opportunity to present the revised plan and look forward to tonight's discussion.

Thank you,
Andrea & Ben Poythress
13640 Island View Dr NW

On Tue, Nov 25, 2025 at 8:25 AM Chris Leeseberg <CLEeseberg@elkrivernm.gov> wrote:

Good morning Ben and Andrea,

Do you have any questions regarding the staff report or the meeting tonight? Do you have anything additional you would like the Board to review prior to the meeting?

Thank you

Chris Leeseberg

City of Elk River – Senior Planner

13065 Orono Parkway, Elk River, MN 55330

763.635.1033 ElkRiverMN.gov

75-00638-0310

320sf of De minimis
outside of setbacks and
verified by the City of Elk
River.

Existing Water-Oriented
Accessory Structure
10ft x 10ft

Proposed Water-Oriented
Accessory Structure
10ft x 17ft

Existing Deck
Replacement
16ft x 20ft

35ft

75-00130-4415

Lake Orono

I hereby certify that this plan,
specification or report was
prepared by me or under my
direct supervision and that I
am a duly Licensed Architect
under the Laws of the State
of Minnesota.
ARCHITECT/SEAL

Signature: _____
Print Name: _____
Date _____ License No. _____

PROJECT TITLE

POYTHRESS
RESIDENCE

13640 Island View Dr.
Elk River, MN 55330

REVISION		
NO.	DATE	DESCRIPTION

PROJECT NO.

PROJECT NAME

CA/SE
Drawn By: _____ Checked By: _____

To the Board of Adjustments,

I am writing to offer my full support for the proposed shed addition and deck improvement project submitted by Ben and Andrea Poythress.

I am a resident of the lake and am familiar with the location of their project area. Their structure sits more than 100 feet from the shoreline, behind a natural berm, and within heavy woods. It is not visible from the main recreational area of the lake, and the bay where they live receives almost no traffic due to shallow water, lily pads, and aquatic vegetation.

The Poythress family has made significant efforts to work with the city and the board's feedback. They redesigned their project, reducing the shed addition to 270 sq ft—well below the allowed 400 sq ft threshold. The remainder of the square footage comes from replacing and modestly expanding an existing deck, which will not be used as a storage structure and has no environmental impact.

Their request is reasonable, measured, and respectful of both ordinance intent and the natural character of the shoreline. I believe approving this variance would not set any negative precedent and poses no harm to neighboring properties or the lake environment.

For these reasons, I strongly support their variance request.

Sincerely,

Brian Gifford

13162 Islandview Dr NW, Elk River

Jesse & Sarah Hartung

18837 Ogden ST NW

Elk River, MN 55330

November 25th, 2025

To Whom It May Concern:

Sarah and I have reviewed the proposed addition of an existing structure on Ben and Andreas property, as well as modifications to their boat deck.

Our property is located directly behind the proposed project. After discussing the plans that Ben and Andrea are looking to do within their property, we would like to see the project approved and strongly believe the projects will benefit the property and us as neighbors and fellow lake residents.

The project improves the views for those on the lake by maintaining their property and making valuable improvements. Neither project impacts the views of neighbors as the properties are all wooded and large acreage lots.

Thank you,

Jesse & Sarah Hartung

I am writing as a resident on Upper Lake Orono to express my support for the variance request submitted by Ben and Andrea Poythress regarding their proposed shed addition/deck replacement.

We are very familiar with their property and the location of the existing structure. The area where the project is planned sits set back in the woods, a good distance from the shoreline. From the lake, the current structure is already not really visible, and the proposed improvements will not meaningfully change the view for any lake users or neighbors—including our household.

I also support their effort because the environmental impact is minimal to none, especially given the distance from the shoreline and the fact that this portion of the lake (the northwest bay) is extremely shallow, non-recreational, and not frequently traveled.

They have already been responsive to the Board's previous requests, by reducing the shed addition.

From a neighbor's perspective, this request is reasonable, thoughtful, and aligned with the character of the area. I do not believe it sets an inappropriate precedent, nor does it undermine the intent of the code. Instead, it allows a homeowner to maintain and improve their property in a way that is safe, aesthetically consistent, and respectful to the lake environment.

I hope the Board will approve their variance request, and I appreciate your consideration.

Sincerely,

Kendra Kruger

Resident – Upper Lake Orono

To the City of Elk River Board of Adjustment,

I'm writing in support of Benjamin and Andrea Poythress and their request regarding the improvements to their water-oriented structure. I live across the lake, and I'd like to offer a simple perspective from someone who actually sees (or in this case, won't see) the project in question.

Their property sits in a section of the lake that isn't exactly a high-traffic, postcard backdrop. It's tucked into a quiet, shallow bay that most people avoid unless they enjoy lily pads and aquatic vegetation rearranging their boat props. In other words, anything they build back there is going to be visible to about three people—and I'm one of them. And even I won't be able to see it.

I have no concerns whatsoever about the shed addition or the deck expansion. It won't be an eyesore, it won't affect lake aesthetics, and it won't impact shoreline use or enjoyment for anyone else. They're improving their property, replacing older structures, and adding value—not only to their home, but indirectly to the surrounding properties as well. They're good people, responsible neighbors, and diligent stewards of their land. They pay their taxes, follow the rules, and aren't exactly running a shipyard or building a hotel down there.

I understand and appreciate the Board's responsibility to protect the lake and uphold the ordinance. That work matters, and the consistency you bring to these decisions preserves the standards we all enjoy. At the same time, it seems reasonable to evaluate this project within the spirit and intent of the code, not only the strictest possible interpretation of square footage definitions—especially when the deck in question is simply covering an existing cement pad and has no environmental impact.

The Poythress request is modest, practical, and—frankly—less intrusive than many lakeside structures that already exist all around the shoreline. I trust their judgment completely, and I fully support the project as they've proposed it.

Thank you for your time, for the work you do, and for your thoughtful consideration.

Sincerely,

Benjamin Larson

18672 Lander Dr NW, Elk River, MN 55330

To Whom May Concern:

We are Ben and Andrea's direct next door neighbors (on the east side).

This letter is to state that we have no concerns of their plan to build a ground-level storage shed and deck on their property.

Sincerely,

Todd and Tricia Loudon

13610 Island View Dr NW

Elk River, MN 55330

Christian & Briana Schwamberger
13696 Island View Dr NW
Elk River, MN 55330

October 26, 2025

To Whom It May Concern:

We are writing as the adjoining property owners at **13696 Island View Dr NW**, Lot 1, Block 3, Island View Fifth Addition, Sherburne County, Minnesota, regarding the variance request submitted by our neighbors, **Benjamin and Andrea Poythress**. Their request involves the proposed extension of an existing backyard structure as well as an addition or modification to their boat deck.

After reviewing the nature of the proposed improvements and considering their proximity to our shared property line, we would like to state that **we have no objections or concerns** with the proposed variances. From our perspective as adjacent homeowners, the planned extensions:

- Do not encroach on or negatively impact our property line or privacy.
- Will not block or obstruct any view from our property or from other neighboring homes.
- Will not create any access or aesthetic issues from our side of the property.

Based on these considerations, we **fully support the approval of the Poythress's variance request** and have no concerns from a neighboring property standpoint.

Thank you for your time and consideration.

Respectfully,

Christian & Briana Schwamberger
13696 Island View Dr NW
Lot 1, Block 3, Island View Fifth Addition
Sherburne County, Minnesota 55330



Christian Schwamberger

Date: 10/26/25



Briana Schwamberger

Date: 10/26/25

Kyle & Heather Simenson

13558 Island View Dr NW
Elk River, MN 55330

October 31st, 2025

To Whom It May Concern:

It has been brought to our attention that Benjamin and Andrea Poythress have proposed an addition of an existing structure on their property, as well as modifications to a boat deck.

Our property is located at 13558 Island View Dr. NW in Elk River within Sherburne County, 2 lots away from the proposed project. After discussing the plans and process(es) that Ben and Andrea are looking to do within their property, we want to formally give our approval to this initiative.

We feel the plans will not obstruct any view(s) from our property or create any future issues within the lake infrastructure or access.

We welcome any further conversation in regards to this matter to further confirm our acceptance

Thank you,

Kyle & Heather Simenson

Kyle Simenson

Date: _____

Heather Simenson

Date: _____

To Whom It May Concern,

We are writing in support of our neighbors, Ben and Andrea Poythress, and their revised variance request for the shed addition and replacement deck at 13640 Island View Drive NW.

We have reviewed their plans and have no concerns at all. In fact, we believe the improvements they are proposing will be an asset to their property and to the neighborhood. We frequently spend time in their backyard and around the shared lake area, and we know the location well. Their project is tucked back in a secluded, screened area and will not impact our view, our privacy, or our use of our own property.

We trust Ben and Andrea completely to make improvements that are thoughtful, responsible, and visually appropriate for this part of Lake Orono. They take excellent care of their home and yard, and we have full confidence that this project will be done with the same level of care.

We fully support their revised proposal and hope the Board will approve their request.

Sincerely,

Joe & Tanya Walters

13038 Island View Drive NW



Request for Action

To
City Council

Item Number
7.3

Meeting Date
December 15, 2025

Prepared By
Zack Carlton, Community Development Director

Item Description
Variance: Parking and Wetland Setback to Support Development of an Apartment Building, Pat Briggs - 17379 Twin Lakes Rd NW

Reviewed by
Chris Leeseberg
Cal Portner
Tina Allard

Action Requested

Direct staff to draft a resolution making Findings of Fact, denying two variances, one requesting a reduction in the number of parking stalls required for an apartment building, and second, a six-foot encroachment into the wetland buffer setback, as the following standard required for approval of a variance has not been met:

4. The plight of the petitioner is due to circumstances unique to the property and is a consequence of the petitioner's own action.

The City Council would consider the resolution on January 20, 2026.

Background/Discussion

The applicant, Patrick Briggs, is proposing the construction of a 59-unit multifamily apartment building at 17379 Twin Lakes Parkway. The property is 5.79 acres in size and includes one single-family home on the north side of the parcel. The current variance request supports the planned apartment building, but the application does not authorize construction. A separate administrative site plan review application is required.

Proposed variances include reducing the required number of stalls from the ordinance standard of 2.5 stalls/unit to 2.13 stalls and a six-foot encroachment in the wetland buffer setback. These types of parking requests have become common throughout the community, and a similar request was approved for the apartment building immediately north of the subject site. The proposed encroachment into the buffer/setback impacts six feet of the required 45-foot buffer and setback. The ordinance prohibits structures and impervious surfaces in this area, but maintained vegetation (turf) is allowed. The proposed building would be 39 feet from the wetland at the closest point, with a smaller encroachment of three feet (42 feet from the delineated wetland) for approximately 50 feet.

Civil plans include filling an existing wetland to accommodate the stormwater pond to treat the new impervious surfaces. This impact is not part of the variance request.

Public Hearing

The Board of Adjustments held a public hearing on November 25, 2025. Two residents, the neighbors to the east who also use the access easement through the parcel, spoke in opposition to the variance. They had

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



concerns that reducing the number of parking stalls would create a situation that encourages people to park in their driveways or on their properties. They also shared concerns with the apartment building north of their home, Clear Sky, and stated that there is a lot of garbage from tenants left out. They also stated that adding up to 120 new residents on the parcel would create a traffic hazard along Twin Lakes Road.

The Board of Adjustments reviewed the standards required for approval of a variance and focused on the criteria number four, requiring the variance to be unique to the property and not a result of the applicant's actions or preferences. The Board stated that the developer could build a smaller building and meet the ordinance without either variance. They unanimously denied the variance requests as criteria number four is not met.

Financial Impact

None

Mission/Policy/Goal

Responsibly grow\

Attachments

- I. Board of Adjustments Memo dated November 25, 2025



Request for Action

To
Board of Adjustments

Item Number
5.2

Meeting Date
November 25, 2025

Prepared By
Zack Carlton, Community Development Director

Item Description
Variance: Parking and Wetland Setbacks in Support of an Apartment Building, Pat Briggs - 17379 Twin Lakes Rd NW

Reviewed by
Chris Leeseberg

Action Requested

Approve the variance request from Patrick Briggs for a parking variance, reducing the required stalls from 2.5/unit to the proposed 2.13/unit, and for a wetland buffer/setback variance for an encroachment of up to 6-feet into the wetland buffer setback, as the following standards have been met:

1. The general purpose and intent of the ordinance are met.
2. The property is guided for mixed-residential use, and the proposed 59-unit multifamily residential use is consistent with the Comprehensive Plan.
3. The proposed use is reasonable and is permitted in the zoning ordinance.
4. The plight of the petitioner is due to circumstances unique to the property, not a consequence of the petitioner's own action or inaction.
5. The variance will not alter the essential character of the locality.

and, subject to the following conditions.

1. The applicant must provide a proof-of-parking exhibit demonstrating that the site can support 2.5 stalls/unit if required.
2. All areas within the 20-foot wetland buffer setback must be vegetated and no additional impervious surfaces will be permitted.
3. The proposed wetland fill/impact must receive approval of a wetland replacement plan prior to issuance of a building permit.
4. The property will need to be platted into two lots prior to the issuance of building permits. One lot for the existing home and one lot for the proposed apartment.
5. The applicant must prepare and record an ingress/egress easement to preserve access for the two single-family homes east of the subject site which currently access their properties through the subject site.
6. The applicant must also prepare and record a utility easement to allow the extension of utilities from Twin Lakes Road right-of-way to the existing homes to the east.

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A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



Background/Discussion

The applicant, Patrick Briggs, is proposing construction of a 59-unit multi-family apartment building at 17379 Twin Lakes Parkway. The property is currently 5.79 acres in size and includes one single-family home on the north side of the parcel. The current variance request supports the planned apartment building, but this application does not authorize construction of the building. A separate administrative site plan review application is required.

Proposed variances include a reduced parking requirement – reducing the required number of stalls from the ordinance standard of 2.5 stalls/unit to 2.13 stalls. This type of parking request has become common throughout the community, and a similar request was approved for the apartment building immediately north of the subject site.

The proposed apartment building includes 53 studio units and 6 one-bedroom units. It is expected that this unit style will reduce the parking demand below the 2.5 stalls/unit required within the ordinance and is consistent with recent variances throughout the community. Staff included a typical requirement of an exhibit demonstrating proof-of-parking to show that the full parking requirement can be met if parking becomes a concern in the future.

The existing wetland on the property has been reviewed by the city's environmental staff. The proposed encroachment into the buffer/setback impacts 6 feet of the required 45-foot buffer and setback. Ordinance prohibits structures and impervious surfaces in this area, but maintained vegetation (turf) is allowed. The proposed building would be 39 feet from the delineated wetland and a small corner of the structure with a smaller encroachment of 3-feet (42-feet from delineated wetland) for approximately 50 feet.

Civil plans include filling an existing wetland to accommodate the stormwater pond to treat the new impervious surfaces. This impact is not part of the variance request and must be approved separately through a wetland replacement plan.

Applicable Regulations

The variance standards are outlined below. The applicant's responses are noted in italics.

A variance may be granted when the petitioner establishes that the variance satisfies all five of the criteria described below.

The variance is:

1. Is in harmony with the general purpose and intent of the ordinance, and

The zoning and Comprehensive plan are in alignment with owners use.

The parking variance has become a relatively common request either through a Planned Unit Development or with a variance. The city's experience with a parking variance of greater than 2 stalls/unit has generally not resulted in too few parking stalls to serve the buildings. The included condition of a proof of parking exhibit must show that additional parking can be constructed if parking becomes an issue in the future.

The wetland buffer setback has also become common, and with the condition that no additional impervious surfaces be placed within the buffer setback, the impact is supported by staff.

The variances are generally in harmony with the purpose and intent of the ordinance.

2. Is consistent with the City of Elk River comprehensive plan.

The zoning and Comprehensive plan are in alignment with owners use.

The Comprehensive Plan guides the property for mixed-residential uses, up to and including small-scale

apartment buildings. The building immediately north of the subject site includes 52 units (constructed in 2023) and carries the same land use classification.

The Comprehensive Plan generally supports the proposed use of a 59-unit apartment building.

Variances may be granted when the petitioner establishes that there are practical difficulties in complying with the zoning ordinance. Practical difficulties mean that:

3. The petitioner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

The parking request is in alignment with the general purpose of parking client vehicles on site with an established history of parking within city limits.

The owner is in alignment with the general purpose of managing the stormwater runoff rate equal to or less than existing conditions post development. All impervious surfaces will be drained to an infiltration basin on site.

The proposed parking deviation of greater than 2 stalls/unit has proven to be a reasonable use not otherwise permitted in the ordinance.

The civil plans demonstrate that the impervious encroachment into the wetland setback includes the roof of the building, which will direct runoff to the stormwater pond and not directly to the adjacent wetland.

4. The plight of the petitioner is due to circumstances unique to the property, not a consequence of the petition's own action or inaction; and

Due to the uniqueness of an easement serving two additional parcels, we are limited to the practicality of space on said site.

Due to the uniqueness of an easement serving two additional parcels, we are limited to the practicality of moving the basin to the north. The building is an L-shaped building. The 90-degree angle on the inside corner would be impractical to construct at a 65-degree angle. We also considered removing the sidewalk between the building and parking lot. However, it is much more practical and safer to have dedicated space for pedestrian traffic to and from their vehicles in the parking lot and the structure on the southwest corner of apartment homes.

The applicant states that the practical difficulties lie in preserving free and clear access for the parcels to the east – both of which currently access their properties through the site. One of the homes was constructed in 1972 and the other in 1978, neither directly abut a public street and do not have any other means of access to their properties. The access easement connection noted by the applicant must be maintained in the same location as it is today.

5. The variance, if granted, will not alter the essential character of the locality.

We are not altering the character of the site.

We are not altering the character of the zoning of the site.

The proposed apartment building is similar in size and scale to the parcels immediately north and south of the subject site. All of these facilities are located along Twin Lakes Road and will not alter the essential character of the locality.

If the Board of Adjustments denies the request, or an appeal is made by any interested party by December 5, 2025, the variance will be reviewed by the City Council on Monday, December 15, at 6:00 p.m.

Financial Impact

Mission/Policy/Goal

Explain how this meets the city's mission, current policies and/or council goals

Attachments

1. Location Map
2. Preliminary Civil Plans
3. Elk River Concept



Project Location Map

Briggs

Variance

Case No: V 25-21

BRIGGS ELK RIVER PLAT

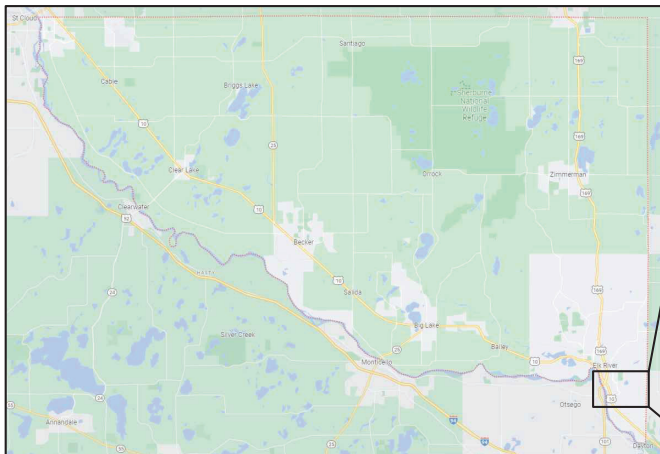
PAT BRIGGS

17379 TWIN LAKES ROAD NW
CITY OF ELK RIVER, SHERBURNE COUNTY, MN
OCTOBER 2025
PRELIMINARY PLANS

CIVIL & SURVEY PLANS PREPARED BY:



Civil Plans	
Sheet Number	Sheet Title
	Cover
C1	Demolition Plan
C2	Site Plan
C3	Grading Plan
C4	Utility Plan
C5	Erosion Control Plan
C6	SWPPP Narrative
C7	Details
C8	Details
C9	Details
C10	Details
C11	Details
C12	Landscape Plan
C13	Fire Protection Plan



SHERBURNE COUNTY, MINNESOTA

PROJECT LOCATION



VICINITY MAP

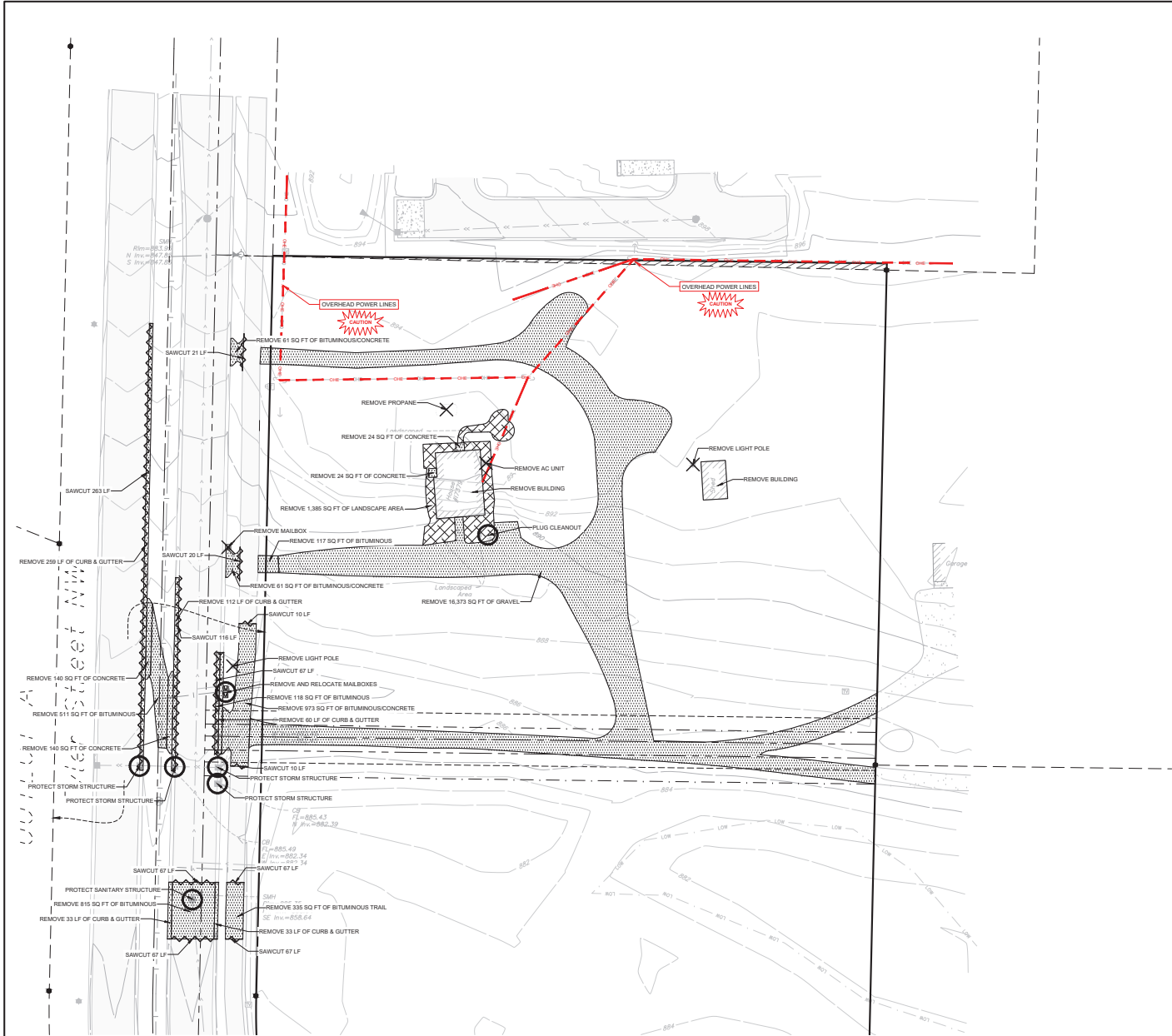
REV NO.	DATE	DESCRIPTION

PRIVATE UTILITIES SHOWN ARE QUALITY LEVEL D.
QUALITY LEVEL D PROVIDES THE MOST BASIC LEVEL OF INFORMATION. IT INVOLVES COLLECTING DATA FROM EXISTING UTILITY RECORDS. RECORDS MAY INCLUDE AS-BUILT DRAWINGS, DISTRIBUTION AND SERVICES MAPS, EXISTING GEOGRAPHIC INFORMATION SYSTEM DATABASES, CONSTRUCTION PLANS, ETC.

