

**AGENDA**  
**CITY OF DAYTON, MINNESOTA**  
**12260 S. Diamond Lake Road, Dayton, MN 55327**  
**Tuesday, April 28, 2026**  
**REGULAR MEETING OF THE CITY COUNCIL - 6:30 P.M.**  
**WORKSESSION WITH HR - 5:30 P.M.**

**The invite for Zoom for this meeting can be found on the City's website community calendar**

- 6:30        **CALL TO ORDER**
- 6:30        **PLEDGE OF ALLEGIANCE**
- 6:30        **APPROVAL OF AGENDA**
- 6:30        **CLOSED SESSION RECAPS**
- 6:35        **BADGE PINNING FOR 3 FIREFIGHTERS**
- 6:40        **CONSENT AGENDA**     *These routine or previously discussed items are enacted with one motion. Any questions on items should have those items removed from consent agenda and approved separately.*
- A. Approval of Council Meeting Minutes of April 14, 2026
- B. Approval of Council Meeting Worksession Minutes of April 14, 2026
- C. Approval of Hiring 6 Part-Time Duty Crew Firefighters
- D. Approval of Resolution 17-2026; Accepting Donation from MTL
- E. Approval of Resolution 18-2026; Accepting Donation from Curbside Waste
- F. Approval of Resolution 19-2026; Final Plat of Dayton Difference
- G. Approval of Dust Control
- 6:45        **OPEN FORUM**     *Is limited to Three minutes for non-agenda items; state your name and address; No Council Action will be taken and items will be referred back to staff*
- 6:50        **STAFF, CONSULTANT AND COUNCIL UPDATES**
- COUNCIL BUSINESS**
- New Business**
- 7:00        H. Concept Plan - Oppidan
- Action Items**
- 7:30        I. Consideration of Personnel Policy Update
- 7:40        J. Consideration of Posting for Associate Planner, Planner, or Senior Planner and Part-Time HR Position
- 7:50        K. Approval of Payment of Claims for April 28, 2026
- 8:00        L. Adoption of 2026 Strategic Plan
- 8:15        M. Consideration of AT&T Lease Renewal for Water Tower
- Closed Session**
- 8:30        N. Closed Session. Pursuant to MN Statute 13D.05, Subd 3(c)(3), a closed session shall be conducted to develop or consider offers or counteroffers for the purchase or sale of real or personal property PID: 31-120-22-33-0009
- 9:00        O. The City Council is closing the meeting to the public pursuant to Minnesota Statutes Section 13D.05, subdivision 3(a), which allows a public meeting to be closed for the City Council to evaluate the performance of an individual with is subject to our authority. During this closed meeting, the Council will be evaluating the performance of City Administrator, Zach Doud. A summary of our conclusions regarding this evaluation will be given at our next open meeting.
- 10:00       **ADJOURNMENT**

The City of Dayton's mission is to promote a thriving community and to provide residents with a safe and pleasant place to live while preserving our rural character, creating connections to our natural resources, and providing customer service that is efficient, fiscally responsible, and responsive.

I have to give this summary as required by Minnesota Statutes Section 13.05, subd. 3(c)(3). The City Council met in a closed meeting on April 14, 2026, Persons present at the closed meeting were: Mayor Dennis Fisher; Councilmember Scott Salonek; Councilmember Sara Van Asten; City Administrator Zach Doud; Assistant City Administrator Amy Benting; City Engineer Jason Quisberg. For the purpose of discussing the potential purchase of property listed at 32-120-22-23-0004. The overall conclusion was to continue negotiations.

Another closed session took place April 14, 2026, Persons present at the closed meeting were: Mayor Dennis Fisher; Councilmember Scott Salonek; Councilmember Sara Van Asten; City Administrator Zach Doud; Assistant City Administrator Amy Benting; to develop or consider offers or counter offers for the purchase or sale of real or personal property PID: 31-120-22-33-0009. The overall conclusion was to continue negotiations.

### **CALL TO ORDER**

Fisher called the regular meeting of the Dayton City Council to order at 6:30 PM on Tuesday, April 14, 2026.

**PRESENT:** Dennis Fisher, David Fashant, Scott Salonek, and Sara Van Asten

**ABSENT:** Stephanie Henderson

**ALSO PRESENT:** City Administrator/Finance Director, Zach Doud; Community Development Director, Jon Sevald; Public Works Superintendent, Marty Farrell; Fire Chief, Gary Hendrickson; Police Sergeant, Mike Grimsby; Assistant City Administrator/City Clerk, Amy Benting; City Engineer, Jason Quisberg

### **PLEDGE OF ALLEGIANCE**

### **APPROVAL OF AGENDA**

Doud noted that Item K was removed from the agenda in its entirety at the applicant's request, as a new request is anticipated for a future meeting.

*Motion to approve the agenda as amended by Salonek, seconded by Fashant.*

*Motion carried 4-0.*

### **CONSENT AGENDA**

- A. Approval of Council Meeting Minutes of March 24, 2026
- B. Approval of Resolution 16-2026; Transfer of Funds (Audit Related)
- C. Approval of Wellhead Treatment Pay Application 23
- D. Approval of Pay Application 2 for 113th Avenue Trunk Sewer Extension Project
- E. Approval of Hiring Dan Stone for the Full Time Maintenance Technician

Fashant noted a correction in the March 24 meeting minutes item O: the reference to the "2030 plan" to be submitted to the Met Council should read "2050 plan." Fashant also requested clarification on Item B regarding the transfer of funds. Doud explained that the audit revealed a revenue shortfall of approximately \$260,000, primarily due to lower-than-expected building permit and property tax revenues, resulting in a \$134,000 transfer request. The additional \$34,000 brings the general fund to the required 35% fund balance reserve. Doud noted that building permits for 2026 are running approximately double the pace of 2025, with a projected total near 200–225 permits for the year.

*Motion to approve the consent agenda as amended by Fashant, seconded by Salonek. Motion carried 4-0.*

### **OPEN FORUM**

Stephanie Carroll of 13145 Granstrom Circle addressed the Council regarding community tension and polarization, referencing a special election in Champlin and questions about a potential conflict of interest involving Tim Huttner, who serves on both the Dayton and Champlin EDAs. Fisher noted that Dayton's EDA appointment was discussed at the time of appointment and that the Dayton community Facebook page is not managed by the City. Carroll requested a formal public statement from the City affirming that hate expressed on community pages does not reflect City values. Fisher acknowledged the request and noted it would be referred to staff.

Keith Grover of 11320 Fernbrook Lane raised four concerns: speeding on Elm Creek Road, vehicles drifting at the roundabout on Dayton Parkway by the Cubes, trucks exceeding spring weight limits on 113th Avenue, and ongoing brush pile

accumulation at Fenstra Landscaping. Grover also requested a formal process by which the City follows up with residents who raise issues at open forums.

Alyssa Senescall of 11980 Fernbrook Lane submitted formal questions on the record regarding the Flock Safety camera system, including: who approved the program, how camera locations are determined, ongoing costs and cost justification, HOA camera data access policies, and the status of a written policy governing officer conduct regarding data sharing. Senescall requested written responses prior to the next Council meeting.

### **STAFF, CONSULTANT AND COUNCIL UPDATES**

Doud highlighted new nameplate holders installed in the Council chambers by the public works crew. Doud announced that the City has been ranked third safest city in Minnesota for 2026 by SafeWise.

Benting advised that Hennepin County has indicated Dayton is approaching the 10,000-population threshold triggering curbside organic recycling requirements and committed to distributing a summary of forthcoming population-based regulatory obligations.

Farrell reported multiple updates. Farrell noted the 2025 street sweeping cost totaled \$21,840.

Hendrickson noted Severe Weather Awareness Week with tornado siren tests scheduled for Thursday at 1:45pm and 6:45pm. Hendrickson provided an update on duty crew hiring, noting six conditional offers with a go-live date of May 1 for paid-on-call staff and June 1 for new hires.

Sevald noted a ribbon cutting invitation from Graco in May.

Quisberg corrected a prior date, confirming Brockton Lane improvements are scheduled for 2027, River Road for 2029, and Rush Creek culverts for 2028.

Salonek proposed a community road cleanup initiative to coincide with the May 2–3 cleanup weekend, outlining a route-based adoption model covering approximately 35 miles and a potential coupon incentive program funded by local donations, with \$200 already committed for road cleanup. Discussion of safety, liability, and coordination with the County for County roads. Staff was directed to coordinate logistics including safety equipment and liability considerations.

Van Asten announced a Hennepin County soil health and water conservation event on Thursday, April 16, 4–6 PM at Independence City Hall, open to Dayton residents, and asked staff to post details on the City website and app.

### **COUNCIL BUSINESS**

#### **New Business**

##### **F. Elsie Stephens Performance Area Cover Discussion**

Farrell presented three questions for Council direction: structure size, material preference, and a not-to-exceed budget. After discussion, Council directed staff to pursue a quote from Poligon for a wood structure (WWA model) at approximately 36 feet wide by 34 feet deep (including a 10-foot overhang), with the caveat that if eliminating the overhang saves more than 20% of the structure cost (approximately \$20,000), the overhang should be removed. The all-in budget cap was set at \$250,000, inclusive of structure, installation, engineering, and concrete.

Van Asten stated her opposition to the project in principle, noting the site lacks nearby restaurants, adequate parking infrastructure; and is surrounded by residents,

making it an inappropriate venue for concerts. Van Asten abstained from directing the outcome, leaving the decision to the remaining three members.

**G. Concept Plan, Stenslie-Stearns, 16850 Territorial Road**

Sevald presented a concept plan submitted by David Weekley Homes for a 172-unit townhome development on 25 acres at the corner of County Road 81 and Territorial Road.

The developers, Joe Flynn and Dean Lotter, commented as needed to the following Council feedback:

*Land Use:* Council supported residential use, noting that commercial use is impractical given access constraints at the intersection.

*Zoning:* Sevald noted that GMU-1 zoning may not be appropriate given the entire residential proposal, and suggested RM-medium density as an alternative. Council acknowledged this as a matter for future refinement.

*Architecture and Parking:* Van Asten raised concerns about excessive parking requirements resulting in a "sea of garage doors and pavement," and requested a review of the City's parking ordinance. Van Asten noted that the current standard of 4.5 spaces per unit is disproportionate and discourages creative design. The developers confirmed there are approximately 10 stalls short of code even with on-street parking included and noted that narrower roads and creative parking layouts (such as "lollipop" inlets) could improve aesthetics if standards were revised. Staff committed to reviewing the parking ordinance, though acknowledged it would not be resolved prior to this project's timeline.

*Unit Mix:* Van Asten requested greater variety in unit sizes, including 1- and 2-bedroom options, noting that exclusively offering 3-bedroom-plus units limits affordability and market diversity. The developers noted market demand favors 3-bedroom units but acknowledged the feedback.

*Parks and Trails:* Sevald noted a recommendation from the Parks Commission for a neighborhood park in the northeast corner, while the Planning Commission did not support that location. Council generally agreed that the northeast side of the wetland complex would be a more appropriate park location and encouraged the developers to plan trail connections.

*Roundabout:* Quisberg stated the intersection study previously conducted indicates a roundabout at Territorial Road would be needed if the site develops residentially, at a cost estimated in the range of \$2,000,000 or more. The developers requested an opportunity to explore alternative access solutions and cost-sharing arrangements before the roundabout obligation is finalized.

**COUNCIL BUSINESS**

**Action Items**

**H. Approval of Engineering Design Guidelines and Standard Detail Plates**

Quisberg presented a formal Engineering Design Guidelines document and updated Standard Detail Plates, seeking Council adoption to allow staff to enforce these as binding standards when reviewing development applications, resolving situations where developers selectively follow whichever standard—code or engineering documents—is more favorable. Council supported the adoption and requested that the City Attorney review the governance structure, with the intention of referencing these documents in the City Code. Van Asten suggested annual consent agenda updates to maintain Council oversight of future revisions.

*Motion to approve the Engineering Design Guidelines and Standard Detail Plates by Salonek, seconded by Fashant. Motion carried 4-0.*

### **I. Approval of Community Survey**

Doud presented an updated community survey for approval, noting revisions based on Council feedback including removal of Dayton Heritage Day references because it is not a City event and adjustments to focus on rec programming. Council directed that pricing questions display costs both monthly and annually. Council also directed that Question 87 (affordable housing, Met Council definition) be removed and replaced with a question about the City's mobile app, retaining Question 81 regarding starter homes. Doud confirmed the survey will be conducted by phone (landline and cell), and that a grant application will be submitted to offset costs. Results are expected by the second meeting in May.

*Motion to approve the community survey as amended by Fashant, seconded by Van Asten. Motion carried 4-0.*

### **J. Approval of Payment of Claims for April 14, 2026**

Van Asten inquired about food expenditures totaling \$1,192.12, noting the absence of a formal meals policy. Doud acknowledged no written policy exists, explaining the informal standard is that meals are provided when staff are required to work through a meal period with no alternative. Council was generally satisfied with this approach, with Van Asten suggesting a per-person dollar cap be considered.

Van Asten received clarification that Adams Pest Control charges cover routine treatments at City Hall, Public Works, and the Police Department, as well as the City's rental property.

Fashant requested clarification on a \$24.99 "knot brush" purchase, a \$1,200 conflict facilitation charge (confirmed as a training with an outside facilitator), and two Enterprise lease payments in one period, which Doud explained was a timing/accounting issue related to new vehicle acquisition and sales tax.

*Motion to approve the Payment of Claims for April 14, 2026 by Van Asten, seconded by Fashant. Motion carried 4-0.*

### **K. Approval of Large Assembly Application for Heritage Days and Request for All Fees to be Waived**

Item K was removed from the agenda at the applicant's request prior to the meeting.

### **L. Approving the Agreement of Action Steps Between the City of Dayton and WME**

Doud presented an agreement to memorialize prior Council actions related to the Dayton Parkway Neighborhood development, required by the developer's lender prior to closing on the property. The document refers to the Council's February 24 authorization of eminent domain proceedings to secure right-of-way access across the Schany property. If not approved, the development will likely not go through.

Council raised significant concern over language in the agreement stating the City "shall acquire expeditiously, either by voluntary sale and purchase or by its use of its powers of eminent domain..." the necessary property, with members expressing that this language appears to bind the City to an outcome regardless of negotiation success or Council judgment. Different wording was suggested.

Doud confirmed the developer wrote it and the attorney reviewed it and approved.

*No motion was made. The item failed for lack of motion three times.*

A short recess was taken.

**COUNCIL BUSINESS**

**Closed Session**

**M. Closed Session. Pursuant to MN Statute 13D.05, Subd 3(c)(3), a closed session shall be conducted to develop or consider offers or counteroffers for the purchase or sale of real or personal property PID: 32-120-22-23-0004**

*Motion by Fisher, seconded by Van Asten, to enter closed session pursuant to MN Statute 13D.05, Subd. 3(c)(3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property, PID: 32-120-22-23-0004.*

*Motion carried 4-0.*

The Council entered closed session. Upon returning to open session, no reportable action was taken.

**N. Closed session Pursuant to MN Statute 13D.05, Subd 3(c)(3), to Develop or Consider Offers or Counteroffers for the Purchase or Sale of Real or Personal Property: Ladder Truck**

*Motion by Fisher, seconded by Van Asten, to enter closed session pursuant to MN Statute 13D.05, Subd. 3(c)(3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property: Ladder Truck. Motion carried 4-0.*

The Council entered closed session. Upon returning to open session:

*Motion by Van Asten, seconded by Fashant, to authorize all-in purchase price up to \$550,000 for the purchase of a ladder truck. Motion carried 4-0.*

**O. Closed Session. Pursuant to MN Statute 13D.05, Subd 3(c)(3), a closed session shall be conducted to develop or consider offers or counteroffers for the purchase or sale of real or personal property PID: 31-120-22-33-0009**

*Motion by Fisher, seconded by Van Asten, to enter closed session pursuant to MN Statute 13D.05, Subd. 3(c)(3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property, PID: 31-120-22-33-0009.*

*Motion carried 4-0.*

The Council entered closed session. No reportable action was taken upon returning to open session.

**ADJOURNMENT**

With no objections, Fisher adjourned the meeting at 10:33 PM.

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

Attest: Amy Benting

**CALL TO ORDER**

Mayor Fisher called the work session meeting to order at 5:00 p.m.

**PRESENT:** Mayor Dennis Fisher, David Fashant, Scott Salonek, and Sara Van Asten

**ABSENT:** Stephanie Henderson

**ALSO PRESENT:** Public Works Superintendent, Marty Farrell; Fire Chief Gary Hendrickson; City Administrator/Finance Director, Zach Doud; Assistant City Administrator/City Clerk, Amy Benting; Community Development Director, Jon Sevald; Police Sergeant, Mike Grimsby; City Engineer, Jason Quisberg

**GOAL SETTING WORKSESSION**

Doud started by recapping the March 10<sup>th</sup> goal setting worksession. One goal emerged at the top for the City Council and that was agenda packet preparation and information. Doud stated department heads did a similar goal setting exercise yesterday that could coincide with council direction. Doud will share that in the update email.

Doud added he talked with IT to setup links on the packet attachment documents.

Discussion over sending out agenda first and then filling in attachments or items within a timely manner. Council gave six options to fix the packet.

Doud confirmed most surrounding communities get out the packet three or four days prior to the meeting.

**STRATEGIC PLANNING WORKSESSION**

With time remaining, Doud reviewed a chart with goals from last year to start strategic planning discussion.

Council moved through the chart and discussed items that are complete, updates, additions, or further recommendations on what the items are.

Doud will make updates and bring it to the next council meeting for official direction.

**ADJOURNMENT**

Fisher declared the meeting adjourned at 6:17 p.m.

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

Attest: Amy Benting

**ITEM:** Approval of Part-Time Firefighter Hiring for Duty Crew Staffing

**PREPARED BY:** Fire Chief Gary Hendrickson

**POLICY DECISION / ACTION TO BE CONSIDERED:** Approve the hiring of part-time firefighters to support and staff the Dayton Fire Department Duty Crew program.

**BACKGROUND:** The Dayton Fire Department continues to transition toward a hybrid staffing model that incorporates scheduled duty crew shifts to enhance response reliability, improve coverage during peak call times, and reduce the overall burden on paid-on-call members.

As part of this effort, the department has identified the need to hire additional part-time firefighters to consistently staff duty crew shifts. These positions are critical to maintaining service levels, supporting emergency response operations, and ensuring adequate staffing during daytime and evening hours.

The following individuals have successfully completed the hiring process and are recommended for part-time employment with the Dayton Fire Department:

- Shania Hicks
- Thomas Flermoen
- Blake Koski
- Steven Wendlandt
- Isaiah Brunette
- Mitch Knight

Each candidate meets the minimum qualifications for employment and will be assigned to duty crew shifts upon completion of onboarding and department orientation.

**CRITICAL ISSUES:**

- Continued growth in call volume requires more predictable and reliable staffing.
- Duty crew staffing helps reduce response gaps and limits disruptions to paid-on-call members.
- These hires will help ensure consistent coverage during designated duty crew hours.

**RECOMMENDATION:**

Staff recommends approval of the hiring of the above-listed individuals as part-time firefighters to support the Dayton Fire Department Duty Crew staffing model.

**ATTACHMENT(S):** N/A

**ITEM:**

Request City Council Accept a Donation from MTL

**PREPARED BY:**

Amy Benting, City Clerk

**POLICY DECISION / ACTION TO BE CONSIDERED:**

accept a check for \$100.00 from MTL

**BACKGROUND:**

The donation is to help with clean-up day funds and starting an adopt a road program

**CRITICAL ISSUES:**

None

**RECOMMENDATION:**

The staff recommends that the City Council approve the donation of \$100.00 from MTL for clean-up day

**ATTACHMENT(S):**

Resolution 17-2026; Accepting donation from MTL

**CITY OF DAYTON  
COUNTIES OF HENNEPIN AND WRIGHT  
STATE OF MINNESOTA**

**RESOLUTION 17-2026  
RESOLUTION ACCEPTING DONATION FROM MTL**

**WHEREAS**, The City of Dayton is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of police and fire services; and

**WHEREAS**, MTL, donor, has donated \$100.00 for Clean-up day; and

**WHEREAS**, All such donations have been contributed to assist the city in the establishment and operation of police and fire facilities and programs either alone or in cooperation with others, as allowed by law; and

**WHEREAS**, The City Council finds that it is appropriate to accept the donations offered.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THE CITY OF DAYTON, MINNESOTA, AS FOLLOWS:**

1. The donations described above are accepted and shall be used to help with clean-up day.
2. The City Clerk is hereby directed to issue receipts to each donor acknowledging the city's receipt of the donor's donation.

Adopted by the City Council of the City of Dayton on April 28, 2026.

\_\_\_\_\_  
Mayor – Dennis Fisher

\_\_\_\_\_  
Amy Benting, City Clerk

Motion by \_\_\_\_\_, Second by \_\_\_\_\_.  
Resolution **Approved**

**ITEM:**

Request City Council Accept a Donation from Curbside Waste

**PREPARED BY:**

Amy Benting, City Clerk

**POLICY DECISION / ACTION TO BE CONSIDERED:**

accept a check for \$100.00 from Curbside Waste

**BACKGROUND:**

The donation is to help with clean-up day funds and starting an adopt a road program

**CRITICAL ISSUES:**

None

**RECOMMENDATION:**

The staff recommends that the City Council approve the donation of \$100.00 from Curbside Waste for clean-up day

**ATTACHMENT(S):**

Resolution 18-2026; Accepting donation from Curbside Waste

**CITY OF DAYTON  
COUNTIES OF HENNEPIN AND WRIGHT  
STATE OF MINNESOTA**

**RESOLUTION 18-2026  
RESOLUTION ACCEPTING DONATION FROM Curbside Waste**

**WHEREAS**, The City of Dayton is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of police and fire services; and

**WHEREAS**, Curbside Waste, donor, has donated \$100.00 for Clean-up day; and

**WHEREAS**, All such donations have been contributed to assist the city in the establishment and operation of police and fire facilities and programs either alone or in cooperation with others, as allowed by law; and

**WHEREAS**, The City Council finds that it is appropriate to accept the donations offered.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THE CITY OF DAYTON, MINNESOTA, AS FOLLOWS:**

1. The donations described above are accepted and shall be used to help with clean-up day.
2. The City Clerk is hereby directed to issue receipts to each donor acknowledging the city's receipt of the donor's donation.

Adopted by the City Council of the City of Dayton on April 28, 2026.

\_\_\_\_\_  
Mayor – Dennis Fisher

\_\_\_\_\_  
Amy Benting, City Clerk

Motion by \_\_\_\_\_, Second by \_\_\_\_\_.  
Resolution **Approved**

**ITEM:**

Resolution 19-2026, Approving Final Plat of Dayton Difference

**APPLICANT/PRESENTER:**

Jon Sevald, Community Development Director

**PREPARED BY:**

Jon Sevald, Community Development Director

**POLICY DECISION / ACTION TO BE CONSIDERED:**

1. Approve Resolution 19-2026, Approving the Final Plat of Dayton Difference.
2. Deny Resolution 19-2026, with Findings.
3. Table Resolution 19-2026, if more information is needed to make a decision.

**BACKGROUND:**

The City purchased this tax forfeiture property from Hennepin County in 2025. The City Council agreed to convey it to the EDA for economic development.<sup>1</sup> The intent of this Final Plat is to plat the 9.08 acre parcel into a 6.65 acre outlot, separating right-of-way and stormwater pond from the outlot to be sold by the EDA. The buyer will need to re-pat the outlot into a buildable lot & block. After the plat has been recorded, the City Council will deed the outlot to the EDA.

The EDA began marketing the property for sale in March, 2026. IAG Commercial (EDA broker) has received several inquiries. The EDA considered two Letters of Intent to purchase at its April 21<sup>st</sup> meeting, opting to wait for more offers.

The property is zoned B-3 General Business, and guided Commercial in the 2040 Comprehensive Plan.

**CRITICAL ISSUES:**

None.

**STAFF RECOMMENDATION:**

Staff recommends Approval.

**RELATIONSHIP TO COUNCIL GOALS:**

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Items
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	<ul style="list-style-type: none"> <li>• Review housing type and lot size by %'s</li> </ul>	<ul style="list-style-type: none"> <li>• Proportionate housing types available</li> </ul>	<ul style="list-style-type: none"> <li>A) A-3 District</li> <li>B) Begin work on Comp Plan</li> <li>C) Develop Rental Housing Ordinance</li> </ul>
	Encourage healthy lifespan of both residential and commercial operations	<ul style="list-style-type: none"> <li>• Total amount of funding provided</li> <li>• Number of rental available and where they are located</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain grant program</li> <li>• Manage number of rentals</li> </ul>	<ul style="list-style-type: none"> <li>D) Seek out businesses more often</li> </ul>

<sup>1</sup> Resolution 82-2025

CITY COUNCIL REGULAR MEETING

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	Healthy Commercial Sector with services and job growth	<ul style="list-style-type: none"><li>• Net difference of businesses movement including their employment</li></ul>	<ul style="list-style-type: none"><li>• Maintain a positive difference in business movement</li></ul>	E) Work with EDA to find niche businesses that are not in surrounding communities F) Complete Large Area Plan
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**BUDGET IMPACT:**

Costs for platting will be paid by EDA.