NOT FOR CONSTRUCTION

4/24/24

10/27/2025



LEGEND:

- REMOVE PAVEMENT SECTION (AS INDICATED)
- REMOVE EXISTING TREES (AS INDICATED)
- REMOVE EXISTING LANDSCAPING (AS INDICATED)
- REMOVE FEATURE (AS INDICATED)
- SALVAGE (AS INDICATED)
- SAW-CUT



DEMOLITION GENERAL NOTES:

- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM OR COORDINATE ALL UTILITY CONNECTIONS AND RELOCATIONS FROM EXISTING UTILITY LOCATIONS TO THE PROPOSED BUILDING, AS WELL AS TO ALL ON-SITE AMENITIES. THESE CONNECTIONS INCLUDE BUT ARE NOT LIMITED TO WATER, SANITARY SEWER, UNDERGROUND GAS, ETC.
- THE CONNECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH STATE AND LOCAL STANDARD SPECIFICATIONS FOR CONSTRUCTION. UTILITY CONNECTIONS (UNDERGROUND GAS, WATERMAIN, AND STORM SEWER) MAY REQUIRE A PERMIT FROM THE CITY.
- THE CONTRACTOR SHALL VERIFY THE ELEVATIONS AT PROPOSED CONNECTIONS TO EXISTING UTILITIES PRIOR TO ANY DEMOLITION.
- CONTRACTOR SHALL COORDINATE WITH THE CITY OF ELK RIVER FOR ALL UTILITY DISCONNECTIONS, SERVICE TERMINATIONS AND REMOVALS. CONTRACTOR SHALL COORDINATE UTILITY DISCONNECTIONS AND RELOCATIONS WITH THE UTILITY PROVIDERS PRIOR TO THE START OF CONSTRUCTION. ALL SERVICE CONNECTIONS/DISCONNECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH STATE AND LOCAL STANDARD SPECIFICATIONS FOR CONSTRUCTION. CONTRACTOR SHALL OBTAIN ALL NECESSARY STATE AND LOCAL PERMITS NECESSARY FOR UTILITY CONSTRUCTION AND WORK WITHIN ADJACENT RIGHT-OF-WAYS.
- IF DEWATERING IS REQUIRED FOR THIS PROJECT, THE PUMP DISCHARGE SHALL BE TREATED PRIOR TO BEING DISCHARGED OFF-SITE OR INTO A SURFACE WATER. THE DISCHARGE SHALL BE VISUALLY CHECKED TO ENSURE THAT IT IS VISIBLY CLEAN WATER.
- CONTRACTOR SHALL PROTECT UTILITIES, STRUCTURES AND TREES (NOTED AND NOT TREATED) TO REMAIN AND SHALL BE RESPONSIBLE TO REPAIR DAMAGES TO ANY FEATURES TO REMAIN.
- TREES 6\"/>

DESCRIPTION	
REV. NO.	DATE
1	05/27/2025
DESIGN BY:	MM
DRAWN BY:	MM
CHECKED BY:	CD
DWG FILE:	DEMOLITION
FILE NO.:	24-0292-00

NOT FOR CONSTRUCTION

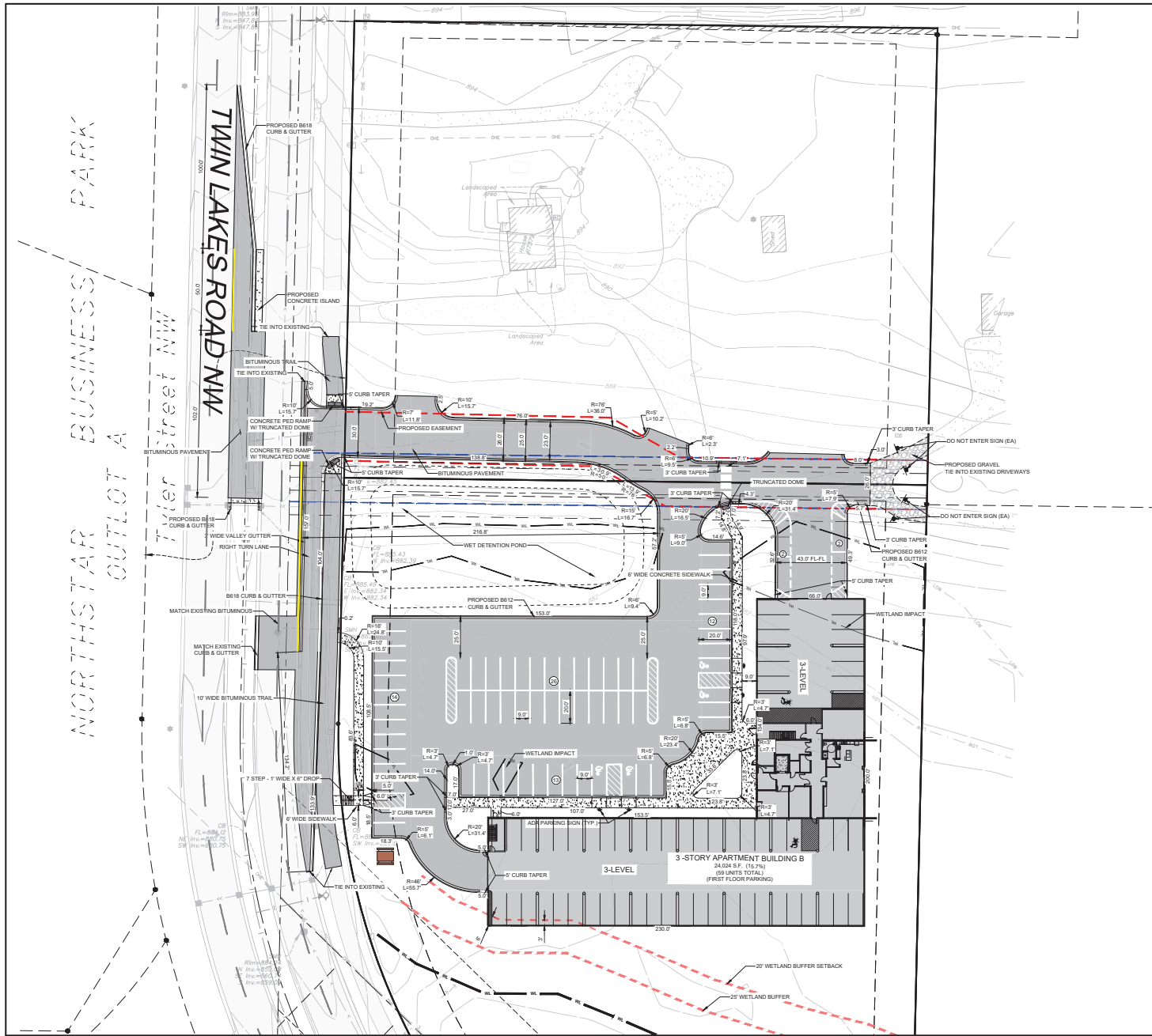
BOGART, PEDERSON & ASSOCIATES, INC.
LAND SURVEYING
ENVIRONMENTAL SERVICES
1320W FIRST STREET, BECKER, MN 55009-9322
TEL: 763.267.5822 FAX: 763.266.0344

BRIGGS ELK RIVER PLAT
City of Elk River, Sherburne County, MN

DEMOLITION PLAN

SHEET NO. **C1**

CALL 48 HOURS BEFORE DIGGING:
GOPHER STATE ONE CALL
TWIN CITY AREA 851-454-0002
MINNESOTA TOLL FREE 1-800-252-1166



LEGEND:

- PROPOSED ASPHALT PAVEMENT
- PROPOSED GRAVEL SURFACING
- PROPOSED CONCRETE PAVEMENT
- PROPOSED TURF ESTABLISHMENT
- CONCRETE CURB AND GUTTER - B612
- PROPOSED SIGN

SITE PLAN NOTES:

- PAINTED PAVEMENT MARKING DIMENSIONS ARE SHOWN TO FACE OF CURB. ALL OTHER DIMENSIONS ARE SHOWN TO BACK OF CURB.
- ALL CONCRETE RAMPS, SIDEWALKS AND ACCESSIBLE HANDICAPPED PARKING STALLS TO CONFORM TO CURRENT A.D.A. REQUIREMENTS.
- CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION.
- CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE CITY, COUNTY AND STATE REGULATIONS.
- SITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS APPROVED BY THE CITY.
- LANDSCAPING AND TURF ESTABLISHMENT PER LANDSCAPE PLANS & SPECIFICATIONS.
- ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVE AGRICULTURE, SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SEEDING OR SOODED. REFER TO THE EROSION CONTROL PLAN FOR SOD AND SEED LOCATIONS. ALL OTHER AREAS DISTURBED BY CONSTRUCTION NOT SPECIFICALLY IDENTIFIED TO RECEIVE A CERTAIN SEED MIX SHALL BE MIXED WITH SEED MIX 25-131.
- WHERE NEW SOD MEETS EXISTING SOD, EXISTING SOD EDGE SHALL BE CUT TO ALLOW FOR A CONSISTENT, UNIFORM STRAIGHT EDGE. JAGGED OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. REMOVE TOPSOIL AT JOINT BETWEEN EXISTING AND NEW AS REQUIRED TO ALLOW NEW SOD SURFACE TO BE FLUSH WITH EXISTING.

SITE PLAN INFORMATION:

PARCEL AREA:		
+ 2.50 ACRES ±		
PROPOSED ZONING:		
• P.U.D. DISTRICT		
PRINCIPAL STRUCTURE SETBACKS:		
• FRONT:	30'	
• SIDE:	10'	
• REAR:	20'	
PARKING SETBACKS:		
• FRONT SETBACK FOR PARKING:	10'	
• SIDE SETBACK FOR PARKING:	10'	
• REAR SETBACK FOR PARKING:	10'	
SITE DATA		
	EXISTING	PROPOSED
PAVEMENT AREA	28,351 SF	60,327 SF
LANDSCAPE AREA	1,396 SF	0 SF
WETLAND/WATER AREA	11,824 SF	12,055 SF
BUILDING AREA	1,098 SF	24,138 SF
PERVIOUS AREA	237,817 SF	161,086 SF
TOTAL AREA	278,534 SF	278,534 SF
PARKING REQUIREMENTS		
• MINIMUM PARKING STALLS (OVERSIGHT: 20' X 9' (90' PARKING))		
TOTAL UNITS	59 (59 PER APARTMENT)	
PARKING STALLS	57	
• TOTAL STALLS PROVIDED:	126 (2.14 STALLS/UNIT)	
• TOTAL INDOOR STALLS:	69	
• TOTAL OUTDOOR STALLS:	69	
• TOTAL ADA STALLS PROVIDED:	6 (6 VAN ACCESSIBLE)	
• TOTAL ADA STALLS REQUIRED:	6 (6 VAN ACCESSIBLE REQUIRED)	

CALL 48 HOURS BEFORE DIGGING:
GOPHER STATE ONE CALL
 TWIN CITY AREA 651-454-0002
 MINNESOTA TOLL FREE 1-800-252-1166

DATE	REV. NO.	DATE	DESCRIPTION
10/24/2025	1		
DESIGN BY:	MM		
DRAWN BY:	MM		
CHECKED BY:	CD		
DWG FILE:	SITE		
FILE NO.:	24-0292-00		

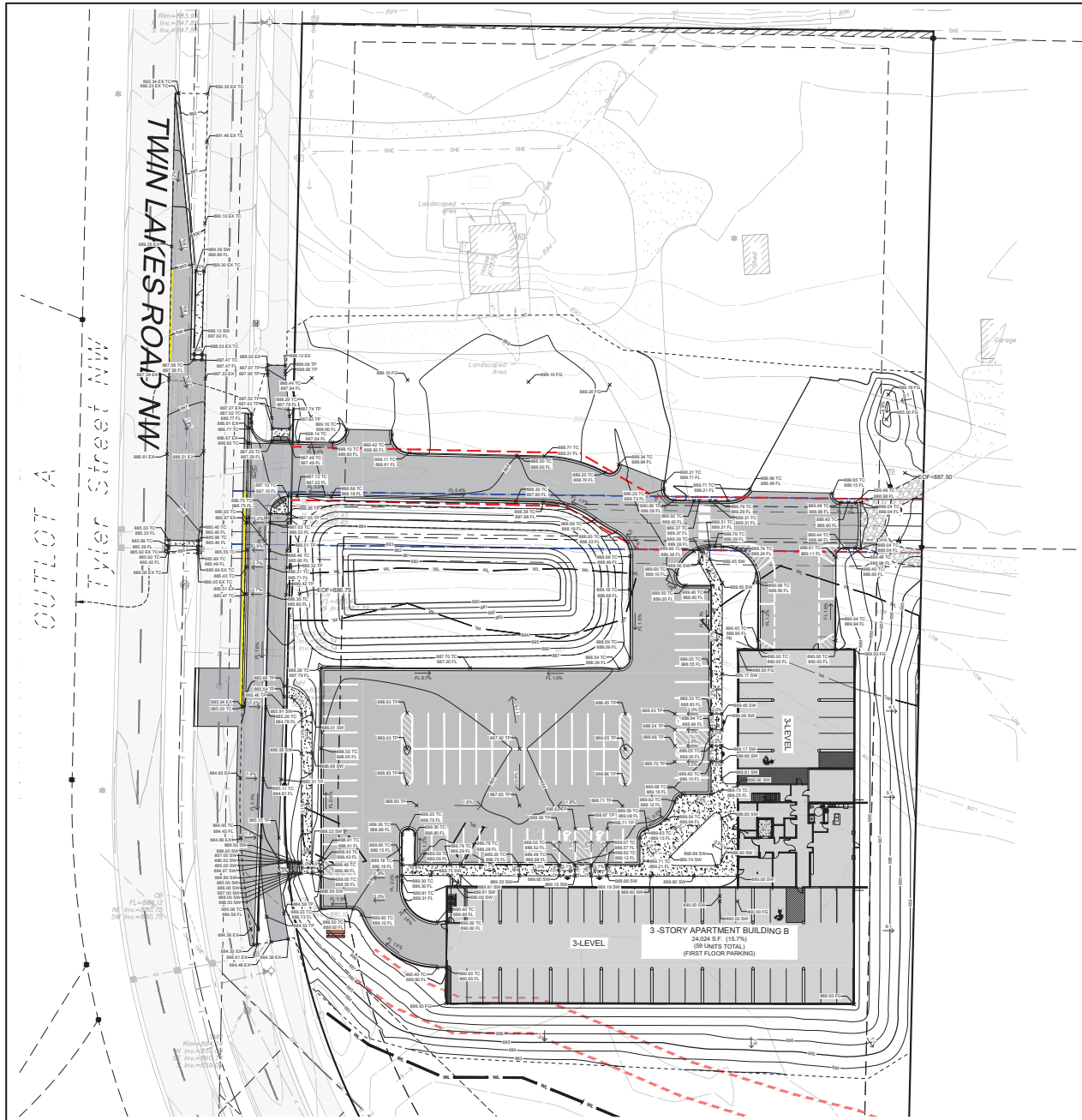
NOT FOR CONSTRUCTION

BOGART, PEDERSON & ASSOCIATES, INC.
 LAND SURVEYING
 ENVIRONMENTAL SERVICES
 1320 W. FIRST STREET, BECKER, MN 55005-9322
 TEL: 763-267-0622 FAX: 763-267-0304

BRIGGS ELK RIVER PLANT
 City of Elk River, Sherburne County, MN

SITE PLAN

SHEET NO.	C2
-----------	----



LEGEND:

- PROPOSED RIP RAP
- NEW TOP-BACK OF CURB ELEVATION
- NEW FLOW LINE OF CURB ELEVATION
- NEW SIDEWALK ELEVATION
- NEW TOP OF PAVEMENT ELEVATION
- NEW TOP OF GRAVEL ELEVATION
- NEW FINISHED GRADE ELEVATION
- EXISTING ELEVATION
- PROPOSED CONTOUR
- E.O.F.
- EMERGENCY OVERTURN



GRADING GENERAL NOTES:

- THE CONTRACTOR SHALL NOTE ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS IN THE FIELD REPRESENTED WITHIN THE PLANS AS SHOWN AND ALERT THE ENGINEER BEFORE BIDDING THE PROJECT AND BEGINNING CONSTRUCTION.
- CONTRACTOR SHALL LOCATE AND VERIFY ALL UTILITIES WHICH MAY AFFECT THIS WORK AND NOTIFY THE OWNER OF ANY CHANGES. CONTACT LOCAL UTILITY COMPANIES FOR EXACT LOCATIONS PRIOR TO BIDDING THE PROJECT AND COMMENCING WORK.
- CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT SILT AND DEBRIS RUN-OFF DURING GRADING OPERATIONS (I.E. SILT FENCE, STRAW BALES, ETC.).
- CONTRACTOR SHALL VERIFY CRITICAL ELEVATIONS TO ENSURE CONFORMANCE WITH GRADING PLAN, PARTICULARLY WITH EXISTING STRUCTURES AND/OR PAVEMENTS TO REMAIN. MEET EXISTING GRADES ALONG STREETS, PROPERTY LINES, AND DRIVEWAY ENTRANCES. RESTORE ALL PAVEMENTS THAT REMAIN TO THEIR ORIGINAL, IF NOT BETTER CONDITION. NOTIFY OWNER OF ANY CONFLICTS PRIOR TO BIDDING THE PROJECT.
- TURF ESTABLISHMENT AREAS SHALL RECEIVE MINIMUM OF 4" DEPTH AS MEASURED IN PLACE OF TOPSOIL. TOPSOIL SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR. ALL GRADED SLOPES GREATER THAN OR EQUAL TO 5:1 SHALL BE HYDROSEED, EROSION CONTROL BLANKETED, OR MULCHED TO HELP STABILIZE THE SLOPES BY GENERAL CONTRACTOR.
- PROPOSED SPOT ELEVATIONS ARE TO THE TOP OF CURB UNLESS NOTED OTHERWISE. ELEVATION OF FLOW LINE IS 6" BELOW TOP OF CURB UNLESS OTHERWISE SHOWN.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING QUANTITIES OF CUT, FILL AND WASTE MATERIALS TO BE HANDLED, AND FOR AMOUNT OF GRADING TO BE DONE IN ORDER TO COMPLETELY PERFORM ALL WORK INDICATED ON THE DRAWINGS. IMPORT SUITABLE MATERIAL AND EXPORT UNSUITABLE / EXCESS / WASTE MATERIAL AS REQUIRED. ALL COSTS ASSOCIATED WITH IMPORTING AND EXPORTING MATERIALS SHALL BE INCIDENTAL TO THE CONTRACT.
- IT IS INTENDED THAT EARTHWORK (CUT VS. FILL) BALANCE ON SITE. THE CONTRACTOR SHALL SUBMIT THE QUANTITY OF MATERIAL AND AMOUNT OF ANTICIPATED GRADE ADJUSTMENT FOR REVIEW BY THE ENGINEER A MINIMUM OF FOUR WEEKDAYS PRIOR TO MAKING ADJUSTMENTS. ALL GRADE ADJUSTMENTS MUST BE APPROVED BY THE ENGINEER. NO ADDITIONAL COMPENSATION SHALL BE ALLOWED FOR WORK ASSOCIATED WITH GRADING ADJUSTMENTS, INCLUDING, BUT NOT LIMITED TO, EARTHWORK OPERATIONS, STORM SEWER PIPING AND STRUCTURE ADJUSTMENTS, CONSTRUCTION SURVEYING FOR ADJUSTING FEATURE LOCATIONS ACCORDINGLY, SILT FENCE, ETC.
- FAILURE OF TURF DEVELOPMENT: IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TURF, THE CONTRACTOR SHALL RE-SEED OR RE-SOD ALL APPLICABLE AREAS, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER.
- ANY MANHOLE, CATCH BASIN, STORM SEWER, SANITARY SEWER, DRAIN TILE, OR OTHER POTENTIAL SOURCE FOR CONTAMINATION SHALL BE INSTALLED AT LEAST 10 FEET HORIZONTALLY FROM ANY WATERMAIN PER MINNESOTA PLUMBING CODE. THIS ISOLATION DISTANCE SHALL BE MEASURED FROM THE OUTER EDGE OF THE PIPE TO THE OUTER EDGE OF THE CONTAMINATION SOURCE (OUTER EDGE OF STRUCTURES OR PIPING OR SIMILAR).
- CONTRACTOR SHALL MAINTAIN DRAINAGE FROM EXISTING BUILDING AT ALL TIMES. PROVIDE TEMPORARY STORM SEWER (INCLUDING, BUT NOT LIMITED TO, CATCH BASINS, MANHOLES, PIPING, ETC.) AS REQUIRED. EXISTING STORM SEWER SHALL NOT BE REMOVED UNTIL TEMPORARY OR PERMANENT STORM SEWER IS INSTALLED AND FUNCTIONAL. COORDINATE ALL REMOVALS WITH APPROPRIATE TRADES (SITE UTILITY CONTRACTOR, MECHANICAL CONTRACTOR, ETC.) AS REQUIRED.

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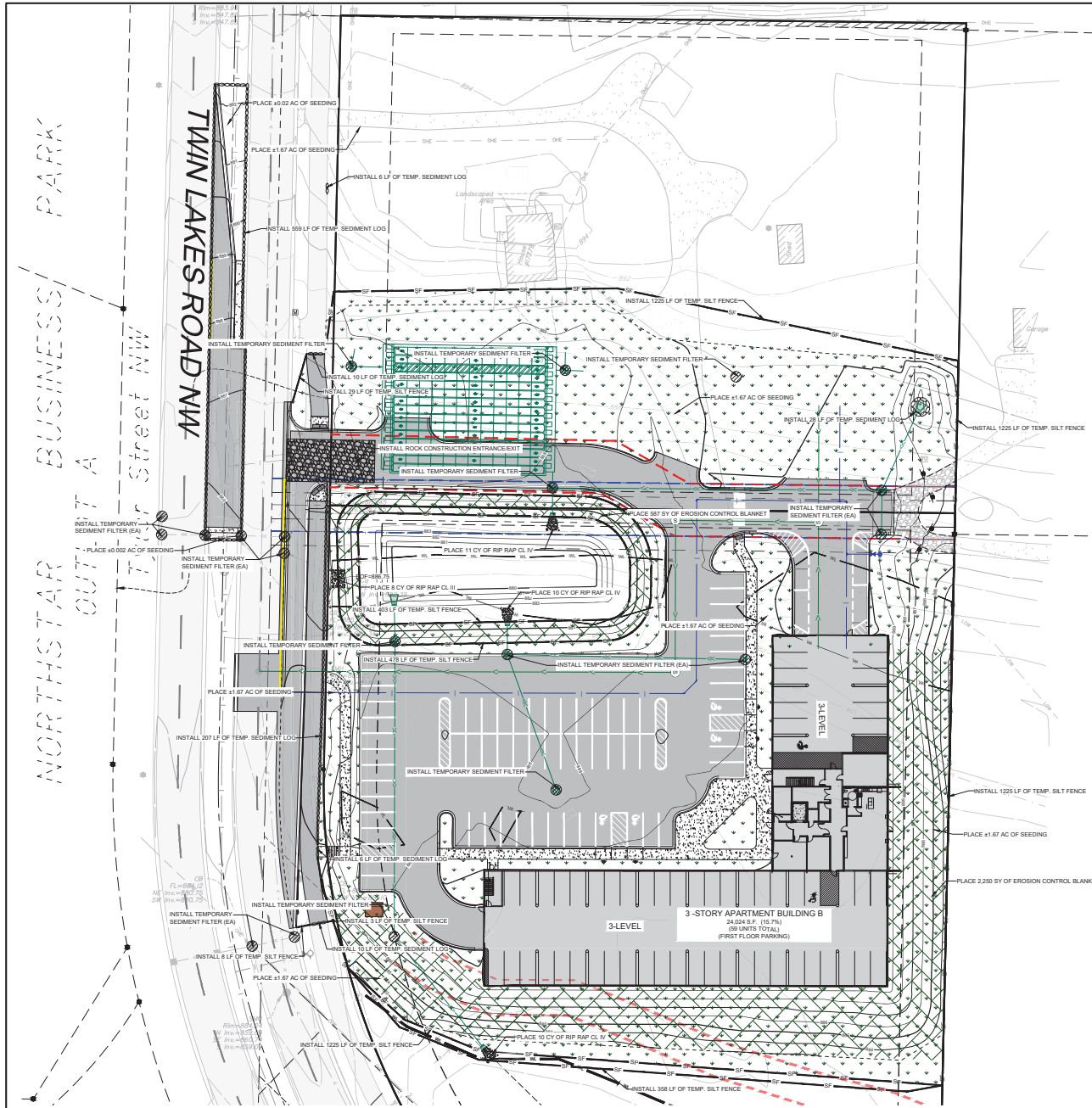
NOT FOR CONSTRUCTION

BOGART, PEDERSON & ASSOCIATES, INC.
 LAND SURVEYING
 ENVIRONMENTAL SERVICES
 1320V FIRST STREET, BECKER, MN 55009-0022
 TEL: 763.281.5822 FAX: 763.281.5804

BRIGGS ELK RIVER PLAT
 City of Elk River, Sherburne County, MN

C3

SHEET NO.