**ATTACHMENT(S):**

Aerial Photo  
Resolution 19-2026  
Final Plat

AERIAL PHOTO



**RESOLUTION 19-2026**

**CITY OF DAYTON  
COUNTIES OF HENNEPIN AND WRIGHT  
STATE OF MINNESOTA**

**RESOLUTION APPROVING THE FINAL PLAT OF DAYTON DIFFERENCE**

**WHEREAS**, the City of Dayton EDA (Applicant) on behalf of the City of Dayton (Owner) applied for Final Plat approval of DAYTON DIFFERENCE, consisting of one outlot. The unaddressed property is located near the northwest corner of Dayton Parkway and Territorial Road, legally described as:

PID: 31-120-22-13-0010

That part of the Southwest Quarter of the Northeast Quarter of Section 31, Township 120, Range 22, Hennepin County, Minnesota described as follows: Beginning at the Southeast corner of said Southwest Quarter of the Northeast Quarter; thence South 88 degrees 22 minutes 00 seconds West, assumed bearing, along the South line thereof 9.37 feet to the centerline of Territorial Road; thence North 61 degrees 05 minutes 00 seconds West along said centerline 715.06 feet; thence North 23 degrees 14 minutes 56 seconds East 837.98 feet to the Southwesterly right of way line of Burlington Northern Railroad; thence Southeasterly along said Southwesterly line to the east line of said Southwest Quarter of the Northeast Quarter; thence South 1 degree 08 minutes 25 seconds East along said east line to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

AND

Lot 1, Block 4, Dayton Industrial Park, a plat on file and of record in the office of the County Recorder of Hennepin County, Minnesota. Being that part of Lot 1 described as commencing at the Southwest corner of said Lot 1, a distance of 379.10 feet to the actual point of beginning; thence Northeasterly 44.34 feet along a non-tangential curve concave to the Southeast having a radius of 345.50 feet and a central angle of 07 degrees 21 minutes 09 seconds, the chord of said curve bears North 34 degrees 11 minutes 48 seconds East; thence North 37 degrees 52 minutes 23 seconds East, tangent to said curve, a distance of 138.70 feet; thence North 35 degrees 49 minutes 19 seconds East a distance of 202.57 feet; thence North 37 degrees 52 minutes 23 seconds East a distance of 51.84 feet to the Northeasterly line of said Lot 1; thence Northwesterly along said Northeasterly line a distance of 310.26 feet to the North corner of said Lot 1; thence South 00 degrees 43 minutes 41 seconds West along the West line of said Lot 1 a distance of 529.91 feet to the point of beginning, Hennepin County, Minnesota.

**WHEREAS**, the City Staff studied the matter, reports were issued, and information was provided to the City Council regarding the Application; and,

**WHEREAS**, the City Council, at its April 28, 2026 meeting, considered the matter and approved it subject to various conditions; and,

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Dayton makes the following:

FINDINGS

- 1. The Final Plat is consistent with City Code 1002.07, Subd 4(10) (outlot for future use).

DECISION

**NOW, THEREFORE**, and based upon the information received and the above Findings, it is resolved by the City Council of the City of Dayton as follows: That the City Council hereby conditionally approves the Final Plat (Exhibit 1) for DAYTON DIFFERENCE, and the Mayor and City Clerk are hereby authorized to execute the same, subject to the following conditions:

- 1. Consistent with City Code 1002.08, Subd 5 (Recording of Plat), the Applicant shall file this Resolution and the Final Plat with Hennepin County within 60-days after the City releases the plat for recording. The Developer shall provide proof of recording to the City.

Adopted by the City Council of the City of Dayton on this 28<sup>th</sup> day of April, 2026.

\_\_\_\_\_  
Dennis Fisher, Mayor

ATTEST:

\_\_\_\_\_  
Amy Benting, City Clerk

Motion by Councilmember \_\_\_\_\_, Second by Councilmember \_\_\_\_\_

Ayes:

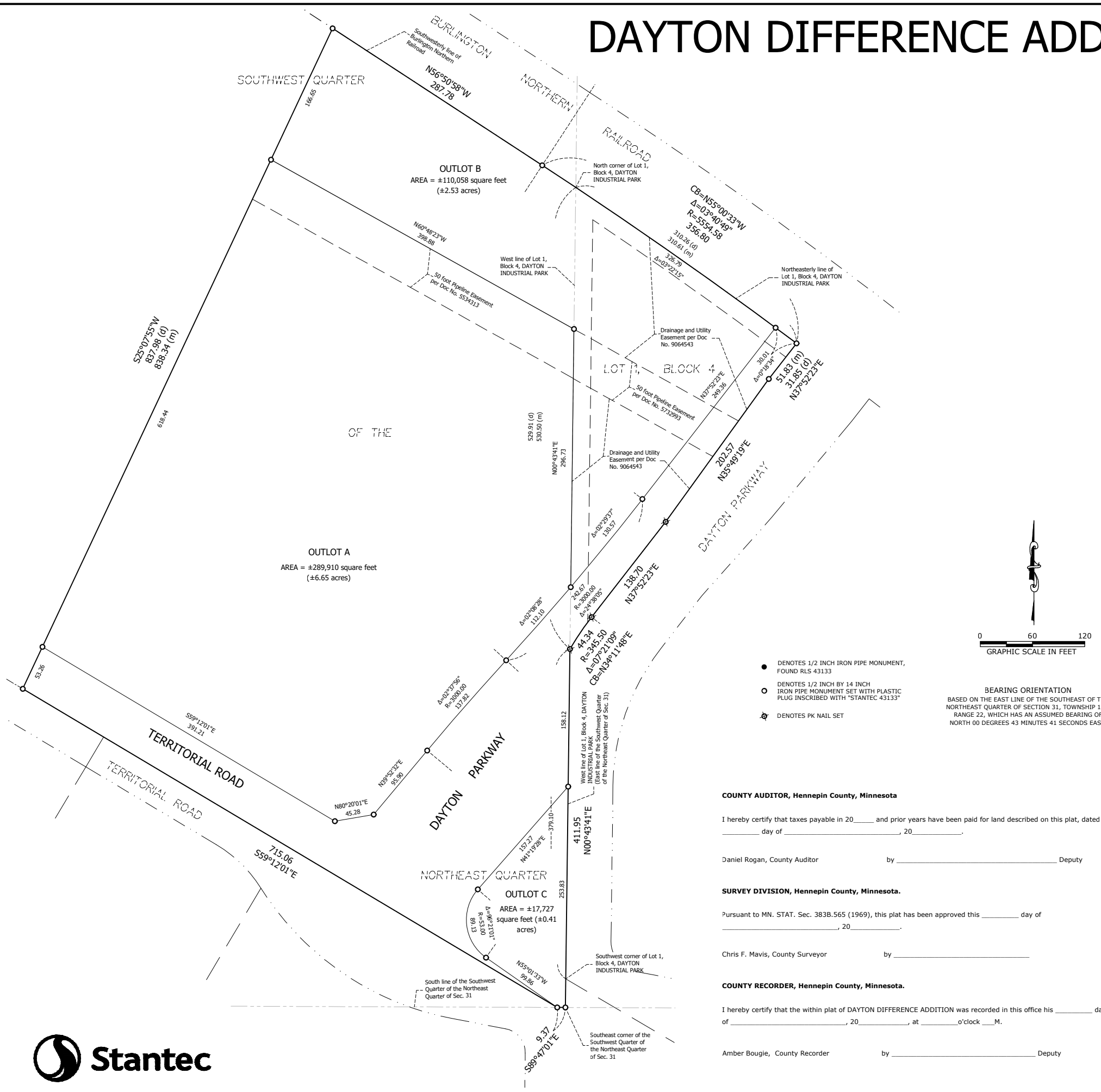
Nayes:

*Resolution Approved*



# DAYTON DIFFERENCE ADDITION

C.R. DOC. NO. \_\_\_\_\_



KNOW ALL PERSONS BY THESE PRESENTS: That the City of Dayton, Minnesota, a Minnesota municipal corporation, a Minnesota limited liability company, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

That part of the Southwest Quarter of the Northeast Quarter of Section 31, Township 120, Range 22, Hennepin County, Minnesota described as follows: Beginning at the Southeast corner of said Southwest Quarter of the Northeast Quarter; thence South 88 degrees 22 minutes 00 seconds West, assumed bearing, along the South line thereof 9.37 feet to the centerline of Territorial Road; thence North 61 degrees 05 minutes 00 seconds West along said centerline 715.06 feet; thence North 23 degrees 14 minutes 56 seconds East 837.98 feet to the Southwesterly right of way line of Burlington Northern Railroad; thence Southeasterly along said Southwesterly line to the east line of said Southwest Quarter of the Northeast Quarter; thence South 1 degree 08 minutes 25 seconds East along said east line to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

AND  
 Lot 1, Block 4, Dayton Industrial Park, a plat on file and of record in the office of the County Recorder of Hennepin County, Minnesota. Being that part of Lot 1 described as commencing at the Southwest corner of said Lot 1, a distance of 379.10 feet to the actual point of beginning; thence Northeasterly 44.34 feet along a non-tangential curve concave to the Southeast having a radius of 345.50 feet and a central angle of 07 degrees 21 minutes 09 seconds, the chord of said curve bears North 34 degrees 11 minutes 48 seconds East; thence North 37 degrees 52 minutes 23 seconds East, tangent to said curve, a distance of 138.70 feet; thence North 35 degrees 49 minutes 19 seconds East a distance of 202.57 feet; thence North 37 degrees 52 minutes 23 seconds East a distance of 51.84 feet to the Northeasterly line of said Lot 1; thence Northwesterly along said Northeasterly line a distance of 310.26 feet to the North corner of said Lot 1; thence South 00 degrees 43 minutes 41 seconds West along the West line of said Lot 1 a distance of 529.91 feet to the point of beginning, Hennepin County, Minnesota.

Have caused the same to be surveyed and platted as DAYTON DIFFERENCE ADDITION and do hereby dedicate to the public for public use the public ways and drainage and utility easements as created by this plat

In witness whereof said The City of Dayton, Minnesota, a Minnesota municipal corporation, fee owner, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City of Dayton, Minnesota

Mayor

STATE OF MINNESOTA  
 COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by XXXXXXXX, mayor of the City of Dayton, a Minnesota municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
 (Notary Signature)

\_\_\_\_\_  
 (Notary Printed Name)

Notary Public, \_\_\_\_\_ County, State of Minnesota

My Commission Expires \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I, Daniel J. Roeber, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Daniel J. Roeber, Licensed Land Surveyor  
 Minnesota License Number 43133

STATE OF MINNESOTA  
 COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Daniel J. Roeber.

\_\_\_\_\_  
 (Notary Signature)

\_\_\_\_\_  
 (Notary Printed Name)

Notary Public, \_\_\_\_\_ County, State of Minnesota

My Commission Expires \_\_\_\_\_

**CITY COUNCIL, CITY OF DAYTON, MINNESOTA**

This plat of DAYTON DIFFERENCE ADDITION was approved and accepted by the City Council of the City of Dayton, Minnesota at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL, CITY OF DAYTON, MINNESOTA

By \_\_\_\_\_ Mayor

By \_\_\_\_\_ Clerk

**COUNTY AUDITOR, Hennepin County, Minnesota**

I hereby certify that taxes payable in 20\_\_\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Daniel Rogan, County Auditor by \_\_\_\_\_ Deputy

**SURVEY DIVISION, Hennepin County, Minnesota.**

Pursuant to MN. STAT. Sec. 383B.565 (1969), this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chris F. Mavis, County Surveyor by \_\_\_\_\_

**COUNTY RECORDER, Hennepin County, Minnesota.**

I hereby certify that the within plat of DAYTON DIFFERENCE ADDITION was recorded in this office his \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Amber Bougie, County Recorder by \_\_\_\_\_ Deputy



**PRESENTER:** Marty Farrell

**ITEM:** Dust control application for all City gravel roads.

**PREPARED BY:** Marty Farrell

**POLICY DECISION / ACTION TO BE CONSIDERED:** Accepting low quote of \$1.35 per gallon from Quality Propane for application of Magnesium Chloride dust control to 5.5 miles of City gravel roads.

**BACKGROUND:** The City Council decided that it would be beneficial to treat all of the Cities gravel roads with dust control. This will cut gravel costs and improve the longevity of the driving surface.

**CRITICAL ISSUES:** N/A

**BUDGET IMPACT:** Funded from the street maintenance and repair budget.

**RECOMMENDATION:** Approve quote from Quality Propane.

**ATTACHMENT(S):** Two proposals from Quality Propane and Envirotech

# QUALITY PROPANE INC.

12650 Zenith Ave S. Burnsville MN. 55337      PHONE (612) 788-6906

March 24, 2026

City of Dayton  
13700 Zanzibar Lane N  
Dayton, MN 55327

**RE:** Dust Control

On behalf of Quality Propane. I am pleased to present this proposal for your consideration.

Quality Propane will apply 30% Magnesium Chloride to streets within the City of Dayton as directed. The bid calls for approximately 15.5k of applied gallons. Quality Propane Inc. will charge the city of Independence a rate of \$1.35 per gallon applied.

Should you have any questions, please feel free to contact me at 612-788-6906. Thank you for the opportunity to service your dust control needs. Should anything with this proposal be unclear or need additional detail, please don't hesitate to call me.

Kind Regards,

**Julie Kemi**  
General Manager  
[www.qualitypropanemn.com](http://www.qualitypropanemn.com)

jkemi@qualitypropanemn.com  
12650 Zenith Ave S  
Burnsville, MN 55337  
612-788-6906 phone  
952-767-2633 fax



PO Box 5512 • Denver, CO 80217  
 For Inquiries:  
 West Region • 509-936-7102  
 Rocky Mtn Region • 800-577-5346  
 Midwest Region • 800-881-5848  
 ETS East • 877-664-3401

**Quotation**

Quotation Date:	Date Printed:	Expiration Date:
4/1/26	4/1/26	9/30/26
Quotation Number:	Revision No:	Customer Number:
S9411	1	14160
Your Reference:		Our Reference:
		John Johansen

Delivery Address:  
 City of Dayton  
 12260 South Diamond Lake Road  
 Dayton MN 55327

Document Address:  
 City of Dayton  
 12260 South Diamond Lake Road  
 Dayton MN 55327

Product Application  
 Length in Feet:  
 Width in Feet:  
 Rate in Gallons:

Wanted Delivery Date:

Payment Terms:

**30 Days Net**

Label Note:

Full trucks applied 5.5 miles Dayton MN

Water Application  
 EnviroTech: N  
 Rate:  
 Gallons Required:

Del	Description	Qty	Unit	Price/Unit	Disc. %	Net Amount	Gross Amount
1	Calcium Chloride 38%	19,360	gal	1.70	0.00%	32,912.00	35,717.75
2	DuraBlend® CEP	19,360	gal	1.68	0.00%	32,524.80	32,524.80

**Net Total: 65,436.80**

**Tax Total 2,805.75**

**Gross Total 68,242.55**

**ITEM:**

Concept Plan of Oppidan

**APPLICANT/PRESENTERS:**

Ryan Durand, Oppidan  
Jay Moore, Oppidan  
Andrew Glover, Arco Murray  
Melissa Barret, Kjolhaug Environmental

**PREPARED BY:**

Jon Sevald, Community Development Director

**BACKGROUND/OVERVIEW:**

Oppidan has submitted an application for a Preliminary Concept Plan for a 172,000 sq ft spec warehouse/distribution building to be located on an unaddressed property, 187XX 121<sup>st</sup> Avenue, PID: 31-120-22-13-0010. The property is east of Dayton Park (mobile home park), north of MTL, and across 121<sup>st</sup> Avenue from nVent.

A Concept Plan is a high-level review and does not include the detail typical of a Preliminary Plat or Site Plan Review. A Concept Plan is intended to solicit comments and opinions from individual Councilmembers and Commission members. There is no action taken and no vote. The applicant will take all comments under consideration when developing formal plans.

The property is zoned *R-MH Mobile Home* and guided *Existing Mobile Home Park* in the 2040 Comprehensive Plan. In 2021, the City Council amended<sup>1</sup> the Comprehensive Plan from *Industrial* to *Existing Mobile Home Park* for a planned 65 lot expansion, which never took place. The project property owner has indicated that expanding the mobile home park is not financially feasible. The project property has different owners than the adjacent mobile home park.

The project will require:

1. Comprehensive Plan Amendment, from *Existing Mobile Home Park* to *Industrial*.<sup>2</sup>
2. Zoning Map Amendment, from *R-MH Mobile Home*, to *I-1 Industrial*.
3. Preliminary/Final Plat to redevelop Outlot A, Dayton Field Addition into a buildable lot.
4. Site Plan Review.

Oppidan has considered different layouts, adjusting the site plan after meeting with Elm Creek Watershed District Staff, and again after the Planning Commission meeting.

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<sup>1</sup> Resolution 57-2021, *Resolution granting Approval of a Land Use Amendment*.

<sup>2</sup> 2040 Comprehensive Plan, Figure 3: Future Land Use Map



Dec 2025



Feb 2026



Apr 2026

The revised plan (April 2026) combines the north stormwater ponds and reduces trailer parking from 43 stalls to 37 stalls. Trailer stalls are not intended to be installed unless needed.

**CRITICAL ISSUES:**

**Comprehensive Plan** What is the highest & best use of this property, mobile homes vs industrial?

**Wetland Avoidance** The property is pocketed with wetlands and two ditches. The south ditch is under authority of US Army Core of Engineers, and likely cannot be altered. The proposed building is positioned to maximize the site, requiring wetland mitigation and permits from Elm Creek Watershed District. The watershed has informally suggested that the building and parking areas be reduced in size to avoid wetlands.

**Parking<sup>3 4</sup>** City Code requires 86 passenger parking stalls, whereas 140 are proposed.

City Code permits Accessory Trailer parking on a 0.35:1 ratio. The proposed 172,450sf building is permitted (55) 55' X14' trailer stalls, whereas 37 are proposed (+40 parking stalls in front of dock doors).

**Screening<sup>5</sup>** Sufficient screening along the western property line with the mobile home park (combination of berm, fence & trees). Proposed, 75' buffer between mobile home park and driveway/trailer parking.

<sup>3</sup> City Code 1001.19, Subd 7(j)(2)(cc) (Non-residential)

<sup>4</sup> City Code 1001.062, Subd 2(3)f (Accessory-semi trailer parking)

<sup>5</sup> City Code 1001.062, Subd 1(8); *Abutting districts. Wherever an Industrial District abuts, or is across the street from an R-Residential District or a Business District, a berm, fence or landscaping or compact evergreen trees or hedge or combination thereof is required for screening. Screening at time of installation shall not be less than 6 feet in height, and shall accomplish full screening at maturity. All screening shall comply with Subsection 1001.24 [Landscape and Screening]*

**60/120-DAY RULE (IF APPLICABLE):**

	60-Days	120-Days
Concept Plan	May 5, 2026	Jul 3, 2026

**RELATIONSHIP TO COUNCIL GOALS:**

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Items
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	<ul style="list-style-type: none"> <li>Review housing type and lot size by %'s</li> </ul>	<ul style="list-style-type: none"> <li>Proportionate housing types available</li> </ul>	A) A-3 District B) Begin work on Comp Plan C) Develop Rental Housing Ordinance D) Seek out businesses more often E) Work with EDA to find niche businesses that are not in surrounding communities F) Complete Large Area Plan
	Encourage healthy lifespan of both residential and commercial operations	<ul style="list-style-type: none"> <li>Total amount of Funding provided</li> <li>Number of rentals available and where they are located</li> </ul>	<ul style="list-style-type: none"> <li>Maintain grant program.</li> <li>Manage number of rentals</li> </ul>	
	Healthy Commercial Sector with services and job growth	<ul style="list-style-type: none"> <li>Net difference of business movement including their employment</li> </ul>	<ul style="list-style-type: none"> <li>Maintain a positive difference in business movement</li> </ul>	

**ROLE OF CITY COUNCIL:**

Each Councilmember should provide individual comments and recommendations.

1. What is the highest and best use of this property, Mobile Home Park or Industrial? Keep in mind that mobile homes are typically unsubsidized affordable housing, which there is a shortage of. The 2050 Comprehensive Plan will be required to plan for 487 affordable units (154 units at or below 30% of average median income (AMI)).
2. If Industrial, are there any changes to the Concept Plan that would make this a better project?

**EDA RECOMMENDATION:**

The EDA considered the Concept Plan at its March 5, 2026 meeting. Its consensus is that the highest & best use is Industrial.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission held a Public Hearing at its April 2, 2026 meeting. Comments and Recommendations include (summary):

- Highest & Best use is Industrial. If the mobile home park expanded onto this property, there would still be residential next to industrial (MTL). Same problem as now.
- Opposes Industrial next to Residential.
- Increase setback/buffer between mobile home park and industrial.
- Snip NW corner of building and increase buffer.
- Increased buffer is not going to alleviate noise or vibration.
- Concern regarding glow from parking lot lights

During the Public Hearing, six residents provided testimony with the following concerns (summarized):

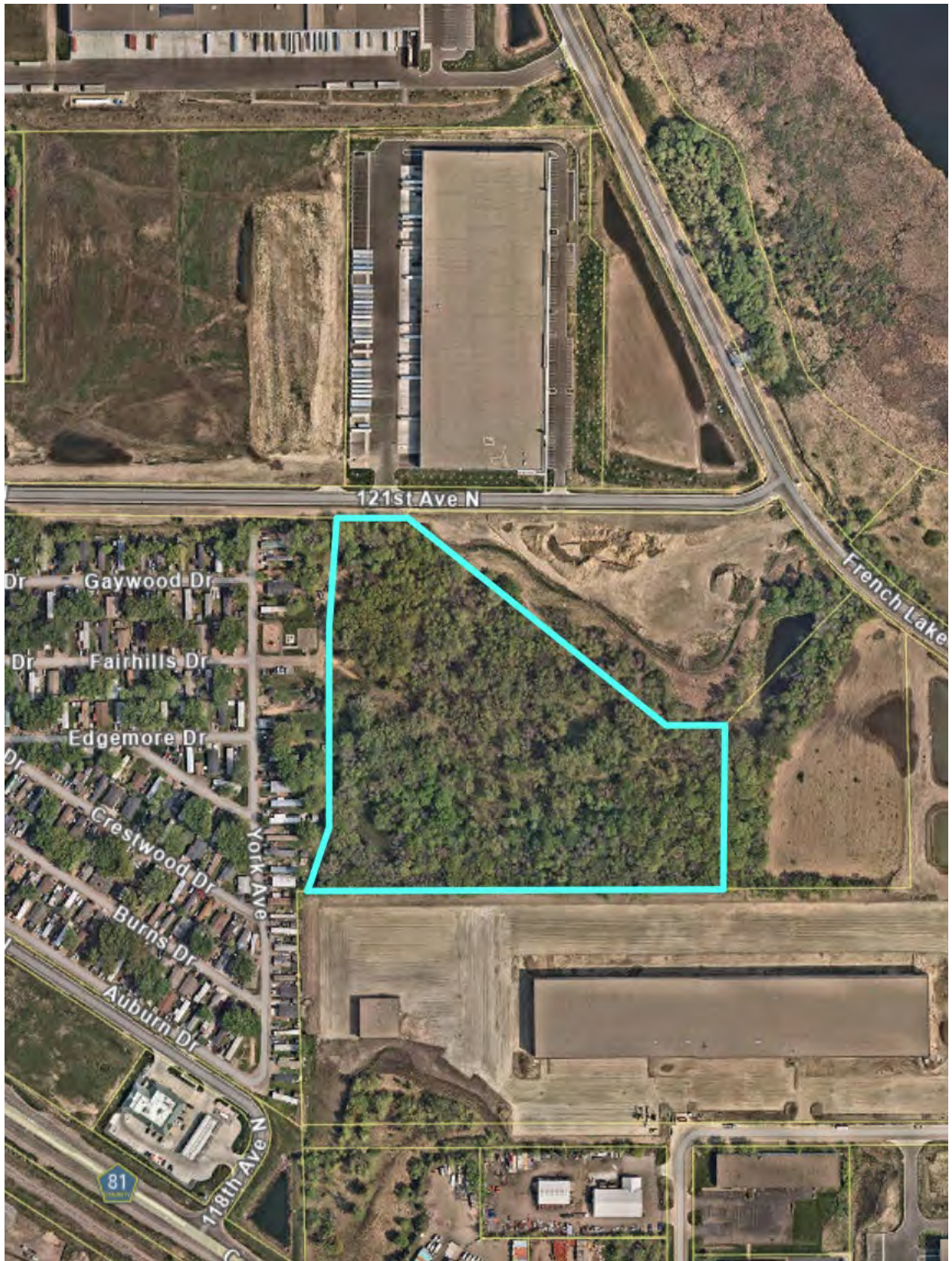
- Noise 24 hours per day, beeping, idling (related to MTL)
- Impacts to woods, wildlife and privacy.
- Additional traffic

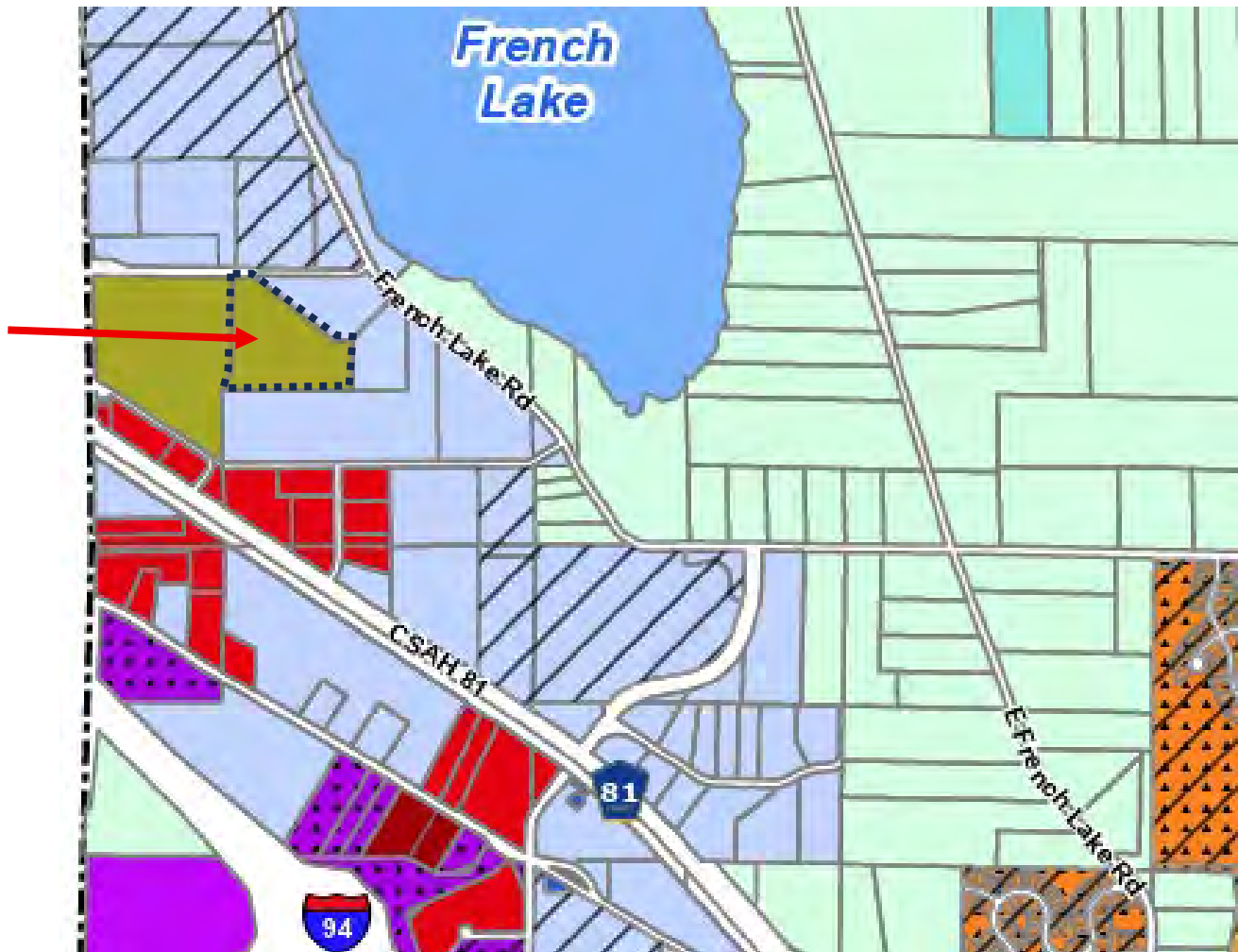
**STAFF RECOMMENDATION:**

Staff recommends shifting the building to minimize impacts to Wetland #5 (along NW property line). This would likely result in a narrower building or loss of a row of parking.






**ATTACHMENT(S):**

Aerial Map  
Zoning Map  
Future Land Use Map  
Site Photos  
Plan Set

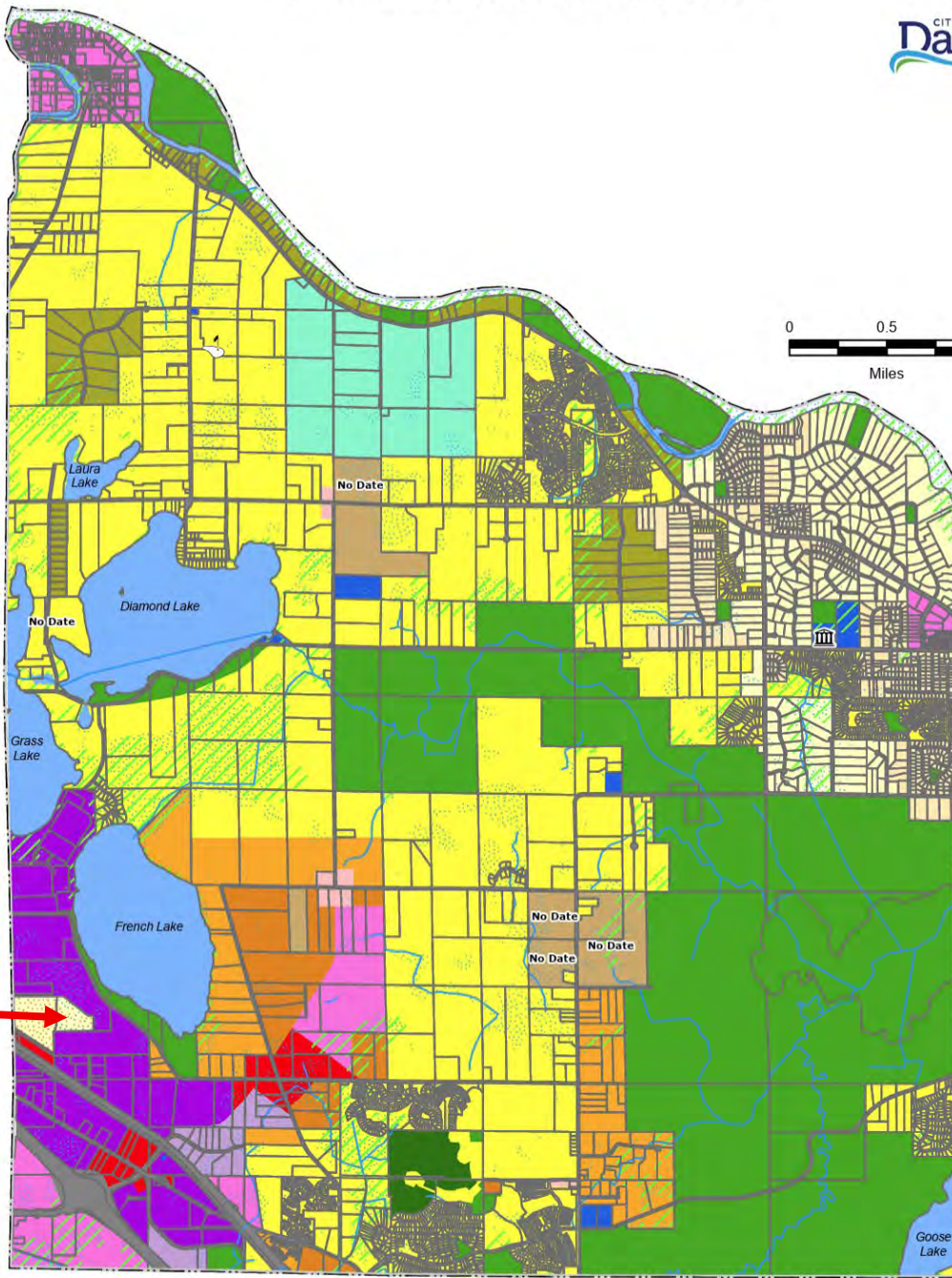




**Legend**

- |   |   |
|---|---|
|  A-1 Agricultural District           |  R-1A Single Family Residential                    |
|  A-2 Agricultural District           |  R-2 Single Family District (90,000 Sf, Unsewered) |
|  A-3 Agricultural District           |  R-3 Single Family and Attached Residential        |
|  B-2 Neighborhood Business District  |  R-E Single Family District (5 Ac, Unsewered)      |
|  B-3 General Business District       |  R-M Medium Density Residential District           |
|  B-4 Commercial/ Industrial District |  R-MH Mobile Home District                         |
|  B-P Business Park District          |  R-O Old Village Residential                       |
|  ES Essential Service District       |  S-A Special Agriculture District                  |
|  GMU-4 Balsam Lane                   |  GMU-3 Historic Village                            |
|  GMU-5 Southwest Mixed-Use           |  City Boundary                                     |
|  I-1 Light Industrial District       |  PUD   |
|  P-R Public Recreation District      |  County Parcels                                    |
|  R-1 Single Family District          |   |

# 2040 Future Land Use



**Legend**

- |                             |  |                            |                            |                   |                      |
|-----------------------------|--|----------------------------|----------------------------|-------------------|----------------------|
| City Boundary               | Greenway Overlay                           | Rural Estate               | Existing Mobile Home Park  | Mixed Use         | Public/Institutional |
| Parcel Boundary             | Agricultural Preserve                      | Low Density Residential    | Master Planned Development | Business Park     | Open Water           |
| City Hall                   | Existing Unsewered Low Density Residential | Medium Density Residential | Neighborhood Commercial    | Industrial        | Right-of-Way         |
| Golf Course                 | Existing Sewered Low Density Residential   | High Density Residential   | Commercial                 | Park & Open Space | Golf Course          |
| National Wetlands Inventory |  |                            |                            |                   |                      |

SITE PHOTOS



*Panoramic photo, north to south, taken from near shared property line with Dayton Park (mobile home park) (Mar 25, 2026)*



*Panoramic photo, east to west, taken along 121st Ave. The wooded area is the Oppidan project site (Mar 25, 2026).*



DESIGN BUILDER:  
**ARCO MURRAY**  
 | DESIGN BUILD

CLIENT:

PROJECT:

ADDRESS:  
**W FRENCH LAKE RD & 121ST AVE N,  
 DAYTON, MN 55327**

DATE:  
**4/8/2026**

SCALE:  
**1" = 120'**

0 60 120

N

SHEET TITLE:  
**PRELIMINARY SITE PLAN**

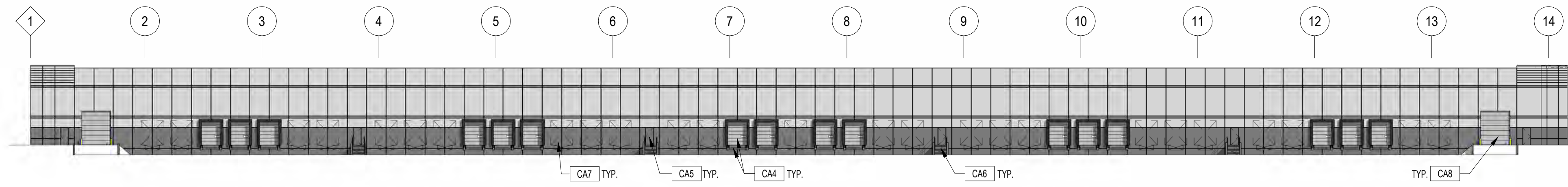
SHEET NUMBER:  
**SP-3.7**

PRELIMINARY  
 NOT FOR CONSTRUCTION

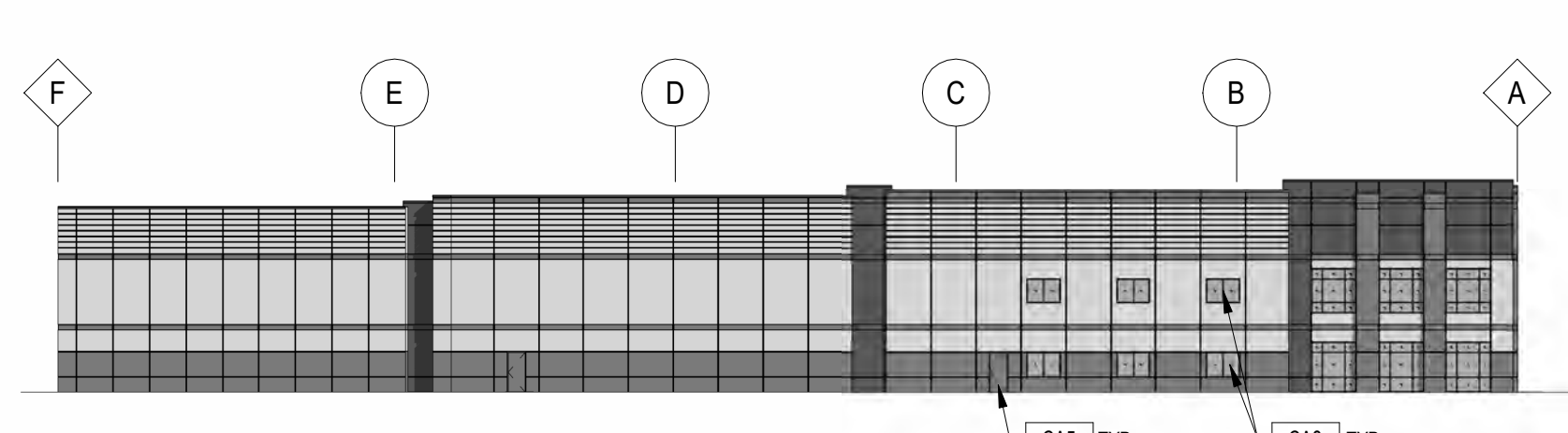
2505094



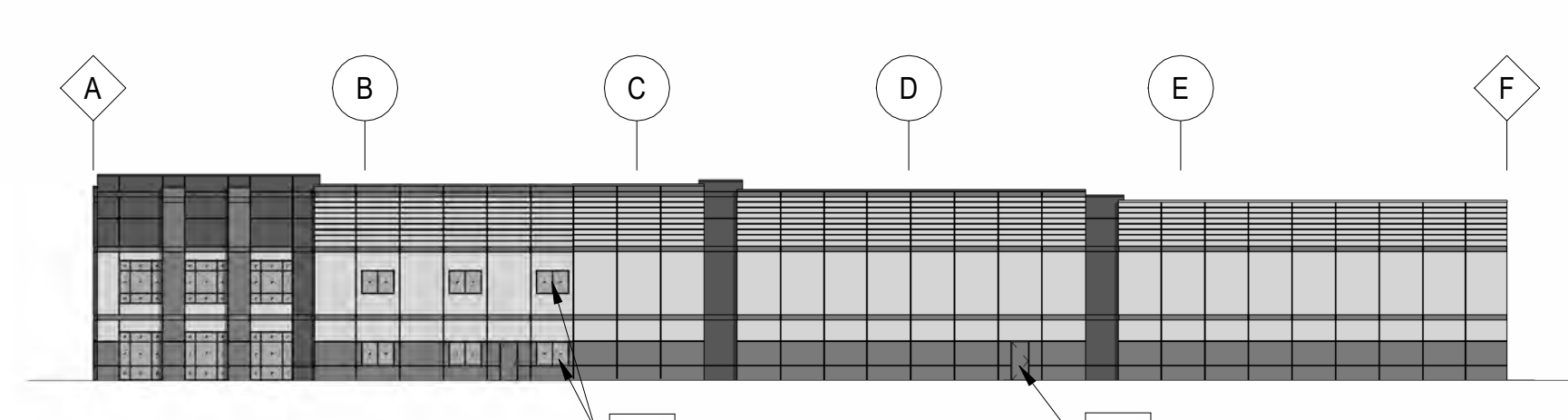
6 CONCEPT ELEVATION - NORTH  
AP2.1.1 1/32" = 1'-0"



5 CONCEPT ELEVATION - SOUTH  
AP2.1.1 1/32" = 1'-0"



4 CONCEPT ELEVATION - EAST  
AP2.1.1 1/32" = 1'-0"

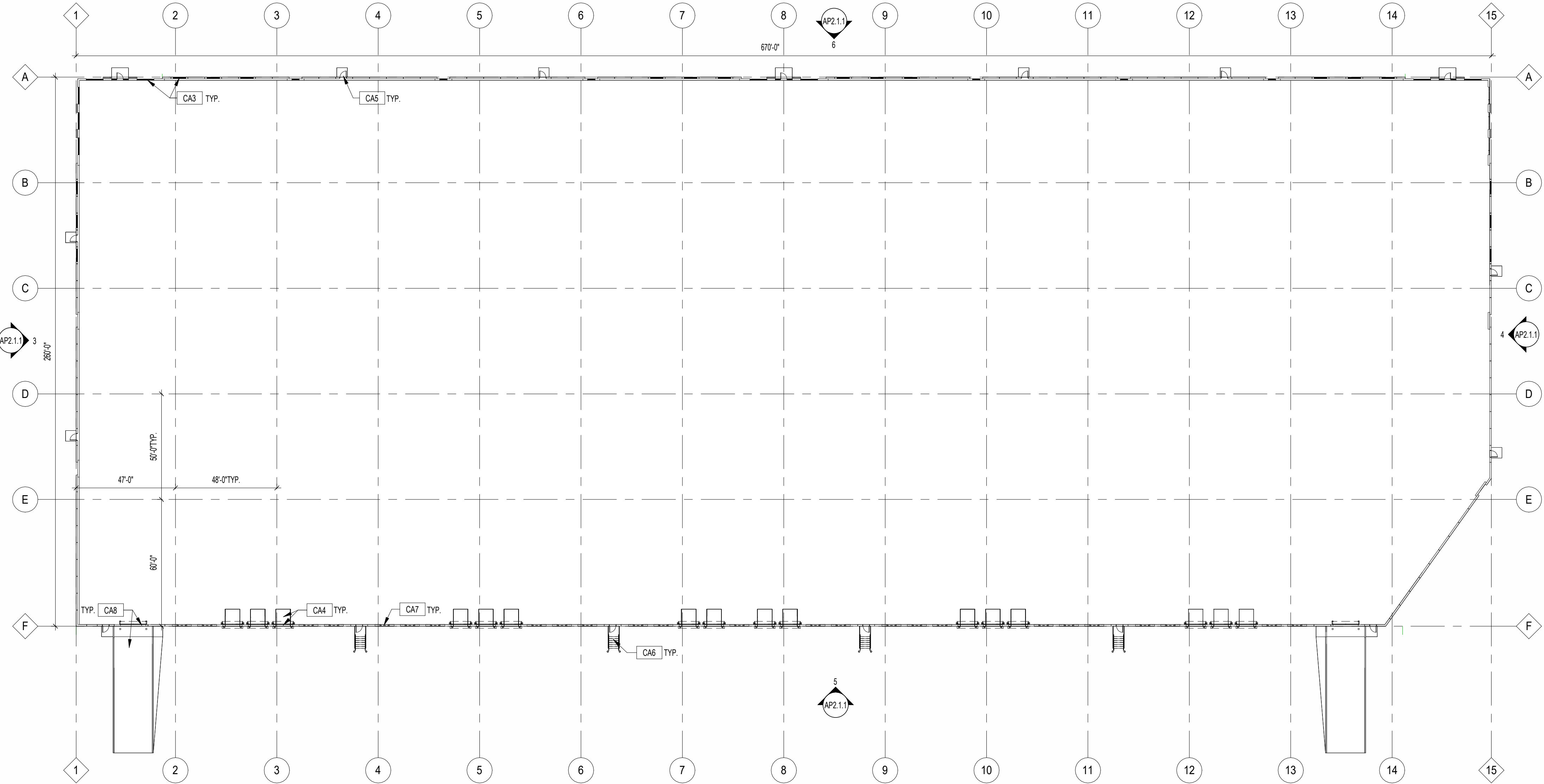


3 CONCEPT ELEVATION - WEST  
AP2.1.1 1/32" = 1'-0"



2 ENLARGED CONCEPT ELEVATION  
AP2.1.1 1/8" = 1'-0"

CONCEPT PLAN AND ELEVATIONS KEYNOTES	
CA1-P1	PAINTED INSULATED PRE-CAST CONCRETE WALL PANEL, LIGHT COLOR TBD.
CA1-P2	PAINTED INSULATED PRE-CAST CONCRETE WALL PANEL, MEDIUM COLOR TBD.
CA1-P3	PAINTED INSULATED PRE-CAST CONCRETE WALL PANEL, DARK COLOR TBD.
CA2	METAL COPING AND TRIM, PRE-FINISHED COLOR TBD. TO MATCH ADJ. CONC. WALL PANEL.
CA3	CLEAR ANODIZED ALUMINUM STOREFRONT WITH GRAY TINTED GLAZING.
CA4	OVERHEAD DOCK DOORS, PRE-FINISHED WHITE, WITH LEVELER AND DOCK BUMPERS.
CA5	HOLLOW METAL DOOR AND FRAME, PAINTED TO MATCH ADJ. CONC. WALL PANEL.
CA6	GALVANIZED DOCK STAIR.
CA7	FUTURE KNOCK-OUT IN CONC. WALL PANEL.
CA8	OVERHEAD DRIVE-IN DOOR WITH CONC. RAMP, PRE-FINISHED WHITE.



1 CONCEPT FLOOR PLAN  
AP2.1.1 1/32" = 1'-0"

**ITEM:**

Approval of Personnel Policy Update

**PREPARED BY:**

Zach Doud, City Administrator

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Consider Approval of Personnel Policy Update

**BACKGROUND:**

City staff has worked with our consulting HR firm to updated the Personnel Policy changes after regular review and needing to add sections of new policies that we follow. Please see changes noted below in a bullet point list.

- Added or after citation in the drug test section. This was missed in previous updates as discussed a drug test will be done with a vehicle getting towed or someone going to seek medical care or a citation is received.
- Added section on extended leave without pay.
- Added section the city may require a fitness-for-duty evaluation.
- Amended Section related to compensatory time (Comp Time) to match Union contracts. (this change is not in red and the only thing removed is the ability to carry over time from year to year.)

All writing in red on this document are revisions to this document. They begin on page 14, Page 29, and page 30, respectively.

**CRITICAL ISSUES:**

There are no outstanding issues.

**RECOMMENDATION:**

Staff recommends approval of drafted 2026 Personnel Policy and make it effective immediately.

**ATTACHMENT(S):**

Personnel Policy Update



## PERSONNEL POLICY HANDBOOK

**Effective May 2026**

12260 South Diamond Lake Road  
Dayton, MN 55327  
Phone: (763) 427-4589  
Fax: (763) 427-3708  
E-mail: [enhancehr@abdosolutions.com](mailto:enhancehr@abdosolutions.com)

*City of Dayton Personnel Policy Handbook*

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## INTRODUCTION

### Mission & Purpose

The City of Dayton's mission is to promote a thriving community and to provide residents with a safe and pleasant place to live while preserving our rural character, creating connections to our natural resources, and providing customer service that is efficient, fiscally responsible, and responsive. Your employment with the City of Dayton is an opportunity to help live out this mission and to build a rewarding and service focused career. We're so glad that you are here!

This handbook provides important information to you about certain terms and conditions of your employment. The goal of all City policies is to establish a fair and equitable system of personnel administration for all employees of Dayton. The primary objectives of these policies include:

1. Promote an increase of economy, efficiency, and transparency within City government and employment;
2. Provide fair and equal opportunity to all qualified persons to enter City employment on the basis of demonstrated merit and fitness, and to interact and engage with employees in a consistent manner;
3. Develop employee programs and operational policies that attract highly qualified applicants and promote employee engagement, development, and advancement; and
4. Promote a positive work environment and culture for all employees.

This handbook summarizes major policies and programs related to your employment and additional information about many of these policies and programs is available from the City's Administration office. Please take advantage of these resources to ensure that you are fully aware of your rights and responsibilities as an employee of the City of Dayton.

### At Will Employment

Employment at the city is employment "at will", meaning that either you or the city can end the relationship at any time-with or without cause and with or without prior notice. This handbook is intended as an informational guide only providing a general overview of city employment policies and practices. It is not intended to be, nor should it be construed as a contract.

No manager, supervisor, department head, or representative of the city other than the city council has authority to enter into any agreement to the contrary. No such agreement may be made, nor is valid unless formally approved by the city council. This handbook does not modify or limit the employment-at-will relationship.

The City reserves the sole right to add, change, withdraw or revoke any or all policies or practices at any time for any reason, with or without advance notice. Any such modification will not alter the employment-at-will relationship.

Any deviation from the policies and/or practices stated in this handbook is within the sole discretion of the City and shall not be construed to constitute precedent that would affect, limit or restrict any future action, nor shall any such deviation alter the employment-at-will relationship. Should any applicable local, state or federal law or judicial decision render any of the City's policies or practices invalid or inoperative, it shall not invalidate any other of the City's personnel policies or practices. The policies and practices described in this handbook are designed to be in compliance with applicable law. If any such policy or practice is not in compliance, then it is the policy of the City to comply with applicable law.

# *City of Dayton Personnel Policy Handbook*

## **Scope**

These policies apply to all employees of the City.

Except where specifically noted, these policies do not apply to:

1. Elected officials
2. City attorney
3. Members of City boards, commissions, and committees
4. Consultants and contractors
5. Volunteers, except as specifically noted for paid-per-call firefighters.

If any specific provisions of the personnel policies conflict with any current union agreement, past practice or civil service rules, the union agreement, past practice or civil service rules will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

Generally speaking, the City Administrator is the chief personnel officer of the City and is responsible for enforcement of all rules and regulations governing personnel. In some cases, different procedures and lines of authority may apply and, in such cases, the responsible Council or City representative shall consult with and keep the City Administrator fully advised of all personnel matters.