LEGEND:

- TEMPORARY ROCK CONSTRUCTION ENTRANCE
- EROSION CONTROL BLANKET (CAT. 20)
- GRADING LIMITS AND PROPOSED TEMPORARY SILT FENCE
- FIBER-LOG ROLLS
- PROPOSED RIP RAP
- PROPOSED CONTOUR
- EMERGENCY OVERFLOW
- TEMPORARY SEDIMENT FILTER- HIGH FLOW

EROSION CONTROL NOTES:

- CONTRACTOR SHALL CONFINE CONSTRUCTION OPERATIONS TO THE CONSTRUCTION/GRADING LIMITS SHOWN.
- ALL WORK SHALL CONFORM TO THE MINNESOTA POLLUTION CONTROL AGENCY'S STORM WATER PERMIT REQUIREMENTS. CONTRACTOR SHALL OBTAIN ALL PERMITS AND COMPLY WITH ALL PERMIT REQUIREMENTS.
- THE SITE SOIL EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE INSTALLED PRIOR TO ANY DEMOLITION OR GRADING OPERATIONS AND MAINTAINED TO CONFORM WITH THE STANDARDS SPECIFIED BY THE PERMIT.
- CONTRACTOR SHALL INSPECT TEMPORARY EROSION CONTROL MEASURES ON THE ENTIRE SITE AT LEAST EVERY 7 DAYS AND WITHIN 24 HOURS OF ANY MEASURABLE RAINFALL. DAMAGED SILT FENCE OR OTHER EROSION CONTROL DEVICES OR PRACTICES SHALL BE REPAIRED IMMEDIATELY. INSPECTION AND MAINTENANCE OF DEVICES SHALL CONTINUE UNTIL THE SITE HAS UNDERGONE FINAL STABILIZATION AND A NOTICE OF TERMINATION IS SUBMITTED TO THE MPCA.
- ALL GRADING OPERATIONS SHALL BE CONDUCTED IN A MANNER TO MINIMIZE THE POTENTIAL FOR SITE EROSION.
- THE SITE SOIL EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE INSTALLED AND MAINTAINED TO CONFORM WITH THE STANDARDS SPECIFIED BY THE CITY OF ELK RIVER AND THE MPCA.
- EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE DISTURBANCE OF ANY AREAS AND MAINTAINED UNTIL ALL TRIBUTARY DISTURBED AREAS ARE RESTORED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EROSION CONTROL MEASURES, INCLUDING SILT FENCE AND BALES, UPON ESTABLISHMENT OF PERMANENT VEGETATION IN SAID AREAS.
- ALL SOILS TRACKED ONTO PAVEMENT OR ANY OTHER OFF-SITE AREA SHALL BE REMOVED DAILY.
- THE SITE SEDIMENT CONTROL FACILITIES FOR THE PROJECT MUST BE INSTALLED PRIOR TO ANY GRADING OPERATION.
- ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE RESTORED AND VEGETATED AS SOON AS POSSIBLE. ANY FINISHED AREAS SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS AFTER FINISHED GRADING IS COMPLETED IN ACCORDANCE TO MNDOT 2375.
- ALL DISTURBED AREAS SHALL BE REVEGETATED WITH MNDOT SEED MIX, MULCHED, FERTILIZED & DISK ANCHORED, PER THE FOLLOWING SCHEDULE:

STANDARD SEED MIX 25-131:	220 LB/AC.
INFILTRATION BASIN SEED MIX 33-261:	35 LB/AC.
FERTILIZER 22-5-10:	350 LB/AC.
MULCH TYPE 3:	2 TONS/AC.
- CONTRACTOR SHALL INSTALL TEMPORARY SEDIMENT BMP'S SHOWN AND NOT SHOWN ON PLANS DURING PHASING ON PROJECT TO COMPLY WITH MPCA, CITY INSPECTOR AND DEVELOPER REQUEST.

APPROXIMATE EROSION CONTROL DEVICES

- SILT FENCE: 2,504 LF
- BIOLOG: 826 LF
- ROCK CONSTRUCTION: 1 EACH
- EROSION CONTROL BLANKET (CAT. 20): 2,250 S.Y.
- RIAP RAP (CLASS III): 8 C.Y.
- RIAP RAP (CLASS IV): 31 C.Y.



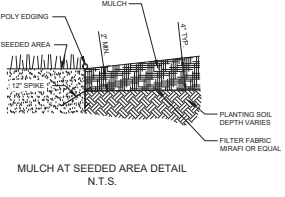
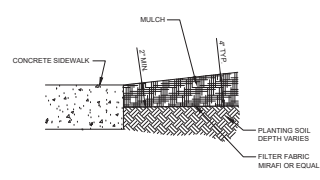
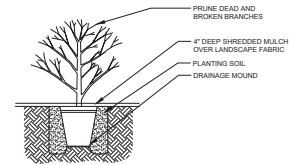
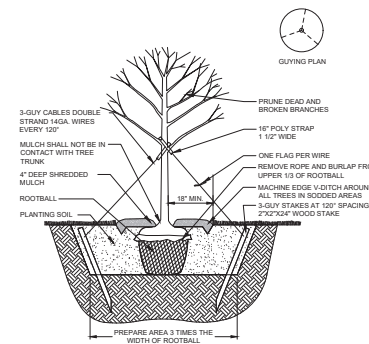
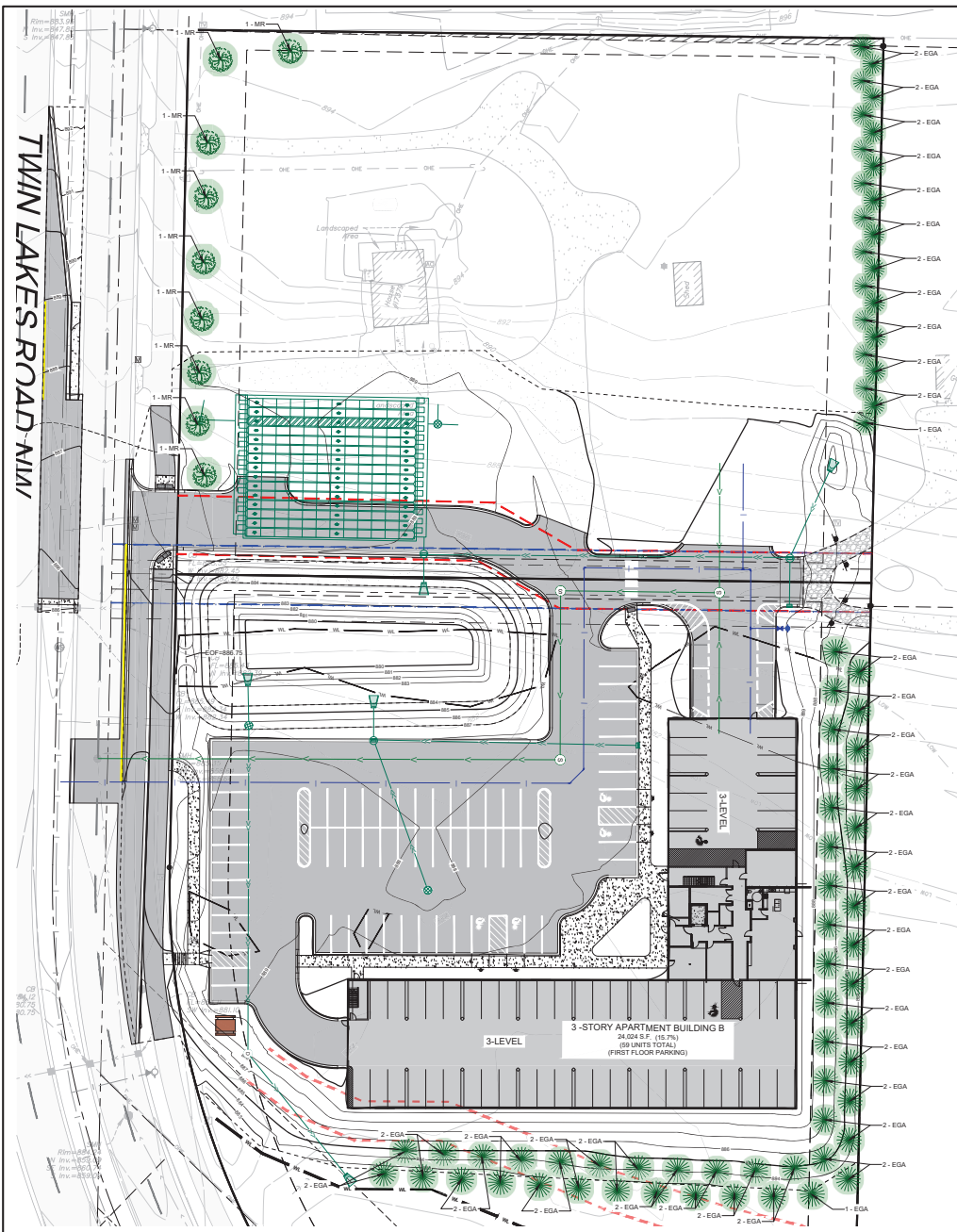
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NOT FOR CONSTRUCTION

BOGART, PETERSON & ASSOCIATES, INC.
LAND SURVEYING
ENGINEERING
ENVIRONMENTAL SERVICES
1300 FIRST STREET, BECKER, MN 55005-9322
TEL: 763.267.5622 FAX: 763.267.5344

BRIGGS ELK RIVER PLAT
City of Elk River, Sherburne County, MN
EROSION CONTROL PLAN

SHEET NO.
C5



LEGEND:

- PROPOSED BITUMINOUS PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED TURF ESTABLISHMENT
- PROPOSED DOUBLE SHREDDED BROWN MULCH
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED SHRUB

LANDSCAPE REQUIREMENTS:

- PER CITY OF ELK RIVER ZONING ORDINANCE:
ALL LANDSCAPING INCORPORATED IN SAID PLAN SHALL CONFORM TO THE FOLLOWING STANDARDS AND CRITERIA:
- A. ALL PLANTS MUST AT LEAST EQUAL THE FOLLOWING MINIMUM SIZE:
- | | POTTED/BARE ROOT OR BALLED & BURLAPPED |
|--------------------------|--|
| SHADE TREES | 2-INCH DIAMETER |
| HALF TREES | 1-1/2 INCH DIAMETER |
| EVERGREEN | 6 FEET HIGH |
| TALL SHRUBS & HEDGE MAT. | 6 FEET HIGH |
| LOW SHRUBS - DECIDUOUS | 24 - 30 INCHES |
| EVERGREEN | 24 - 30 INCHES |
| SPREADING EVERGREENS | 18 - 24 INCHES |
- B. LANDSCAPE GUARANTEE: ALL NEW PLANTS SHALL BE GUARANTEED FOR TWO (2) FULL YEARS FROM THE TIME PLANTING HAS BEEN COMPLETED. ALL PLANTS SHALL BE ALIVE AND IN SATISFACTORY GROWTH AT THE END OF THE GUARANTEE PERIOD OR BE REPLACED.
- (SEE CITY ORDINANCE FOR FULL REQUIREMENTS)

LANDSCAPE NOTES:

- ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE RESTORED AND VEGETATED AS SOON AS POSSIBLE. ANY FINISHED AREAS SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS AFTER FINISHED GRADING IS COMPLETED IN ACCORDANCE TO MNDOT 2575.
- PLANTING SOIL SHALL CONSIST 1:1:1: CONSISTING OF 33% SELECT LOAMY TOPSOIL, 33% PEAT MOSS, 33% PIT RUN SAND.
- ALL DISTURBED AREAS SHALL BE REVEGETATED WITH MNDOT SEED MIX, MULCHED, & DISK ANCHORED, PER THE FOLLOWING SCHEDULE:
SEED MIX 25-131: 220 LB/AC.
MULCH TYPE 3: 2 TONS/AC.

QUANTITY	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	AVG. HEIGHT (UMN)	NOTES
DECIDUOUS TREES						
9 MR		MAPLE, RED	ACER RUBRUM	2\" DIAMETER	40\"+	STRAIGHT TRUNK, NO V-CROTCH
9 TOTAL						
CONIFEROUS TREES						
74 EGA		EMERALD GREEN ARBORVITAE	THUJA OCCIDENTALIS 'SMARAGD'	6\" HIGH	10\"+	
83 TOTAL						

CALL 48 HOURS BEFORE DIGGING:
GOPHER STATE ONE CALL
TWIN CITY AREA 651-454-0002
MINNESOTA TOLL FREE 1-800-252-1166

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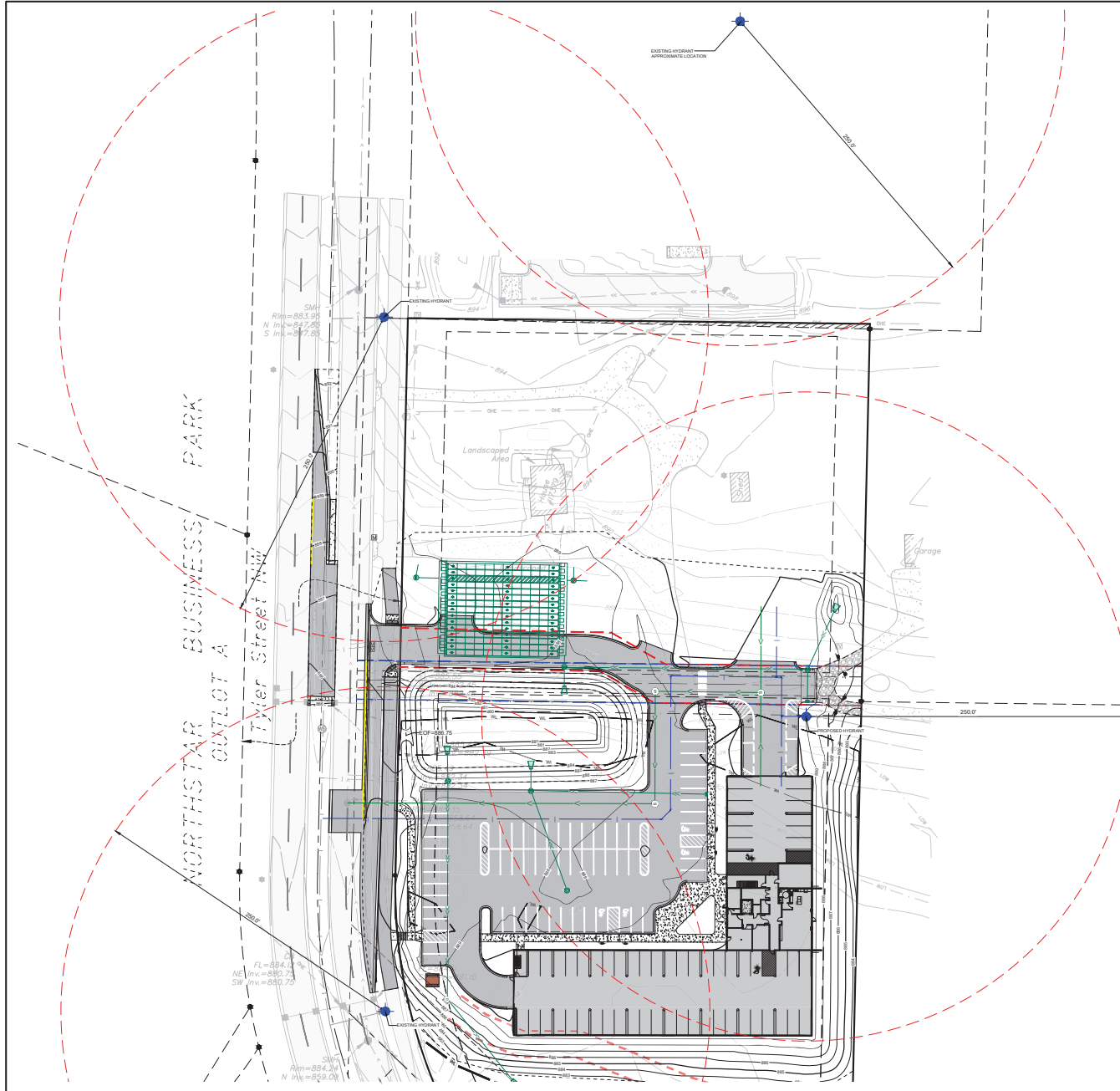
NOT FOR CONSTRUCTION

BOGART, PEDERSON & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
1200 FIRST STREET, BECKER, MN 55005-9022
TEL: 763.927.5822 FAX: 763.926.0304

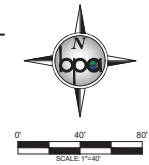
BRIGGS ELK RIVER PLAT
City of Elk River, Sherburne County, MN

LANDSCAPE PLAN

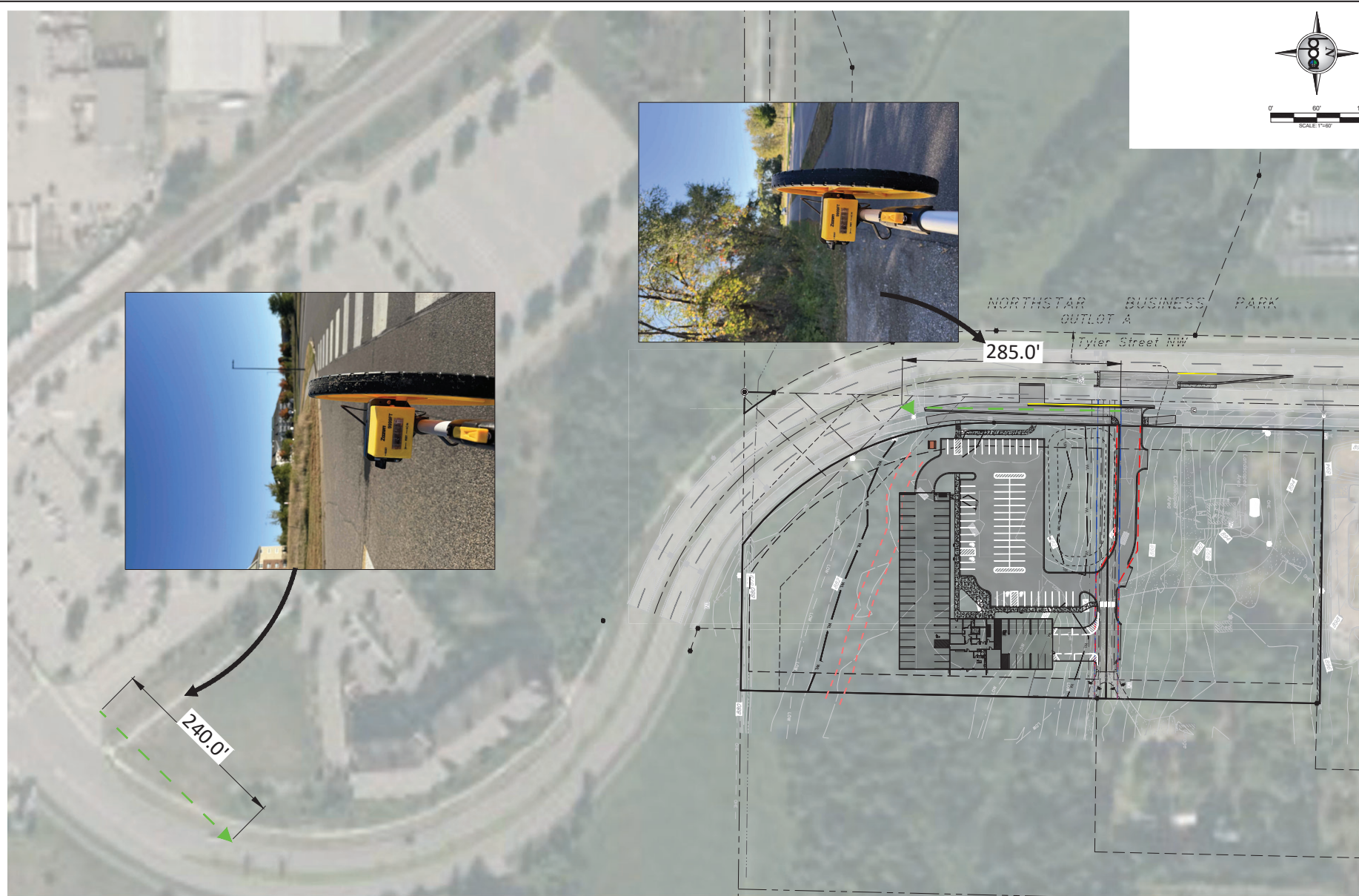
SHEET NO. **C12**



LEGEND:
--- 250' HYDRANT RADIUS
+ PROPOSED/EXISTING HYDRANT



SHEET NO.		BRIGGS ELK RIVER PLAT		City of Elk River, Sherburne County, MN		FIRE PROTECTION PLAN	
C13		NOT FOR CONSTRUCTION				BOGART, PEDERSON & ASSOCIATES, INC. LAND SURVEYING ENGINEERING ENVIRONMENTAL SERVICES 1300 W. FIRST STREET, BECKER, MN 55009-0022 TEL: 763.281.5822 FAX: 763.281.0304	
REV	NO.	DATE	DESIGN BY:	DRAWN BY:	CHECKED BY:	DWG FILE	FILE NO.
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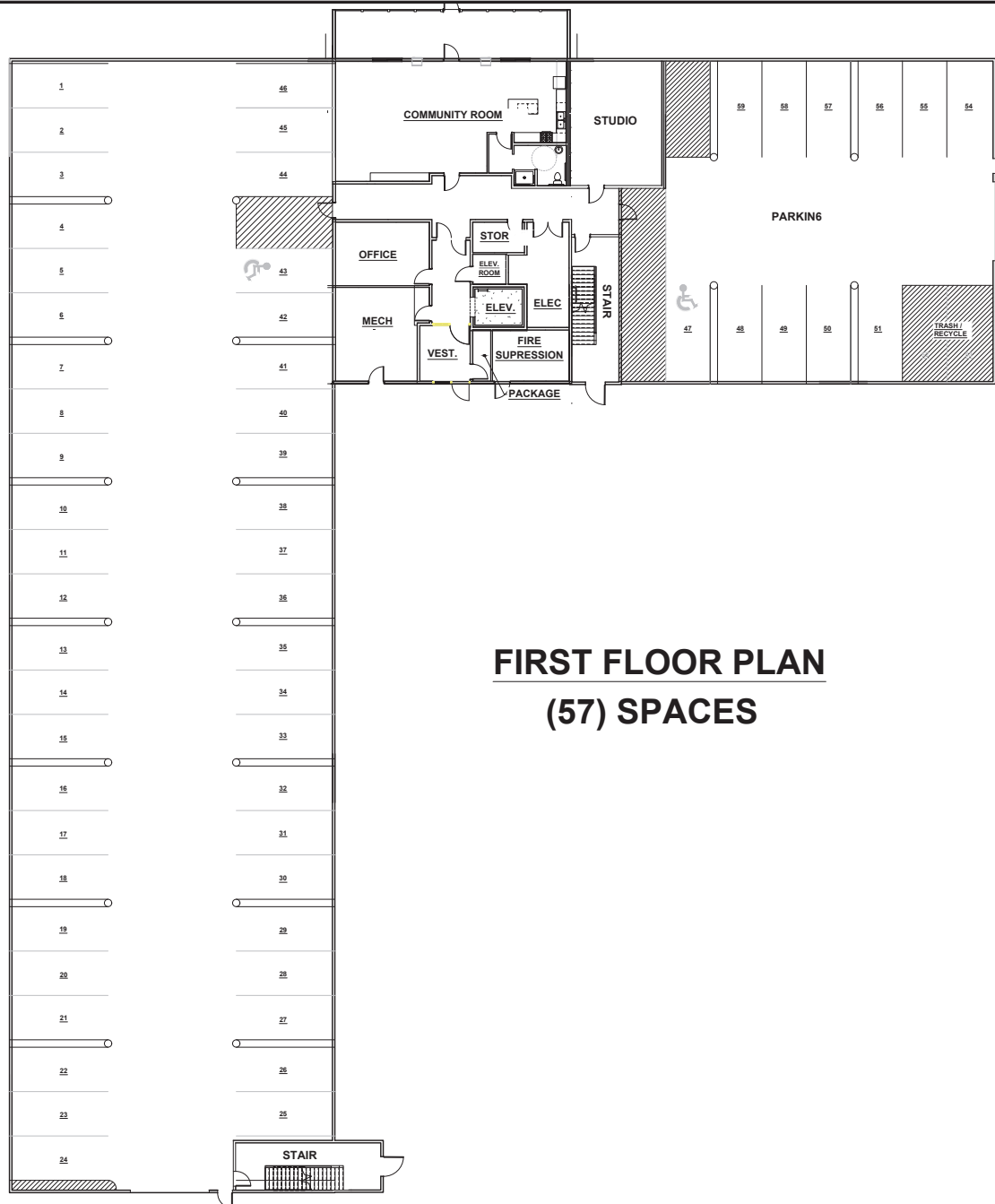
CALL 48 HOURS BEFORE DIGGING:
GOPHER STATE ONE CALL
TWIN CITY AREA 651-454-0002
MINNESOTA TOLL FREE 1-800-252-1166

SHEET NO.		BRIGGS ELK RIVER PLAT		 BOGART, PEDERSEN & ASSOCIATES, INC. LAND SURVEYING & ENGINEERING ENVIRONMENTAL SERVICES 13076 FIRST STREET, BECKER, MN 55009-8002 TEL: 763/257-1027 FAX: 763/258-0344		NOT FOR CONSTRUCTION		DATE: 10/2/2025		REV	DATE	DESCRIPTION
C14		City of Elk River, Sherburne County, MN						DESIGN BY: MMB				
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						CHECKED BY: GJD						
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						FILE NO.: 24-0200-00						