These policies serve as an information guide to help employees become better informed and to make their experience with the City more rewarding. Departments may have special work rules deemed necessary by the supervisor and approved by the City Administrator for the achievement of objectives of that department. Each employee will be given a copy of such work rules by the department upon hiring and such rules will be further explained, and enforcement discussed with the employee by the immediate supervisor.

## **EEO Policy Statement**

The City of Dayton is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation and selection for training. The City of Dayton will not discriminate against any employee or job applicant on the basis of race, 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.

If you believe there has been a violation of this policy, please immediately report the violation by following the reporting procedures outlined in the Harassment Prevention policy within this handbook.

# *City of Dayton Personnel Policy Handbook*

## **GENERAL COMMUNICATIONS**

### **Conduct as a City Employee**

In accepting City employment, employees become representatives of the city and are responsible for assisting and serving the citizens for whom they work. Your primary responsibility as an employee is to serve the residents of Dayton. Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a city employee. To achieve this goal, all employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

The following are job requirements and expectations for every employee and position within the City of Dayton:

- Perform assigned duties to the best of their ability at all times.
- Render prompt and courteous service to the public at all times.
- 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 professionally toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any and all unsafe conditions to the immediate supervisor.
- Maintain good attendance while meeting the goals set by your supervisor.

### **Employee Personnel Record**

It is very important that employees keep all information provided to the city at the time of their hire up to date. This information is essential for many purposes, including benefit administration, insurance notices, mailing information to the employee's home and contacting friends or family in case of emergency.

The city should be promptly notified of any changes in:

- (1) Address and telephone number;
- (2) Marital status (including legal separation);
- (3) Legal change in employee's name;
- (4) Dependents;
- (5) Changes in beneficiaries; and
- (6) Person to notify in case of emergency.

### **Notice of Employee Rights with Regard to Personnel Record**

All employee data will be received, retained, and disseminated according to the Minnesota Government Data Practices Act. Employees also have the right to know what data is retained, where it is kept, and how it is used.

Unless otherwise regulated by the Data Practices Law, any current employee has a right to request a review of his or her personnel record. Requests to review your personnel record must be made, in writing, to the City Administrator or other designated officer. Upon receipt of a written request to review a personnel record, the City will make the record available to you for review and the City may require that the record review be conducted under the supervision of a City representative. After reviewing the personnel record, you may submit a written request and a copy will be provided at no cost to you.

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Unless otherwise regulated by the Data Practices Law, any former employee of the City has the right to review a copy of his or her personnel record once per year for so long as the personnel record is maintained by the City. Requests for a copy of a former employee's personnel record must be made by the former employee, in writing. Upon receipt of a written request for a copy of a personnel record by a former employee, the City will provide the former employee with a copy of his or her personnel record within seven working days of receipt of the written request at no cost to the former employee.

If an employee disputes specific information contained in the employee's personnel record, the City and the employee may agree to remove or revise the disputed information; and if an agreement is not reached, the employee may submit a written statement specifically identifying the disputed information and explaining the employee's position. The position statement will be included along with the disputed information as long as that information is maintained in the employee's personnel record. A copy of the position statement will also be provided to any other person who receives a copy of the disputed information from the city after the position statement is submitted.

## **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, appropriate Department Head or other 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.

With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the City Administrator or appropriate Department Head. No City employee is authorized to speak on behalf of the City without prior authorization from the City Administrator, Department Head 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 or appropriate Department Head 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. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person, who will get back to you as soon as he/she can." Then ask the media representative's name, questions, deadline, and contact information.

All news releases concerning City personnel will be the responsibility of the City Administrator or appropriate Department Head.

When/if the City Administrator or Department Head authorizes a staff person to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications, employees must:

# City of Dayton Personnel Policy Handbook

- 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. In most cases, only factual information (not opinions or editorial comments) should be provided: “The City finished street cleaning on 16 streets in the northwest corner of the city this past week” instead of “The City is doing a great job with street cleaning this year!” Corrections must be issued when needed.
- Generally, employees should not include personal opinions in official City statements. One exception is communications related to promoting a city service. For example, an employee could post the following on the City’s Facebook page: “My family visited Hill Park this weekend and really enjoyed the new band shelter.” 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 the data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

## Personal Communications and Use of Personal Social Media

It is important for City employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on City business. 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:

- Remember that what you write, or post is public, and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation that would not be permissible in the workplace is not permissible between co-workers online, even if it is done after hours, from home and on home computers.
- The City of Dayton 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 are reasonably viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of sex, race, national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status with regard to public assistance or membership or activity in a local commission.
- If you publish something related to City business, identify yourself and use a disclaimer such as, “I am an employee of the City of Dayton. However, these are my own opinions and do not represent those of the City of Dayton.”
- City resources, working time, or official City positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the City’s logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at City Hall, should not campaign for a friend who is running for City Council.
- Personal social media account names or email names should not be tied to the city (e.g., City name Cop).

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## **Internal Communication**

The City believes that effective communication is essential to our continued success and that open lines of communication are important to the creation of productive operations. In general, any questions, concerns, and suggestions for improving operations should first be discussed with your supervisor.

The city realizes, however, that there may be occasions when the nature of the communication is such that the supervisor is personally involved; you believe that you cannot openly or effectively discuss the matter with your supervisor, or you are not satisfied with your supervisor's response. In these situations, you are free to bring their concerns and ideas directly to the next level of supervision or management without notifying your immediate supervisor.

In order to be effectively addressed, problems should be presented at the time they arise. Depending on the nature of the matter, you may be asked to summarize the matter in writing.

## **Performance Reviews**

An objective performance review system will be established by the City Administrator or designee for the purpose of periodically evaluating the performance of City employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.

Performance reviews will be discussed with the employees. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable using the City's grievance process, other performance evaluation data, including subjective assessments, are not. For those parts of the performance evaluation system deemed not challengeable, an employee may submit a written response, which will be attached to the performance review. Performance reviews are to be scheduled on a regular basis, at least annually. The form, with all required signatures, will be retained as part of the employee's personnel file.

During the training period, informal performance meetings should occur frequently between the supervisor and the employee. Conducting these informal performance meetings provides both the supervisor and the employee with the opportunity to discuss what is expected, what is going well and not so well.

Signing of the performance review document by the employee acknowledges the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

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## **COMPENSATION, ATTENDANCE & SCHEDULING**

### **Rate of Pay**

Full-time employees of the city will be compensated according to schedules adopted by the City Council. Unless approved by the Council, employees will not receive any amount from the city in addition to the pay authorized for the positions to which they have been appointed. Expense reimbursement or travel expenses may be authorized in addition to regular pay.

Compensation for seasonal and temporary employees will be set by the City Council at the time of hire, or on an annual basis.

Under the Minnesota Wage Disclosure Protection Law, employees have the right to tell any person the amount of their own wages. While the Minnesota Government 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 Minn. Stat. §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.

### **Direct Deposit**

As provided for in Minnesota law, all employees are required to participate in direct deposit. Employees are responsible for notifying the City Administrator of any change in status, including changes in address, phone number, names of beneficiaries, marital status, etc.

### **Time Reporting**

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be 40 hours per workweek. They will be paid according to the time reported on their time sheets. To comply with the provisions of the federal and state Fair Labor Standards Acts, all hours worked and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a bi-weekly basis. Reporting false information on a time sheet may be cause for immediate termination.

### **Overtime & Compensatory (Comp) Time**

The City of Dayton has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator will determine whether each employee is designated as "exempt" or "non-exempt" from earning overtime. In general, employees in executive, administrative, and professional job classes are exempt; all others are non-exempt.

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## **Assigning & Scheduling Work**

Assignment of work duties and scheduling work is the responsibility of the supervisor and/or the Department Head.

## **Core Work Hours**

To ensure employee availability and accountability to the public the City serves, all full-time employees (exempt and non-exempt) are to be at work or available to the public and co-workers during the hours of 7:30 am to 5:00 pm Monday through Thursday and 8:00 am to 12:00 pm on Fridays, unless away from the work site for a work-related activity, on approved leave, or otherwise approved by the City Administrator in accordance with the customs and needs of the individual departments. Public Works hours are 7:00 am to 4:30 pm Monday through Thursday and 7:00 am to 11:00 am on Fridays. Police Department hours/shifts are determined by the department.

## **Meal Breaks & Rest Periods**

A paid fifteen (15) minute break is allowed for each four (4) consecutive hours of work. An unpaid thirty (30) minute lunch period is provided when an employee works six (6) or more consecutive hours. Employees are expected to use these breaks as intended and will not be permitted (unless approved by a supervisor) to adjust work start time, end time, or lunch time by saving these breaks.

Employees working in City buildings will normally take their break at the place provided for that purpose in each building. Employees working out-of-doors will normally take their break at the location of their work. Employees whose duties involve traveling throughout the City may stop along the assigned route at a restaurant or other public accommodation for their fifteen (15) minute break.

Departments with unique job or coverage requirements may have additional rules, issued by the supervisor on the use of meal breaks and rest periods.

## **Adverse Weather Conditions**

City facilities 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 not normally have their pay reduced as long as they use accrued vacation time or compensatory time, or with supervisors' approval, may modify the work schedule, work from home or make reasonable schedule adjustments.

At times, emergencies such as severe weather, power failures, fires or acts of God, may disrupt City operations. In extreme cases, these circumstances may require the city to temporarily close. It is the employee's responsibility to call the office or their supervisor to inquire about working conditions. When a decision to close is made AFTER the workday has begun, employees will receive official notification from their supervisor. In these situations, up to four hours of time off from scheduled work will be paid. When the decision to close is made BEFORE the workday has begun, time off from scheduled work will be unpaid, however, with supervisor approval, employees may use available paid time off, such as unused vacation benefits. In cases where an emergency closing is not authorized, employees who fail to report or work may not be paid for the time off.

# *City of Dayton Personnel Policy Handbook*

Employees in essential operations, such as police officers, may be asked to work on a day when City operations are officially closed. In these circumstances, employees who work will receive regular pay.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor or the City Administrator.

## **Non-Exempt (Overtime-Eligible) Employees**

All overtime-eligible employees will be compensated at the regular rate of pay of time-and-one-half for all hours worked over 40 in one workweek. Vacation, sick leave, and paid holidays count toward “hours worked”, unless otherwise specified by a union contract. Compensation will take the form of either time-and-one-half pay or compensatory time. Compensatory time is paid time off at the rate of one-and-one-half hours off for each hour of overtime worked.

For most employees the workweek begins at midnight on Sunday and runs until the following Saturday night at 11:59 p.m. Supervisors may establish a different workweek based on the needs of the department.

The employee’s supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of time-and-one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment.

The maximum banked time accumulation for any employee is 80 hours per year. Once an employee has earned 80 hours of compensatory time banked, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests. All compensatory time banked shall be used by December 31<sup>st</sup> each year or paid out.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Finance Department will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves City employment at the hourly pay rate the employee is earning at that time.

## **Exempt (Non-Overtime-Eligible) Employees**

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountancy, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City of Dayton will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or accident.

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- The employee is in a position that earns sick leave, receives a short-term disability benefit or workers' compensation wage loss benefits, and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the city in which the employee does not work a full week. In this case, the city will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness, or injury, but:
  - Paid leave has not been requested or has been denied.
  - Paid leave is exhausted.
  - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid medical leave.
- The City of Dayton may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The City of Dayton will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the city any amounts received by the employee as jury fees or witness fees.

If the City inadvertently makes an improper deduction to the weekly salary of an exempt employee, the city will reimburse the employee and make appropriate changes to comply in the future.

All employees, in all departments, are required to work overtime as requested by their supervisors as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

## ***Leave Policy for Exempt Employees***

Exempt employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. The normal hours of business for exempt staff are Monday through Thursday 7:30 a.m. to 5:00 p.m. and Friday 8 a.m. to 12:00 p.m., plus evening meetings as necessary. Public Works hours are Monday through Thursday 7:00 am to 4:30 pm and Friday 7:00 am to 11:00 am. Police hours are based on shifts as determined by the department.

Exempt employees are required to use paid leave in an amount that meets the 40-hour workweek expectation. For example, if an exempt employee were to work 5 7-hour days in a given week (35 total hours), he or she would be required to use 5 hours of paid leave for that week to meet the 40-hour minimum. On the other hand, should an exempt employee work 4 10-hour days (40 hours) in a given week and take one workday off, he or she would NOT be required to use paid leave for that week since they have already met the 40-hour minimum.

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Absences of less than four (4) hours do not require use of paid leave as it is presumed that the staff member regularly puts in work hours above and beyond the normal business hours. Exempt employees must communicate their absence to the Supervisor.

If one of the above employees is regularly absent from work under this policy and it is found that 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.

## Attendance & Absence

The operations and standards of service in the City of Dayton require that employees be at work unless valid reasons warrant absence, or an employee has a position that has been approved to work remotely. In order for a team to function efficiently and effectively, employees must fully understand the goals that have been set for them and the time that is required to be on the job. Understanding attendance requirements is an essential function of every City position.

Some employees may also be required to be available for Stand-By or Call-Back duty as follows:

**Stand-By Duty:** Employee who are on-call (Stand-by duty) must be readily available. Normally, these employees will be provided with two-way radios, pagers or cellphones. Appropriate response time or area requirements may be placed on employees on stand-by duty.

**Call Back:** Any employees subject to call-back must report immediately or, in the case of serious weather or other reasonable limiting factors, as soon as practical. Employees and supervisors providing essential services should attempt to keep each other informed as to their general off-duty whereabouts so as to assure adequate response time in case of an emergency.

Employees who are going to be absent from work are required to notify their supervisor as soon as possible in advance of the absence. In case of an unexpected absence, employees should call their supervisor before the scheduled starting time and keep in mind the following procedures:

- If the supervisor is not available at the time, the employee should leave a message that includes a telephone number where he/she can be reached and/or contact any other individual who was designated by the supervisor.
- Failure to use the established reporting process may be grounds for disciplinary action.
- The employee must call the supervisor on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the supervisor.
- Employees who are absent for three (3) days or more and who do not report their absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing.
- The City may waive this rule if extenuating circumstances warranted such behavior.

This policy does not preclude the City from administering discipline for unexcused absences of less than three (3) days. Individual departments may establish more specific reporting procedures.

For budgetary and confidentiality reasons, non-exempt employees (eligible for overtime pay) are not authorized to take work home without prior approval from their supervisor and must, at all times, record all hours worked.

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## **BENEFITS**

### **Health, Dental, Vision & Life Insurance**

The City will contribute a monthly amount toward group health, dental, vision, and/or life insurance benefits for each eligible employee (employees must be year-round employees work 32 or more hours per week on a regular basis) and his/her dependents and spouse, if any.

For information about coverage and eligibility requirements, employees should refer to the summary plan description or contact the City Administrator.

### **Health Savings Account (HSA)**

The City offers a voluntary pre-tax salary reduction program which permits eligible employees to set aside funds to pay for eligible health expenses.

For information about coverage and eligibility requirements, employees should refer to the summary plan description or contact the City Administrator.

### **Flexible Spending Account**

The City offers a voluntary pre-tax salary reduction program which permits eligible employees to set aside funds to pay for daycare expenses.

For information about coverage and eligibility requirements, employees should refer to the summary plan description or contact the City Administrator.

### **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 information about PERA eligibility and contribution requirements, contact the City Administrator.

The city also offers additional retirement plan options should employees wish to participate. Please contact the City Administrator for more information related to these plans.

### **COBRA**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees covered by the City's group health insurance and their qualified beneficiaries the opportunity to continue health insurance coverage when a "qualifying event" would normally result in the loss of health insurance. Some common "qualifying events" are resignation or termination of employment, death of the covered employee, a reduction in an employee's hours, certain leaves of absence, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements.

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Under COBRA, the employee or beneficiary pays the full cost of continuing the insurance coverage at the City's group rates plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employees' rights and obligations. COBRA information is also provided when the city is informed of a qualifying event.

## Expense Reimbursements

Reimbursement to eligible employees for eligible and legitimate business expenses, as defined by the City's expense reimbursement policy, will be made via a city check. Please submit all corresponding receipts to your supervisor, along with the completed City expense report to receive reimbursement on a timely basis. Reimbursement documentation must be submitted within 30 days after the expense was incurred.

## Holidays

The city observes the following official holidays for all regular full-time and part-time employees:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veteran's Day
Presidents Day	Thanksgiving Day
Memorial Day	Christmas Eve Day
Juneteenth	Christmas Day
Independence Day	Floating Holiday (2) (Employee's Choice)

When a holiday falls on a Sunday, the following Monday will be the "observed" holiday and when a holiday falls on a Saturday, the preceding Friday will be the "observed" holiday. This applies only to those City operations/facilities that are closed on holidays. In the event Christmas Eve falls on a Sunday and Christmas Day on a Monday the "observed" holiday is Monday and Tuesday. In the event Christmas eve falls on Friday and Christmas Day on a Saturday the "observed" holiday is Thursday and Friday.

The city is closed the day after Thanksgiving but not a paid holiday. Employees must use accrued vacation, floating holidays or take unpaid.

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter unless otherwise specified.

Full-time employees will receive pay for official holidays at their normal regular rates and part-time employees will receive prorated holiday pay based on the number of hours normally scheduled if the holiday falls on a regular scheduled day.

To be eligible for holiday pay, employees must work their last regularly scheduled workday before the holiday and their first regularly scheduled workday after the holiday or receive approval for other paid from their supervisor. If a holiday occurs during an employee's vacation or on a regular day off, the employee will be paid for the holiday in addition to the regular vacation or day off or given an extra day off, but not both. Any employee on a leave of absence without pay from the City is not eligible for holiday pay.

Premium pay of 1.5 times the regular hourly wage for employees required to work on a holiday will be for hours worked on the "actual" holiday as opposed to the "observed" holiday.

# City of Dayton Personnel Policy Handbook

Employees wanting to observe holidays other than those officially observed by the city may request either vacation leave or unpaid leave for such time off.

## **Vacation Leave**

Vacation leave is intended for rest and relaxation and to contribute to the general welfare of each employee. As such, employees are encouraged to use most, if not all, of their available vacation leave each year.

### ***Eligibility***

Full-time employees will earn vacation leave after the first 30-days of employment in accordance with the below accrual rate schedule.

Part-time employees who work at least 32 hours per week on a regular basis will accrue vacation leave on a prorated basis of the below full-time employee accrual rate schedule.

Part-time employees who work less than 32 hours per week on a regular basis and temporary or seasonal employees will not earn or accrue vacation leave.

### ***Accrual Rate***

For the purpose of determining an employee's vacation accrual rate, years of service will include all continuous time that the employee has worked at the city (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.

Employees who are represented by a collective bargaining agreement should refer to their specific union contract for vacation eligibility and accrual details.

New accrual rates take effect in the first month following the anniversary of the employee's hire date.

<b>Length of Service</b>	<b>Accrual Rate (per month)</b>	<b>Total Annual Vacation Available</b>
0-5 years	6.67 hours	80.00 hours
5-10 years	10.00 hours	120.00 hours
10-15 years	12.00 hours	144.00 hours
16-20 years	14.00 hours	168.00 hours
20+years	16.00	192 hours

### ***Earnings and Use***

An employee will not earn any vacation leave for any pay period unless he/she is employed by the city on the last scheduled workday of the pay period. Requests for vacation must be received at least forty-eight (48) hours in advance of the requested time off. This notice may be waived at the discretion of the supervisor. Vacation can be requested in increments as small as one hour up to the total amount of the accrued leave balance. Vacation leave is to be used only by the employee who accumulated it. It cannot be transferred to another employee.

Employees are not allowed to borrow against Vacation leave that has not yet been accrued unless prior supervisor approval is obtained.

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Employees may accrue vacation leave up to a maximum of two times the employee's annual accrual rate. No vacation will be allowed to accrue in excess of this amount without the approval of the City Council.

Any employee ending employment with the city in good standing and after providing at least two weeks' written notice will be paid for all earned but unused Vacation Leave hours.

## **Sick Leave**

Sick leave is authorized absence from work with pay, granted to qualified full-time and part-time employees. Employees are to use this paid leave only when they are unable to work for medical reasons and under the conditions explained below.

### ***Eligibility and Accrual Rate***

- Full-time employees will accumulate sick leave at a rate of one (1) day per month or 8 hours, up to a maximum sick leave balance of 1,056 hours.
- Part-time employees regularly scheduled to work at least 32 hours per week will accrue sick leave on a pro-rated basis of the full-time employee schedule.
- Part-time employees regularly scheduled to work fewer than 32 hours per week will not earn or accrue sick leave.
- Temporary and seasonal employees will not earn or accrue sick leave.
- Sick leave does not accrue during an unpaid leave of absence.
- Sick leave may be used only for days when the employee would otherwise have been at work. It cannot be used for scheduled days off.

### ***Earnings and Use***

Sick leave may be used under the following circumstances:

- When an employee is unable to perform work duties due to a personal illness or disability (including pregnancy)
- For personal 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(s)
- To care for an ill spouse, domestic partner, father, father-in-law, mother, mother-in-law, stepparent, grandparent, grandchild, sister or brother
- For personal or family safety leave. Employees are authorized to use sick leave for reasonable absences for themselves or relatives (employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) who are providing or receiving assistance because they, or a relative, is a victim of sexual assault, domestic abuse, or stalking. Safety leave for those listed, other than the employee and the employee's child, is limited to 160 hours in any 12-month period.
- Extended bereavement leave.

Pursuant to Minn. Stat. §181.9413, eligible employees may use up to 160 hours of sick leave in any 12-month period for absences due to an illness of or injury to the employee's adult child, spouse, domestic partner, sibling, parent, grandparent, stepparent, parent-in-law (mother-in-law and father-in-law), and grandchild (includes step-grandchild, biological, adopted, or foster grandchild).

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After accrued sick leave has been exhausted, vacation leave may be used upon approval of the City Administrator, to the extent the employee is entitled to such leave.

To be eligible for sick leave pay, the employee will:

- Communicate with his/her immediate supervisor, as soon as possible after the scheduled start of the workday, for each and every day absent, unless otherwise approved;
- Keep his/her immediate supervisor informed of the status of the illness/injury or the condition of the ill family member;
- Submit a physician's statement upon request.

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.

Any employee who makes a false claim for sick leave will be subject to discipline up to and including termination.

Employees must normally use sick leave prior to using paid vacation, or compensatory time and prior to an unpaid leave of absence during a medical leave, except where Parenting Leave under Minnesota law and the medical leave overlap.

Sick leave will normally not be approved after an employee gives notice that he or she will be terminating employment. Exceptions must be approved by the City Administrator.

Sick leave cannot be transferred from one employee to another unless the transfer qualifies as a pre-approved sick leave donation.

Employees with more than five (5) years of continuous service who terminate their employment in good standing will be paid up to a maximum of 1/3 of their accumulated sick leave (or as otherwise stipulated in union agreement in which an employee is a member.)

The City will require written documentation from a certified healthcare provider if an employee has been absent more than two consecutive days.

## **Earned Safe and Sick Time (ESST)**

All employees are eligible for ESST, however the above sick leave designation for full-time employees is in excess of ESST and will therefore not be applicable for the remaining items related to ESST. Full-time employees should reference the previous section as it relates to this time.

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Earned Safe and Sick Time is available for temporary, seasonal, and part-time employees of the City of Dayton. ESST can be used for certain reasons, including when an employee is sick, to care for a sick family member, or to seek assistance if an employee or their family member has experienced domestic abuse, sexual assault, or stalking.

## Eligibility and Accrual Rate

- Temporary, Seasonal, and Part-Time employees will earn 1 hour of safe and sick time (ESST) for every 30 hours worked and can earn a maximum of 48 hours each year. The employee must work more than 80 hours in a single fiscal year per Department of Labor (DOLI) rules.
- Hours will be held and accrued as long as the employee is employed with the city. (Ex. Seasonal employees will be terminated following their employment timeframe so hours will be accrued until that timeframe has been completed and will then forfeit those hours).
- Maximum of 80 hours of ESST can be held by any employee.
- Full-time employees are eligible to use ESST however it will be counted toward your sick leave banked balance and not a separate leave bank. Full-time employees will not earn the additional 1 hour of sick leave for every 30 hours worked because this is already covered under the sick leave balance in the above section.

ESST is guided by MN Dept of Labor and if you need more information, please contact your supervisor and/or the City Administrator.

## **Sick Leave Donation**

In the course of employment, it is possible that circumstances can occur where an employee is unable to work due to a personal illness or crisis. Paid leave, including sick and vacation leave, provided by the city is standardly used in these situations. In cases where the need to be away from work for medical reasons is more extensive and the employee has exhausted all accrued vacation and sick leave, another employee may offer a portion of his/her accrued sick leave to the affected employee. See the City Administrator for more details and donation request approvals.

## **Funeral Leave**

The purpose of funeral leave is to provide employees with time to attend the funeral of a member of the family and where necessary to handle personal affairs without disrupting income.

A regular, full-time employee may be granted up to a three-day leave (three scheduled workdays) with pay in the event of the death of one of the following: Spouse, domestic partner, child (including a stepchild), father, mother, sister, brother, grandparent, mother or father-in-law, grandchild, son or daughter-in-law. The actual number of paid days off will be determined by the supervisor. Additional unpaid days may be granted, if necessary, at the discretion of the supervisor.

For non-exempt employees, the funeral allowance is paid only for scheduled work time lost and will not be counted in computing overtime.

Vacation and/or Sick leave should be requested to attend the funeral of other friends and family.

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## **Employee Education & Training**

The City promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

The city will pay for the costs of an employee's participation in training and attendance at professional conferences, provided that attendance is approved in advance and meets all applicable approved training criteria.

## **Memberships & Dues**

The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the city. Normally, one City membership per agency, as determined by the Supervisor or City Administrator, is allowed, providing funds are available.

Upon separation of employment, individual memberships remain with the City and are transferred to another employee by the supervisor.

## **LEAVES OF ABSENCE**

In some cases, an employee may require an extended leave of absence, even once all vacation and/or sick time has been exhausted. Depending upon an employee's situation, more than one form of leave may apply during the same period of time. An employee will need to meet the requirements of each form of leave separately. Leave requests will be evaluated on a case-by-case basis.

Except as otherwise stated, all paid time off, taken under any of the City's leave programs, must be taken 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. Prior to the approval of any of the following leave of absences, all City-owned equipment will be returned to the City until the leave of absence has ended.

### **Unpaid Medical Leave**

Unpaid medical leave may be granted where an employee's medical condition requires an absence from work for more time than the amount of available sick and vacation leave. The City may grant such leave in its sole discretion and in accordance with applicable law. The city will review requests for unpaid medical leave on a case-by-case basis and will require information to support the need for the leave. Such information may include a request or requirement for authorization to obtain information from or speak with the employee's treating physician. The City also reserves the right to request a second opinion from a city-chosen physician on any medical leave of absence.

### **Military Leave**

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

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The leave of absence is only in the event the employee returns to employment with the City as required upon being relieved from service or is prevented from returning by physical or mental disability or other cause not the fault of the employee or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the City at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active-duty time, prior to the unpaid leave of absence.

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

All employees who are on an approved military leave beyond fifteen (15) days will receive the full City contribution for benefits throughout the time they are on the approved leave. Additionally, if the employee is paid less by the military than their current hourly rate with the city, the city will cover that difference in hourly rate as if the employee were working full-time hours at the city. If

the rate of pay received by the employee in the military is higher, then no concession will be made to the employee during the unpaid military leave.

## **Jury Duty**

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

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

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

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

## **Court Appearances**

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

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## **Victim or Witness Leave**

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony or is the spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) of such victim, reasonable time off from work to attend criminal proceedings related to the victim's case. Paid sick time may be applicable in some cases.

## **Job Related Injury or Illness**

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

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

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

## **Minnesota Paid Leave**

This policy is established to comply with the Minnesota Paid Leave Law, which establishes a public insurance program administered by the Minnesota Department of Employment and Economic Development ("DEED"), providing eligible employees with paid leave for family and medical reasons beginning January 1, 2026 ("MPL"). The City of Dayton provides MPL benefits to eligible employees through an approved equivalent plan administered by the City of Dayton's designated MPL insurance carrier instead of through DEED. This plan provides time off, payments, and job protections that are equal to or greater than those offered under the Minnesota Paid Leave Law. The MPL plan is funded by premium contributions payable to the City of Dayton's designated MPL insurance carrier and split between employers and employees pursuant to Minn. Stat. sec. 268B.14, subd. 3.

### Employee Application and Eligibility

To apply for MPL benefits, employees must apply with the City of Dayton's designated insurance carrier. Employee eligibility based on such application is determined solely by the City of Dayton's designated MPL insurance carrier.

### Employee Notification Required

Employees must provide the City of Dayton with at least thirty (30) days' notice before their MPL begins if the need for leave is foreseeable. If the leave is not foreseeable, employees must notify the City of Dayton as soon as possible.

If the employee does not provide the City of Dayton with at least thirty (30) days' notice when the need for leave is foreseeable, the employee must explain why it was not possible or practicable upon request.

In addition, employees are required to comply with any and all City of Dayton policies and procedures for requesting leave, including but not limited to: Attendance and Absence, Earnings and Use, Leaves of Absence. Employees that fail to comply with relevant City policies and procedures are subject to discipline, up to and including termination from employment.

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## Certification and Documentation Requirements

Employees seeking MPL benefits are required to provide copies of any certification of eligibility or other relevant medical documents to the designated Paid Leave Administrator on the same day that they are submitted to the City of Dayton's designated MPL insurance carrier for MPL benefit consideration.

## Intermittent Leave

Employees taking intermittent MPL are required to provide the City of Dayton with a schedule of the workdays the employee needs off as soon as possible. Employees taking intermittent leave must make a reasonable effort to schedule the intermittent leave. Intermittent leave can be taken in 1-hour increments, similar to the Family Medical Leave Act (FMLA) regulations.

## Concurrent Leaves

Employees taking MPL, whether intermittently or continuously, that are concurrently eligible for other leaves will automatically be placed on such leaves to run concurrently with MPL.

## Supplemental Benefits

Employees are permitted to use their available paid leave time as a supplemental benefit while on leave under MPL.

## Health Insurance

Employees taking MPL will continue to be covered under the City of Dayton's group health insurance plan under the same conditions and at the same level of the City contributions as would have been provided had they been continuously employed during the leave period. Employees are responsible for their portion of premiums due on the coverage.

## MPL Fraud

An employee is guilty of theft if they obtain or attempt to obtain benefits to which the individual is not entitled. Reporting false information to the City of Dayton's designated MPL insurance carrier and/or the City of Dayton will be cause for discipline, up to and including termination.

## **Family and Medical Leave**

Regular full-time employees and part-time employees that meet the eligibility requirements are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period measured backward from the date an employee uses leave under the Family and Medical Leave Act (FMLA).

Leave may be taken for one or more of the following reasons:

- Because of the birth of the employee's son or daughter and in order to care for the child.
- Because of the placement of a son or daughter with the employee for adoption or foster care.
- In order to care for the employee's spouse, son, daughter, or parent who is incapacitated due to a "serious health condition."
- Because of a "serious health condition" that makes the employee unable to perform the functions of their position.
- Because of any qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

The terms "serious health condition" and "qualifying exigency" shall have the meaning assigned by law.

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Additionally, an eligible employee is entitled to up to a combined total of 26 weeks of unpaid leave during any single 12-month period to care for a recovering service member who is the employee's spouse, son, daughter, parent or nearest blood relative. This leave includes, and is not in addition to, the 12 weeks of leave referenced above, so that the total leave available under this paragraph does not exceed 26 weeks.

FMLA leave, to the greatest extent possible, runs concurrently with Minnesota Paid Leave (MPL), Parenting Leave and any other leave provided under state, federal or local law. If an employee qualifies for FMLA and MPL, Parenting Leave and/or other leave, the terms and conditions of leave under FMLA, MPL Parenting Leave and/or other leave will be applied in the manner that is most beneficial to the employee.

Under this policy, the employee must follow the usual and customary requirements for requesting a leave of absence, including completing a leave of absence request form and giving at least 30 days' written notice, where possible. The completed form must indicate why a leave of absence is needed and the anticipated duration of the leave of absence (including starting date and return date).

Leave taken by an employee due to the birth or adoption of a child must be taken within 12 months of the child's birth date or the adoption placement and cannot be taken on an intermittent or a reduced schedule basis.

Other FMLA leave may be taken on an intermittent or reduced leave schedule, when it is medically necessary, as allowed by the Family Medical Leave Act. Intermittent leave must be taken in 1-hour increments.

If an employee takes a leave for the serious health condition of the employee, or the employee's spouse, child or parent, the employee will be required to submit a medical certification form (generally within 15 calendar days of the Company's request). The Company may require a second and third opinion in certain cases. The employee may also be required to provide reasonable medical documentation or a statement of family relationship to support a request for family leave.

The employee may be required to make periodic reports regarding their status and intent to return to work. The Company may also require the employee to submit to subsequent recertifications, and if recertifications are requested, the employee must usually provide the recertification within 15 calendar days after the request.

During an FMLA leave, the employee is required to pay the employee's share of premiums to maintain any health benefits under the Company's group health plan during the leave. The employee must contact Human Resources to make arrangements to pay the premiums. Failure to pay the premiums as required may result in termination of the employee's, and any dependents', health benefits. If an employee fails to return to work after the expiration of the employee's FMLA leave, the employee may be required to reimburse the Company for the portion of the health insurance premiums paid by the Company during the employee's FMLA leave.

Although FMLA leave is generally unpaid, the Company will require employees to substitute accumulated paid time off (such as vacation and/or sick/personal leave) for FMLA leave, pursuant to applicable law.

In the case of planned medical treatment, the employee must consult with Human Resources and make reasonable efforts to schedule the treatment so as not to disrupt unduly the Company's operations. In the case of intermittent or reduced schedule leave for a serious health condition, the employee must advise the Company upon request why such leave is medically necessary and of the schedule for treatment. The employee must attempt to work out a schedule which meets the Company's needs without unduly disrupting Company operations consistent with the advice of the employee's health care provider.

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Employees who may qualify for FMLA leave must provide the Company with reasonable notice of any changed circumstances which may affect the leave within two (2) business days of the changed circumstances.

Prior to returning from an FMLA leave for the employee's own serious health condition, the employee may be required to submit a release to return to work from an appropriate health care provider. Failure to provide the release may delay the employee's return to work.

Employees returning from FMLA leave will generally be eligible for reinstatement to an "equivalent position" as defined by law. However, reinstatement may not be granted for "key employees."

An employee requesting family or medical leave should notify and contact the Human Resources Department for the appropriate forms which need to be completed.

### **Pregnancy and Parenting Leave**

Employees who work twenty (20) hours or more per week and have been employed more than one year are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Female employees may request leave 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. Employees may be eligible for up to 12 weeks of unpaid pregnancy and parenting leave, which 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 12 months after the child leaves the hospital. Employees should provide reasonable notice, which is at least 60 days, whenever possible. If the leave must be taken in less than three days, the employee should give as much notice as practicable.

Employees will be required to use any available accrued leave (i.e., sick leave, vacation leave, etc.) during Parenting Leave. If the employee has any MN Paid Leave or Family and Medical Leave Act (FMLA) eligibility remaining at the time this leave commences, this leave will also count as MN Paid Leave and FMLA leave. These leaves will run concurrently. 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/MPL qualifying). For employees on concurrent FMLA leave, the employer contributions toward insurance benefits will continue only during the FMLA qualifying absence.

### **Administrative Leave**

Under special circumstances, an employee may be placed on 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 with the approval of the City Council.

### **Adoptive Parents**

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

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## School Conference & Activities Leave

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

## Bone Marrow Donation Leave

Employees working an average of 32 or more hours per week may take paid leave, not to exceed 40 hours unless agreed to by the city, to undergo medical procedures to donate bone marrow. The city may require a physician's verification of the purpose and length of the leave requested to donate bone marrow. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

## Election & Voting Leave

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off for purposes of serving as an election judge, provided that the employee gives the City at least ten (10) days written notice. Employees will be paid the difference in wages from election pay.

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.

## Extended Leave Without Pay

The City Administrator may authorize leave without pay for up to thirty (30) days (unless otherwise stipulated in the union contract) **for any employee that requests time off not covered under an existing policy or provision. The City Council grant up to a maximum of one (1) year of unpaid, non job-protected leave following the initial 30 Days.**

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

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

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

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To qualify for leave without pay, an employee need not have used all sick leave earned unless the leave is for medical reasons. (An employee absent for Parenting Leave is not required to use sick leave). Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the city.

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

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

The city may require a fitness-for-duty evaluation, when approved by the City Administrator, to determine if an employee can safely perform essential job functions.

## EMPLOYEE ACCOMMODATIONS

### Reasonable Accommodation

The city may provide reasonable accommodations to known physical and mental limitations of an otherwise qualified disabled employee or applicant. Reasonable accommodation may be, depending on all the circumstances, modifications or adjustments to a job, the work environment, or the way things are usually done that enables an employee with a disability to perform the essential functions of a job, and to enjoy equal benefits and privileges of employment. Please recognize, however, that we cannot promise to provide any and all accommodations. We must consider each accommodation on a case-by-case basis to determine whether it would cause an undue hardship to the city. Certain accommodation can or may also be made for pregnant employees. If you are pregnant and need an accommodation, please follow the request procedure below.

The city may also provide reasonable accommodation for employees' religious observances and requirements when employees bring such matters to the City's attention and a reasonable accommodation can be identified. A reasonable accommodation is one that eliminates the conflict between an employee's religious beliefs or practices and the employee's job requirements, without causing undue hardship to the city or coworkers. The city has developed a process to assist employees, management and human resources. Through this process, the City has established a system of open communication between employees and the City to specifically discuss and take action to reasonably accommodate employees' needs. The intent of this process is to ensure a consistent approach when addressing all requests for accommodation. Any employee who perceives a conflict between job requirements and religious belief or practice should follow the accommodation request process below.

Requests for reasonable accommodation must be made in writing and forwarded to your supervisor or the City Administrator. The city will review requests for accommodation on a case-by-case basis and may require information to support the need for the accommodation. Such information may include a request or requirement for authorization to obtain information from or speak with the employee's treating physician. The City also reserves the right to request a second opinion from a city-chosen physician on any request for accommodation.

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## **Reasonable [Un]paid Work Time for Nursing Mothers**

Nursing mothers and lactating employees will be provided reasonable [un]paid break times (which may run concurrently with already provided break times) to express milk.

The City of Dayton will provide a clean, private and secure room (other than a bathroom) 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 includes access to an electrical outlet, where the nursing mother can express milk in private.

According to state law, an employer shall not terminate, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting nursing rights or remedies.

## **Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy**

The City will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth:

- More frequent restroom, food, and water breaks;
- Seated work;
- Limits on lifting over 20 pounds; and/or
- Temporary transfer to a less strenuous or hazardous position, should one be available.

Unless such accommodations impose an undue hardship on the city, the city will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

## **GENERAL EMPLOYMENT POLICIES**

### **City Property & Equipment**

The residents of the City of Dayton have invested substantial dollars to provide and maintain high quality working materials, equipment and facilities. As such, the City of Dayton reasonably expects each employee to do everything within his/her power to use the equipment and supplies carefully and economically and to treat all City equipment, vehicles, facilities, and other property with care and respect. By doing so, all will be more comfortable, efficient, and proud of the appearance of the city as well as of the City's progress and accomplishments.

Any employee involved in an incident or accident that results in damage to City property must submit a report of the incident to his/her supervisor and City Clerk within twenty-four (24) hours of occurrence. Accidents involving a city vehicle must also submit a copy of the Minnesota Motor Vehicle Accident Report.

### **Access to and Use of City Property**

Any employee who has authorized possession of keys, tools, cell phones, computers, or other City-owned equipment must register his/her name and the serial number (if applicable) or identifying information about the equipment with his/her supervisor.

All such equipment must be turned in and accounted for by any employee leaving employment with the city in order to resign in good standing.

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Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the city is prohibited unless authorized by the City Administrator. Any employee found to have an unauthorized duplicate key will be subject to disciplinary action.

City machinery, equipment and property are procured and maintained for the sole and exclusive use of the City. No employee may use any City machinery, equipment, or property for personal purposes without reasonable payment promptly made to the City as in the case of rentals, leases, or sales to other City residents or customers.

The City shall have the right to access any city equipment and property, including but not limited to, desks, credenzas, file cabinets, computers, computer files, e-mail, and voice mail of any employee to ensure compliance with City policies and applicable laws.

Employees provided City uniforms, either by direct City purchase or through reimbursement, shall only wear such uniforms while on duty. Employees may wear their uniforms while traveling to and from work and may conduct personal business incidental to such trips. In no event shall employees wear City uniforms while engaging in outside employment or when off duty in any licensed liquor establishment.

## **City Vehicles**

Vehicles owned by the city are to be used for City operations only. These vehicles are intended to transport employees to and from work-related sites and are not for personal use.

Each employee assigned to use a city vehicle is solely responsible for ensuring the proper care and maintenance of the vehicles that they drive, including but not limited to, oil changes at the proper intervals, ensuring appropriate fluid levels, and inspecting tire wear and tire pressure.

The city will be responsible for paying gas, repairs, and maintenance related to the business vehicles.

Each field employee who drives a vehicle for City business use is required to have a current, valid driver's license and may be periodically asked to show proof of that license. Such employees must also be capable of being insured under the City's insurance policies. Loss of or suspension of a driver's license will be cause for immediate reclassification or dismissal of any employee who has regularly assigned driving duties. Employees are under an affirmative obligation to report any loss or suspension of their driver's license to the city within 24 hours of such an event.

All tickets for parking and traffic violations involving a city vehicle is the responsibility of the employee. The employee must pay all fines promptly. Violation of parking or traffic laws or other violations of this policy may result in disciplinary action up to and including termination.

Employees must immediately report all "moving" traffic violations to the city, when the violation involves a city vehicle.

City employees who drive City owned or leased vehicles or personal vehicles on City business are expected to exercise safe and defensive driving skills at all times and obey all applicable motor vehicle laws and regulations.

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Each driver must:

1. Possess and provide proof of a valid driver's license (any other applicable licensing requirements) for the state of residency and the type of motor vehicle driven and have an acceptable driving record as determined by the city. The City reserves the right to investigate the driving records of any employees who will be operating motor vehicles for City business purposes, including but not limited to determining insurability;
2. Be in a fit condition while driving, including compliance with any applicable medical testing requirements;
3. Use, and require all occupants to use, seat belts and harnesses, air bags and other safety equipment provided with the vehicle.
4. Comply with any applicable City drug and alcohol policy and never drive while under the influence of drugs or alcohol. Any driver convicted of driving while under the influence may be subject to disciplinary action, up to and including termination;
5. Never transport unauthorized passengers while on City business;
6. Limit and use safe precautions if eating or drinking in City vehicles while driving;
7. Observe and obey all parking ordinances, speed limits, traffic signals and other laws governing the operation of motor vehicles; and
8. Maintain City owned or leased vehicles in clean and safe working order and in compliance with applicable laws and regulations.
9. Inspect City owned or leased vehicles for apparent defects and according to City requirements. City drivers who drive a city owned or leased vehicle must perform a motor vehicle inspection at the start of the work shift and must complete a motor vehicle inspection report.)
10. Meet insurability standards set by the City's insurance carrier. Drivers who use their personal vehicles for City business must maintain adequate insurance coverage as established by the City and are required to carry proof of insurance. The city does not insure employees against claims for damages resulting from the use of their personal vehicles in the course of employment. Any claims for damages resulting from the operation of the employee's personal vehicle in the course of employment should be submitted to his or her own automobile insurance carrier.
11. Never leave their keys in a city owned or leased vehicle while it is unattended. Drivers must ensure that when leaving a vehicle unattended, the vehicle is properly secured and locked. Neglecting the security of the vehicle could result in theft, and therefore, drivers may be disciplined for a violation of this policy;
12. Use safe precautions, pulling to the side of the road, if necessary, if an employee determines the need to talk on a cell phone while driving.

## **Personal Appearance**

All employees shall be neat, clean, and dressed in a manner which fosters both employee and public confidence. Regardless of work location, clothing must be appropriate for the work environment, promote employee safety, and present a positive image to the public. Due to unique conditions and requirements, individual departments may set specific personal appearance and hygiene standards, which shall be detailed in writing and available for employee review.

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Employees may dress in accordance with their gender identity, within the constraints of the dress codes adopted by the City. City staff shall not enforce the City's dress code more strictly against transgender and gender diverse employees than other employees.

## **Conflict of Interest**

The City has an excellent reputation for conducting its activities with integrity and in accordance with the highest ethical standards and, therefore, expects all employees to uphold that reputation at all times.

No employee may engage in any activity that presents a conflict-of-interest, real or apparent. A conflict of interest can include, but is not limited to:

- Entering into any situation where the employee may obtain personal benefit or potential personal benefit and that may harm the city, either monetarily or to its public image, by using information or personal contacts not usually available except through employment with the city.
- Personally, engaging in or holding direct financial interest in any contract with the City where the employee or official has authority or input related to the establishment of a sale or contract terms or is otherwise financially interested in any manner pertaining to the sale of land, materials, supplies, or services to the City, unless prior disclosure, review, and City Council approval has been granted.
- Engaging in any outside activity which may interfere with the operations of the city or that reflects negatively on the employee's loyalty to the city.

Employees who are in doubt as to whether an activity violates this policy must discuss the matter in advance with their supervisor.

## **Acceptance of Gratuities**

Pursuant to state law, no City employee or official shall accept a gift from any interested party. Interested parties include all citizens/taxpayers of Dayton, other people or businesses the City provides goods or services to or receives goods or services from. Any gift left or delivered to a City employee(s) shall be either immediately returned or turned over to the Council Administrator for donation to a local charitable cause.

A gift means money, property, services, loan, forgiveness of debt, or promise of employment that is given and received without consideration of equal or greater value given in return. It is not a gift to receive items from close friends or immediate family members or for other purposes when it is totally unrelated (including the relationship) to City employment/office.

## **Falsification of Records**

Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

## **Family Employment Relationships**

The city welcomes the opportunity to hire and retain qualified employees who are related to one another by blood or marriage. However, since such relationships sometimes can create problems in the workplace, including suspicions of favoritism if the related employees are in a supervisor-subordinate relationship, it is the policy of the City that:

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- Any employee of the City who has or acquires a familial relationship (as defined below) with another employee shall not have any direct or indirect administrative or operational authority over the other person. This prohibition means not only that a person cannot supervise a family member but also that the family member cannot be in that person's chain of command; for example, a family member cannot work in a department in which a family member is the Department Head. This policy, however, may be waived for temporary and/or seasonal employees with management approval.
- An employee of the City cannot use his/her authority or position with Dayton to benefit or to disadvantage another employee in a familial relationship. Although all such potential misuses of authority cannot be listed here, examples include an employee signing an evaluation for a family member or signing/approving a check payable to a family member.
- Employees are required to notify the City Administrator or relevant Department Head of (a) any existing familial relationships; (b) any familial relationships that are created among employees (for example, by the marriage of two employees); and (c) the potential employment by the city of a family member.
- The City will refuse to hire a job applicant who is in a familial relationship with a current employee if the applicant would be in a supervisory or subordinate position to the existing employee. Employees who marry one another during their employment will be allowed to remain with the city unless they are in a superior-subordinate relationship and there is no open position to which one of them may be moved.
- "Familial relationship" within the meaning of this policy means two employees (or an employee and a job applicant) in the relationship of husband, wife, father, mother, brother, sister, son, daughter, uncle, aunt, nephew, niece, grandfather, grandmother, grandson or granddaughter, or any of those relationships arising as a result of marriage (for example, brother-in-law).

## **Political Activity**

City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no City employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the City to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another employee to apply for or become a member in a political organization.

Private political discussions are allowed but must not disturb work time or negatively affect the work environment in any way. Employees shall not use their official titles and/or positions for political purposes or to endorse or imply any City endorsement. In no event will City property or employee work time be used to advance or oppose such political cause when not directly related to and authorized by the City.

## **Candidates for Public Office**

Any City employee choosing to become a candidate for any elected public office of the City of Dayton shall automatically be given a leave of absence without pay and/or employer benefit contributions until they are no longer a candidate, or they are elected to such office. Vacation leave, if available, may be used during this leave of absence. If any employee is elected to a public office within the City of Dayton, that employee shall resign from employment upon taking public office.

## **Solicitation**

Personal decisions regarding the purchase of goods or services, charitable contributions, or membership in an organization should not create negative feelings or detract from an employee's effectiveness at work. Consequently, solicitation or distribution of literature of any kind by any

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employee during the actual working time of the employee soliciting or the employee being solicited is prohibited. This does not apply to rest or meal periods. Literature may not be distributed in working areas at any time.

## **Outside Employment**

The potential for conflicts of interest is lessened when individuals employed by the City of Dayton regard the city as their primary employment responsibility. All outside employment is to be reported to the employee's immediate supervisor. If a potential conflict exists based on this policy or any other consideration, the supervisor will consult with the City Administrator. Any City employee accepting employment in an outside position that is determined by the City Administrator to be in conflict with the employee's City job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-City employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with City employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the City's regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- The employee must not use City equipment, resources or staff in the course of outside employment.
- The employee must not violate any City personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the city. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- No employee will work for another employer, or for his/her own business, while using paid sick leave from the city for those same hours.
- Departments may establish more specific policies as appropriate, subject to the approval of the City Administrator.

City employees are not permitted to accept outside employment that creates either the appearance of or the potential for a conflict with the development, administration or implementation of policies, programs, services or any other operational aspect of the City.

## **Drug Free Workplace**

In accordance with federal law, the City of Dayton has adopted the following policy on drugs in the workplace:

- A. 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.
- B. The unlawful manufacture, distribution, possession, or use of a controlled substance on City property, while conducting City business, or while operating or occupying City vehicles or equipment is absolutely prohibited. Prescription and over-the-counter medications are not prohibited when taken in standard dosage and/or according to a physician's prescription. Having a medical marijuana card, patient registry number, and/or cannabis prescription from a physician does not allow anyone to use, possess, or be impaired by that drug in the workplace.

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Likewise, the fact that cannabis may be lawfully purchased and consumed does not permit anyone to use, possess, or be impaired by cannabis in the workplace.