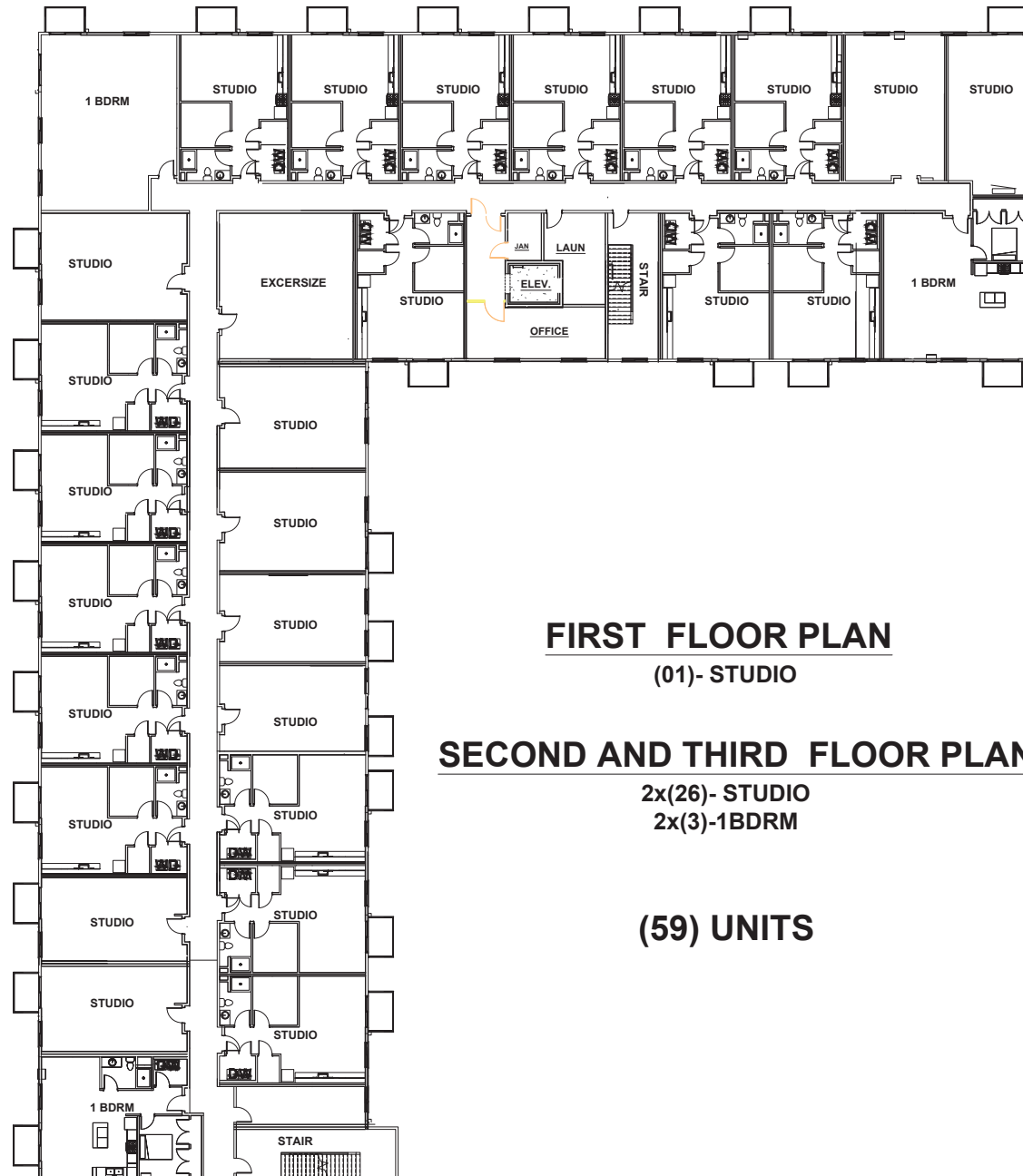
ELK RIVER RESIDENTIAL SUITES

59 UNITS





FIRST FLOOR PLAN
(57) SPACES



FIRST FLOOR PLAN

(01)- STUDIO

SECOND AND THIRD FLOOR PLAN

2x(26)- STUDIO

2x(3)-1BDRM

(59) UNITS



Request for Action

To
City Council

Item Number
7.4

Meeting Date
December 15, 2025

Prepared By
Zack Carlton, Community Development Director

Item Description
Resolution 25-78 and Ordinance 25-17: Amend City Plans to Support Commercial Uses, Sherburne County - 11401 205th Ave NW

Reviewed by
Chris Leeseberg
Cal Portner
Tina Allard

Action Requested

Adopt Resolution 25-78 amending the land use guidance for 11401 205th Ave NW from Rural Residential to Highway Business, subject to the condition that Sherburne County prepare and record a Declaration of Covenants and Restrictions limiting the use of the property to a billboard.

Adopt Ordinance 25-17 amending the zoning map for 11401 205th Ave NW from R-1a (Single-Family Residential) to C-3 (Highway Business), subject to the approval of the associated land use amendment, Case No. LU 25-03.

Background/Discussion

Sherburne County owns property situated between the northbound entrance ramp for Highway 169 at 205th Ave and Brook Road NW. The property has a stormwater pond for the adjacent public streets, but is otherwise unimproved.

The Comprehensive Plan guides the property for Rural Residential uses, and the zoning reflects that with an R-1a (single-family residential) classification. The adjacent parcels to the east, and across Brook Road, are large lot single-family parcels. Across Highway 169, the area is guided for industrial uses, generally consisting of mining, concrete plant, and retail landscape materials.

The proposal would support an initiative from the county to construct a billboard on the lot, advertising to motorists along the highway. With the current use of the property as a stormwater pond and the location between an entrance ramp and county road, development as residential may not be feasible. Billboards are only permitted on industrial and commercial properties immediately adjacent to a highway. This lot, if rezoned, would support the desired use.

Public Hearing

The Planning Commission held a public hearing on November 25, 2025. One resident spoke and shared concerns that the light from a potential billboard, possibly an electronic billboard, would negatively impact their home and property. They also shared concerns that the rezoning could allow other, potentially negative, uses like a gas station or other busy commercial use. Andrew Witter, the Sherburne County Public Works Director, also spoke in support of the application. He said that the county is not in a hurry to construct the

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



billboard and would seek to minimize any impacts on nearby residential uses.

The Planning Commission discussed the potential for unintended consequences resulting from a rezoning to a Highway Commercial use. They shared the same concerns as the resident that while a billboard was the current intention, they would not want to see the site converted to a gas station, which would be allowed in the district. The commission discussed adding a condition that would require the county to record a formal restriction limiting the allowed use on the site to only a billboard.

The Planning Commission recommends approval of both the land use and zoning amendments with the condition that the county record a Declaration of Covenants and Restrictions against the property, limiting the allowed uses of the site to a billboard.

The proposed changes require a four-fifths vote of the city council.

Financial Impact

None

Mission/Policy/Goal

Ethical, efficient, and responsible.

Attachments

1. Planning Commission Memo dated November 25, 2025
2. Land Use Amendment Resolution
3. Zone Change Ordinance



Request for Action

To
Planning Commission

Item Number
4.1

Meeting Date
November 25, 2025

Prepared By
Zack Carlton, Community Development Director

Item Description
Land Use Amendment and Zone Change: Amend
City Plans to Support Commercial Uses, Sherburne
County - 11401 205th Ave NW

Reviewed by
Chris Leeseberg

Action Requested

Recommend denial of the proposed land use amendment from Rural Residential to Highway Business as the proposed land use classification is not consistent with the surrounding land uses.

Recommend denial of the proposed zone change from R-1a (single-family residential) to C-3 (Highway Commercial) as the proposed rezoning would be considered "spot zoning" and is not compatible with the surrounding uses.

Background/Discussion

Sherburne County owns property situated between the northbound entrance ramp for Highway 169 at 205th Ave and Brook Road NW. The property has a stormwater pond for the adjacent public streets, but is otherwise unimproved.

The Comprehensive Plan guides the property for Rural Residential uses, and the zoning reflects that with an R-1a (single-family residential) classification. The adjacent parcels to the east, and across Brook Road, are large lot single family parcels. Across Highway 169, the area is guided for industrial uses, generally consisting of mining, concrete plant, and retail landscape materials.

The proposal would support an initiative from the county to construct a billboard on the lot, advertising to motorists along the highway. With the current use of the property as a stormwater pond and the location between an entrance ramp and county road, development as residential may not be feasible. Billboards are only permitted on industrial and commercial properties immediately adjacent to a highway. This lot, if rezoned, would support the desired use.

In considering this request, the Planning Commission should consider potential impacts to nearby homes. The change from residential to commercial will require a supermajority of the city council.

Financial Impact

None

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A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity

Mission/Policy/Goal

Appropriately govern in an ever-changing environment.
Improve citizen quality of life.

Attachments

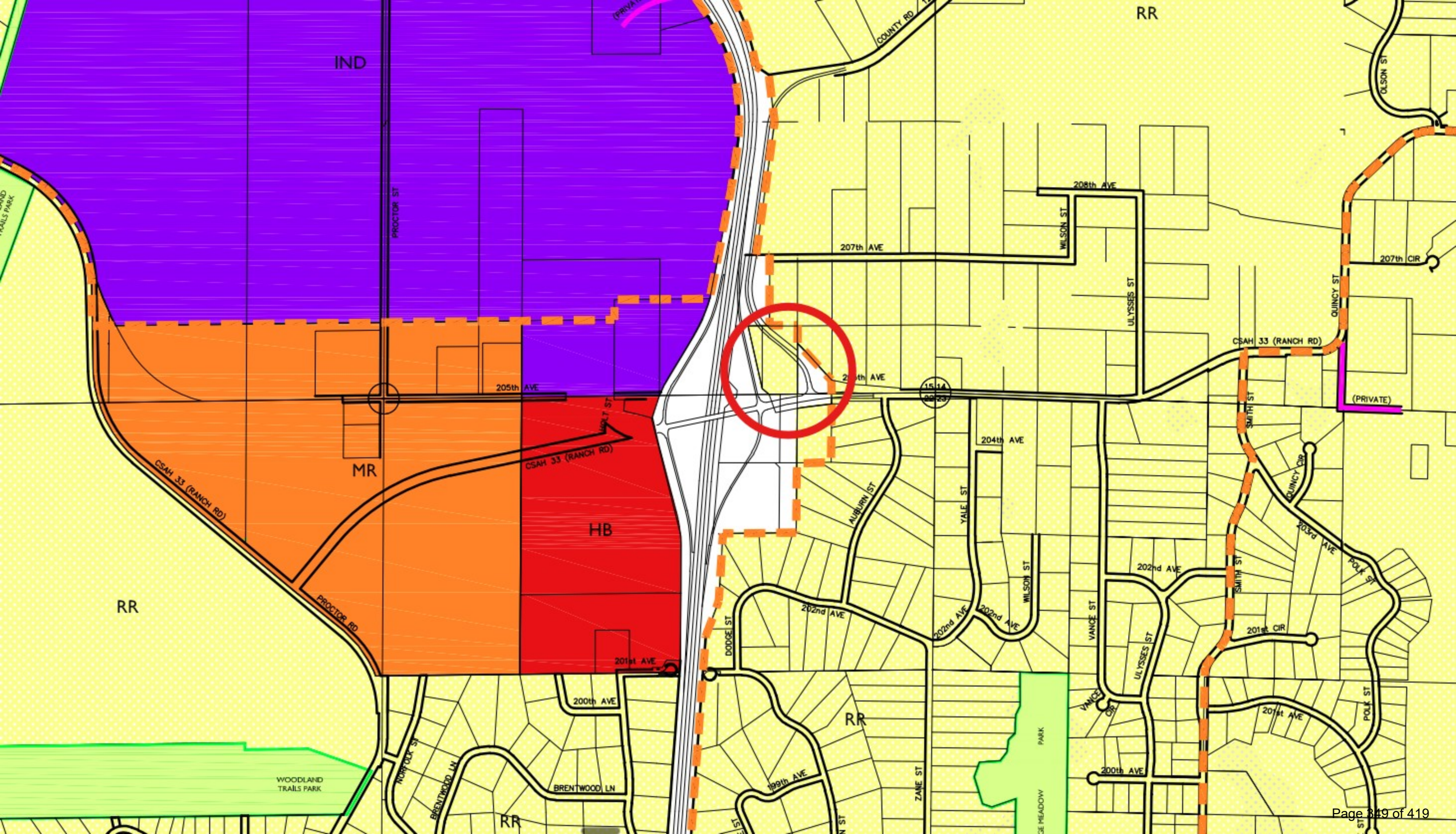
1. Location Map
2. Land Use Exhibit
3. Zoning Exhibit

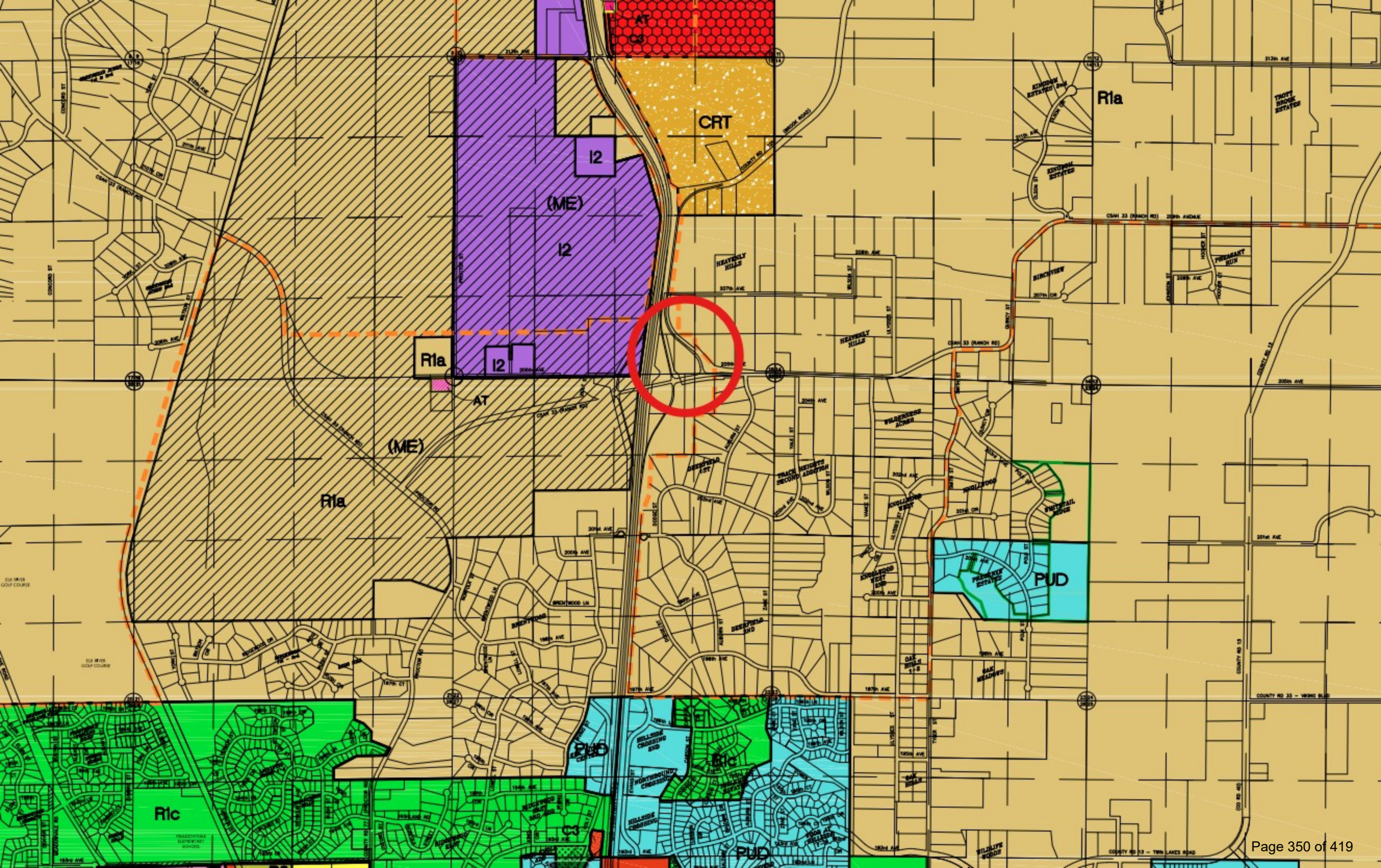


Project Location Map

Sherburne County

Land Use Amendment LU 25-03
Zone Change ZC 25-03







**City of Elk River
City Council**

Resolution 25-78

A Resolution of the City Council of the City of Elk River Amending the Comprehensive Plan to Change the Land Use for Certain Parcels from Rural Residential to Highway Business

WHEREAS, Minnesota Statutes, Chapter 462.355, Subdivision 2, prescribes the procedure for amending the Comprehensive Plan, and

WHEREAS, the Planning Commission held a public hearing on November 25, 2025, and recommended approval regarding the Comprehensive Plan amendment request for the property described in **Exhibit A**, and

WHEREAS, the City Council has reviewed the Comprehensive Plan amendment request and finds the following:

1. The proposed land use is consistent with the surrounding land uses.
2. The use would not have adverse impacts on the surrounding land uses.
3. The proposed changes are in general conformance to the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk River, Minnesota, as follows: The Land Use Plan be amended to change the property as described in **Exhibit A** from Rural Residential to Highway Business, subject to the condition that Sherburne County prepares and records a Declaration of Covenants and Restrictions limiting the uses of the property to a billboard.

Passed and adopted this 15th day of December 2025.

John J. Dietz, Mayor

ATTEST:

Tina Allard, City Clerk



EXHIBIT A

THE E 341 FT OF THE S 1/2 OF SW 1/4 OF SE 1/4. EXCEPT THAT PART OF E 341 FT OF S 1/2 OF SW 1/4 OF SE 1/4 LYING NELY OF A LINE DRAWN 50 FT NELY OF THE CENTERLINE OF CTY HWY NO. 121 PER MNDOT STATE PROJECT 7106-66 (T.H. 169 - C.R. INTERCHANGE) SAID CENTERLINE MORE PARTICULARLY DESC AS; COMM AT THE N 1/4 CORNER OF SEC 22 A.K.A. S 1/4 CORNER OF SEC 15 (PER DOC NO. 169568) TWP 33 RNG 26, THENCE N 89 DEG 21 MIN 41 SEC E SHERB CTY BEARING ORIENTATION DIST 1461.44 FT TO POB OF SAID CENTERLINE; THENCE N 7 DEG 03 MIN 58 SEC W ALONG SAID CENTERLINE DIST 123.77 FT; THENCE NWLY ALONG A TANGENTIAL CURVE CONCAVE TO THE SW HAVING A DEGREE OF CURVATURE OF 16 DEG 00 MIN 00 SEC DIST 276.03 FT; THENCE ON TANGENT N 51 DEG 13 MIN 50 SEC W DIST 331.38 FT; THENCE ALONG A TANGENTIAL CURVE CONCAVE TO NE HAVING A DEGREE OF CURVATURE OF 10 DEG 00 MIN 00 SEC DIST 590.43 FT; THENCE ON TANGENT N 7 DEG 48 MIN 46 SEC E DIST 216.87 FT MORE OR LESS TO TERMINATE AT THE N LINE OF SW 1/4 OF SE 1/4. AND S 1-2 OF SW 1-4 OF SE 1-4 LYING W OF THE E 341 FT THEREOF AND LYING NELY OF LINE 1 DESC AS FOLL: COMM AT THE S 1/4 CORNER OF SAID SECTION 15; THENCE ELY ON AN AZIMUTH OF 89 DEG 21 MIN 30 SEC ALONG THE S LINE THEREOF FOR 1055.02 FT TO THE POB OF LINE 1 TO BE DESC; THENCE ON AN AZIMUTH OF 340 DEG 55 MIN 51 SEC FOR 10.33 FT; THENCE ON AN AZIMUTH OF 302 DEG 44 MIN 17 SEC FOR 71.32 FT; THENCE ON AN AZIMUTH OF 347 DEG 14 MIN 17 SEC FOR 622.21 FT AND THERE TERM.





Ordinance 25-17

An Ordinance Amending the Zoning Map of the City of Elk River, Minnesota, to Rezone Certain Property from R-1a (Single-Family Residential) to Highway Commercial (C-3)

The City Council of the City of Elk River does hereby ordain as follows:

SECTION 1. That the duly adopted Zoning Map of the City of Elk River is hereby amended to rezone the property described on attached **Exhibit A** to Highway Commercial (C-3).

SECTION 2. That the rezoning approved by this Ordinance is based on the following findings:

1. **The rezoning is consistent with the City of Elk River Land Use Plan adopted, and updated, as part of the City of Elk River Comprehensive Plan.**

SECTION 3. That this ordinance shall take effect upon satisfaction of the conditions noted in **Exhibit B** and be published as provided by law.

Passed and adopted by the City Council of the City of Elk River this 15th day of December 2025.

John J. Dietz, Mayor

ATTEST:

Tina Allard, City Clerk

Exhibit A

THE E 341 FT OF THE S 1/2 OF SW 1/4 OF SE 1/4. EXCEPT THAT PART OF E 341 FT OF S 1/2 OF SW 1/4 OF SE 1/4 LYING NELY OF A LINE DRAWN 50 FT NELY OF THE CENTERLINE OF CTY HWY NO. 121 PER MNDOT STATE PROJECT 7106-66 (T.H. 169 - C.R. INTERCHANGE) SAID CENTERLINE MORE PARTICULARLY DESC AS; COMM AT THE N 1/4 CORNER OF SEC 22 A.K.A. S 1/4 CORNER OF SEC 15 (PER DOC NO. 169568) TWP 33 RNG 26, THENCE N 89 DEG 21 MIN 41 SEC E SHERB CTY BEARING ORIENTATION DIST 1461.44 FT TO POB OF SAID CENTERLINE; THENCE N 7 DEG 03 MIN 58 SEC W ALONG SAID CENTERLINE DIST 123.77 FT; THENCE NWLY ALONG A TANGENTIAL CURVE CONCAVE TO THE SW HAVING A DEGREE OF CURVATURE OF 16 DEG 00 MIN 00 SEC DIST 276.03 FT; THENCE ON TANGENT N 51 DEG 13 MIN 50 SEC W DIST 331.38 FT; THENCE ALONG A TANGENTIAL CURVE CONCAVE TO NE HAVING A DEGREE OF CURVATURE OF 10 DEG 00 MIN 00 SEC DIST 590.43 FT; THENCE ON TANGENT N 7 DEG 48 MIN 46 SEC E DIST 216.87 FT MORE OR LESS TO TERMINATE AT THE N LINE OF SW 1/4 OF SE 1/4. AND S 1-2 OF SW 1-4 OF SE 1-4 LYING W OF THE E 341 FT THEREOF AND LYING NELY OF LINE 1 DESC AS FOLL: COMM AT THE S 1/4 CORNER OF SAID SECTION 15; THENCE ELY ON AN AZIMUTH OF 89 DEG 21 MIN 30 SEC ALONG THE S LINE THEREOF FOR 1055.02 FT TO THE POB OF LINE 1 TO BE DESC; THENCE ON AN AZIMUTH OF 340 DEG 55 MIN 51 SEC FOR 10.33 FT; THENCE ON AN AZIMUTH OF 302 DEG 44 MIN 17 SEC FOR 71.32 FT; THENCE ON AN AZIMUTH OF 347 DEG 14 MIN 17 SEC FOR 622.21 FT AND THERE TERM.

Exhibit B

1. The associated Land Use Amendment (LU 25-03) resolution shall be approved and recorded.



Request for Action

To
City Council

Item Number
8.1

Meeting Date
December 15, 2025

Prepared By
Tina Allard, City Clerk

Item Description
Hearing: Tobacco Compliance Failures for Ralphies Minnoco

Reviewed by
Jared Shepherd
David Kuhnly
Cal Portner

Action Requested

Listen to testimony and determine penalties.

If the penalty is upheld, it is recommended that the administrative penalty of \$1,000 be paid and that the license be suspended for seven days, based on similar practice with other licensees who have had three failures.

If the Council wishes to deviate from the state law penalty and suspension, staff requests that a motion be brought to reconsider the resolution and findings at the next Council meeting. If the Council agrees with the penalty, the Council may motion to deny the appeal based on the record.

Background/Discussion

Tobacco license applicant Brian Brehmer, with Alan Arnold Corporation, doing business as Ralphie's Minnoco, has had three age-related compliance check violations within the last 36 months. The failures occurred on the following dates:

- December 5, 2022
- June 18, 2024
- October 17, 2025

Mr. Brehmer was notified and sent letters after each violation occurred. He paid the penalties and waived his hearing rights for the first two violations. He is requesting this hearing to appeal the fine and license suspension for the third violation.

The following is outlined in Minnesota Statute 461.12, Subd. 2, regarding three or more violations:

"...For a third or any subsequent violation at the same location within 36 months after the initial violation, an administrative penalty of \$1,000 must be imposed, and the licensee's authority to sell tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products at that location must be suspended for not less than seven days and may be revoked."

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



The city attorney will be in attendance and will outline the hearing process. The police department and Sherburne County staff will be in attendance to discuss the violations. Mr. Brehmer will also have an opportunity to present evidence.

Financial Impact

N/A

Mission/Policy/Goal

Appropriately govern in an ever-changing environment.

Attachments

1. Driver's License Examples
2. Incident Report 12 05 2022
3. Incident Report 06 18 2024
4. Incident Report 10 17 2025
5. Ralphies Violation 12-05-2022
6. Ralphies Violation 6-18-2024
7. Ralphies Violation 10-17-2025

Example of a standard driver's license



Vertical driver's license and ID cards are issued to anyone who is under the age of 21. This has been in effect since 2018. This provides a quick reference that the cardholder is a minor. Vertical ID's for under 21 are used in 46 other states.