- C. 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 their health insurance plans, as appropriate.
- D. Employees must, as a condition of employment, abide by the terms of this policy and must report any conviction under a criminal drug statute for violations occurring on or off work premises while conducting City business. A report of the conviction must be made within five (5) days after the conviction as required by the Drug-Free Workplace Act of 1988.
- E. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.

### **Drug, Alcohol, and Cannabis Testing Policy**

In addition to the Drug Free Workplace Policy, the City has adopted the following Drug and Alcohol Testing Policy applicable to all employees.

#### A. Purpose

The purpose of this policy is to ensure a work environment that is free of drugs, alcohol, and cannabis, and to reduce accidents, injuries, fatalities, and damage to City property resulting from the misuse of alcohol or drugs. The City does not intend to intrude into the private lives of its employees, but strongly believes that a workplace that is free of drug, alcohol, and cannabis is in the best interest of employees and the public alike. Alcohol, drug, and cannabis abuse can cause unsatisfactory job performance, increased tardiness and absenteeism, increased accidents and workers' compensation claims, higher insurance rates, and other negative employee behaviors.

#### B. Persons Subject to Testing and Circumstances Under Which Testing May Be Required

##### 1. Non-DOT Employees.

Under this policy, the City may test any employee whose work assignment does not require licensing by the U.S. Department of Transportation for alcohol and/or drugs, including cannabis, under the following circumstances with a properly accredited or licensed testing laboratory, in accordance with Minnesota Statutes § 181.953, subd. 1.

##### a. Reasonable Suspicion Testing.

Consistent with Minnesota Statutes § 181.951, subd. 5, employees will be subject to alcohol and/or drug testing, including cannabis testing, when reasonable suspicion exists to believe that the employee:

- Is under the influence of alcohol, drugs, or cannabis while in the workplace; or
- Has violated written work rules prohibiting the use, possession, sale, or transfer of drugs, alcohol, or cannabis, while working, while on City property, or while operating City vehicles, machinery or any other type of equipment; or
- Has sustained a personal injury as defined in Minnesota Statutes § 176.011, subd. 16, or has caused another employee to sustain an injury or;
- Has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

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Reasonable suspicion may be based upon, but is not limited to, facts regarding appearance, behavior, speech, breath, odor, possession, proximity to or use of alcohol, drugs or cannabis or containers or paraphernalia, poor safety record, excessive absenteeism, impairment of job performance, or any other circumstances that would cause a reasonable employer to believe that a violation of the City's policies concerning alcohol, drugs, or cannabis may have occurred. These observations will be reflected in writing documented by the person or persons observing the employee, and reported to the employee's supervisor and the City Administrator.

For off-site collection of a sample for testing, the suspected employee will be driven to an employer-approved medical facility by their supervisor or a designee. For an on-site collection service, the employee will remain on site and be observed by the supervisor or designee. The medical facility or on-site collection service will take the urine or blood sample and will forward the sample to an approved laboratory for testing.

## b. Cannabis Testing.

No discipline or other adverse employment action shall be taken on the sole grounds of a positive test result for the presence of cannabis or its metabolites, except where otherwise required by state or federal law. Nothing in this section shall prevent an employee from being disciplined, suspended, or terminated for cannabis use, possession, sale, transfer, trade, or offer for sale of cannabis while working, while the employee is in or about City facilities or property, or while operating or occupying City vehicles or equipment.

## c. Treatment Program Testing.

Any employee may be required to undergo drug and alcohol testing if the employee has been referred by the City for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under the City insurance, in which case the employee may be requested or required to undergo drug or alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two years following completion of any prescribed chemical dependency treatment program.

## 2. CDL/DOT Employees

This section of the Drug, Alcohol, and Cannabis Testing Policy implements the requirements of the Federal Omnibus Transportation Employee Testing Act and the U.S. Department of Transportation Regulations, 49 C.F.R. Part 382. Despite legalization of cannabis under Minnesota state law, cannabis remains a controlled substance under Federal law and regulations. For purposes of this section of the Drug, Alcohol, and Cannabis Testing Policy "controlled substance" includes cannabis.

This section of the Drug, Alcohol, and Cannabis Testing Policy, and applies to all employees whose job duties require the possession of a commercial driver's license (CDL) and/or include operating City vehicles that:

- Have a gross vehicle weight rating of 26,001 pounds or more; or
- Have a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- Are designed to carry 16 or more passengers including the driver; or
- Are of any size and are used in the transportation of materials where the vehicle is required to be placarded under the Hazardous Materials Regulations 49 C.F.R. Part 172, subpart F (regardless of weight).

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## a. Prohibited Activities.

For purposes of this section of the Drug, Alcohol, and Cannabis Testing Policy, “safety-sensitive function” means a job duty, including any supervisory or management duty, in which an impairment by caused by drug, alcohol, and/or cannabis usage would threaten the health or safety of any person.

The following activities related to the use of alcohol and controlled substance, including cannabis:

- *Being Under the Influence of Alcohol While on Duty.* Reporting for duty, or remaining on duty, to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.02, but less than 0.04, will be removed from duty for twenty-four hours, escorted home and placed on annual leave for hours missed from work.
  - Using Alcohol. Using alcohol while performing safety-sensitive functions.
  - Possessing Alcohol. No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol in any quantity.
  - Pre-duty use. Using alcohol within four hours of performing a safety-sensitive function. If an employee has had alcohol within four hours, they are to notify his/her supervisor before performing any safety-sensitive functions.
  - Drinking Alcohol within 8 Hours Following an Accident (or prior to being tested). When required to take a post-accident alcohol test, using alcohol within eight hours following the accident, or prior to undergoing a post-accident alcohol test, whichever comes first.
  - Refusing to Test. Refusing to submit to an alcohol or controlled substance, including cannabis, test required by post-accident, reasonable suspicion or follow-up testing requirements.
  - Being Under the Influence of Drugs While on Duty. Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any controlled substance, except when instructed by a physician who has advised the driver that the substance does not adversely affect the drivers’ ability to safely operate a commercial motor vehicle. The driver must inform his/her supervisor of any therapeutic drug use.
  - Reporting for Duty after Testing Positive. Reporting for duty, remaining on duty or performing a safety-sensitive function, if the driver tests positive for controlled substance.

## b. Tests required.

As permitted by the rules of the Federal Motor Carrier Safety Administration, there are five instances when the City may require testing: pre-employment, post-accident, reasonable suspicion, return-to-work, and follow-up.

- Pre-employment testing. After a conditional offer of employment, but prior to the first time a driver performs safety-sensitive functions, the driver must submit to testing for controlled substances. Any job offer, reassignment, or transfer to drive a commercial motor vehicle will be contingent upon:
  - A verified negative controlled substance test result, and

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- The applicant's written agreement authorizing former employers to release to the city all information on the applicant's alcohol tests with a concentration result of 0.04 or greater, positive controlled substance test results, refusals to be tested, other violations of the testing regulations, and completion of return to duty requirements within the preceding two years.

The City also retains the right not to hire a driver who has a positive test result and who has not participated and completed a counseling or rehabilitation program as directed by the driver's substance abuse professional.

- Post-accident testing. As soon as practical following an accident involving a **city vehicle** or commercial motor vehicle, each driver will be tested for alcohol, **cannabis** and controlled substances when the following occurs:
  - The accident involved a fatality, or
  - The driver receives a citation for a moving traffic violation from the accident and/or an injury is treated away from the accident scene, or
  - The driver receives a citation for a moving traffic violation from the accident and/or a vehicle is required to be towed from the accident scene.

Alcohol Testing. An alcohol test must be administered within 2 hours of the occurrence of the accident. If two hours have elapsed from the time of the accident and the driver has not submitted to an alcohol test, the supervisor will prepare a record stating the reason a test was not promptly administered and submit it to the City Administrator.

If an alcohol test required by this section is not administered within two hours following the accident, the city will continue to make attempts to perform an alcohol test within 8 hours of the time of the accident. If eight hours have elapsed and the driver has not submitted to an alcohol test, the supervisor will cease attempts to administer the test and prepare the record described above.

The driver must not consume any liquid containing alcohol for up to 8 hours following an accident or until the employee has tested, whichever occurs first. (See Consequences for Refusal to Test).

A driver who is subject to post-accident testing shall remain readily available for such testing for the time periods described above, or the driver may be deemed by the city to have refused to submit to testing.

Drug Testing. The driver must provide a urine sample for a drug test within 32 hours of the occurrence of the accident. If thirty-two hours have elapsed and the driver has not submitted to a controlled substance test, the supervisor will cease attempts to administer the test and will prepare a record stating the reason a test was not promptly administered and submit it to the City Administrator.

The City may accept the results of a blood or breath test in place of an alcohol test and urine test for the use of controlled substances if:

- Such tests are conducted by the Federal, State and/or local officials having independent authority for the test, and
- The tests conform to applicable Federal, State, or local requirements, and
- The test results can be obtained by the City.

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Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

- Reasonable Suspicion

Reasonable suspicion testing will be implemented according to the same standards as applied to Non-DOT employees as set forth above.

- Return-to-Work Testing

The City shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by federal law or this policy concerning alcohol or controlled substances, or if a driver is returning from a leave related to alcohol or controlled substances, the driver shall undergo a return-to-duty test with a result indicating an alcohol concentration of less than 0.02, or verified negative results for controlled substance use.

- Follow-up Testing

Following a determination that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the driver is subject to unannounced follow-up alcohol and/or controlled substance testing as directed by a substance abuse professional. Follow-up alcohol testing shall be conducted only while the driver is performing safety-sensitive functions, just before or just after performing such safety-sensitive functions or while the driver is in a state of readiness to perform safety-sensitive functions.

### 3. Public Safety Employees.

- Alcohol Testing

Police officers and firefighters for the City are subject to testing for alcohol according to the same standards that are applicable CDL/DOT-employees as set forth in this Drug, Alcohol, and Cannabis Testing Policy (pre-employment, post-accident, reasonable suspicion, return-to-work, and follow-up testing).

- Cannabis Testing

Under Minnesota law, despite state legalization of cannabis use by individuals over the age of 21, cannabis and its metabolites are considered a drug/controlled substance for any person employed as a peace officer or a firefighter for the City. Further, federal law prohibits any person who is an unlawful user of a controlled substance from possessing a firearm or ammunition. This includes peace officers who are required to carry a firearm and ammunition as part of their job duties.

Accordingly, police officers and firefighters for the City are prohibited from any cannabis use at any time, even during off-duty time. Police officers and firefighters for the City are subject to testing for cannabis according to the same standards that are applicable CDL/DOT-employees as set forth in this Drug, Alcohol, and Cannabis Testing Policy (pre-employment, post-accident, reasonable suspicion, return-to-work, and follow-up testing).

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## C. Consequences for Refusing to Test.

Employees and job applicants have the right to refuse to undergo drug and alcohol testing. However, failure to comply with the City's Drug, Alcohol, and Cannabis Testing Policy, and refusal to take a drug and alcohol test upon request shall subject an employee to discipline, up to and including discharge. If an applicant refuses to test, the job offer will immediately be withdrawn.

An employee or job applicant who, on religious grounds, refuses to undergo drug and/or alcohol testing, including cannabis testing, of a blood sample will not be considered to have refused testing, unless the employee or job applicant also refuses to undergo drug, alcohol, or cannabis testing of a urine sample.

### **Smoking**

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

### **Safety**

The health and safety of each employee of the city and the prevention of occupational injuries and illnesses are of primary importance to the city. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor.

### ***Reporting Accidents & Illnesses***

Both Minnesota workers' compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor and City Clerk. The employee's immediate supervisor is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

### ***Safety Equipment/Gear***

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.

### ***Unsafe Behavior***

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.

## HARASSMENT PREVENTION

### General

The City of Dayton is committed to creating and maintaining a workplace free of harassment and discrimination. Such harassment is a violation of Title VII of the Civil Rights Act of 1964 and the Minnesota Human Rights Act.

In keeping with this commitment, the City maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment.

This policy statement is intended to make all employees sensitive to the matter of sexual harassment, to express the City's strong disapproval of unlawful sexual harassment, to advise employees against this behavior and to inform them of their rights and obligations. The most effective way to address any sexual harassment issue is to bring it to the attention of management.

### Definitions

To provide employees with a better understanding of what constitutes sexual harassment, the definition, based on Minnesota Statute § 363.01, subdivision 41, is provided: 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, when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

### Expectations

The City of Dayton recognizes the need to educate its employees on the subject of sexual harassment and stands committed to providing information and training.

# *City of Dayton Personnel Policy Handbook*

All employees are expected to treat each other and the general public with respect and to assist in fostering an environment that is free from unwanted harassment. Violations of this policy may result in discipline, including possible termination. Each situation will be evaluated on a case-by-case basis.

Employees who feel that they have been victims of sexual harassment, or employees who are aware of such harassment, should immediately report their concerns to any of the following:

1. Immediate supervisor;
2. City Administrator;
3. Mayor or City councilmember.

In addition to notifying one of the above persons and stating the nature of the harassment, the employee is also encouraged to take the following steps:

1. Make it clear to the harasser that the conduct is unwelcome and document that conversation.
2. Document the occurrences of harassment.
3. Submit the documented complaints to your supervisor, City Administrator, mayor, or any member of the City Council. Employees are strongly encouraged to put the complaint in writing.
4. Document any further harassment or reprisals that occur after the initial complaint is made.

The city urges that conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate.

Management has the obligation to provide an environment free of sexual harassment. The City is obligated to prevent and correct unlawful harassment in a manner which does not abridge the rights of the accused. To accomplish this task, the cooperation of all employees is required.

The city will take action to correct any and all reported harassment to the extent evidence is available to verify the alleged harassment and any related retaliation. All allegations will be investigated. Strict confidentiality is not possible in all cases of sexual harassment as the accused has the right to answer charges made against them; particularly if discipline is a possible outcome. Reasonable efforts will be made to respect the confidentiality of the individuals involved, to the extent possible.

Any employee who makes a false complaint or provides false information during an investigation may be subject to disciplinary action, up to and including termination.

## **Retaliation**

The City of Dayton will not tolerate retaliation or intimidation directed towards anyone who makes a complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. 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.

## **RESPECTFUL WORKPLACE POLICY**

### **(includes sexual harassment prevention)**

The intent of this policy is to provide general guidelines about conduct that is and is not appropriate in the workplace. The City acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

# City of Dayton Personnel Policy Handbook

## Scope

Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all City personnel including regular and temporary employees, volunteers, firefighters, and City Council members.

## Abusive Customer Behavior

While the City has a strong commitment to customer/resident service, the city does not expect that employees accept verbal abuse from any customer. An employee may request that a supervisor intervene when a customer is abusive, or they may defuse the situation themselves, including ending the contact.

If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called. Employees should leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify their supervisor about the incident as soon as possible.

## Types of Disrespectful Behavior

The following types of behaviors cause a disruption in the workplace and are, in many instances, unlawful:

**Violent behavior:** includes the use of physical force, harassment, bullying or intimidation.

**Discriminatory behavior:** includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, gender identity, or gender expression, familial status, or status with regard to public assistance.

**Offensive behavior:** may include 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 based upon violent or discriminatory behavior as listed above. 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, taking into account the sensibilities of employees and the possibility of public reaction.

Although the standard for how employees treat each other and the general 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.

## Employee Response to Disrespectful Workplace Behavior

Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below:

- Politely, but firmly, tell whoever is engaging in 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.
- 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 or City Administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

# City of Dayton Personnel Policy Handbook

- In the case of violent behavior, all employees are required to report the incident immediately to their supervisor, City Administrator, or Police Department. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the City Administrator.
- If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the City Administrator or the mayor.

## Supervisor's Response to Allegations of Disrespectful Workplace Behavior

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 within two business days to 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:

1. If the nature of the allegations 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 that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.
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. The person being interviewed may have someone of his/her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time and place:
  - a. Corroborating evidence
  - b. A list of witnesses
  - c. Identification of the offender
3. The supervisor must notify the City Administrator about the allegations.
4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.
5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.
6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

## Special Reporting Requirements

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the city attorney who will confer with the mayor and City Council regarding appropriate investigation and action.

If a council member is perceived to be the cause of a disrespectful workplace behavior incident involving City personnel, the report will be made to the City Administrator and referred to the city attorney who will undertake the necessary investigation. The city attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

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Pending completion of the investigation, the City Administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens.

## **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**

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. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

## **DISCIPLINE & GREIVANCES**

### **General Policy**

Supervisors are responsible for maintaining compliance with City standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City of Dayton. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable City policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the City's personnel policies. The supervisor and/or the City Administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

### **No Contract Language Established**

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

### **Process**

The city may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to 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:

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## **Oral Reprimand**

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors have the ability to 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 of time. 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 did happen; (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 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 involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will 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.

# City of Dayton Personnel Policy Handbook

## **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, appropriate hearing notice will be provided, and all rights will be afforded the veteran in accordance with Minnesota law.

## **Grievance Procedure**

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

1. The employee must present the grievance in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, and the remedy requested, to the proper supervisor within twenty-one (21) days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven (7) calendar days.
2. If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested, by the employee to the City Administrator within seven (7) days after the supervisor's response is due. 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 Minnesota Department of Administration.

## **Waiver**

If a grievance is not presented within the time limits set forth above, it will be considered "waived." If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled on the basis of 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 for each step may be extended by mutual agreement of the City and the employee without prejudice to either party.

The following actions, while not intended to be all inclusive or exhaustive, are not grievable:

1. 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.
2. Pay increases or lack thereof; and
3. Merit pay awards.

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## **ENDING EMPLOYMENT**

### **Voluntary Resignations**

Employees wishing to leave the City service in good standing must provide a written resignation notice to their supervisor, at least ten (10) working days prior to their resignation date. The written resignation must state the effective date of the employee's resignation.

Unauthorized absences from work for a period of three (3) consecutive workdays, without notice or contact, may be considered as resignation without proper notice.

Failure to provide adequate notice of voluntary resignation will result in forfeiture of available vacation and severance pay amounts and may prohibit any future employment with the city.

### **Layoff**

In the event it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the city before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the City Administrator in consultation with Department Heads/Supervisors and subject to approval of the City Council. When all other considerations are equal, the principle of seniority will apply in layoffs and recall from layoffs.

The City Administrator will make decisions about layoffs based on the City's needs and on the performance, knowledge, skills, and abilities of employees first, and seniority will be used as a secondary consideration. The City Administrator will submit a list of employees to be laid off to the City Council for final approval.

### **Severance Pay**

Regular employees working full-time with a minimum of five (5) years of continuous service shall be entitled to severance pay in an amount equal to 1/3 of accumulated sick leave (or as stipulated in the union the employee is a part of). Payment of severance pay shall be made within thirty (30) days of termination of employment with the City, whether voluntary or involuntary. No severance pay, however, shall be made to any employee whose employment is terminated for misconduct or as a result of that employee committing a crime against the City.

Misconduct shall be defined as intentional conduct that demonstrates a disregard for (1) the employer's interest, (2) reasonable standards of behavior, or (3) employee duties and obligations to the City. Crime against the city shall be defined, per Minn. Stat. 609.02, as any unlawful activity, for which the employee is convicted, that (1) is directed against the City or (2) results in exposing the City to liability.

# **APPENDIX**

# *City of Dayton Personnel Policy Handbook*

## **DEFINITIONS**

For purposes of these policies, the following definitions will apply:

### **Authorized Hours**

The number of hours an employee was hired to work. Actual hours worked during any given pay period may be different than authorized hours, depending on workload demands or other factors, and upon approval of the employee's supervisor.

### **Benefits**

Privileges granted to qualified employees in addition to salary and wages, typically in the form of paid leave, pension/retirement funds, and/or insurance coverages.

### **Benefit Earning Employees**

Employees who are eligible for at least a pro-rated portion of City-provided benefits. Such employees must be year-round employees who work at least 32 hours per week on a regular basis.

### **City Administrator**

The City's chief administration officer who has general supervisory and administrative authority over all City Departments, Department Heads, and employees. The City Administrator is responsible for the implementation and administration of all general personnel rules, as approved by the City Council.

### **Collective Bargaining Unit or Union**

A group of employees who have been determined, under the provisions of the Public Employment Labor Relations Act, to have a common interest in the collective bargaining process and whose common interest has been agreed to by the employee group and the City.

### **Compensatory Time**

Time off from work for overtime hours worked by employee not exempt from the provisions of the Federal Fair Labor Standards Act. Compensatory Time (Comp Time) shall be computed at one-and one-half times the number of overtime hours worked.

### **Core Hours**

The core hours that all employees (exempt and non-exempt) are expected to work are 7:30 am to 5:00 p.m. Monday through Thursday and 8:00 a.m. to 12:00 p.m. on Fridays. Public Works core hours are 7:00 a.m. -4:30 Monday through Thursday and 7:00 a.m. -11:00 a.m. Police, fire, and employees do not have core hours and work the on duty and on call schedules established by their supervisor.

### **Demotion**

The downward movement of an employee from one job class to another within the city, where the maximum salary for the new position is lower than that of the employee's former position.

### **Department Head**

The administrative head of a city operational department who has the authority over departmental functions, including the supervision of employees within his/her department.

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**Discipline**

A corrective action taken/implemented as the result of employee misconduct.

**Employee**

An individual who is employed by the City of Dayton

**Employer**

The City of Dayton

**Exempt Position**

City positions which are not covered by the overtime provisions of the federal or state Fair Labor Standards Act (FLSA) and are, therefore, not eligible for overtime compensation. A salaried position.

**Fiscal Year**

The period from Jan. 1 to Dec. 31.

**Full-Time Employee**

Employees who are required to work forty (40) or more hours per week, year-round on an ongoing basis.

**Grievance**

A dispute or disagreement between an employee and the City, or a representative of the City, related to the interpretation, application, claim of breach, or violation of employment policy or terms.

**Hours of Operation**

The City's regular hours of operation are 7:30 am to 5:00 pm Monday through Thursday and 8:00 am to 12:00 pm on Fridays.

**Immediate Family Member**

Spouse, domestic partner, child(ren), foster child(ren), siblings, stepsiblings, parents, stepparents, grandparents, aunts, uncles, nephews, nieces, or grandchildren of an employee or an employee's spouse.

**Non-Exempt Employee**

Employees who are covered by the federal or state Fair Labor Standards Act (FLSA). Such employees are normally eligible for overtime at 1.5 times their regular hourly wage for all hours worked over forty (40) in any given workweek. An hourly position.

**Part-Time Employee**

Employees who are required to work less than forty (40) hours per week year-round in an ongoing position. Part-time employees may be eligible for certain retirement and holiday pay benefits. A holiday benefit will be prorated **if** a holiday falls on scheduled working shift.

In order to comply with health care reform law while avoiding penalties, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended or, in some rare instances, may be offered health insurance to comply with federal health care reform laws and regulations.

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## **Pay and Classification Plan**

A compensation plan containing position grade level classifications and pay ranges, based upon steps by which City positions are paid.

## **Pay Period**

A fourteen (14) day period beginning at 12 a.m. (midnight) on Sunday through 11:59 p.m. on Saturday, fourteen (14) days later.

## **PERA (Public Employees Retirement Association)**

Statewide pension program in which all City employees meeting program requirements must participate in accordance with Minnesota law. The city and the employee each contribute to the employee's retirement account.

## **Performance Review**

A systematic review of an employee's job performance and establishment of future performance goals and/or requirements.

## **Posting**

Actual physical display of a document or notice on a departmental or City bulletin board for purposes of public communication.

## **Promotion**

Movement of an employee upward from one job class to another within the city, where the maximum salary for the new position is higher than that of the employee's former position.

## **Reclassify**

Movement, upward or downward, of a specific position from one grade classification to another grade classification because of a significant change in the position's impact, duties, and/or responsibilities.

## **Regular Employee**

An employee who has completed the minimum twelve (12) months of initial employment, received a satisfactory initial performance review, and has officially been granted regular employee status. Satisfactory completion of the probationary employment period does not alter the employment-at-will relationship. Regular employees must continue to perform satisfactorily even after the probationary employment period is completed.

## **Seasonal/Temporary Employee**

Employees who work up to 40 hours per week on a short-term and/or seasonal basis. These positions usually have approximate ending dates and only last for the duration of a specific season, project, or similar engagement. Seasonal/Temporary employees are not entitled to any City benefits, except those required by law.

## **Training/Probationary Period**

A twelve-month period beginning at the start of employment with the city (or at the beginning of a promotion, reassignment, or transfer) that is designated as a period within which to learn the job, unless covered by a collective bargaining agreement stating a different time frame. The training period is an integral extension of the City's selection process and is used by supervisors for closely observing an employee's work. An employee serving his/her initial probationary period may be disciplined at the sole discretion of the City, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights.

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Nothing in this policy handbook shall be construed to imply that after completion of the probationary period, an employee has any vested interest or property right to continued City employment.

Time served in temporary, seasonal, volunteer or interim positions are not considered part of the probationary period. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked, and the probationary period will be extended by the length of time taken.

Training begins on your first day of employment with an orientation process in which you will learn about City policies and procedures, take a tour of the City, and meet co-workers. Then you will begin to learn your job by training with your supervisor or a co-worker. In the first few months, you will meet with your supervisor frequently to discuss your progress and at six months, you will have a formal review.

## **Transfer**

A horizontal change in employee status/job classification from one position to another of identical pay grade, not normally involving an increase or decrease in the maximum salary range.