ICR# 22022289	AGENCY ORI# MN0710200	JUVENILE: Juvenile Involved
Reported: 12-05-2022 1650 First Assigned: 1650 First Arrived: 1650 Last Cleared: 1700 Committed Start: 12-05-2022 Committed End: 12-05-2022 Title: Citation How Received: In Person Short Description: Tobacco compliance check failure Summary: While performing tobacco compliance checks the cited subject sold a tobacco product to a minor. See supplemental. [Officer 614; Citation 71022022003680] Cited for selling tobacco to a underage person. See supplemental. 12-7-2022 - Mailed letter and citation to cited party and listed parent; #671. Location(s) Ralphies Victory Lane Address: 13374 Hwy 10 NW City: Elk River State: MN Zip: 55330 Country: US Custom Attributes AXON - BWC		
Officer Assigned: Williams, David Badge No: 614 Primary: Yes		
Involvement: Parent Name: DOB: XXXXXXXXXXXX XXXXX XXXX XXXXX Age: XX Sex: X Race: X Height: XXX Weight: XXX Address: XXXXXXXXXXXX XXXXX XXXXX XXX XX City: XXX XXXX State: XX Zip: XXXXX Country: XX Phone: XXXXXX XXXXXXXXXXXXXXXX Phone: XXXXXX XXXXXXXXXXXXXXXX Eye Color: XXX		
Involvement: Arrested Name: DOB: XXXXXXXXXXXX XXXXX XXXX XXXXX Age: 16 Sex: M Race: X Height: XXX Weight: XXX Address: XXXXXXXXXXXX XXXXX XXXXX XXX XX City: XXX XXXX State: XX Zip: XXXXXXXXXXXX Country: XX Eye Color: XXX Arrest Date Time: 12-05-2022 1650		
Involvement: Mentioned Name: Sherburne County Health and Human Services Address: (Government) 13880 Business Center Dr NW City: Elk River State: MN Zip: 55330 Country: US Phone: (Business) (763)765-4000		

Involvement: Mentioned	Name: Lees, Mark Frederick	DOB: 03-31-1971
Age: 51	Sex: M	Race: W
Address: (Government) 13880 Business Center Dr NW	Height: 0	Weight: 0
Phone: (Work) (763)241-2750	City: Elk River	State: MN Zip: 55330 Country: US
Involvement: Mentioned	Name: Ralphie's Victory Lane	
Address: (Business) 13374 Hwy 10 NW	City: Elk River	State: MN Zip: 55330 Country:
BarCode: 22-01276	Item Type: Tobacco	Bin: DESTROYED
Description: Cigarettes		
Location		
Address: (Business) 13374 Hwy 10 NW	City: Elk River	State: MN Zip: 55330 Country: US
# 71022022003680	Dt\tm: 12-05-2022	Officer: Williams 614
Description:		
SALE TOBACCO MINOR		
Last Name: XXXX	First: XXXX	Middle: XXXXXX DOB: X
Address: XXXXXXXXXXX XXXX XXXX XXX XX	City: XXX XXXX	State: XX Zip: XX
Offense(s)		
Offense: SALE TOBACCO MINOR (26.37.a) SALE TOBACCO MINOR		
Locations(s)		
Address: (Business) 13374 Hwy 10 NW	City: Elk River	State: MN Zip: 55330
Court Dt\tm: -- Court Location: Sherburne County		
Contact #1 XXXXXX XXXXX XXXX XXXXX XXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXX XXX XX XXX XX XXXX XX XXXXXXXXXXXX		
Offense: SALE TOBACCO MINOR (26.37.a) SALE TOBACCO MINOR		
Type: Submitted To County Attorney	Disposition: Citation	Name: XXXX X XXXX XXXXXX XXXXXXXXXXXX

Supplemental Report

ICR: 22022289

Last Modified: 12-07-2022 1314

Title: Citation

Created By: David Williams

On Monday 12/05/22 I, Detective David Williams, was conducting tobacco compliance checks throughout the city of Elk River. I performed this with the assistance of Mark Lees with Sherburne County Health and Human Services and the person under the age of 21 who Lees had pre-selected. See the miscellaneous officer report (22022287) for information on the identity of the purchaser. The purchaser will be hereinafter referred to as "the buyer". Lees had provided the buyer U.S. currency to attempt to purchase tobacco products as part of the compliance checks throughout the evening.

At approximately 1650 hours the buyer entered Ralphie's Victory Lane located at 13374 Hwy 10 NW. Shortly thereafter the buyer exited the business with a pack of Camel Gold Turkish & Domestic blend cigarettes which XXX advised Lees and I that XXX purchased. The buyer turned over the pack of cigarettes to me which I secured as evidence. After completing the compliance checks I brought the cigarettes back to the Elk River Police Department where I secured it in my office and later entered into evidence on 12/06/22. I also took photographs of the pack of cigarettes and uploaded them to evidence.com.

The buyer described the salesclerk to Lees and I at which time Lees and I entered the business and made contact with the clerk who I identified by MN driver's license as XXXX XXXXXX XXXX XXXX XXXXXXXX.

XX XXXX admitted to selling the cigarettes to the buyer and knowing that it is illegal to sell tobacco products to people under 21 years of age. XX XXXX admitted to not asking for the buyer's identification or asking XXX age. XX XXXX said XX didn't ask for XXX identification or age because XX thought XXX looked old enough.

Lees talked with XX XXXX about training XX may have received from the employer in how to identify underage subjects trying to purchase tobacco. Lees also advised XX XXXX to follow the recommendation of checking the identity of anyone suspected of being 30 years old or younger.

I activated my body worn camera while Lees and I were inside the business talking with XX XXXX.

On 12/06/22 I issued XX XXXX citation #71022022003680 for selling tobacco to a person under 21 years of age (city ordinance 26.37.a). I mailed the citation to XX XXXX along with a letter of explanation.

I made phone contact with XX XXXXXX parent, XXXX XXXXXX XXXX XXXX XXXXXXXX, to advise her of the situation and citation I issued to XX XXXX.

End of report.

Detective David Williams #614
Elk River Police Department
DW: 12/06/22



ELK RIVER POLICE DEPARTMENT

INCIDENT REPORT

ICR# 24010695	AGENCY ORI# MN0710200	JUVENILE: Juvenile Involved
Reported: 06-18-2024 2027 First Assigned: 1732 First Arrived: 1732 Last Cleared: 1745 Committed Start: Committed End: Title: Citation How Received: In Person Summary: Failed tobacco compliance check. Citation issued. 6-26-24 - Mailed citation and parent notification letter to listed parent; #671.		
Location(s) Ralphie's Victory Lane Address: 13374 Hwy 10 NW City: Elk River State: MN Zip: 55330 Country: US Custom Attributes AXON - BWC		
Officer Assigned: Birdsall, Don Badge No: 611 Primary: Yes		
Involvement: Mentioned Name: Sherburne County Public Health Address: (Business) 13880 Business Center Dr NW City: Elk River State: MN Zip: 55330 Country: US Phone: (Business) (763)241-2751		
Involvement: Mentioned Name: Lees, Mark Frederick DOB: 03-31-1971 Age: 53 Sex: M Race: W Height: 0 Weight: 0 Address: (Residence) 13880 Business Center Dr NW City: Elk River State: MN Zip: 55330 Country: US Phone: (Cell) (763)458-3694		
Involvement: Witness Name: XXXXXXXX XXXXXX XXXXXXXX DOB: XXXXXXXXXXXX Age: XX Sex: X Race: X Height: XXX Weight: XXX Address: XXXXXXXXXXXX XXXXX XXXXXX XXX XX City: XXX XXXXX State: XX Zip: XXXXX Country: XX Phone: XXXXXX XXXXXXXXXXXXXXXX Eye Color: XXX		
Involvement: Arrested Name: XXXXXXXX XXXXXX XXXXX DOB: XXXXXXXXXXXX Age: 17 Sex: F Race: Height: XXX Weight: XXX Address: XXXXXXXXXXXX XXXXX XXXX XX XX City: XXX XXXXX State: XX Zip: XXXXXXXXXXXX Country: XX Phone: XXXXXXXX XXXXXXXXXXXXXXXX Eye Color: XXX Arrest Date Time: 06-24-2024 1000		
Involvement: Parent Name: XXXXXXXX XXXXXXXX XXX DOB: XXXXXXXXXXXX Age: XX Sex: X Race: X Height: XXX Weight: XXX		

Address: XXXXXXXXXXX XXXX XXXX XX XX **City:** XXX XXXXX **State:** XX **Zip:** XXXXX **Country:** XX
Phone: (XXXXX XXXXXXXXXXXXXXXX **Phone:** XXXXXX XXXXXXXXXXXXXXXX
Eye Color: XXX

BarCode: 24-00407

Item Type: Tobacco

Bin: DESTROYED

Description: Camel Cigs

Location

Address: (Business) 13374 Hwy 10 NW

City: Elk River

State: MN

Zip: 55330

Country: US

71022024003260

Dt\tm:

06-18-2024

Officer:

Birdsall 611

Description:

SALE TOBACCO MINOR

Summary:

Failed tobacco compliance check. Citation issued.

Last Name: XXXXXXXX

First: XXXXXXXX

Middle: XXXXX

DOB: XXXXXXXXXXXX

Address:

City: XXX XXXXX **State:** XX

Zip: XXXXXXXXXXXX **Country:** XX

(Residence) XXXXX XXXX XX XX

Offense(s)

Offense: SALE TOBACCO MINOR (26.37.a) SALE TOBACCO MINOR

Locations(s)

Address: (Business) 13374 Hwy 10 NW

City: Elk River

State: MN

Zip: 55330

Country: US

Court Dt\tm: -- **Court Location:** Sherburne County

Offense: SALE TOBACCO MINOR (26.37.a) SALE TOBACCO MINOR

Type: Submitted To County Attorney **Disposition:** Citation **Name:** XXXXXXXX X XXXXXXX XXXXX XXXXXXXXXXXX

Supplemental Report

ICR: 24010695

Last Modified: 06-28-2024 0729

Title: Birdsall's Report

Created By: Don Birdsall

On 06-18-2024, during the evening hours, I, Sergeant Don Birdsall, assisted with tobacco compliance checks at various businesses in the City of Elk River. These checks were coordinated by Mark Lees with Sherburne County Public Health. Mark Lees arranged for an underage buyer to assist with our efforts. The underage buyer was identified as XXXXXX XXXXXXXX XXXXXXXX X XXX XXXXXXXX.

I picked up Mark and XXXXXX, along with an intern working for Mark, at approximately 1715 hours. I viewed XXXXXXXX driver's license and confirmed XX was under the age of 21. The license had a red banner that would alert anyone asking for XXX ID that XX was under 21. XXXXXXXX instructions from Mark were to ask to purchase a pack of cigarettes or a tobacco product and comply with all questions asked by any clerk.

At approximately 1732 hours, the clerk at Ralphie's failed the compliance check. XXXXXX walked out of the business with a pack of camel cigarettes XX was able to purchase with cash. XXXXXX reported the clerk did not ask for ID and did not ask XXX any questions. I photographed the evidence and secured it in my squad car.

Mark and I entered the business and identified the clerk who sold the tobacco product to XXXXXX as XXXXXX XXXXX XXXXXXXX X XXX XXXXXXXX. XXXXXX admitted she sold the pack of cigarettes to XXXXXX and did not ask for ID. She suggested it has been slow and she was tired.

Mark and I explained the penalty for the violation and encouraged her to talk to her supervisor about the violation.

I later completed citation #71022024003260 and placed it for mail delivery with a parent notification letter and business card addressed to mom, XXXXXXXX XXXXXXXX.

Sergeant Don Birdsall

Badge #3611

Elk River Police Department

BarCode: 25-01097	Item Type: Tobacco	Bin: A6
Description: Zyn Nicotine Cool Mint Pouches		
Location		
Address: (Business) 13374 Hwy 10 NW	City: Elk River	State: MN Zip: 55330 Country: US
Name(s)		
Last Name: Walker	First: Destiny	Middle: Rachel DOB: 11-30-1994

# 71022025000425	Dt\tm: 10-17-2025 Officer: O Konek 615		
Description:			
Tobacco-Sale to a Minor			
Summary:			
On 10/17/2025 in the afternoon hours, I, Juvenile Detective O'Konek, assisted with tobacco compliance checks at various businesses in the City of Elk River. These checks were coordinated by Mark Lees with Sherburne County Public Health. Mark Lees arranged for two underage buyers to assist with our efforts. The underage buyers were identified as XXXX XXXX XXXXXX XXXXXXXXXXXXXXXX and XXXXX XXXX XXXXXX XXXXXXXXXXXXXXXX. I picked up Mark, XXXX and XXXXX at approximately 1130 hours. I viewed XXXX and XXXXXXXX driver's license and confirmed they were under the age of 21. XXXX and XXXXXXXX instructions from Mark were to ask to purchase a pack of cigarettes or a tobacco product and comply with all questions asked by any clerk. At approximately 1139 hours, the clerk at Ralphie's Gas Station failed the compliance check. XXXX and XXXXX walked out of the business with Zyn cool mint nicotine pouches they were able to purchase with cash. XXXXX reported the clerk visually checked her driver's license. I photographed the evidence and secured it in my squad car. Mark and I entered the business and identified the clerk who sold the tobacco product to XXXXX as Destiny Rachel Walker DOB/11-30-1994. Destiny told us that she checked her ID and thought she was old enough. Mark and I explained the penalty for the violation. I later completed citation #71022025000425 and placed it for mail delivery. Juvenile Detective Grace O'Konek #3615 Elk River Police Department			
Last Name: Walker	First: Destiny	Middle: Rachel	DOB: 11-30-1994
Address: (Residence) 126 Evans Ave NW	City: Elk River	State: MN	Zip: 55330 Country: US
Offense(s)			
Offense: Tobacco-Sale to a Minor (609.685.1a(a)) Sale of Tobacco/Tobacco Related Device to Chi			
Locations(s)			
Address: (Business) 13374 Hwy 10 NW	City: Elk River	State: MN	Zip: 55330 Country: US
Court Dt\tm: – Court Location: Sherburne County			

Offense: Tobacco-Sale to a Minor (609.685.1a(a)) Sale of Tobacco/Tobacco Related Device to Chi

Supplemental Report

ICR: 25017239

Last Modified: 10-20-2025 1150

Title: Citation

Created By: Grace O'Konek

On 10/17/2025 in the afternoon hours, I, Juvenile Detective O'Konek, assisted with tobacco compliance checks at various businesses in the City of Elk River. These checks were coordinated by Mark Lees with Sherburne County Public Health. Mark Lees arranged for two underage buyers to assist with our efforts. The underage buyers were identified as **XXXX XXXX XXXXXX XXXXXXXXXXXXXXXX** and **XXXXX XXXX XXXXXX XXXXXXXXXXXXXXXX**.

I picked up Mark, XXXX and XXXXX at approximately 1130 hours. I viewed XXXX and XXXXXXXX driver's license and confirmed they were under the age of 21. XXXX and XXXXXXXX instructions from Mark were to ask to purchase a pack of cigarettes or a tobacco product and comply with all questions asked by any clerk.

At approximately 1139 hours, the clerk at Ralphie's Gas Station failed the compliance check. XXXX and XXXXX walked out of the business with Zyn cool mint nicotine pouches they were able to purchase with cash. XXXXX reported the clerk visually checked her driver's license. I photographed the evidence and secured it in my squad car.

Mark and I entered the business and identified the clerk who sold the tobacco product to XXXXX as **Destiny Rachel Walker DOB/11-30-1994**. Destiny told us that she checked her ID and thought she was old enough. Mark and I explained the penalty for the violation.

I later completed citation #71022025000425 and placed it for mail delivery.

Juvenile Detective Grace O'Konek #3615
Elk River Police Department



13065 Orono Parkway
Elk River, MN 55330

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

December 7, 2022

Alan Arnold Corporation
13374 Highway 10
Elk River, MN 55330

Re: Tobacco Violation for Ralphies Minnoco, 13374 Highway 10 – Elk River, Minnesota

To Whom it May Concern:

On Monday, December 5, 2022, the Elk River Police Department, in conjunction with the Sherburne County Health Department, conducted a tobacco compliance check of all licensed tobacco holders in the City of Elk River. **During the compliance check at your establishment, an employee sold a tobacco product to a person under the age of 21 years.**

This is in violation of Minnesota Statute 461.12, Subd. 2 – “Administrative penalty for sales and furnishing; licensees” and Elk River City Code. Pursuant to Minnesota Statute, an administrative penalty is assessed to the licensee. This administrative penalty is \$300 for a first offense within 36 months of selling tobacco to a person under the age of 21 years. Also, according to City Code, you are allowed the opportunity of a hearing before the City Council.

Indicate on the enclosed form your request of a hearing before the City Council, or if you decide to waive the hearing, indicate that you are submitting payment of the administrative penalty. **Your hearing request or penalty payment must be received by Monday, January 9, 2023.**

Please feel free to call me at 763.635.1004 with any questions.

Sincerely,

Jolene Richter
Deputy Clerk

cc: Ron Nierenhausen, Police Chief



TOBACCO VIOLATION NOTICE

DEC 27 2022

VIOLATION: "Sale of tobacco to under 21"

LICENSEE: Ralphies Minnoco

NOTICE DATE: December 7, 2022

DATE OF VIOLATION: December 5, 2022

Pursuant to the Minnesota Statute 461.12, the administrative penalty assessed for selling tobacco to a person under the age of 21 years is \$300.00 You may request a hearing before the City Council within 30 days. If you decide to waive the hearing, you must submit payment of the administrative penalty.

(Following completion of this form, mail it to the City of Elk River. If you waive your right to a hearing, submit administrative penalty fee with this form.)

I wish to request an administrative hearing ☐

I do not wish to request an administrative hearing and am submitting the Administrative Penalty of \$300 ☒ PD V#4772

Please submit payment to:

City of Elk River
Attn: City Clerk
13065 Orono Parkway
Elk River, MN 55330


Signature

12/13/22
Date

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

August 12, 2024

Ralphie's Minnoco
Brian Brehmer
13374 US Highway 10
Elk River, MN 55434

Re: Tobacco Sales Violations to a Person Under Age 21

To Licensing Coordinator:

On December 5, 2022, it was determined that your establishment, Ralphie's Minnoco, violated Minnesota Statute §461.12, Subd. 2 by selling and/or furnishing tobacco to a minor. As a result, your establishment was issued an administrative penalty, which was paid.

On Tuesday, June 18, 2024, the Elk River Police Department, working with Sherburne County Health and Human Services, conducted compliance checks and cited Ralphie's Minnoco for selling tobacco products to a person under the age of 21. This is your second violation within a 36-month period.

Due to these two citations, you are again in violation of Minnesota Statute 461.12, Subd. 2. The administrative penalty for these violations is found under said Statute and provides in relevant part:

If a licensee or employee of a licensee sells, gives, or otherwise furnishes tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products to a person under the age of 21 years, or violates any other provision of this chapter, the licensee shall be charged an administrative penalty of \$300 for the first violation. An administrative penalty of \$600 must be imposed for a second violation at the same location within 36 months after the initial violation. For a third or any subsequent violation at the same location within 36 months after the initial violation, an administrative penalty of \$1,000 must be imposed, and the licensee's authority to sell tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products at that location must be suspended for not less than seven days and may be revoked.

We received payment of \$300 from you. Because this is a second violation within a 36-month period the penalty fine is \$600. You owe the remainder of \$300.

If you wish to appeal your second violation, you can seek a hearing before the City Council. Indicate on the enclosed form whether you are requesting a hearing before the City Council or are waiving the hearing and will be submitting the payment.

Your hearing request or penalty payment must be received by Friday, September 6, 2024.

Feel free to contact me at 763.635.1004 with any questions.

Sincerely,

Joene Richter
Deputy Clerk

cc Cal Portner, City Administrator
 Darren McKernan, Acting Elk River Police Chief
 Tina Allard, City Clerk



Pd 9-13-24
\$300
Check # 5415

Tobacco Hearing and Penalty Notice

Violation: Tobacco Sales to a Person Under Age 21

- ☐ First Violation
☒ Second Violation
☐ Third Violation

Licensed Location: 13374 US HWY 10

Date of Violation: June 18, 2024

Complete the following information and submit by day, month, year.

☐ I wish to request an administrative hearing. Staff will contact you to coordinate a hearing date before the Elk River City Council.

☒ I waive my right to an administrative hearing and am submitting the applicable penalty.

Number of Violations within 36-month period		Administrative Penalty
	First Violation	\$300
X	Second Violation	\$600
	Third Violation	\$1,000 and license suspension for not less than seven days as determined by the city. The city may also revoke the license.

Options for submittal are as follows:

- Email this form to jrichter@elkrivernm.gov and make payment at: <https://cityofelkriver.revtrak.net/>
- Mail this form and a check payable to the Office of the City Clerk at 13065 Orono Parkway, Elk River, MN 55330.


Signature

Brian Brehmer
Print Name & Title

9-10-24
Date



13065 Orono Parkway
Elk River, MN 55330

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 27, 2025

Ralphie's Minnoco
Brian Brehmer
13374 US Highway 10
Elk River, MN 55330

Re: Third Violation of Tobacco Sales to a Person Under Age 21

To Licensing Coordinator:

On October 17, 2025, the Elk River Police Department along with Sherburne County Health and Human Services conducted a tobacco compliance check of all licensed businesses in the city. During the compliance check at your business, an employee sold a tobacco product to a person under the age of 21.

This is in violation of Minnesota Statute 461.12, Subd. 2: Administrative penalty for sales and furnishing; licensees, which provides in relevant part:

“If a licensee or employee of a licensee sells, gives, or otherwise furnishes tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products to a person under the age of 21 years, the licensee shall be charged an administrative penalty of \$1,000 for the third violation occurring at the same location within 36 months after the initial violation and the license must be suspended for not less than seven days and may be revoked.”

Pursuant to the above statute, the city is assessing an administrative penalty to the licensee. If you wish to contest this penalty you may request a hearing before the City Council within 30 days of the date of this letter.

Indicate on the enclosed form your request for a hearing before the City Council, or if you decide to waive the hearing, indicate you are submitting payment of the administrative penalty. **Your hearing request or penalty payment must be received by Wednesday, November 26, 2025.**

Feel free to contact me at 763.635.1004 with any questions.

Sincerely,

Solene Reichter

Jolene Richter
Deputy Clerk

cc: Cal Portner, City Administrator
David Kuhnly, Police Chief
Tina Allard, City Clerk



Tobacco Hearing and Penalty Notice

Violation: Tobacco Sales to a Person Under Age 21
☐ First Violation
☐ Second Violation
☒ Third Violation

Licensed Location: 13374 US Highway 10
Elk River, MN 55330

Date of Violation: October 17, 2025

Complete the following information and submit by Wednesday, November 26, 2025.

☒ I wish to request an administrative hearing. Staff will contact you to coordinate a hearing date before the Elk River City Council.

☐ I waive my right to an administrative hearing and am submitting the applicable penalty.

Number of Violations within 36-month period		Administrative Penalty
	First Violation	\$300
	Second Violation	\$600
X	Third Violation	\$1,000 and license suspension for not less than seven days as determined by the city. The city may also revoke the license.

Options for submittal are as follows:

- Email this form to JRichter@ElkRiverMN.gov and make payment at: <https://cityofelkriver.revtrak.net/>
- Mail this form and a check payable to the Office of the City Clerk at 13065 Orono Parkway, Elk River, MN 55330.

Signature

Brian Brehmer President

Print Name & Title

11/17/25

Date



Request for Action

To
City Council

Item Number
8.2

Meeting Date
December 15, 2025

Prepared By
Joe Stremcha, Business Services Director/Assistant
City Administrator

Item Description
Cannabis Business Plan

Reviewed by
Cal Portner
Tina Allard

Action Requested

- Discontinue, by motion, the implementation of the Cannabis Business Plan (approved Feb 3, 2025) until more information is available.
- Terminate, by motion, the AIA B133-2019 agreement with LSE Architects for the construction of Cannabound by invoking Article 9 Termination or Suspension, and compensate the architect for services performed before termination with reimbursable expenses due and properly incurred.
- Discontinue, by motion, THC sales at Northbound and Westbound liquor stores effective April 10, 2026.
- Approve, by motion, a layoff of the following position effective April 10, 2026:
 - Cannabound Manager

Background/Discussion

The consensus from the City Council Work Session on December 1, 2025, was to discontinue the implementation of the Cannabis Business Plan. Westbound and Northbound sell THC products. As of now, pending a change in federal or state law, we will have to discontinue late next year. Staff will need direction on whether the Council wishes to continue that part of our retail business, as it runs counter to the consensus on Dec. 1. Additionally, on Tuesday, November 18, staff submitted a request for licensing clarification regarding the sale of medical cannabis as a municipality. On Tuesday, December 9, the OCM responded affirmatively that the City of Elk River is able to pursue a medical cannabis retail endorsement. Their response is as follows:

Thank you for reaching out, and apologies for the delay! Municipal cannabis stores operate in a similar fashion, with some notable distinctions, as other cannabis retailers, as outlined in Minnesota Statutes section 342.32. As such, just like cannabis retailers, a municipal cannabis store is able to apply for a medical cannabis retail endorsement (see section 342.51), which would authorize the license holder to sell medical cannabis and medical cannabis products to medical patients in accordance with the registry program requirements. Pursuant to section 342.51, to qualify for the medical cannabis retailer endorsement, a business must either have at least one employee who earned a medical cannabis consultant certificate issued by the office and has completed the required training or at least one employee

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THC is the intoxicating element in cannabis. It has the same chemical construction whether it comes from a hemp plant or a cannabis plant. Hemp is in the same family as cannabis, only it has been cultivated for industrial uses. Elk River Liquor began selling THC in June 2023. The following is a rough accounting of the most recent time and resources invested into the project, totaling approximately \$700,000 and THC total sales in 2025 are estimated at approximately \$200,000:

2025/2026 THC Expenses:

- Cannabis Manager Wages and Benefits (July 7, 2025 – April 10, 2025).
 - The City Council invoked a layoff of FT Center staff in 2024 with a 13-week (90-day) notice. A layoff of the Cannabis Manager effective April 10, 2026, will meet that same standard.
- Architect/Consultant Fees (agreement made October 1, 2025).
- Land Purchase (agreement made September 15, 2025).
- Misc. staff time in 2025 implementing the Cannabis Business Plan and THC sales includes, but not limited to:
 - Conducting market research.
 - Supply chain networking.
 - Staff onboarding/training.
 - Store design/development.
 - Marketing planning/branding.
 - Financial banking.
 - Legal review.
 - Ordering, handling, and selling products.