## **Volunteer**

A person who provides services to the City of Dayton, voluntarily, without expectation of compensation. Volunteers are not eligible for any City paid benefits.

## **Weapons**

Weapons are defined to include all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

## **Workweek**

A workweek is seven consecutive 24-hour periods. For most employees the workweek will run from Sunday through the following Saturday. With the approval of the City Administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g., police department, fire department, park and recreation department).

## **Information and Technology Use/Monitoring Policy**

The City's Information Technology ("IT") includes but is not limited to, computer hardware and software, facsimiles, printers, e-mail, voice mail, access to and use of Internet services, and all other associated computer, communications, network facilities, pagers, telephones, copiers, equipment, and related services. All employees having access, either direct or remote, to the City's IT must abide by the following:

### No Personal Right to Privacy

All IT and information received, sent or stored is the property of the City. Employees are specifically advised that they do not have a personal privacy right in any matter created, received or sent via the City's IT. In addition to intentional monitoring by the city discussed below, privacy of IT communications may be unintentionally compromised due to:

- accidental or intentional transmission to a third party; or
- access by technical staff when trouble-shooting hardware or software.

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## Monitoring

IT is subject to monitoring by the City at any time, with or without notice, to verify that the City's property is being used in a manner consistent with this policy. Acceptable reasons for monitoring may include, but are not limited to:

- monitoring employee performance or productivity;
- monitoring work quality;
- preventing an anticipated adverse impact on the City, its employees, clients, vendors or suppliers, such as sexual harassment; or
- investigating compliance with City policy
- preventing the unauthorized disclosure of confidential information, misuse of the City's resources, or a violation of policy or law.

An employee's use of e-mail, voice mail and other IT is considered consent to such monitoring. The City reserves the right to override personal passwords and/or codes for IT. Employees are expected to provide these upon request to facilitate access.

## IT Business Use

IT is intended for City-related purposes. Employees are not permitted to use the City's IT for purposes unrelated to the city. Personal correspondence should be completed on an employee's own time and on the employee's personal IT equipment. The city may not be used as a personal mailing address. Employees are not permitted to install personally owned software, including screen savers or game software, on the City's computers.

Prohibited IT use includes, but is not limited to:

- Sending or forwarding jokes, chain letters, and other like communications. If unsolicited messages of this type are received, the receiver must direct the sender to cease sending further messages of this sort.
- Allowing anyone other than the City's employees to use the City's IT resources.
- Accessing or attempting to access the e-mail or voice mail systems of other City IT users, without the specific permission of that individual, except in the case of authorized personnel who are charged with maintaining and/or monitoring the usage of such systems, investigating possible misconduct, or fulfilling discovery under the rules of any local, state, or federal court.
- Sending confidential information to external parties not authorized to receive such information, or to City employees who have no authorized business reason for receiving such information. Confidential information shall not be stored on employee-owned computers.
- Copying or improperly using certain data and materials on the Internet that may be copyrighted or downloading and/or distributing such data or materials. Where copyright status is unclear, the employee should seek advice from management.
- Using the Internet for non-business-related purposes.
- Posting any statements on an Internet bulletin board, in a forum, or on any other publicly available Internet site that in any manner refers to the City or its services, or which might be interpreted as stating a city position or policy unless approved by management.
- Using e-mail or the Internet to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

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- Copying City-owned or licensed software programs to another computer without prior approval. All users must adhere to the license agreement and copyright statement for each software package.
- Using the City's IT to attempt to enter (break into) or to actually enter other computing systems or electronic resources to which the employee does not have authorized access.
- Using the City's IT to damage, disrupt, or interfere with business operations or other computers or communications equipment.
- Using the City's IT to commit a crime, to stalk, abuse, harass, or threaten another individual.
- Using IT in a manner that is wasteful of any technology resource and/or intentionally distributing a computer virus or other deceptive procedure is prohibited.
- Using the City's IT to access, download or transmission of pornographic, obscene or sexually explicit or offensive materials is prohibited. This provision prohibits accessing or transmitting any language or graphic material that violates any City policy.

## Security

The City's IT must be maintained in a safe and secure manner. This includes:

- Maintaining virus protection software installed on all hardware and devices.
- Assigning boot-up passwords on microcomputers in non-secure areas that contain or provide access to confidential/client information.
- Using locks to protect IT that is located in non-secure locations.
- Assigning or selecting unique passwords and data access rights for each user. (Sharing usernames and passwords with other individuals to allow access to City databases or other electronic products is not allowed.)
- Maintaining notebook and laptop computers in a secure manner.
- Performing virus scans on email attachments, external storage devices, and Internet files before opening or downloading. Making file back-ups as appropriate.

## Enforcement

Employees are expected to immediately report any known or suspected violations of this policy or breaches in IT security to their supervisor or to City management. Any examples noted above are intended as a guide and are not all inclusive. Alleged violations of this policy may result in criminal and/or civil legal action as well as disciplinary action up to and including termination of employment.

## **RECRUITING & HIRING PRACTICES**

### **Selection Process**

The selection process will be a cooperative effort between the City Administrator or designee and the Department Head, subject to final hiring approval of the City Council. Any, all, or none of the candidates may be interviewed.

The process for hiring seasonal and temporary employees may be delegated to the appropriate supervisor with each position hire, not necessarily individual candidates, subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the supervisor at any time, subject to City Council approval.

# *City of Dayton Personnel Policy Handbook*

The City has the right to make the final hiring decision based on qualifications, abilities, experience and City of Dayton needs.

## **Recruitment Authorization**

The Department Head shall request the City Administrator's approval whenever desiring to fill a vacant position. The proper grade/classification shall be identified, the proper method for filling the vacancy approved, and the existence of budgetary authorization documented. In all positions covered by a union contract, the provisions therein shall prevail, and the provisions of this policy shall only apply when consistent with the union contract.

## **Features of the Recruitment System**

The City Administrator or designee will determine how a vacancy will be filled, based on the following options:

1. From an appropriate lay-off list, if such exists.
2. By promoting or transferring a current City employee who meets the minimum qualifications necessary to adequately perform the duties of the position. Unless the position is filled by a direct promotion or transfer, notice of the internal job opportunities will be posted at City Hall and on the city website. The notice will contain the same information as an open posting and employees may respond to the notice by submitting an application to the City Administrator or designee, or by other prescribed application procedures.
  - a. Internal recruitments will be open to any City employee who:
    - i. has successfully completed the initial training/probationary period; and
    - ii. meets the minimum qualifications for the vacant position; and
    - iii. currently is and for the past year has been in good standing with the city.
3. By a provisional appointment when there is no appropriate eligibility list and the immediate need for filling a position exists. The appointment must be authorized by the City Administrator and, when practical, a position filled by a provisional appointment shall be filled as soon as possible by utilizing an open application process.
4. By utilizing a public job announcement and standard recruiting measures to facilitate an open application process.

## **Open Application Procedures**

The Department Head or other supervisor shall prepare a job announcement and position description for approval by the City Administrator. This job announcement shall specify the title, pay range, nature of work, required and preferred qualifications, instructions for submitting an application, and the last date that applications will be accepted. Upon approval, the job announcement shall be posted, minimally at City Hall and on the City website; however, other appropriate means of publicizing job openings may be utilized. The City may continue to solicit applications for open positions for a sufficient period of time to ensure reasonable opportunity for qualified persons to apply and be considered.

Application for employment will generally be made online or by application forms provided by the city. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline, in order to be considered for the position.

# *City of Dayton Personnel Policy Handbook*

The deadline for application may be extended by the City Administrator. Unsolicited applications will not be kept on file.

## **Initial Applicant Evaluation**

All full-time and part-time applicants will be reviewed, scored, and ranked based on initial qualifying criteria and an initial eligibility list will be developed. Appropriate Veteran's Preference identification and scoring criteria will be utilized and documented. The responsible Department Head will request a list of 3 to 10 eligible applicants, from this initial evaluation, for further consideration. For purposes of the Minnesota Data Practices Act, this list, unless otherwise classified, shall be deemed finalists.

## **Final Applicant Evaluation**

All finalists shall be reviewed and evaluated by the responsible Department Head or other appropriate authority. Applicant qualifications will be evaluated in one or more of the following ways: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test; or another appropriate job-related exam. For example:

- Keyboarding exercises for data entry positions.
- Writing exercises or samples for positions requiring writing as part of the job duties.
- "In-basket" exercise for an administrative support position (sets up real-life scenarios and items that would likely be given to the position for action and asks the candidate to list and prioritize the steps they would take to complete the tasks).
- Mock presentation to the City Council for a planning position.
- Scenarios of situations police officers are likely to encounter on the job that test the candidate's decision-making skills (can be role played or multiple-choice questions).
- Physical agility tests or medical examinations to confirm the candidate's ability to safely perform the essential physical requirements of the position.

Any additional evaluation method(s) chosen shall evaluate only those criteria necessary to perform satisfactorily in the position and essential to the job functions.

The City Council or designee will establish minimum qualifications for each position with input from the appropriate supervisor. To be eligible to participate in the selection process, a candidate must meet the minimum qualifications.

If you have any questions about whether your qualifications might meet the established minimums, contact the City Administrator. In many cases the city will consider alternative experience if it is substantially equivalent to the qualification being required.

## **Pre-Employment Medical Exams**

The City Administrator or designee may determine that a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of any City position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.

## *City of Dayton Personnel Policy Handbook*

When a pre-employment medical exam is required, it will be required of all candidates who are finalists and/or who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by a licensed physician designated by the city with the cost of the exam paid by the city. (Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist). The physician will notify the City Administrator or designee that a candidate either is or isn't medically able to perform the essential functions of the job, with or without accommodations, and whether the candidate passed a drug test, if applicable. If the candidate requires accommodation to perform one or more of the essential functions of the job, the City Administrator or designee will confer with the physician and candidate regarding reasonable and acceptable accommodations. If a candidate is rejected for employment based on the results of the medical exam, he/she will be notified of this determination.

### **Background Checks**

All finalists for employment with the city will be subject to a criminal background and/or reference check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the City Administrator will determine the level of background check to be conducted based on the position being filled.

### **Selection and Notification**

The final selected candidate shall be notified of the hire/job offer decision in writing. The notification shall include the employment start date and time, salary/wage offered, and a complete listing of eligible benefits. Candidates that have not been selected for hire shall also be notified in writing.

# City of Dayton Personnel Policy Handbook

## **EMPLOYEE ACKNOWLEDGEMENT**

I hereby acknowledge that I have received a copy of the City's Personnel Policy Handbook. I understand that the contents of this Handbook are for general information and guidance, and it does not constitute contract. I understand that it replaces and supersedes any previous policies, manual or communications, whether written or oral. I further understand that all contents of this Personnel Policy Handbook are subject to change in accordance with applicable laws, but employees will be advised of any City initiated changes to policies contained.

I understand that certain employees are covered by a collective bargaining agreement. Should there be a difference between the collective bargaining agreement and this handbook, the collective bargaining agreement will prevail.

I have entered into my employment relationship with the City of Dayton voluntarily and acknowledge that there is no specified length of employment. Employees have the right to terminate the employment relationship with the City at any time, with or without notice, for any reason. The City has the same right to terminate the employment relationship at any time, with or without notice, for any reason not prohibited by law. The organization retains sole discretion to add, delete, or change anything contained in this handbook expect employment-at-will.

I understand and agree that no employee or representative of the City of Dayton has the authority, at present or in the future, to promise me any benefit or make any agreement with me, oral or written, which in any way conflicts with this Personnel Policy Handbook or any of these statements, and that no person other than the City of Dayton has the authority to change any policy, benefit, rule or procedure as stated in this Handbook.

I understand it is my responsibility to read and understand the contents of this Personnel Policy Handbook including the Harassment & Respectful Workplace policy. If I do not understand any provision of the Handbook, I shall contact my immediate supervisor or the City Administrator for clarification.

Employee Signature \_\_\_\_\_

Print Name \_\_\_\_\_ Date \_\_\_\_\_

**Note: Employees will be required to acknowledge receipt of the Personnel Policy Handbook by signing this acknowledgement.**

**-This copy is to remain in the Handbook-**

**This page has intentionally been left blank**

# City of Dayton Personnel Policy Handbook

## **EMPLOYEE ACKNOWLEDGEMENT**

I hereby acknowledge that I have received a copy of the City's Personnel Policy Handbook. I understand that the contents of this Handbook are for general information and guidance, and it does not constitute contract. I understand that it replaces and supersedes any previous policies, manual or communications, whether written or oral. I further understand that all contents of this Personnel Policy Handbook are subject to change in accordance with applicable laws, but employees will be advised of any City initiated changes to policies contained.

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Employee Signature \_\_\_\_\_

Print Name \_\_\_\_\_ Date \_\_\_\_\_

**Note: Employees will be required to acknowledge receipt of the Personnel Policy Handbook by signing this acknowledgement.**

**-This copy is to be removed and placed in the employee's personnel file-**

**ITEM:**

Approval of Posting for Associate Planner and City Planner and Posting for PT HR Generalist

**PREPARED BY:**

Jon Sevald, Community Development Director  
Zach Doud, City Administrator

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Motion to Approve posting the position of Associate Planner and City Planner and Posting for PT HR Generalist

**BACKGROUND:**

Planner Posting:

Senior Planner Hayden Stensgard resigned, affective March 13, 2026. Staff is requesting approval to post the position of Associate Planner (Grade 5), and City Planner (Grade 9) with the intent of hiring one person. The primary difference between the two positions is years of experience.

When this position was previously posted in 2024 (three times), it was difficult to obtain qualified candidates for Senior Planner. Staff's intent is to hire the most qualified candidate for either position. In the interim, Landform Professional Services will backfill planning until the position is filled with a focus on zoning permit review (setbacks, etc.), public inquiries (code research), and plan review (planning cases). Historically, April-August is the busiest time for permit review.

HR Posting:

The HR Position has come up a number of times over the last year within budget seasons and staff requests and staff feels that the right time to bring on a HR position is now. Based on the budget for this year with Hayden's resignation, we have the budget to be able to have both a PT HR Generalist position and the Planner or Associate Planner listed above. The budget impact for next year will be dependent on the position that we hire as the replacement to Hayden. Desired PT range would be Grade 7 which is \$37.73 to \$47.74 with a hours range of roughly 20 per week.

Based on conversations with our current HR partner, Abdo, we feel like the PT HR Generalist position would be position that is sought after for professionals who have children and desire flexibility to a point with the position while also meeting the needs of the City both on a budget basis and a job duties basis. Our plan would be to continue a partnership with Abdo with this PT HR Generalist position hired until we feel that this individual has the knowledge/expertise and skills to be able to complete the jobs effectively. As we reduce the Abdo hours needed, we would look to increase hours for this PT HR role to keep the budget as close to neutral as possible.

**CRITICAL ISSUES:**

None.

**STAFF RECOMMENDATION:**

Staff recommends Approval for posting for all 3 positions, with intent of hiring one of the planner positions and the PT HR Generalist position.

**RELATIONSHIP TO COUNCIL GOALS:**

None.

**BUDGET IMPACT:**

No budget impact for 2026, however there will be a slight impact to 2027 depending on the hire of the PT HR position and the planner position.

**ATTACHMENT(S):**

Associate Planner job description

City Planner job description

PT HR Generalist job description



<b>JOB TITLE:</b> Associate Planner	<b>FLSA:</b> Exempt
<b>DEPARTMENT:</b> Community Development	<b>REPORTS TO:</b> Community Development Director
	<b>SUPERVISES:</b> none

**SUMMARY**

Under general direction, this professional position promotes, develops, and implements long and short-term economic development and land use plans, including effective compliance and enforcement of related regulations, policies and programs. Provides critical input into the review process for City development plans and all related matters. Ensures positive and effective enforcement of City plans, policies, and ordinances.

**ESSENTIAL JOB DUTIES**

*To perform this job successfully, an individual must be able to perform each duty satisfactorily. The requirements listed below are representative of the knowledge, skill and abilities required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position. The Essential functions listed below are intended as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them if the work is similar, related or a logical assignment to the position.*

**Operational**

- Serve as a point of contact for residents related to zoning, land use, housing, and business questions
- Administer zoning permits and applications.
- Prepare written and graphic reports, verbal presentations, and other documentation addressing various planning matters, for consideration by City committees, commissions, Council, and the general public.
- Research, analyze, and organize information from maps, reports, investigations, and books for use in reports and special projects.
- Ensure that all organization activities and operations are in compliance with local, state and federal regulations and laws and in conformance with industry standards and practices.
- Promotes the City of Dayton, its vision and development programs to prospective businesses, visitors and the public

**Other Related Duties**

- Conducts code enforcement inspections and administers enforcement activities.
- Monitors legislative actions affecting land use and policies.
- Active participation in organizations related to local land use and issues.
- Performs related tasks as required.





<b>JOB TITLE:</b> City Planner	<b>FLSA CLASSIFICATION:</b> Exempt
<b>DEPARTMENT:</b> Community Development	<b>REPORTS TO:</b> Community Development Director
	<b>SUPERVISES:</b> None

**SUMMARY**

Under general direction, this professional position promotes, develops, and implements long and short-term economic development and land use plans, including effective compliance and enforcement of related regulations, policies and programs. Provides critical input into the review process for City development plans and all related matters. Ensures positive and effective enforcement of City plans, policies, and ordinances.

**ESSENTIAL JOB DUTIES**

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**Operational**

- Serve as a point of contact for residents related to zoning, land use, housing, and business questions
- Administer zoning permits and applications.
- Performs site visits to make informed recommendations to the Planning Commission and City Council
- Prepare written and graphic reports, verbal presentations, and other documentation addressing various planning matters, for consideration by City committees, commissions, Council, and the general public.
- Prepares and submits grant proposals.
- Review, develop, recommend and implement division policies and procedures.
- Research, analyze, and organize information from maps, reports, investigations, and books for use in reports and special projects.
- Ensure that all organization activities and operations are in compliance with local, state and federal regulations and laws and in conformance with industry standards and practices.
- Review and research ordinances in order to identify inadequacies and determine need for amendments
- Coordinate the preparation and execution of Developer Agreements to ensure City conditions and financial obligations of developers are met
- Oversees code enforcement activities
- Promotes the City of Dayton, its vision and development programs to prospective businesses, visitors and the public
- Coordinate division activities with other departments and outside agencies and organizations.

**Other Related Duties**

- Maintain awareness of pertinent legislation, regulations, and professional developments that may affect operations, and disseminate information to appropriate personnel.
- Represent the division and City to outside groups and organizations.
- Provides support for short- and long-range goals and objectives within budgetary constraints.
- Provides support for housing and economic development/redevelopment projects as needed including coordinating property acquisition, relocation, demolition and interim property management
- Active participation in organizations related to local land use and issues.
- Perform related tasks as required.

**QUALIFICATIONS**

**Required Knowledge, Skills, and Abilities:**

- Knowledge of operations, services, and activities of comprehensive plans, municipal planning program, residential, commercial and industrial site development
- Knowledge of and ability to interpret and apply pertinent Federal, State, Regional, County and other regulatory bodies; as well as local laws, codes, and regulations
- Working knowledge of tax increment financing, tax abatement and other economic development tools
- Knowledge of principles and practices of municipal budget preparation and administration
- Knowledge of City personnel policies and procedures
- Ability to understand plans and drawings related to land development proposals
- Ability to analyze data and information; draw conclusions; propose responsive actions
- Ability to analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals
- Ability to develop and administer goals, objectives, and procedures of planning and zoning activities
- Ability to delegate authority and responsibility where necessary
- Ability to communicate clearly in both oral and written communication
- Ability to establish and maintain effective working relationships with fellow employees, the public, and those contacted in the course of work
- Must have a valid MN driver's license

**Required Education and Experience:**

- Bachelor’s degree, or equivalent, in Public Administration, Municipal Planning, Urban Studies, or related field
- Five years of responsible experience in municipal planning activities
- Extensive knowledge of zoning and code enforcement as well as development/redevelopment processes and economic development activities

**Preferred Qualifications**

- Master’s degree in Planning or a related field.
- American Institute of Certified Planners (AICP) or National Development Council Certification preferred.
- GIS experience.

**Physical Demands:**

This work requires periodic lifting of up to 25 pounds; work regularly requires sitting, speaking or hearing, using hands to finder, handle or feel and repetitive motions, frequently requires walking and reaching with hands and arms and occasionally requires standing and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken work levels; work requires preparing and analyzing written or computer data, operating machines and observing general surroundings and activities; work is generally in a moderately noisy location. Work interruptions are frequent.

**Work Environment:** Work is generally performed in an office environment with standard office equipment and furnishings available. Occasionally, may be required to attend off-site trainings and perform site-visits.

I have read this job description and fully understand the requirements set forth herein. I understand that this is to be used as a guide and that I will be responsible for performing other duties as assigned. I further understand this job description does not constitute an employment contract with the City of Dayton.

Employee Signature	Printed Name	Date
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<b>JOB TITLE: Human Resources Generalist (Part-Time)</b>	<b>FLSA CLASSIFICATION: Non-exempt</b>
<b>DEPARTMENT: Administration</b>	<b>REPORTS TO:</b>
	<b>SUPERVISES: NA</b>

**SUMMARY**

The HR Generalist is a part-time position responsible for providing day-to-day human resources support across all City departments. This position serves as a primary resource for employees and supervisors on matters related to recruitment, onboarding, employee relations, policy interpretation, training compliance, workers’ compensation, and offboarding. The HR Generalist ensures consistent application of City policies and procedures, supports a positive work environment, and helps maintain compliance with applicable federal, state, and local employment laws.

**ESSENTIAL JOB DUTIES**

*To perform this job successfully, an individual must be able to perform each duty satisfactorily. The requirements listed below are representative of the knowledge, skill and abilities required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position. The Essential functions listed below are intended as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them if the work is similar, related or a logical assignment to the position.*

- Serve as a primary point of contact for employees and supervisors regarding HR policies, procedures, and general HR inquiries.
- Provide guidance to managers and staff on the interpretation and application of the employee handbook, personnel policies, and related procedures to ensure consistency and fairness.
- Support employee relations by responding to employee concerns, facilitating communication between employees and supervisors, and helping to resolve workplace issues in a professional, impartial manner.
- Assist with disciplinary processes by advising supervisors on documentation, consistency with policy, and appropriate next steps.
- Coordinate and administer the full-cycle recruitment process for all City departments, including preparing and posting job announcements, prescreening applicants, coordinating and conducting interviews, and facilitating candidate scoring and selection.
- Administer onboarding and offboarding processes for employees, including required paperwork, coordination of pre-employment and separation requirements, and communication with departments to ensure smooth transitions.
- Track and maintain required training records for all departments; monitor due dates and compliance requirements and coordinate or schedule training to ensure City-wide compliance with mandatory training.
- Administer workers’ compensation, including claim intake, filing, tracking, and coordination with carriers and providers.
- Monitor workers’ compensation cases and coordinate return-to-work or modified-duty arrangements with supervisors.
- Maintain accurate and confidential employee files, records, and HR systems in compliance with legal and City requirements.
- Assist with compliance related to federal, state, and local employment laws and regulations.
- Collaborate with payroll staff to ensure accurate and timely flow of employee information.
- Recommend improvements to HR processes, procedures, and forms to increase efficiency, consistency, and employee experience.
- Serve as a key liaison between the City of Dayton and Abdo Services



- Perform other related HR generalist and administrative duties as assigned.

## **QUALIFICATIONS**

### **Required Knowledge and Experience**

- 1–5 years of HR experience in a Generalist or HR administrator capacity.
- Experience using an HRIS and ATS.
- Experience in employee relations, recruitment, and onboarding/offboarding.
- Experience tracking or coordinating training and/or compliance requirements.
- Experience with workers' compensation claims or the ability to quickly learn these processes.
- Working knowledge of common HR practices and principles related to the employee life cycle.
- Understanding of applicable federal and state employment laws and regulations.
- Experience supporting multiple departments and managing competing priorities.

### **Required Skills and Abilities:**

- Ability to handle confidential and sensitive information with a high level of discretion and professionalism.
- Ability to establish and maintain effective working relationships with employees at all levels and external partners.
- Handle difficult or emotionally charged situations calmly and objectively.
- Strong verbal and written communication skills.
- Strong organizational skills, with the ability to manage multiple tasks and deadlines.
- Ability to interpret and apply policies, procedures, and regulations and to provide practical guidance to others.
- Exercise sound judgment and problem-solving skills.
- Proficiency with Microsoft Office software.
- Ability to work independently, take ownership of assigned processes, and follow through to completion.
- Strong attention to detail and accuracy in data entry, documentation, and recordkeeping.

### **Required Education and Certification:**

- Bachelor's degree in Human Resources, Business Administration, Public Administration, or a closely related field;  
OR
- An equivalent combination of education, training, and directly related HR experience that provides the required knowledge, skills, and abilities.
- Must have a valid MN driver's license

### **Preferred Education/Certification:**

- Professional HR certification such as SHRM-CP, PHR, or an equivalent credential.
- Additional training or certification in employee relations, conflict resolution, or workers' compensation administration.

### **Physical Demands:**

This work requires periodic lifting of up to 25 pounds; work regularly requires sitting, speaking or hearing, handle or feel and repetitive motions, frequently requires walking and reaching with hands and arms and occasionally requires standing and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken work levels; work requires preparing and analyzing written or computer data, operating machines and observing general surroundings and activities; work is generally in a moderately noisy location. Work interruptions are frequent.