Elk River liquor has THC inventory on hand valued at approximately \$45,000. The product is estimated to be a 90-day supply based on expiration dates and our sell-through pace at the stores, based on consumer demand.

Financial Impact

Over \$500,000 has been invested in the rollout of THC products to date.

Mission/Policy/Goal

Reflect the culture of citizens

Attachments

None



Request for Action

To
City Council

Item Number
8.3

Meeting Date
December 15, 2025

Prepared By
Dawn Robertson, Records Specialist

Item Description
2026 Meeting Calendar: City Council and Advisory Boards

Reviewed by
Cal Portner
Tina Allard

Action Requested
Approve, by motion, the 2026 City Council and Advisory Boards meeting calendars.

Background/Discussion

Per state law, the schedule of the City Council's meetings must be kept on file with the Office of the City Clerk and posted on the city's bulletin board. Regular meetings are held on the first and third Mondays of each month.

Sherburne County selected Tuesday, April 7, 2026, at 6:00 p.m. for the Board of Appeal meeting.

We would like to schedule the Special Budget Meetings on July 13 and July 27, and keep August 24 as a tentative date.

Council Retreat Meeting Date

Historically, the City Council has held this meeting on the fourth Monday of April from 1:00 p.m. to 7:00 p.m. Would Monday, April 28, work to schedule this meeting?

Financial Impact
N/A

Mission/Policy/Goal
Ethical, efficient, and responsible.

Attachments

1. 2026 Council Calendar
2. 2026 Boards and Commissions Meetings

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2026

City Council Meeting Schedule

January						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July						
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

October						
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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

May						
S	M	T	W	T	F	S
					1	2
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August						
S	M	T	W	T	F	S
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November						
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29	30					

March						
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29	30	31				

June						
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28	29	30				

September						
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December						
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6	7	8	9	10	11	12
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20	21	22	23	24	25	26
27	28	29	30	31		

Holidays

Jan 1 - New Year's Day observed
 Jan 19 - Martin Luther King Jr. Day
 Feb 16 - Presidents' Day
 May 25 - Memorial Day
 June 19 - Juneteenth
 July 4 - Independence Day observed

Sept 7- Labor Day
 Nov 11 - Veterans Day observed
 Nov 26 - Thanksgiving
 Nov 27 - Day after Thanksgiving
 Dec 24 & 25 - Christmas holidays observed

2026

Advisory Board/Commission Meeting Calendar

January						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
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April						
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July						
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19	20	21	22	23	24	25
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October						
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18	19	20	21	22	23	24
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February						
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May						
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17	18	19	20	21	22	23
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31						

August						
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30	31					

November						
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March						
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June						
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28	29	30				

September						
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20	21	22	23	24	25	26
27	28	29	30			

December						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOTE: ALL DATES ARE SUBJECT TO CHANGE.

	EDA (5:30 p.m.) and City Council (6:00 p.m. or after EDA mtg)
	Heritage Preservation Commission - 6:00 p.m.
	HRA (5:30 p.m.) and City Council (6:30 p.m.)
	Community Event Center Commission - 6:30 p.m.
	Parks and Recreation Commission - 6:30 p.m.

	Planning Commission - 6:30 p.m.
	Utilities Commission - 3:30 p.m.
	City Council
	Utilities Commission/Parks and Recreation Commission

Holidays

Jan 1 - New Year's Day observed
 Jan 19 - Martin Luther King Jr. Day
 Feb 16 - Presidents' Day
 May 25 - Memorial Day
 June 19 - Juneteenth
 July 3 - Independence Day Observed

Sept 7- Labor Day
 Nov 11 - Veterans Day observed
 Nov 26 - Thanksgiving
 Nov 27 - Day after Thanksgiving
 Dec 24 & 25 - Christmas holidays observed

Multipurpose Facility Commission meets at Furniture and Things Community Event Center, 1000 School St
 Utilities Commission meets at ERMU, 13069 Orono Parkway
 Unless otherwise noted, all other meetings are held at Elk River City Hall, 13065 Orono Parkway



Request for Action

To
City Council

Item Number
10.1

Meeting Date
December 15, 2025

Prepared By
Joe Stremcha, Business Services Director/Assistant
City Administrator

Item Description
Ebikes/Scooters on City Sidewalks and Trails

Reviewed by
Cal Portner
Tina Allard

Action Requested
Discuss an E-bike and Electric Powered Device Ordinance.

Background/Discussion

On December 10, the Parks and Recreation Commission recommended, by motion, that the City Council approve an ordinance regulating the use of e-bikes and electric-powered devices on city trails and within city parks. The Commission appointed Commissioners Niziolek, Stewart, and Anderson to an ad hoc committee to work with staff on drafting regulations for e-bikes and electric-powered devices on city trails and within city parks, based on concerns raised by community members. The city attorney's office has reviewed the draft ordinance and recommends additional language for the Council to consider.

Financial Impact

Cost of potential park and trail signage and ordinance enforcement are to be determined.

Mission/Policy/Goal

Appropriately govern in an ever-changing environment.

Attachments

1. Electric Bike Law
2. Electric Scooter Law
3. Communications Example From Maple Grove
4. E bike Concern
5. Ebike Ordinance - Reviewed Draft

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169.222 OPERATION OF BICYCLE.

Subdivision 1. **Traffic laws apply.** (a) Every person operating a bicycle has all of the rights and duties applicable to the driver of any other vehicle by this chapter, except in respect to those provisions in this chapter relating expressly to bicycles and in respect to those provisions of this chapter which by their nature cannot reasonably be applied to bicycles. This subdivision applies to a bicycle operating on the shoulder of a roadway.

(b) A person lawfully operating a bicycle (1) on a sidewalk, or (2) across a roadway or shoulder while using a crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances.

Subd. 2. **Manner and number riding.** (a) For purposes of this subdivision, "bicycle" includes a tandem bicycle, electric-assisted bicycle, cargo or utility bicycle, or trailer.

(b) No person may operate a bicycle while carrying more than the number of riders for which the bicycle is designed or equipped.

(c) Notwithstanding paragraph (b), an adult bicycle operator may carry a child in a trailer or seat designed for carrying children that is securely attached to a bicycle.

Subd. 3. **Clinging to vehicle.** Persons riding upon any bicycle, coaster, roller skates, toboggan, sled, skateboard, or toy vehicle shall not attach the same or themselves to any street car or vehicle upon a roadway.

Subd. 4. **Riding rules.** (a) Every person operating a bicycle on a road must ride as close to the right-hand curb or edge of the road as the bicycle operator determines is safe. A person operating a bicycle is not required to ride as close to the right-hand curb or edge when:

(1) overtaking and passing another vehicle proceeding in the same direction;

(2) preparing for a left turn at an intersection or into a private road or driveway;

(3) reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand curb or edge, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards, or narrow-width lanes;

(4) operating on the shoulder of a roadway or in a bicycle lane; or

(5) operating in a right-hand turn lane before entering an intersection.

(b) If a bicycle is traveling on a shoulder of a roadway, the bicycle operator must travel in the same direction as adjacent vehicular traffic.

(c) Persons riding bicycles upon a roadway or shoulder must not ride more than two abreast and, on a laned roadway, shall ride within a single lane.

(d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a crosswalk, must yield the right-of-way to any pedestrian and give an audible signal when necessary before overtaking and passing any pedestrian. A person must not ride a bicycle upon a sidewalk within a business district unless permitted by local authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their jurisdiction.

(e) An individual operating a bicycle or other vehicle on a bikeway must (1) give an audible signal a safe distance prior to overtaking a bicycle or individual, (2) leave a safe clearance distance when overtaking

a bicycle or individual proceeding in the same direction, and (3) maintain clearance until safely past the overtaken bicycle or individual.

(f) Notwithstanding section 169.06, subdivision 4, a bicycle operator may cross an intersection proceeding from the leftmost one-third of a dedicated right-hand turn lane without turning right.

Subd. 4a. **Stopping requirements.** (a) For purposes of this subdivision, "in the vicinity" means located in an intersection or approaching an intersection in a manner that constitutes a hazard of collision during the time that a bicycle operator would occupy the intersection.

(b) A bicycle operator who approaches a stop sign must slow to a speed that allows for stopping before entering the intersection or the nearest crosswalk. Notwithstanding subdivision 1 and section 169.06, subdivision 4, if there is not a vehicle in the vicinity, the operator may make a turn or proceed through the intersection without stopping.

(c) Nothing in this subdivision alters the right-of-way requirements under section 169.20. The provisions under this subdivision do not apply when traffic is controlled by a peace officer or a person authorized to control traffic under section 169.06.

Subd. 5. **Carrying articles.** No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars or from properly operating the brakes of the bicycle.

Subd. 6. **Bicycle equipment.** (a) No person shall operate a bicycle at nighttime unless the bicycle or its operator is equipped with (1) a lamp which emits a white light visible from a distance of at least 500 feet to the front; and (2) a red reflector of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A bicycle equipped with lamps that are visible from a distance of at least 500 feet from both the front and the rear is deemed to fully comply with this paragraph.

(b) No person may operate a bicycle at any time when there is not sufficient light to render persons and vehicles on the highway clearly discernible at a distance of 500 feet ahead unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of 20 square inches of reflective material on each side of the bicycle or its operator. Any bicycle equipped with side reflectors as required by regulations for new bicycles prescribed by the United States Consumer Product Safety Commission shall be considered to meet the requirements for side reflectorization contained in this subdivision.

(c) A bicycle may be equipped with a front lamp that emits a white flashing signal, or a rear lamp that emits a red flashing signal, or both.

(d) A bicycle may be equipped with tires having studs, spikes, or other protuberances designed to increase traction.

(e) No person shall operate a bicycle unless it is equipped with a rear brake or front and rear brakes which will enable the operator to make a braked wheel skid on dry, level, clean pavement. A bicycle equipped with a direct or fixed gear that can make the rear wheel skid on dry, level, clean pavement shall be deemed to fully comply with this paragraph.

(f) A bicycle may be equipped with a horn or bell designed to alert motor vehicles, other bicycles, and pedestrians of the bicycle's presence.

(g) No person shall operate upon a highway any two-wheeled bicycle equipped with handlebars so raised that the operator must elevate the hands above the level of the shoulders in order to grasp the normal steering grip area.

(h) No person shall operate upon a highway any bicycle which is of such a size as to prevent the operator from stopping the bicycle, supporting it with at least one foot on the highway surface and restarting in a safe manner.

Subd. 6a. **Electric-assisted bicycle; riding rules.** (a) A person may operate an electric-assisted bicycle in the same manner as provided for operation of other bicycles, including but not limited to operation on the shoulder of a roadway, a bicycle lane, and a bicycle route, and operation without the motor engaged on a bikeway or bicycle trail.

(b) A person may operate a class 1 or class 2 electric-assisted bicycle with the motor engaged on a bicycle path, bicycle trail, or shared use path unless prohibited under section 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph (b), as applicable.

(c) A person may operate a class 3 electric-assisted bicycle or multiple mode electric-assisted bicycle with the motor engaged on a bicycle path, bicycle trail, or shared use path unless the local authority or state agency having jurisdiction over the bicycle path or trail prohibits the operation.

(d) The local authority or state agency having jurisdiction over a trail or over a bike park that is designated as nonmotorized and that has a natural surface tread made by clearing and grading the native soil with no added surfacing materials may regulate the operation of an electric-assisted bicycle.

(e) A person under the age of 15 must not operate an electric-assisted bicycle.

Subd. 6b. **Electric-assisted bicycle; equipment.** (a) The manufacturer or distributor of an electric-assisted bicycle must apply a label to the bicycle that is permanently affixed in a prominent location. The label must contain the class number, top assisted speed, and motor wattage of the electric-assisted bicycle, and must be printed in a legible font with at least 9-point type. A multiple mode electric-assisted bicycle must have labeling that identifies the highest class or each of the electric-assisted bicycle classes in which it is capable of operating.

(b) A person must not modify an electric-assisted bicycle to change the motor-powered speed capability or motor engagement so that the bicycle no longer meets the requirements for the applicable class, unless:

(1) the person replaces the label required in paragraph (a) with revised information; or

(2) for a vehicle that no longer meets the requirements for any electric-assisted bicycle class, the person removes the labeling as an electric-assisted bicycle.

(c) An electric-assisted bicycle must operate in a manner so that the electric motor is disengaged or ceases to function: (1) when the brakes are applied; or (2) except for a class 2 electric-assisted bicycle or a multiple mode electric-assisted bicycle operating in class 2 mode, when the rider stops pedaling.

(d) A class 3 electric-assisted bicycle or multiple mode electric-assisted bicycle must be equipped with a speedometer that displays the speed at which the bicycle is traveling in miles per hour.

(e) A multiple mode electric-assisted bicycle equipped with a throttle must not be capable of exceeding 20 miles per hour on motorized propulsion alone in any mode when the throttle is engaged.

Subd. 7. **Sale with reflectors and other equipment.** (a) No person shall sell or offer for sale any new bicycle unless it is equipped with reflectors and other equipment as required by subdivision 6, paragraphs (b) and (e) and by applicable regulations for new bicycles prescribed by the United States Consumer Product Safety Commission.

(b) Notwithstanding paragraph (a), a new bicycle may be sold or offered for sale without pedals if the bicycle otherwise meets the requirements of paragraph (a).

Subd. 8. **Turning, lane change.** An arm signal to turn right or left shall be given continuously during the last 100 feet traveled by the bicycle before turning, unless the arm is needed to control the bicycle, and shall be given while the bicycle is stopped waiting to turn.

Subd. 9. **Bicycle parking.** (a) A person may park a bicycle on a sidewalk unless prohibited or restricted by local authorities. A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(b) A bicycle may be parked on a roadway at any location where parking is allowed if it is parked in such a manner that it does not obstruct the movement of a legally parked motor vehicle.

Subd. 10. **Bicycle events.** (a) Bicycle events, parades, contests, or racing on a highway shall not be unlawful when approved by state or local authorities having jurisdiction over that highway. Approval shall be granted only under conditions which assure reasonable safety for all participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.

(b) By agreement with the approving authority, participants in an approved bicycle highway event may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

Subd. 11. **Peace officer operating bicycle.** The provisions of this section governing operation of bicycles do not apply to bicycles operated by peace officers while performing their duties.

History: 1978 c 739 s 12; 1986 c 444; 1987 c 255 s 14; 1993 c 326 art 4 s 2; art 7 s 2; 1995 c 72 s 2; 2012 c 287 art 3 s 29-31; art 4 s 20; 2013 c 127 s 31-34; 1Sp2021 c 5 art 4 s 57-60; 2023 c 68 art 4 s 47,48; 2024 c 127 art 3 s 55-57

169.225 MOTORIZED FOOT SCOOTER.

Subdivision 1. **Application of traffic laws.** Every person operating a motorized foot scooter shall have all rights and duties applicable to the operator of a bicycle, except in respect to those provisions relating expressly to motorized foot scooters and in respect to those provisions of law that by their nature cannot reasonably be applied to motorized foot scooters.

Subd. 2. **Sidewalk and passenger prohibition.** No person may operate a motorized foot scooter upon a sidewalk, except when necessary to enter or leave adjacent property. No person may operate a motorized foot scooter that is carrying any person other than the operator.

Subd. 3. **Minimum age for operator.** No person under the age of 12 years may operate a motorized foot scooter.

Subd. 4. **Protective headgear.** No person under the age of 18 years may operate a motorized foot scooter without wearing properly fitted and fastened protective headgear that complies with standards established by the commissioner of public safety.

Subd. 5. **Required lighting equipment.** A motorized foot scooter must be equipped with a headlight and a taillight that comply with standards established by the commissioner of public safety if the vehicle is operated under conditions when vehicle lights are required by law.

Subd. 6. **Operation requirements and prohibitions.** (a) A person operating a motorized foot scooter on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except in the following situations:

(1) when overtaking and passing another vehicle proceeding in the same direction;

(2) when preparing for a left turn, in which case the operator shall stop and dismount at the right-hand curb or right edge of the roadway, and shall complete the turn by crossing the roadway on foot, subject to restrictions placed by law on pedestrians; or

(3) when reasonably necessary to avoid impediments or conditions that make it unsafe to continue along the right-hand curb or edge, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes.

(b) A person may operate a motorized foot scooter on a bicycle path, bicycle lane, bicycle trail, or bikeway that is not reserved for the exclusive use of nonmotorized traffic, unless the local authority or governing body having jurisdiction over that path, lane, trail, or bikeway prohibits operation by law.

History: 2005 c 135 s 6

E-bikes, E-scooters, and more Know the difference and ride safe!



**electric personal
mobility device**



**motorized foot
scooter**



**electric bikes
class 1, 2 & 3**



**motorized bicycle
and e-motorcycles**

Minimum age to ride?

12

12

15

15

Where can I ride?

sidewalks,
trails, streets,
private
property
(with permission)

trails, streets,
private
property
(with permission)

sidewalks,
trails, streets,
private
property
(with permission)

streets,
off-highway,
private
property
(with permission)

Is a license required?

no

no

no

yes

Can I have a passenger?

no

no

no

yes
if equipped with
seat and footrests

MN state statute*

169.212

169.225

169.222

169.974

*visit maplegrovern.gov/parksafety for more information and for links to the MN statutes.

Cal Portner

From: David Anderson <danderson@cretex.com>

Sent: Monday, September 22, 2025 3:15 PM

To: Jeff Shelby <JShelby@ElkRiverMN.gov>; Joe Stremcha <JStremcha@ElkRiverMN.gov>; Cal Portner <CPortner@ElkRiverMN.gov>

Cc: John Dietz (johndietz2013@gmail.com) <johndietz2013@gmail.com>

Subject: FW: Online Form Submittal: Send John Dietz an Email

Afternoon,

I am forwarding a communication that Bill Lazarz sent to me after sending to John in the event it doesn't make it to you. (Bottom of this note)

I started writing a note on the same subject earlier, but never got it finished.

Following is a shortened version of my note.

Like many other trails in the state, we have an issue with Class 2(throttle only so they are essentially an electric motorcycle) and Class 3 E bikes(can go 28mph which is considered too fast) on our paved, unpaved and mountain bike trails, but we can reserve most of this complex discussion for another day.

This communication relates the growing issue of other battery operated E-scooters, E-one wheel scooters, E skate boards, E motorcycles(different from Class 2 E bikes), golf carts, ATVs and motorcycles(gas powered) on our non-motorized paved and green trails. The rapid growth of these types of vehicles seems to have lead to a good deal of confusion on where their use is permitted. I, myself, am confused.

Our linear trail system was built on the premise of human powered movement of people, young and old, for fun, exercise and non-motorized transportation routes to schools, parks and other destinations. In areas where trails pass through more natural areas, our trails are an important connection to our natural world. Class 1 E bikes are an important way that our seniors can continue to enjoy the benefits of trails (exercise included because they require pedaling to move) and can only travel to speeds of 20 mph.

Prior to the advent(and now affordability for many models) of the battery powered versions of scooters and motorcycles we had very few motorized issues on our trails. Now they are everywhere. I see them daily on our sidewalks, streets and trails.

In that last several weeks, I have seen each of the vehicle types mentioned above except for ATV's and gas powered motorcycles on our trails.

I see the smaller e scooters on our trails almost every time I am on the trails.

I have seen electric motor cycles (not e-bikes) on two different occasions. The first time there were two of them traveling together on August 3rd. They entered onto the GNT via the trail coming from 195th Cir NW. They almost clipped a youth on a bicycle as the entered onto the trail. They were traveling north at a very high rate of speed. The second time was last Thursday when I was heading out to drop a load of chips the green trails. An e motorcycle pulled out of the same trail junction and was swerving back and forth and popping wheelies behind the truck as he was waiting

to pass. I pulled over, he passed and headed north, again at a very high rate of speed. I have a photo that can be best sent as a text.

I have seen what I would call high performance e scooters on two different occasions traveling through Woodlands and on the GNT. Not sure how fast it can go, but it seems to go very fast. I have a photo, again that can be better sent as a text, that was taken when traveling back to shop after mowing green trails at Woodlands. This photo is on the Co Rd 1 trail. On this same evening, he passed through Woodlands 3 times.

Many times the battery powered vehicles swerve around other human powered users without slowing.

I fear for the safety (and enjoyment) of our trail users who now have to share the trails with seemingly more and more battery operated vehicles.

In the olden days, I would have chatted with these folks, but resisted (which is hard for me to do). Many years ago when the trails were first turned into non-motorized trails we had considerable carry over of motorized usage which as stopped by trail users.

I (and the commission) would welcome being involved in a conversation of how deal with this issue.

Thanks.

Dave

From: Bill Lazarz
Sent: Monday, September 22, 2025 9:36 AM
To: David Anderson
Subject: Fw: Online Form Submittal: Send John Dietz an Email

Hi Dave,

Please see the email below I sent to the mayor regarding the safety risk with e-motorcycles on the Great Northern Trail.

Thanks,

Bill Lazarz
651-325-5695

----- Forwarded Message -----

From: noreply@civicplus.com <noreply@civicplus.com>
To:
Sent: Monday, September 22, 2025 at 09:34:38 AM CDT
Subject: Online Form Submittal: Send John Dietz an Email

Send John Dietz an Email

TO: John Dietz

First Name

William

Last Name	Lazarz
Reply Email Address	
Subject	E-motorcycles
(Section Break)	
Comments	There seems to be an increased amount of electric motorcycles on our City sidewalks and trails. In particular, their use on the Great Northern Trail and the grass trails in Woodlands Park has been problematic. On both Saturday and Sunday, my daughter and I saw three separate e-motorcycles on the paved trail. The motorcycles were traveling at high rates of speed and doing wheelies down the paved trail. In addition, one of the motorcycles drove past the "no bicycles" sign and was doing loops on the Hackberry grass trail. As I am a frequent walker with my dog and family on this trail, the e-motorcycles are creating a serious safety risk to the walkers, runners and bikers using the trail. I request the City to increase patrols and signage on the trail and remind people that motorcycles are not allowed on the paved or grass trails. Thank you, Bill Lazarz
Disclaimer	
<i>Information submitted is considered public data.</i>	

 In the interests of the environment, please print only if necessary and recycle.

CONFIDENTIAL COMMUNICATION: This e-mail and any attachments accompanying this transmission may contain confidential information that is subject to the terms of the confidentiality agreement between you and Cretex Companies, Inc. or may contain privileged information, and are intended for the sole use of the intended recipient. If you are not the intended recipient, please notify the sender of the error in transmission and immediately delete or destroy the e-mail, all attachments, and any copies thereof. Thank you.

CHAPTER 76: REGULATION OF ELECTRIC-ASSISTED BICYCLES, ~~MOTORIZED RECREATION VEHICLES~~, AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES ON PAVED CITY TRAILS

§ 76.01. DEFINITIONS.

(A) Electric-Assisted Bicycle. The term "electric-assisted bicycle" shall have the meaning ascribed to it in Minnesota Statutes Section 169.011, Subdivision 27, as amended. This definition includes all Class 1, Class 2, and Class 3 electric-assisted bicycles, as defined in Minnesota Statutes Section 169.011, Subdivisions 15a, 15b and 15c, with factory installed fully functional pedals. This definition does not include vehicles resembling electric-assisted bicycles equipped with an electric motor with a power output exceeding 750 watts or capable of providing assistance when the vehicle reaches a speed exceeding 28 miles per hour.

(B) Motorized Foot Scooter. The term "motorized foot scooter" shall mean any ~~motorized~~ foot scooter with handlebars, designed to be stood or sat on, and powered by an electric motor able to propel the device with or without human assistance.

(C) Motorized Recreation Vehicle (MRV). Any motorized vehicle which is not defined as an electric-assisted bicycle, motorized wheelchair, or snowmobile under Minnesota Statutes, and which is designed for recreational use. This shall include, but not be limited to, vehicles ~~that resemble~~ resembling electric-assisted bicycles ~~but that are equipped with an electric motor with a power output that exceeds the 750-watt watts motor power limit or capable of providing assistance when the vehicle reaches a speed that exceeds the~~ 28 miles per hour ~~maximum assisted speed limit.~~

(D) Electric Personal Assistive Mobility Device (EPAMD). The term "EPAMD" shall have the meaning ascribed to it in Minnesota Statutes Section 169.011, Subdivision ~~2726~~, as amended.

(E) Internal Combustion Powered Devices. The term "internal combustion powered devices" shall mean any device that is intended to be used for recreational purposes, including but not limited to scooters, bicycles, and skateboards, that is powered by an internal combustion engine.

Commented [RH1]: See comment below regarding Section 74-181, which also addresses and defines "recreational motor vehicles"

Commented [RH2]: If you adopted the proposal described below and removed the MRV definition, you could consider adding to this proposed language to clarify that e-bikes don't include those with over 750-watt motors or those capable of assist over 28 mph, as reflected in the MRV definition.

Commented [RH3]: I wonder if this could be a little confusing with the fact Section 74-181 separately defines and addresses "Recreational motor vehicle."

These are defined as:

"any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including, but not limited to, snowmobiles, trail bikes or other all-terrain vehicles, hovercraft, or motor vehicles licensed for highway operation which are being used for off-road recreational purposes."

See my comment provided along with Section 76.04 proposing alternative language, which if adopted could potentially accomplish the same outcome without needing the MRV definition.

Commented [RH4]: I would suggest cutting - I'm not sure this needs to be a defined term.

(F) Paved City Trail. The term "**Paved City Trail**" shall mean any designated bicycle trail, bikeway, multi-use trail, or shared-use trail which is surfaced with asphalt, concrete, or similar hard material, and is located upon public land and under the ownership, jurisdiction, or maintenance of the City of Elk River. **For the purposes of this Chapter, the term specifically excludes streets, highways, and public sidewalks.**

§ 76.02. ~~SPEED LIMITATIONS~~ OPERATION ON PAVED CITY TRAILS.

(A) Applicability. This section shall govern the operation of **electric-assisted bicycles, motorized foot scooters, and Electric Personal Assistive Mobility Devices (EPAMDs)** exclusively upon any **Paved City Trail**. The operation of such vehicles on streets, highways, or public sidewalks shall be governed by other applicable City Code provisions and Minnesota Statutes, Chapter 169.

(B) Maximum ~~Speed~~ Limit. No person shall operate an **electric-assisted bicycle, motorized foot scooter, or EPAMD** upon any **Paved City Trail** at a rate of speed in excess of **20 miles per hour (mph)**. This speed restriction shall apply regardless of the maximum ~~assisted~~ speed authorized by Minnesota Statute for the class of electric-assisted bicycle being operated.

(C) Reasonable and Prudent Speed. Notwithstanding the maximum speed limit established in subsection (B), the operator of an **electric-assisted bicycle, motorized foot scooter, or EPAMD** shall at all times operate the vehicle at a speed that is **reasonable and prudent** under the conditions and having regard to the actual and potential hazards then existing, including, but not limited to, the ~~trail~~ surface conditions, ~~trail~~ width, ~~sight-distance~~visibility, and the presence of pedestrians or other ~~trail~~ users.

(D) Yielding to Others. The operator of an **electric-assisted bicycle, motorized foot scooter, or EPAMD** must at all times **yield the right-of-way** to all pedestrians, ~~runners,~~ and other ~~non-motorized~~ trail users ~~operating non-motorized devices or vehicles and~~. The operator of an **electric-assisted bicycle, motorized foot scooter, or EPAMD** shall decrease speed and give an audible signal before overtaking and passing any person proceeding in the same direction.

§ 76.03. OPERATION ON UNPAVED TRAILS, SIDEWALKS, GRASS AREAS, PLAYGROUNDS, AND SKATE PARKS

(A) **General Prohibition.** The operation of any **electric-assisted bicycle** ~~(including Class 1, Class 2, and Class 3)~~, **motorized foot scooter**, or **EPAMD** shall be strictly prohibited on any unpaved, natural surface, grass, or dirt trails, public sidewalks, playground (including nature play areas), skate parks, and on any unimproved park land or grass area located within the City of Elk River.

(B) **Exception for Hillside Park.** Notwithstanding the general prohibition in subsection (A), only **Class 1 electric-assisted bicycles** are permitted for use on the designated, unpaved recreational trails located within Hillside Park.

(C) **Continued Prohibition.** The prohibition established in subsection (A) shall continue to apply to the operation of **Class 2** and **Class 3 electric-assisted bicycles, motorized foot scooters, and EPAMDs** within Hillside Park.

Commented [RH5]: Added sidewalks. With this addition, this might also take care of concerns about operating in the downtown district, or would the city also want to regulate e-bikes operating on the streets within the downtown district?

§ 76.04. PROHIBITION OF OTHER ~~MOTORIZED RECREATION~~ VEHICLES AND INTERNAL COMBUSTION POWERED DEVICES.

Notwithstanding any other provision of this Chapter, the operation of any **Motorized Recreation Vehicle (MRV)** or any device powered by an internal combustion engine other than a , as defined in § 76.01(C), and the operation of any Internal Combustion Powered Device, as defined in § 76.01(E), is **strictly prohibited** on all **Paved City Trails**, all unpaved, natural surface, grass, or dirt trails, public sidewalks, any playground (including nature play areas), skate parks, and any unimproved park land or grass area located within the City of Elk River.

Commented [RH6]: Here is proposed alternative language that would seem to accomplish the same goal, and allow you to avoid using the defined MRV term, which could be confusing in light of what I noted regarding Section 74-181 ("recreation motor vehicles"):

Notwithstanding any other provision of this Chapter, the operation of any motorized vehicle or device other than an **electric-assisted bicycle, motorized foot scooter, or EPAMD**, including any vehicle or device powered by an internal combustion engine, is **strictly prohibited** on all **Paved City Trails**, unpaved trails, playgrounds (including nature play areas), skate parks, public sidewalks, unimproved, natural surfaces, or grass areas located within the City of Elk River.

§ 76.05. GENERAL EXCLUSIONS.

The regulations and prohibitions set forth in this Chapter shall **not apply** to the operation of any manual or motorized wheelchair, scooter, tricycle, or similar device used by a disabled person as a substitute for walking.

§ 76.06. VIOLATION AND PENALTY.

(A) Violation. Any person violating any provision of this chapter shall be guilty of a petty misdemeanor.

(B) Enforcement. The Elk River Police Department, or any authorized Code Enforcement Official, shall have the authority to enforce the provisions of this chapter.



Request for Action

To
City Council

Item Number
10.2

Meeting Date
December 15, 2025

Prepared By
Joe Stremcha, Business Services Director/Assistant
City Administrator

Item Description
Northbound Capital Improvements

Reviewed by
Cal Portner
Tina Allard

Action Requested
Discuss Northbound liquor store capital improvement needs.

Background/Discussion

The consensus from the City Council Work Session on December 1, 2025, was to reconsider the construction of a new Northbound liquor store. The Council will have a tour of the existing store at 4:30 p.m. on Monday, December 15.

Financial Impact

The 2026 - 2030 Capital Improvement Plan includes \$8,500,000 for the construction of Northbound/Cannabound. This includes all hard construction costs, FF&E, and soft costs for design and engineering. The project will be funded with performance bonds, and the costs are expected to be finalized this spring once the project is bid. The Liquor Fund will be used to repay the bonds over a 20-year to 25-year term based on interest rates.

Mission/Policy/Goal

Meet changing needs - agile.

Attachments

None

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity





Request for Action

To
City Council

Item Number
10.3

Meeting Date
December 15, 2025

Prepared By
Mitchell Litfin, Street and Park Superintendent

Item Description
Vehicle Acquisition and Replacement Policy Manual

Reviewed by
Justin Femrite
Cal Portner
Tina Allard

Action Requested
Discuss and provide direction on the updated Vehicle Acquisition and Replacement Policy.

Background/Discussion
Over the past several months, staff have been evaluating and updating the Vehicle Acquisition and Replacement Policy. Several departments have contributed information on current conditions, challenges, and potential approaches. The purpose of this work session item is to summarize findings and gather initial Council feedback before developing formal recommendations.

Financial Impact
There is no immediate financial impact associated with this item.

Mission/Policy/Goal
Responsible for every dollar - good stewards

- Attachments**
1. Vehicle Acquisition and Replacement Policy Showing Tracked Changes 2025
 2. Vehicle Acquisition and Replacement Policy Final

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



Vehicle Acquisition and Replacement Policy Manual

13065 Orono Parkway
Elk River, MN 55330
763.635.1000



ElkRiverMN.gov

Vehicle Acquisition and Replacement Policy

Purpose

~~Purpose and need for policy. The City of Elk River Fleet Committee Maintenance Department philosophy is to establish this policy to and guide in the maintain maintenance of a fleet which that supports the services provided to our customers residents. The Overall management of the city vehicle fleets is the responsibility of the Public Works Department as delegated to the Public Works Supervisor in collaboration with various city departments.~~

~~A significant The Public Works Supervisor is The Public Works Supervisor is part of this responsible for the ility is to ensure effective planning for the purchase, replacement, and assignment of all city vehicles. Coordination of vehicle purchases, replacements, and reassignments will be done by the respective city department-designated representatives and in Fleet Committee Public Works Supervisor in conformity with city policy and the vehicle and equipment replacement schedule guideline guideline. The purpose of this policy is to establish standard replacement schedule guidelines guidelines for vehicles of similar types and use.~~

~~The Public Works Director and Public Works Supervisor shall r The Fleet Committee will be responsible for controlling managing the fleet size and coordinating any changes in the replacement schedule. The city's MFleet Services staff echanics will shall provide be an integral information for part of the process including ; the Mechanics will not evaluate the necessity of requests, but may provide suggestions on the vehicle maintenance history, mechanical condition, and alternative solutions that may to meet our service needs. The standard guidelines for our replacement schedule by type of vehicle vehicle type is are as follows:~~

<i>Dept/Division</i>	<i>Vehicle</i>	<i>Type of Service</i>	<i>Benchmark to evaluate for replacement & re-purpose</i>
Police			
	Police Investigation/Admin	2 was 1	7 Was 6
	Police Squad Cars	5 was 1	5 Was 4
	ATV/UTV *NEW*	1	20
	SWAT Van *NEW*	1	15-20
	CSO Trucks	2	8 Was 6
	Special Operations Truck MRAP	1	25-Was 20
Bldg. Main	¾ Ton Truck *TAKEN OFF*	4	7-10
	1 Ton Truck	3	10-12 Was 7-10
	1 Ton Utility	3	10-12 Was 7-10

	Utility Tractor (Ventrac 4500)	2 was 3	10-12 Was 12-15
	JD Gator/UTV	3	Use Repurposed was NA
	Hydraulic Tractor *TAKEN OFF*	3	15
	Genie Lift	3 was 2	15 was 12-15
	GS Man Lift	2 was 5	12 – 15
	JLG Triple, L Trailer *NEW*	1	20-25
Code Compliance	Building Safety Vehicles	5 was 1	12 – 15 was 10
Fire	Engine	3	25
	Rescue Units	3	25 was 20
	Command Vehicles	3 was 2	10 Was 7
	Fire Prevention/Support Truck	2 was 1	25 was 15
	Grass Rigs	1 was 3	20 Was 15
	Ladder	3	25
	Tender	3 was 5	25 was 20
	ATV/UTV *NEW*	1	20
NEW	Light Duty Trailer (UTV) *NEW*	1	30
NEW	Fire Prevention Trailer (Escape)	1	30
NEW	Live Burn Trailer	1	30
NEW	Incident Support Trailer	1	30
NEW	Vent Prop Trailer	1	30

Dept/Division	Vehicle	Type of Service	Repl Cycle (Yrs)
Parks	1/2 Ton Truck *TAKEN OFF*	2	7-10
	3/4 Ton Truck	3	10-12 Was 7-10
	1-2 Ton Trucks	3	10-12 Was 7-10
	Ballfield Maintenance Equip	4	10
	Heavy Duty Trailers	3	20 Was 10-12
	Light Duty Trailers	3	20 Was 10-12
	Sidewalk Machines	5	8 - 10
	Small Mowers	5	5 - 7
	Snowmobiles	3	10-12 Was 3-5
	Sprayer	3	20
	Tractor Attachments	3	10 – 15
	Tractors	3	10 – 15
	Mini Skid *NEW*	1	15-20
	Utility ATV	3	6-8 Was 8-10
	Field Painter *NEW*	2	10
	Wide Area Mowers	5	5 – 7
Streets	Air Compressor	2	15 – 20
	Asphalt Roller	2	7 – 10
	Brush Clipper	5	7 – 10
	Cold Mill	5	15-20 WAS 7 – 10

	Crack-filling Kettle	5	7 – 10
	Forklift	3	15–20
	Heavy Trucks	5	12 – 15
	1/2 Ton Truck *TAKEN OFF*	2	7-10
	3/4 Ton Truck	3	10-12 Was 7-10
	1-2 Ton Trucks	3	10-12 Was 7-10
	Loader Mounted Blower	5	12-15 Was 25
	Loaders	5	12–15
	Motor Grader	4	20 – 30
	Patch Trailer	5	7 – 10
	Skid Steer Loaders	5	12 Was 10
	Sweepers	5	10
	Tandem Axle Trailer *NEW*	1	20-25
	Single Axle Trailer *NEW*	1	20-25
Streets	Vac Trailer *NEW*	3	15-20
	Pavement Cutters *NEW*	3	7-10 15-20
	Tractor	3	15 -20
Arena	Ice Resurface	3	10
Cable/Admin	Cars	1	Use Repurposed Was 10
WWTP	3/4 Ton Truck	2 was 3	10-12 Was 7-10
	1 Ton Truck	3	10-12 Was 7-10
	Tool Cat *NEW*	2	12
	Golf Cart *NEW*	1	15-20
	Toro Workman	1	15-20
	Jet Truck	5	17 – 20
	Tractor	3	15-20 was 10-12

When applicable, the Fleet Committee will establish the replacement year when the replacement schedule guideline is based on usage. The Fleet Committee will also determine all other miscellaneous equipment replacement schedules based on usage, manufacturer's recommendations, and condition of equipment. Hand down vehicles that require a specific set up will be put into service for a minimum of 2 years. Replacement exceptions may be

Procedures

All vehicle purchases, replacements, and reassignments must be coordinated ~~by~~ with the ~~Fleet Committee~~ Public Works Supervisor to ensure proper tracking, budgeting, and operational alignment.

- The ~~Fleet Committee~~ ~~The~~ Public Works Supervisor and Department ~~Heads~~ Directors/Division Managers will meet ~~regularly annually each June during the beginning of the~~ to review the Capital Improvement Plan for accuracy and note ~~changes capital improvements planning process and after the final budget is approved.~~
- Standard color options for all passenger vehicles ~~will~~ Shall be ~~W~~white, ~~B~~blue or ~~B~~black

for ease of repurposing and resale unless ~~ok'd approved by by Public Works Supervisor~~ the City Administrator.

c. New vehicle additions to the fleet will be budgeted for in the respective department budget for the purchase year and added to the Capital Replacement Schedule

- New vehicle addition replacement values are amortized over the expected vehicle service cycle.
- The appropriate amortized vehicle replacement chargeback added to the respective budget.

d. Vehicles meeting their service cycle may be repurposed by another department/division with a differing service need.

- Repurposed vehicles assigned for the replacement of a previously assigned repurposed vehicle shall not be placed on an amortization schedule.
- Repurposed vehicles requested for initial assignment shall incur an amortization schedule of no more than three years to account for the decrease in auction/resale value to the Equipment Replacement Fund.

b.e. The Finance ~~Director~~ Division will coordinate all additions and revisions to the ~~ten~~10-year vehicle and equipment replacement plan with the Public Works Supervisor-~~Fleet Committee~~ as part of the ~~C~~capital ~~i~~Improvements planning process. The ~~Fleet Committee~~ Public Works Supervisor will accumulate all requests and submit the ~~ten~~10-year vehicle and equipment replacement schedule, list of additions and revisions, and any other suggestions to the Finance ~~Director~~ Division. The City ~~A~~Administrator will have final approval to all vehicle and equipment purchases and recommendation to the City Council for approval.

e.f. Repurposed assets will be ~~kept in their spot~~ maintained for a minimum of four (4) years before they are ~~up-scheduled~~ for replacement with another repurposed asset again.

d.g. Asset reconditioning will be utilized where available.

e.h. State contracts will be the standard method for asset purchases; other procurement options may also be considered.

Mechanics Vehicle Evaluation Form

Dept: _____ Emergency Equipment? Y/N

Date: _____ Vehicle #: _____ Miles/Hrs.: _____

Year: _____ Make: _____ Model: _____

	Current Score	Projected Score	Future – Other Dept. or Auction?
Age			
Usage			
Type of Service			
Condition			
Repair Costs			
Total			

Repair Costs: \$ _____

Purchase Price: \$ _____

Specialties (decals, computers, accessories, etc.) \$ _____

Projected Mileage: _____

Reliability: Very Good ☐ Good ☐ Fair ☐ Dispose/Flag File ☐

Evaluated by: _____

Point Ranges:

Under 21 points	Condition I	Very Good
21 – 25 points	Condition II	Good
25 – 30 points	Condition III	Fair
31 points and up	Condition IV	Disposal

The City of Elk River Vehicle Evaluation Form Explained

The Vehicle Replacement Chart serves as a guide ~~only to suggest for~~ when a vehicle ~~/or piece of~~ equipment ~~may be is~~ due for replacement. ~~When a unit appears on the chart as a potentially ready for replacement, a Fleet Services Mechanic~~ will complete ~~a detailed vehicle the~~ evaluation based on criteria for replacement of ~~the city's~~ vehicles/equipment and will present it to the Public Works Supervisor and Public Works Director prior to final replacement/disposition. The evaluation is based on the following criteria:

- **~~Age:~~**

One point for each year of chronological age, based on in-service date.

- **~~Usage:~~**

Odometer- based vehicles=one point per 10,000 miles

Odometer- based small equipment=one point per 500 miles

Hour ~~Mm~~eter- based- small equipment=one point per 325 hours

Hour -meter- based large truck/equipment=one point per 750 hours

- **~~Type of service:~~**

~~Score 1 to 5~~ points based on the type/level of service the vehicle/equipment receives, ~~i.e.~~ (1) for administrative vehicles or light use, (3) for medium use, and (5) for patrol car or heavy use

- **~~Condition:~~**

This score ~~is scaled~~ from 1 ~~to 5~~ ~~based is based~~ on the inspection of the body, underbody and structural members, rust, interior, condition, a review of accident and repair history, any operational problems and anticipated major repairs within the next budget year. A score of (5) would be in very poor condition with high expectations for major future expenses.

- **~~Repair costs:~~**

~~Score 1 to 5 points are assigned~~ based on the total life-to-date (LTD) repair costs (excluding "non-normal" repairs) and the original purchase price of the vehicle/equipment. A (5) is scored for a vehicle/equipment whose LTD repair costs exceed the original purchase price. A score of (

1) ~~is given to a vehicle/equipment whose signifies~~ LTD repair costs are 20% or less of the original purchase price: (2) for 40%, 3 for 60%, (4) for 80%.

- **~~Reliability:~~**

The vehicle or equipment will be based on unscheduled repairs and will be factored ~~in~~ independently based on the fleet maintenance records.

Point Ranges:

Under 21 Points

21 to 25 Points

26 to 30 Points

31 points and above

_____ Condition I

_____ Condition II

_____ Condition III

Condition IV

_____ Excellent

_____ Good

_____ Qualifies for Replacement

_____ Needs Immediate Consideration

Adopted by:	On (date)	Item #
	Updated Aug/SEP 2025	



Vehicle Acquisition and Replacement Policy Manual

13065 Orono Parkway
Elk River, MN 55330
763.635.1000



ElkRiverMN.gov

Vehicle Acquisition and Replacement Policy

Purpose

The City of Elk River establishes this policy to guide in the maintenance of a fleet that supports the services provided to residents. The management of the city vehicle fleet is the responsibility of the Public Works Department as delegated to the Public Works Supervisor in collaboration with city departments.

The Public Works Supervisor is responsible for the effective planning for the purchase, replacement, and assignment of all city vehicles. Coordination of vehicle purchases, replacements, and reassignments will be done by the respective city department-designated representatives and in conformity with city policy and the vehicle and equipment replacement schedule guidelines. The purpose of this policy is to establish standard replacement schedule guidelines for vehicles of similar types and use.

The Public Works Director and Public Works Supervisor shall be responsible for managing the fleet and coordinating any changes in the replacement schedule. The city's Fleet Services staff shall provide integral information for the process including vehicle maintenance history, mechanical condition, and alternative solutions to meet service needs. The standard guidelines for our replacement schedule by vehicle type are as follows:

<i>Dept/Division</i>	<i>Vehicle</i>	<i>Type of Service</i>	<i>Repl Cycle (Yrs)</i>
Parks	¾ Ton Truck	3	10-12
	1-2 Ton Trucks	3	10-12
	Ballfield Maintenance Equip	4	10
	Heavy Duty Trailers	3	20
	Light Duty Trailers	3	20
	Sidewalk Machines	5	8-10
	Small Mowers	5	5-7
	Snowmobiles	3	10-12
	Sprayer	3	20
	Tractor Attachments	3	10-15
	Tractors	3	10-15
	Mini Skid	1	15-20
	Utility ATV	3	6-8
	Field Painter	2	10
	Wide Area Mowers	5	5-7
Streets	Air Compressor	2	15-20
	Asphalt Roller	2	7-10
	Brush Clipper	5	7-10

Streets	Cold Mill	5	15-20
	Crack-filling Kettle	5	7-10
	Forklift	3	15-20
	Heavy Trucks	5	12-15
	$\frac{3}{4}$ Ton Truck	3	10-12
	1-2 Ton Trucks	3	10-12
	Loader Mounted Blower	5	12-15
	Loaders	5	12-15
	Motor Grader	4	20-30
	Patch Trailer	5	7-10
	Skid Steer Loaders	5	12
	Sweepers	5	10
	Tandem Axle Trailer	1	20-25
	Single Axle Trailer	1	20-25
Streets	Vac Trailer	3	15-20
	Pavement Cutters	3	7-10
	Tractor	3	15-20
Arena	Ice Resurface	3	10
Cable/Admin	Cars	1	Use Repurposed
WWTP	$\frac{3}{4}$ Ton Truck	2	10-12
	1 Ton Truck	3	10-12
	Jet Truck	5	17-20
	Tractor	3	15-20
	Tool cat	2	12
	Golf Cart	1	15-20
	Toro Workman	1	15-20
Police	Police Investigation/Admin	2	7
	Police Squad Cars	5	5
	ATV/UTV	1	20
	SWAT Van	1	15-20
	CSO Trucks	2	8
	MRAP Special OPS Truck	1	25
Bldg Main	1 Ton Truck	3	10-12
	1 Ton Utility	3	10-12
	UTV	3	Use Repurposed
	Genie Lift	3	15
	GS Man Lift	2	12-15
	JLG Triple , L Trailer	1	20-25
Code Compliance	Building Safety Vehicles	1	12-15
Fire	Engine	3	25
	Tender	3	25
	ATV/UTV	1	20
	Light Duty Trailer (UTV)	1	30
	Fire Prevention Trailer (Escape)	1	30
	Live Burn Trailer	1	30

Fire	Incident Support Trailer	1	30
	Vent Prop Trailer	1	30
	Ladder	3	25
	Rescue Units	3	25
	Command Vehicles	3	10
	Fire Prevention/Support Truck	2	25
	Grass Rigs	1	20

Procedures

All vehicle purchases, replacements, and reassignments must be coordinated with the Public Works Supervisor to ensure proper tracking, budgeting, and operational alignment.

- a. The Public Works Supervisor and Department Directors/Division Managers will meet annually each June to review the Capital Improvement Plan for accuracy and note changes.
- b. Standard color options for all passenger vehicles Shall be white, blue or black for ease of repurposing and resale unless approved by the City Administrator.
- c. New vehicle additions to the fleet will be budgeted for in the respective department budget for the purchase year and added to the Capital Replacement Schedule
 - New vehicle addition replacement values are amortized over the expected vehicle service cycle.
 - The appropriate amortized vehicle replacement chargeback added to the respective budget.
- d. Vehicles meeting their service cycle may be repurposed by another department/division with a differing service need.
 - Repurposed vehicles assigned for the replacement of a previously assigned repurposed vehicle shall not be placed on an amortization schedule.
 - Repurposed vehicles requested for initial assignment shall incur an amortization schedule of no more than three years to account for the decrease in auction/resale value to the Equipment Replacement Fund.

- e. The Finance Division will coordinate all additions and revisions to the 10-year vehicle and equipment replacement plan with the Public Works Supervisor as part of the Capital Improvement planning process. The Public Works Supervisor will accumulate all requests and submit the 10-year vehicle and equipment replacement schedule, list of additions and revisions, and any other suggestions to the Finance Division. The City Administrator will have final approval to all vehicle and equipment purchases and recommendation to the City Council for approval.
- f. Repurposed assets will be maintained for a minimum of four (4) years before they are scheduled for replacement with another repurposed asset.
- g. Asset reconditioning will be utilized where available.
- h. State contracts will be the standard method for asset purchases; other procurement options may also be considered.

Vehicle Evaluation Form

Dept: _____ Emergency Equipment? Y/N

Date: _____ Vehicle #: _____ Miles/Hrs.: _____

Year: _____ Make: _____ Model: _____

	Current Score	Projected Score	Future – Other Dept. or Auction?
Age			
Usage			
Type of Service			
Condition			
Repair Costs			
Total			

Repair Costs: \$ _____

Purchase Price: \$ _____

Specialties (decals, computers, accessories, etc.) \$ _____

Projected Mileage: _____

Reliability: Very Good ☐ Good ☐ Fair ☐ Dispose/Flag File ☐

Evaluated by: _____

Point Ranges:

Under 21 points	Condition I	Very Good
21 – 25 points	Condition II	Good
25 – 30 points	Condition III	Fair
31 points and up	Condition IV	Disposal

Vehicle Evaluation Form Explained

The Vehicle Replacement Chart serves as a guide for when a vehicle/equipment is due for replacement. Fleet Services will complete the evaluation based on criteria for replacement of vehicles/equipment and will present it to the Public Works Supervisor and Public Works Director prior to final replacement/disposition. The evaluation is based on the following criteria:

- **Age**

One point for each year of chronological age, based on in-service date.

- **Usage**

Odometer- based vehicles=one point per 10,000 miles

Odometer- based small equipment=one point per 500 miles

Hour meter-based- small equipment=one point per 325 hours

Hour meter- based large truck/equipment=one point per 750 hours

- **Type of service**

Score 1-5 points based on the type/level of service the vehicle/equipment receives, i.e. (1) for administrative vehicles or light use, (3) for medium use, and (5) for patrol car or heavy use

- **Condition**

This score scale from 1-5 is based on the inspection of the body, underbody and structural members, rust, interior, condition, a review of accident and repair history, any operational problems and anticipated major repairs within the next budget year. A score of (5) would be in very poor condition with high expectations for major future expenses.

- **Repair costs**

Score 1-5 based on the total life-to-date (LTD) repair costs (excluding “non-normal” repairs) and the original purchase price of the vehicle/equipment. A (5) is scored for a vehicle/equipment whose LTD repair costs exceed the original purchase price. A score of (1) signifies LTD repair costs are 20% or less of the original purchase price: (2) for 40%, 3 for 60%, (4) for 80%.

- **Reliability:**

The vehicle or equipment will be based on unscheduled repairs and will be factored independently based on the fleet maintenance records.

Point Ranges:

Under 21 Points	Condition I	Excellent
21 to 25 Points	Condition II	Good
26 to 30 Points	Condition III	Qualifies for Replacement
31 points and above	Condition IV	Needs Immediate Consideration

Adopted by:	On (date)	Item #
	Updated Aug/SEP 2025	



Request for Action

To
City Council

Item Number
10.4

Meeting Date
December 15, 2025

Prepared By
David Kuhnly, Police Chief

Item Description
Red Dot Pistol Sights

Reviewed by
David Kuhnly
Cal Portner
Tina Allard

Action Requested

This is a follow-up discussion on the purchase of Red Dot Sights for the Police Department.

Background/Discussion

We presented this topic at the Capital Improvement Plan budgetary meeting on November 17, 2025; however, formal guidance was not given by the Council as to whether or not we can purchase this equipment.

Financial Impact

Depending on the direction, staff will watch the year-end 2025 expenditure/revenue forecast, and if there are remaining funds from the citywide budget, staff proposes to use those funds. If not, and the Council supports the purchase, it would be added to the 2027 Capital Improvement Fund and General Fund Budget.

Mission/Policy/Goal

Elk River Mission Statement

Attachments

None

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



Request for Action

To
City Council

Item Number
12.1

Meeting Date
December 15, 2025

Prepared By
Lori Stich, Finance Manager

Item Description
November Financial Statements

Reviewed by
Lori Stich
Joe Stremcha
Cal Portner
Tina Allard

Action Requested
Information Only.

Background/Discussion

This report is designed to provide summary information regarding the overall level of revenues and expenditures in the General Fund, the Multipurpose Facility Special Revenue Fund, and the Enterprise Funds. These funds provide an important picture of the city's financial health.

For November, actual revenues (excluding property taxes and transfers) and expenditures should run 92% of the annual budget. It is natural for some items to vary from month to month, such as exceeding budget for Supplies but being below budget for Services. This is not considered serious as long as the total expenditure budget amount is not overspent. Significant variances from budget are highlighted below, accompanied by a general discussion of the variance.

General Fund

Revenues:

- License & permit collections are about 91% of budget estimates. November collections were primarily building-related permits.
- Charges for services are about 100% of estimates, with plan check fees and recreation fees accounting for the majority of November collections.
- Court fines, which lag a month, are about 79% of budget, including October collections received by the county.
- Transfers-in consist of ERMU's 4% October monthly electric revenues.

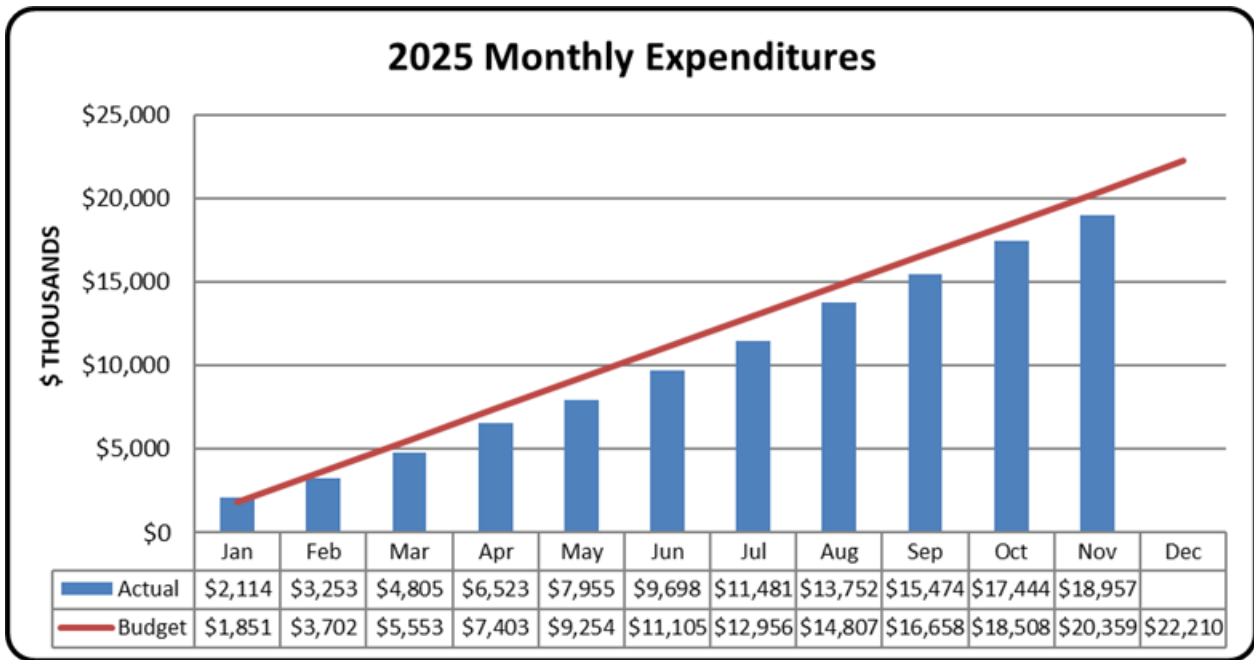
Expenditures:

- Total departmental expenditures are about 85% of budget. Most departments are within or below budget estimates.

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity





FTCenter

Through the end of November, expenditures \$1,834,716 exceed revenues of \$1,690,452 by \$144,264. The majority of November collections consist of ice rent, facility rentals, and concessions/catering revenue, while expenditures are primarily attributable to personal services, utilities, and field house improvements.

Financial Impact

N/A

Mission/Policy/Goal

Responsible for every dollar - good stewards.

Attachments

I. II-2025 Financial Reports

General Fund

As of:

11/30/2025

92.00% OF YEAR COMPLETED

REVENUES**Budget****YTD Actual****% of budget****Budget Balance****Taxes**

101-3-0000-3111	Current Ad Valorem Taxes	15,626,050.00	8,025,706.36	51.36%	7,600,343.64
101-3-0000-3112	Delinquent Ad Valorem Taxes	0.00	56,048.69	0.00%	(56,048.69)
101-3-0000-3121	Gravel Tax	225,000.00	112,854.18	50.16%	112,145.82
101-3-0000-3131	Penalties/Interest	0.00	3,322.56	0.00%	(3,322.56)
Total Taxes		15,851,050.00	8,197,931.79	51.72%	7,653,118.21

Licenses & Permits

101-3-0000-3211	Liquor License	82,000.00	82,318.45	100.39%	(318.45)
101-3-0000-3212	THC License	5,000.00	800.00	16.00%	4,200.00
101-3-0000-3213	Cigarette License	4,000.00	3,450.00	86.25%	550.00
101-3-0000-3214	Rental License	65,000.00	28,070.00	43.18%	36,930.00
101-3-0000-3216	Mining License	26,000.00	27,006.10	103.87%	(1,006.10)
101-3-0000-3217	Garbage Hauler License	2,500.00	815.00	32.60%	1,685.00
101-3-0000-3218	Other Business License/Permit	16,000.00	18,120.00	113.25%	(2,120.00)
101-3-0000-3229	NPDES Permit	23,000.00	15,400.00	66.96%	7,600.00
101-3-0000-3231	Building Permit	550,000.00	490,397.40	89.16%	59,602.60
101-3-0000-3232	Plumbing/Heating Permit	175,000.00	176,541.53	100.88%	(1,541.53)
101-3-0000-3233	Permit Surcharge	700.00	3,033.93	433.42%	(2,333.93)
101-3-0000-3235	Animal License	0.00	750.00	0.00%	(750.00)
101-3-0000-3237	Other Non-Business Lic/Permit	25,000.00	42,575.94	170.30%	(17,575.94)
Total Licenses & Permits		974,200.00	889,278.35	91.28%	84,921.65

Intergovernmental Revenue

101-3-0000-3322	MV Credit	6,000.00	2,738.14	45.64%	3,261.86
101-3-0000-3323	Fire State Aid	275,000.00	377,035.85	137.10%	(102,035.85)
101-3-0000-3325	Police 2% Aid	414,000.00	444,627.34	107.40%	(30,627.34)
101-3-0000-3326	Police Training Reimb	35,000.00	31,821.75	90.92%	3,178.25
101-3-0000-3329	State Crime Prevention Grant	48,000.00	68,320.63	142.33%	(20,320.63)
101-3-0000-3330	Other State Grants	0.00	25,640.14	0.00%	(25,640.14)
Total Intergovernmental Revenue		778,000.00	950,183.85	122.13%	(172,183.85)

Charges for Services

101-3-0000-3412	Planning & Zoning Fees	25,000.00	39,167.32	156.67%	(14,167.32)
101-3-0000-3413	Plan Check Fee	230,000.00	223,554.17	97.20%	6,445.83
101-3-0000-3415	Special Assessment Search	500.00	180.00	36.00%	320.00
101-3-0000-3417	Copies	1,500.00	1,186.25	79.08%	313.75
101-3-0000-3418	Other General Govt Services	0.00	122.25	0.00%	(122.25)
101-3-0000-3430	Lockout Fees	3,500.00	1,945.00	55.57%	1,555.00
101-3-0000-3431	Police Services	46,000.00	24,081.44	52.35%	21,918.56
101-3-0000-3432	School Liaison	185,000.00	199,012.01	107.57%	(14,012.01)
101-3-0000-3434	Animal Impound Fee	500.00	750.25	150.05%	(250.25)
101-3-0000-3436	Fire Contracts	465,750.00	459,511.51	98.66%	6,238.49
101-3-0000-3437	Fire Services	3,000.00	0.00	0.00%	3,000.00
101-3-0000-3438	Fire Inspections	0.00	10.14	0.00%	(10.14)
101-3-0000-3451	Street Services	35,000.00	23,024.59	65.78%	11,975.41
101-3-0000-3452	Engineering Services Reimb	20,000.00	8,841.75	44.21%	11,158.25
101-3-0000-3461	Recreation Fees	52,500.00	53,194.76	101.32%	(694.76)
101-3-0000-3462	Sr Center Activities	47,500.00	46,262.67	97.40%	1,237.33
101-3-0000-3463	Farmer's Market	15,000.00	51,996.00	346.64%	(36,996.00)
101-3-0000-3469	Elk RiverFest	20,000.00	7,915.00	39.58%	12,085.00

101-3-0000-3472	Park Use Fee	76,900.00	87,604.44	113.92%	(10,704.44)
101-3-0000-3475	Building Rent	0.00	442.24	0.00%	(442.24)
101-3-0000-3483	Sewer Inspection Fee	15,000.00	16,505.00	110.03%	(1,505.00)
101-3-0000-3484	Contractor License Check	1,200.00	1,153.31	96.11%	46.69
Total Charges for Services		1,243,850.00	1,246,460.10	100.21%	(2,610.10)
Fines & Forfeits					
101-3-0000-3510	Court Fines	155,000.00	122,303.49	78.91%	32,696.51
Total Fines & Forfeits		155,000.00	122,303.49	78.91%	32,696.51
Other Revenue					
101-3-0000-3621	Interest Income	175,000.00	82,508.93	47.15%	92,491.07
101-3-0000-3625	Refunds & Reimbursements	150,000.00	55,906.99	37.27%	94,093.01
101-3-0000-3626	Contributions	26,000.00	26,000.00	100.00%	0.00
101-3-0000-3629	Miscellaneous Revenue	10,000.00	22,720.16	227.20%	(12,720.16)
Total Other Revenue		361,000.00	187,136.08	51.84%	173,863.92
Transfers In					
101-3-0000-3926	Transfer-Capital Outlay Reserv	95,000.00	95,000.00	100.00%	0.00
101-3-0000-3942	Transfer-WWTS	180,000.00	180,000.00	100.00%	0.00
101-3-0000-3943	Transfer-Liquor	850,000.00	850,000.00	100.00%	0.00
101-3-0000-3944	Transfer-Garbage	60,000.00	60,000.00	100.00%	0.00
101-3-0000-3945	Transfer-Utilities	1,450,000.00	1,388,974.63	95.79%	61,025.37
101-3-0000-3946	Transfer-Stormwater	125,000.00	125,000.00	100.00%	0.00
101-3-0000-3948	Transfer-EDA	48,000.00	48,000.00	100.00%	0.00
101-3-0000-3949	Transfer-HRA	39,000.00	39,000.00	100.00%	0.00
Total Transfers In		2,847,000.00	2,785,974.63	97.86%	61,025.37
TOTAL GENERAL FUND REVENUES		22,210,100.00	14,379,268.29	64.74%	7,830,831.71

General Fund

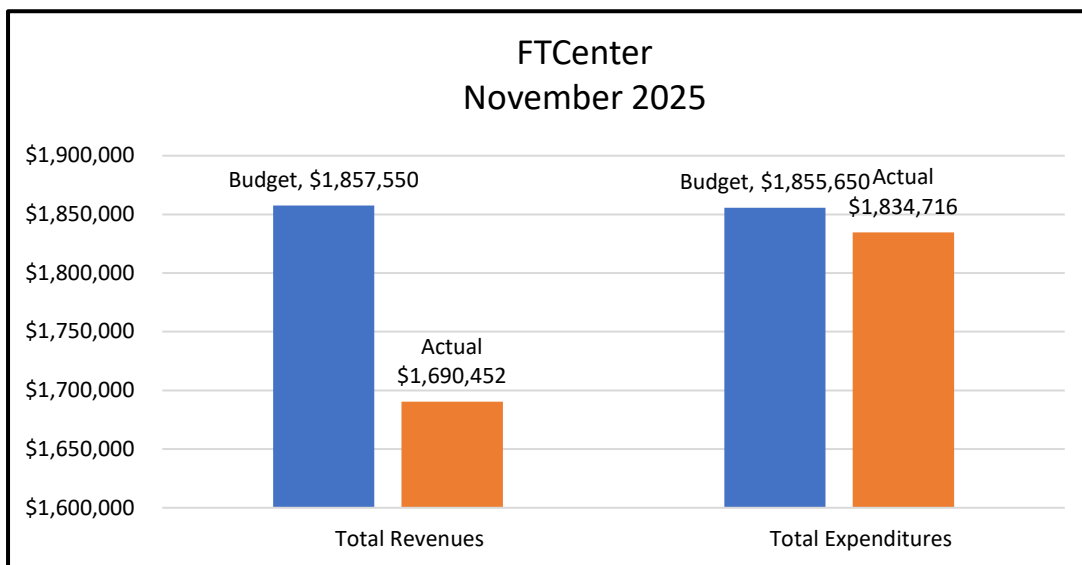
As of: 11/30/2025 92.00% OF YEAR COMPLETED

EXPENDITURE SUMMARY

	Budget	YTD Actual	% of budget	Budget Balance
<u>General Government</u>				
City Council	233,000.00	186,517.26	80.05%	46,482.74
Communications	522,150.00	439,973.33	84.26%	82,176.67
Administrative Services	727,050.00	610,877.44	84.02%	116,172.56
Human Resources	456,150.00	412,795.72	90.50%	43,354.28
Elections	6,800.00	6,320.86	92.95%	479.14
Finance	850,250.00	770,943.83	90.67%	79,306.17
Information Technology	748,200.00	597,790.37	79.90%	150,409.63
Legal	300,000.00	273,397.59	91.13%	26,602.41
Community Development / Planning	504,750.00	475,181.17	94.14%	29,568.83
Building Maintenance	1,151,350.00	953,895.75	82.85%	197,454.25
Total General Government	5,499,700.00	4,727,693.32	85.96%	772,006.68
<u>Public Safety</u>				
Police Administration	1,257,000.00	1,176,412.69	93.59%	80,587.31
Patrol	3,992,500.00	3,268,139.84	81.86%	724,360.16
Investigations	1,523,350.00	1,333,410.42	87.53%	189,939.58
Police Support Services	1,002,750.00	831,066.85	82.88%	171,683.15
Police Reserves	16,550.00	4,406.69	26.63%	12,143.31
Public Safety Building	236,150.00	204,720.41	86.69%	31,429.59
Fire Administration	1,405,400.00	1,368,047.90	97.34%	37,352.10
Fire Operations	658,900.00	632,479.51	95.99%	26,420.49
Emergency Management	32,150.00	40,393.51	125.64%	(8,243.51)
Building Safety	648,400.00	531,496.42	81.97%	116,903.58
Code Enforcement	132,900.00	113,415.31	85.34%	19,484.69
Environmental	57,800.00	59,175.03	102.38%	(1,375.03)
Total Public Safety	10,963,850.00	9,563,164.58	87.22%	1,400,685.42
<u>Public Works</u>				
Street Maintenance	1,778,350.00	1,375,776.08	77.36%	402,573.92
Snow Removal	380,650.00	234,218.75	61.53%	146,431.25
Equipment Services	428,700.00	373,052.37	87.02%	55,647.63
Engineering	382,100.00	344,131.50	90.06%	37,968.50
Total Public Works	2,969,800.00	2,327,178.70	78.36%	642,621.30
<u>Culture & Recreation</u>				
Parks Department	1,736,000.00	1,417,968.08	81.68%	318,031.92
Parks & Rec Admin	576,100.00	490,585.21	85.16%	85,514.79
Recreation Programs	146,550.00	140,093.23	95.59%	6,456.77
Farmers Market	61,850.00	83,364.52	134.78%	(21,514.52)
Sr Citizen Programs	216,050.00	185,150.78	85.70%	30,899.22
Total Culture & Recreation	2,736,550.00	2,317,161.82	84.67%	419,388.18
<u>Economic Development</u>				
Economic Development	0.00	21,589.72	0.00%	(21,589.72)
Energy City	40,200.00	318.20	0.79%	39,881.80
Total Economic Development	40,200.00	21,907.92	54.50%	18,292.08
TOTAL GENERAL FUND EXPENDITURES	22,210,100.00	18,957,106.34	85.35%	3,252,993.66
REVENUES OVER/(UNDER) EXPENDITURES	0.00	(4,577,838.05)		4,577,838.05

**CITY OF ELK RIVER
FTCENTER - BUDGET TO ACTUAL
MONTH ENDED NOVEMBER 30, 2025**

	Current Budget	Year to Date Actual	% of Budget
Revenues:			
Ice Rental	\$861,000	\$735,388	85.41%
Admissions	6,000	10,493	174.89%
Dry Floor Events/Craft Shows	0	3,672	0.00%
Facility Rental	245,400	252,766	103.00%
Advertising/Naming Rights/Sponsorships	192,550	170,883	88.75%
Recreation fees (Skating/Hockey)	160,000	139,271	87.04%
Concessions/catering/vending	363,000	354,302	97.60%
Other Revenues (interest, etc.)	29,600	23,678	79.99%
Total Revenues	\$1,857,550	\$1,690,452	91.00%
Operating expenses:			
Personal services	\$930,900	\$845,719	90.85%
Supplies	197,550	186,720	94.52%
Other service charges	585,450	553,930	94.62%
Capital Outlay	141,750	248,348	175.20%
Total Expenditures	\$1,855,650	\$1,834,716	98.87%
Revenues over/(under) expenditures	\$1,900	(\$144,264)	



CITY OF ELK RIVER
ENTERPRISE FUNDS - BUDGET TO ACTUAL
MONTH ENDED NOVEMBER 30, 2025

	Liquor			Sewer			Garbage			Stormwater		
	Current Budget	Year to Date Actual	% of Budget	Current Budget	Year to Date Actual	% of Budget	Current Budget	Year to Date Actual	% of Budget	Current Budget	Year to Date Actual	% of Budget
Sales and cost of sales:												
Sales	\$ 8,640,000	\$ 7,688,356	88.99%									
Cost of sales	(6,235,750)	(5,232,290)	83.91%									
Gross profit	2,404,250	2,456,066	102.16%									
Operating revenues:												
User charges	-	-	-	\$ 2,745,000	\$ 2,482,323	90.43%	\$ 2,070,000	\$ 1,666,133	80.49%	\$ 675,000	\$ 565,503	83.78%
Delinquency collections	-	-	-	1,500	1,422	94.80%	-	1,013	-	-	45	-
Other	9,000	4,082	45.35%	195,000	168,233	86.27%	-	-	-	-	-	-
Total operating revenues	9,000	4,082	45.35%	2,941,500	2,651,977	90.16%	2,070,000	1,667,146	80.54%	675,000	565,548	83.78%
Operating expenses:												
Personal services	1,268,300	1,073,162	84.61%	901,300	766,114	85.00%	29,900	19,741	66.02%	-	-	-
Supplies	31,500	11,200	35.56%	334,900	247,630	73.94%	23,250	869	3.74%	1,000	-	0.00%
Other service charges	397,650	465,556	117.08%	1,007,950	951,246	94.37%	1,844,550	1,505,840	81.64%	302,950	157,417	51.96%
Depreciation *	70,000	-	0.00%	1,710,000	-	0.00%	-	-	-	500,000	-	0.00%
Total operating expenses	1,767,450	1,549,918	87.69%	3,954,150	1,964,990	49.69%	1,897,700	1,526,450	80.44%	803,950	157,417	19.58%
Operating income (loss)	645,800	910,229	140.95%	(1,012,650)	686,987	-67.84%	172,300	140,695	81.66%	(128,950)	408,131	-316.50%
Nonoperating revenues (expenses):												
Interest income	135,000	37,951	28.11%	135,000	114,499	84.81%	10,000	11,896	118.96%	30,000	28,761	95.87%
Interest expense/agent fees	-	-	-	(77,550)	(76,985)	99.27%	-	-	-	-	-	-
Total nonoperating revenues (expenses)	135,000	37,951	28.11%	57,450	37,514	65.30%	10,000	11,896	118.96%	30,000	28,761	95.87%
Income (loss) before contributions & transfers	780,800	948,180	121.44%	(955,200)	724,501	-75.85%	182,300	152,591	83.70%	(98,950)	436,892	-441.53%
Contributions - connection fees	-	-	-	1,000,000	892,386	89.24%	-	-	-	-	-	-
Transfers in	-	-	-	-	-	0.00%	-	-	-	-	-	-
Sale of assets	-	-	0.00%	-	-	0.00%	-	-	0.00%	-	-	0.00%
Transfers out	(1,100,000)	(1,350,000)	122.73%	(180,000)	(180,000)	100.00%	(60,000)	(60,000)	100.00%	(125,000)	(125,000)	100.00%
NET INCOME (LOSS)	(319,200)	(401,820)	125.88%	(135,200)	1,436,887	-1062.79%	122,300	92,591	75.71%	(223,950)	311,892	-139.27%
Items reclassified to balance sheet at year end:												
Bond Proceeds	-	-	-	-	-	-	-	-	-	(150,000)	-	-
Capital Outlay	-	-	-	(343,000)	(261,540)	-	-	-	-	-	-	-
Bond Payment	-	-	-	(530,000)	(530,000)	-	-	-	-	-	-	-
Revenues over/(under) expenditures	(319,200)	(401,820)		(1,008,200)	645,348		122,300	92,591		(373,950)	311,892	

* Recorded at year-end