**Work Environment:** Work is generally performed in an office environment with standard office equipment and furnishings available. Occasionally, it may be required to attend off-site trainings.

The City of Dayton is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, reasonable accommodations are offered to qualified individuals with disabilities. Prospective and current employees are encouraged to discuss potential accommodations with the employer.

I have read this job description and fully understand the requirements set forth herein. I understand that this is to be used as a guide and that I will be responsible for performing other duties as assigned. I further understand this job description does not constitute an employment contract with the City of Dayton.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**Payments to be approved at City Council Meeting April 28, 2026**

	<u>Totals</u>
<b>Claims Roster 04-28-2026</b>	<b>\$ 717,655.34</b>
<b>Prepaid 04-09-2026 EB</b>	<b>\$ 162,791.13</b>
<b>Total Payments:</b>	<b>\$ 880,446.47</b>
<b>Payroll 04-09-2026 Bi-Weekly 08</b>	<b>\$ 112,614.58</b>

Check # sequence to be approved by City Council from meeting date of 4/28/2026:

**Checks # 080674-080773**

04/23/2026

INVOICE REGISTER REPORT FOR CITY OF DAYTON MN  
 EXP CHECK RUN DATES 04/28/2026 - 04/28/2026  
 BOTH JOURNALIZED AND UNJOURNALIZED  
 BOTH OPEN AND PAID

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Status
Inv Ref#	Description	Entered By			
GL Distribution					
	ADAMS PEST CONTROL INC	04/13/2026	04/28/2026	270.23	Open
	15060 N DIAMOND LK RD-RENTAL	CHOYT			
601-49400-50300	15060 N DIAMOND LK RD-RENTAL			270.23	
-----					
	AXON	04/20/2026	04/28/2026	10,438.56	Open
	PD; TASER-INSTRUCTOR COURSE	CHOYT			
401-42120-50580	PD; TASER-INSTRUCTOR COURSE			10,438.56	
-----					
	BANK FEE-ADJ	03/31/2026	03/31/2026	50.00	Paid
	SCANNER/CASH MGMT FEES; MARCH 2026	DBRUNETTE			
101-41500-50309	SCANNER; MARCH 2026			25.00	
101-41500-50309	CASH MGMT; MARCH 2026			25.00	
-----					
	BANK FEE-ADJ	03/31/2026	03/31/2026	25.00	Paid
	STOP PAYMENT CHECK FEE; MARCH 2026	DBRUNETTE			
101-41500-50309	STOP PAYMENT CHECK FEE; MAR 2026			25.00	
-----					
	BEAUDRY	04/20/2026	04/28/2026	1,595.66	Open
	PW; UNLEADED 87 -504.00	CHOYT			
101-43100-50212	PW; UNLEADED 87 -504.00			1,595.66	
-----					
	BEAUDRY	04/22/2026	04/28/2026	344.33	Open
	PW; ULS #2 DYED DIESEL -80.60	CHOYT			
101-43100-50212	PW; ULS #2 DYED DIESEL -80.60			344.33	
-----					

BEAUDRY	04/22/2026	04/28/2026	2,100.16	Open
PW; UNLEADED 87 -648.20	CHOYT			
101-43100-50212	PW; UNLEADED 87 -648.20		2,100.16	
<hr/>				
BRIAN MURPHY	04/20/2026	04/28/2026	35.00	Open
I-94 AWARDS TICKET; B MURPHY	CHOYT			
101-42120-50205	I-94 AWARDS TICKET (SPOUSE)		35.00	
<hr/>				
BS&A SOFTWARE INC	04/21/2026	04/28/2026	2,853.00	Open
CD; SOFTWARE SVC-BS&A ONLINE SERVICES	CHOYT			
101-41710-50205	PERMIT APP.SUBMISSION 1.6.2026-4.3.2026		270.00	
101-41710-50205	BUILDING ONLINE SVC 5.2026-5.2027		751.00	
101-41710-50205	COMMUNITY DEVELOPTMENT SYS 5.2026-5.2027		1,291.00	
101-41710-50205	FIELD INSPECTION SYSTEM 5.2026-5.2027		541.00	
<hr/>				
CARISSA HOYT	04/13/2026	04/28/2026	119.70	Open
MILEAGE; JUN 2025-APR 2026 BANK RUNS	CHOYT			
101-41500-50331	MILEAGE; JUN-DEC 2025		58.80	
101-41500-50331	MILEAGE; JAN-APR 2026		60.90	
<hr/>				
CHARTER COMMUNICATIONS	04/13/2026	04/28/2026	1,275.79	Paid
ACCOUNT #175337501040726; APR-MAY 2026	CHOYT			
101-42120-50320	LOCATION #243204401- PD; INTERNET		202.09	
101-43100-50321	LOCATION #243204401-PW; INTERNET		202.09	
101-42260-50320	LOCATION #175337701-FD2; INTERNET		45.15	
101-41820-50308	LOCATION #175337801; CH/INTERNET;		199.98	
601-49400-50321	LOCATION #175337201; WELLHOUSE/INTERNET;		99.98	
101-42260-50320	LOCATION #175337601; FD 1/INTERNET;		109.99	
101-42120-50320	ACCOUNT# 175351601- PD;NUMBER FORWARDING		16.51	
101-41820-50308	LOCATION #175337901- CH/FIBER INTERNET		400.00	
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CINTAS	04/13/2026	04/28/2026	153.10	Open

PW; UNIFORMS		CHOYT			
101-43100-50217	PW; UNIFORMS			153.10	
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CINTAS		04/20/2026	04/28/2026	153.10	Open
PW; UNIFORMS		CHOYT			
101-43100-50217	PW; UNIFORMS			153.10	
-----					
CITY OF ANOKA		04/13/2026	04/28/2026	225.70	Paid
22-393200-01 CENTRAL PARK; MAR 2026		CHOYT			
101-41810-50381	22-393200-01 CENTRAL PARK; MAR 2026			225.70	
-----					
CITY OF ANOKA		04/13/2026	04/28/2026	23.50	Paid
22-393400-00 SDLR SIREN; MAR 2026		CHOYT			
101-41810-50381	22-393400-00 SDLR SIREN; MAR 2026			23.50	
-----					
CITY OF ANOKA		04/13/2026	04/28/2026	890.05	Paid
22-396000-01 CH; MAR 2026		CHOYT			
101-41810-50381	22-396000-01 CH; MAR 2026			890.05	
-----					
CITY OF ANOKA		04/13/2026	04/28/2026	514.10	Paid
22-990002-01 STREET LIGHTS; MAR 2026		CHOYT			
101-43100-50230	22-990002-01 STREET LIGHTS; MAR 2026			514.10	
-----					
CITY OF ANOKA		04/13/2026	04/28/2026	86.35	Paid
22-396030-00 BALSAM LANE PED; MAR 2026		CHOYT			
101-43100-50230	22-396030-00 BALSAM LANE PED; MAR 2026			86.35	
-----					
CITY OF HOPKINS		04/23/2026	04/28/2026	475,000.00	Open
FD 2008 PIERCE LADDER TRUCK		CHOYT			
401-42260-50580	2008 PIERCE LADDER TRUCK			240,000.00	
409-42260-50580	2008 PIERCE LADDER TRUCK			235,000.00	
-----					
CLIFTONLARSONALLEN LLP		04/13/2026	04/28/2026	9,922.50	Paid

AUDITING SERVICES THROUGH 12/31/2025	CHOYT			
101-41620-50301	AUDITING SERVICES THROUGH 12/31/2025			9,922.50
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CMT JANITORIAL SERVICES	04/20/2026	04/28/2026		1,602.00 Open
CONTRACT SERVICES-OFC CLEANING MAY 2026	CHOYT			
101-41910-50308	CONTRACT SERVICES-OFC CLEANING			602.00
101-41810-50308	CONTRACT SERVICES-OFC CLEANING			1,000.00
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ECM PUBLISHERS, INC	04/15/2026	04/28/2026		418.78 Open
PHN; EVENT SUPPORT CD	CHOYT			
101-41110-50352	PHN; EVENT SUPPORT			418.78
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ELITE SANITATION	04/13/2026	04/28/2026		185.60 Open
PW; PORTABLE RENTAL MAR-APR 2026	CHOYT			
101-45200-50410	PW; PORTABLE RENTAL MAR-APR 2026			185.60
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FAUL PSYCHOLOGICAL PLLC	04/22/2026	04/28/2026		4,725.00 Open
FD; PRE EMPLOYMENT SCREEN	CHOYT			
101-42260-50300	FD; PRE EMPLOYMENT SCREEN			4,725.00
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FIRST IMPRESSIONS BLDG SVCS	04/21/2026	04/28/2026		4,671.50 Open
PROFESSIONAL SRVS-PD-PW-CH-FD	CHOYT			
101-41810-50300	PROFESSIONAL SRVS-PD-PW-CH-FD			4,671.50
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GUIDANCEPOINT TECHNOLOGIES	04/13/2026	04/28/2026		652.05 Open
OFFICE 365- 1 YR BILLED MONTHLY	CHOYT			
101-41820-50205	OFFICE 365- 1 YR BILLED MONTHLY			652.05
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GUIDANCEPOINT TECHNOLOGIES	04/15/2026	04/28/2026		305.00 Open
IT; OFFSITE BACKUP APR 2026	CHOYT			
101-41820-50300	IT; OFFSITE BACKUP APR 2026			305.00
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GUIDANCEPOINT TECHNOLOGIES	04/15/2026	04/28/2026		92.50 Open

IT; PROFESSIONAL SRVS SHARED MAILBOX	CHOYT				
101-41820-50300	IT; PROFESSIONAL SRVS SHARED MAILBOX			92.50	
<hr/>					
GUIDANCEPOINT TECHNOLOGIES		04/15/2026	04/28/2026	175.00	Open
IT; BACKUP SERVERS APR 2026	CHOYT				
101-41820-50300	IT; BACKUP SERVERS APR 2026			175.00	
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GUIDANCEPOINT TECHNOLOGIES		04/15/2026	04/28/2026	2,669.96	Open
4 NEW MONITORS W/CABLES	CHOYT				
101-41820-50580	4 NEW MONITORS W/CABLES			2,669.96	
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GUIDANCEPOINT TECHNOLOGIES		04/20/2026	04/28/2026	621.00	Open
IT; PROFESSIONAL SRVS-FEB 2026	CHOYT				
101-41820-50300	IT; PROFESSIONAL SRVS-FEB 2026			621.00	
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HEALTH STRATEGIES		04/13/2026	04/28/2026	820.00	Open
FD; MEDICAL/DRUG SCREENING	CHOYT				
101-42260-50300	FD; MEDICAL/DRUG SCREENING			820.00	
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HEALTH STRATEGIES		04/20/2026	04/28/2026	410.00	Open
FD; MEDICAL/DRUG SCREENING	CHOYT				
101-42260-50300	FD; MEDICAL/DRUG SCREENING			410.00	
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HEALTH STRATEGIES		04/22/2026	04/28/2026	358.00	Open
FD; MEDICAL/DRUG SCREENING	CHOYT				
101-42260-50300	FD; MEDICAL/DRUG SCREENING			358.00	
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HENNEPIN COUNTY		04/13/2026	04/28/2026	2,841.20	Paid
PD; RADIO LEASE- MAR 2026	CHOYT				
101-42120-50320	PD; RADIO LEASE- MAR 2026			2,841.20	
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HENNEPIN COUNTY		04/13/2026	04/28/2026	2,254.82	Paid
FD; RADIO LEASE- MAR 2026	CHOYT				

101-42260-50320	FD; RADIO LEASE- MAR 2026			2,254.82	
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HENNEPIN COUNTY ACCOUNTS RECEIVABLE	04/20/2026	04/28/2026		2,500.00	Open
ELEVATE HENNEPIN PARTICIPANT 2026	CHOYT				
225-41710-50300	ELEVATE HENNEPIN PARTICIPANT 2026			2,500.00	
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HENNEPIN COUNTY -PROPERTY TAX	04/20/2026	04/28/2026		1,405.42	Open
TRUTH IN TAXATION 2026	CHOYT				
101-49999-50370	TRUTH IN TAXATION 2026			1,405.42	
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HENNEPIN COUNTY SHERIFFS OFFIC	04/22/2026	04/28/2026		401.04	Open
PD; PER DIEM AND PROCESSING-MAR 2026	CHOYT				
101-42120-50306	PD; PER DIEM AND PROCESSING-MAR 2026			401.04	
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HENNEPIN COUNTY-SA	04/13/2026	04/28/2026		430.00	Paid
SPECIAL ASSESSMENTS SVCS; ANNUAL BILLING	CHOYT				
101-41610-50300	SPECIAL ASSESSMENTS SVCS; ANNUAL BILLING			430.00	
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INVOICE CLOUD	04/15/2026	04/28/2026		1,111.10	Paid
FEB 2026 PROCESSING FEES	CHOYT				
101-41500-50309	EDP, SOFTWARE SVC			65.00	
101-41660-50309	EDP, SOFTWARE SVC			10.00	
601-49400-50309	EDP, SOFTWARE SVC			518.05	
602-49400-50309	EDP, SOFTWARE SVC			518.05	
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INVOICE CLOUD	04/15/2026	04/28/2026		747.80	Open
MAR 2026 PROCESSING FEES	CHOYT				
101-41500-50309	EDP, SOFTWARE SVC			65.00	
101-41660-50309	EDP, SOFTWARE SVC			18.75	
601-49400-50309	EDP, SOFTWARE SVC			332.03	
602-49400-50309	EDP, SOFTWARE SVC			332.02	
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J.P. MORGAN CHASE BANK NA	02/28/2026	04/28/2026		48.84	Open

UNIFORM ALLOWANCE; B CURRENT	CHOYT			
101-42120-50217 Uniform Allowance			48.84	
J.P. MORGAN CHASE BANK NA	03/03/2026	04/28/2026	145.19	Open
Firearms Safety Equip	CHOYT			
101-42120-50580 Firearms Safety Equip			145.19	
J.P. MORGAN CHASE BANK NA	03/09/2026	04/28/2026	198.49	Open
Firearms Safety Equip	CHOYT			
101-42120-50580 Firearms Safety Equip			198.49	
J.P. MORGAN CHASE BANK NA	03/09/2026	04/28/2026	283.22	Open
Firearms Supplies	CHOYT			
101-42120-50580 Firearms Supplies			283.22	
J.P. MORGAN CHASE BANK NA	03/11/2026	04/28/2026	35.00	Open
Evidence Room Tech Membership	CHOYT			
101-42120-50205 Evidence Room Tech Membership			35.00	
J.P. MORGAN CHASE BANK NA	03/11/2026	04/28/2026	(261.49)	Open
Refund of Firearms Safety Equip	CHOYT			
101-42120-50580 Refund of Firearms Safety Equip			(261.49)	
J.P. MORGAN CHASE BANK NA	03/13/2026	04/28/2026	30.00	Open
ID Card Subscription	CHOYT			
101-41810-50205 ID Card Subscription			30.00	
J.P. MORGAN CHASE BANK NA	03/13/2026	04/28/2026	212.50	Open
UNIFORM ALLOWANCE; B CURRENT	CHOYT			
101-42120-50217 Uniform Allowance			212.50	
J.P. MORGAN CHASE BANK NA	03/16/2026	04/28/2026	12.25	Open
Blood Kit Mailed	CHOYT			

101-41810-50322	Blood Kit Mailed			12.25	
J.P. MORGAN CHASE BANK NA		03/17/2026	04/28/2026	615.77	Open
Sticker Badges		CHOYT			
101-42120-50395	Sticker Badges			615.77	
J.P. MORGAN CHASE BANK NA		03/24/2026	04/28/2026	205.43	Open
UNIFORM ALLOWANCE; D MCALPINE		CHOYT			
101-42120-50217	Uniform Allowance			205.43	
J.P. MORGAN CHASE BANK NA		03/23/2026	04/28/2026	599.85	Open
Dept Firearms Equipment		CHOYT			
101-42120-50580	Dept Firearms Equipment			599.85	
J.P. MORGAN CHASE BANK NA		03/03/2026	04/28/2026	73.89	Open
Easter Egg Hunt Supplies		CHOYT			
101-41910-50210	Easter Egg Hunt Supplies			73.89	
J.P. MORGAN CHASE BANK NA		03/03/2026	04/28/2026	476.63	Open
irrigation box repairs		CHOYT			
101-45200-50220	irrigation box repairs			476.63	
J.P. MORGAN CHASE BANK NA		03/04/2026	04/28/2026	32.75	Open
Staff meeting lunch		CHOYT			
101-43100-50210	Staff meeting lunch			32.75	
J.P. MORGAN CHASE BANK NA		03/04/2026	04/28/2026	194.88	Open
Staff Meeting Lunch		CHOYT			
101-43100-50210	Staff Meeting Lunch			194.88	
J.P. MORGAN CHASE BANK NA		03/05/2026	04/28/2026	175.00	Open
Arborist Membership		CHOYT			
101-43100-50205	Arborist Membership			175.00	

J.P. MORGAN CHASE BANK NA	03/07/2026	04/28/2026	203.70	Open
Easter Egg Hunt Supplies	CHOYT			
101-41910-50210	Easter Egg Hunt Supplies		203.70	
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J.P. MORGAN CHASE BANK NA	03/09/2026	04/28/2026	10.98	Open
Distilled Water for water samples	CHOYT			
601-49400-50210	Distilled Water for water samples		10.98	
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J.P. MORGAN CHASE BANK NA	03/11/2026	04/28/2026	18.99	Open
gardening supplies	CHOYT			
101-45200-50210	gardening supplies		18.99	
-----				
J.P. MORGAN CHASE BANK NA	03/12/2026	04/28/2026	37.76	Open
Easter Egg Hunt Supplies	CHOYT			
101-41910-50210	Easter Egg Hunt Supplies		37.76	
-----				
J.P. MORGAN CHASE BANK NA	03/14/2026	04/28/2026	425.00	Open
FLOOR DRAIN PUMPING	CHOYT			
101-43100-50210	FLOOR DRAIN PUMPING		425.00	
-----				
J.P. MORGAN CHASE BANK NA	03/17/2026	04/28/2026	252.42	Open
TOOLS AND SUPPLIES	CHOYT			
101-43100-50210	TOOLS AND SUPPLIES		252.42	
-----				
J.P. MORGAN CHASE BANK NA	03/18/2026	04/28/2026	136.01	Open
PLOW CREW LUNCH	CHOYT			
101-43100-50210	PLOW CREW LUNCH		136.01	
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J.P. MORGAN CHASE BANK NA	03/19/2026	04/28/2026	167.82	Open
REPLACEMENT STROBE LIGHT	CHOYT			
101-43100-50220	REPLACEMENT STROBE LIGHT		167.82	
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J.P. MORGAN CHASE BANK NA	03/26/2026	04/28/2026	122.85	Open
SHOP HARDWARE	CHOYT			
101-43100-50210 SHOP HARDWARE			122.85	
-----				
J.P. MORGAN CHASE BANK NA	03/03/2026	04/28/2026	10.41	Open
Dinner Meeting	CHOYT			
101-41310-50200 Dinner Meeting			10.41	
-----				
J.P. MORGAN CHASE BANK NA	03/03/2026	04/28/2026	4.00	Open
Parking at Greater MSP Event	CHOYT			
101-41710-50208 Parking at Greater MSP Event			4.00	
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J.P. MORGAN CHASE BANK NA	03/04/2026	04/28/2026	80.00	Open
MNGFOA Membership - Doud	CHOYT			
101-41500-50205 MNGFOA Membership - Doud			80.00	
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J.P. MORGAN CHASE BANK NA	03/04/2026	04/28/2026	80.00	Open
MNGFOA Membership - Brunette	CHOYT			
101-41500-50205 MNGFOA Membership - Brunette			80.00	
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J.P. MORGAN CHASE BANK NA	03/11/2026	04/28/2026	14.00	Open
Parking for City Day on the Hill	CHOYT			
101-41310-50331 Parking for City Day on the Hill			14.00	
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J.P. MORGAN CHASE BANK NA	03/13/2026	04/28/2026	13.58	Open
Peer Compass Group Lunch	CHOYT			
101-41310-50200 Peer Compass Group Lunch			13.58	
-----				
J.P. MORGAN CHASE BANK NA	03/13/2026	04/28/2026	15.00	Open
Donuts - Haydens Last Day	CHOYT			
101-41910-50213 Donuts - Haydens Last Day			15.00	
-----				
J.P. MORGAN CHASE BANK NA	03/04/2026	04/28/2026	100.00	Open

safety committee training for 5 members	CHOYT				
101-41420-50208	safety committee training for 5 members			100.00	
J.P. MORGAN CHASE BANK NA	03/10/2026	04/28/2026		174.49	Open
Council food	CHOYT				
101-41110-50210	Council food			174.49	
J.P. MORGAN CHASE BANK NA	03/10/2026	04/28/2026		30.99	Open
Council food	CHOYT				
101-41110-50210	Council food			30.99	
J.P. MORGAN CHASE BANK NA	03/18/2026	04/28/2026		673.84	Open
digium March	CHOYT				
101-41820-50308	digium March			673.84	
J.P. MORGAN CHASE BANK NA	03/23/2026	04/28/2026		11.00	Open
microsoft	CHOYT				
101-41820-50308	microsoft			11.00	
J.P. MORGAN CHASE BANK NA	03/26/2026	04/28/2026		52.09	Open
zoom	CHOYT				
101-41500-50205	zoom			52.09	
J.P. MORGAN CHASE BANK NA	02/27/2026	04/28/2026		8.54	Open
name plate atty	CHOYT				
101-41810-50200	name plate atty			8.54	
J.P. MORGAN CHASE BANK NA	03/03/2026	04/28/2026		23.32	Open
office supplies	CHOYT				
101-41810-50200	office supplies			23.32	
J.P. MORGAN CHASE BANK NA	03/05/2026	04/28/2026		25.49	Open
office supplies- D batteries	CHOYT				

101-41810-50200	office supplies- D batteries			25.49	
J.P. MORGAN CHASE BANK NA		03/19/2026	04/28/2026	29.98	Open
office supplies		CHOYT			
101-41810-50200	office supplies			29.98	
J.P. MORGAN CHASE BANK NA		03/21/2026	04/28/2026	39.04	Open
Office Supplies- coffee		CHOYT			
101-41810-50200	Office Supplies- coffee			39.04	
J.P. MORGAN CHASE BANK NA		03/22/2026	04/28/2026	22.79	Open
office supplies-clock		CHOYT			
101-41810-50200	office supplies-clock			22.79	
J.P. MORGAN CHASE BANK NA		03/22/2026	04/28/2026	28.45	Open
office supplies-address labels		CHOYT			
101-41810-50200	office supplies-address labels			28.45	
J.P. MORGAN CHASE BANK NA		02/28/2026	04/28/2026	125.00	Open
FUEL SUPPLY SUBSCRIPTION		CHOYT			
101-43100-50212	FUEL SUPPLY SUBSCRIPTION			125.00	
J.P. MORGAN CHASE BANK NA		03/09/2026	04/28/2026	1,471.66	Open
Aggregate supplies		CHOYT			
101-43100-50224	Aggregate supplies			1,471.66	
J.P. MORGAN CHASE BANK NA		03/11/2026	04/28/2026	1,600.00	Open
ESRI GIS LICENCE RENEWALS		CHOYT			
101-43100-50210	ESRI GIS LICENCE RENEWALS			1,600.00	
J.P. MORGAN CHASE BANK NA		03/29/2026	04/28/2026	125.00	Open
Fuel Cloud Subscription		CHOYT			
101-43100-50212	Fuel Cloud Subscription			125.00	

J.P. MORGAN CHASE BANK NA	03/30/2026	04/28/2026	1,989.75	Open
Tree Removal	CHOYT			
101-43100-50224	Tree Removal		1,989.75	
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J.P. MORGAN CHASE BANK NA	03/01/2026	04/28/2026	151.98	Open
I-Pad Mount and I-Pad Holder	CHOYT			
101-42260-50200	I-Pad Mount and I-Pad Holder		151.98	
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J.P. MORGAN CHASE BANK NA	03/01/2026	04/28/2026	37.49	Open
Ice Machine Water Level Probe	CHOYT			
101-42260-50220	Ice Machine Water Level Probe		37.49	
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J.P. MORGAN CHASE BANK NA	03/01/2026	04/28/2026	58.88	Open
Easel Pad and Markers	CHOYT			
101-42260-50200	Easel Pad and Markers		58.88	
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J.P. MORGAN CHASE BANK NA	03/06/2026	04/28/2026	72.29	Open
Phoenix Dog Food	CHOYT			
101-42260-50200	Phoenix Dog Food		72.29	
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J.P. MORGAN CHASE BANK NA	03/12/2026	04/28/2026	3,084.44	Open
Extrication Tool Mounts	CHOYT			
101-42260-50200	Extrication Tool Mounts		3,084.44	
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J.P. MORGAN CHASE BANK NA	03/16/2026	04/28/2026	39.06	Open
Chief One Car Wash	CHOYT			
101-42260-50220	Chief One Car Wash		39.06	
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J.P. MORGAN CHASE BANK NA	03/18/2026	04/28/2026	331.65	Open
Cell Phone Invoice	CHOYT			
101-42260-50320	Cell Phone Invoice		331.65	
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J.P. MORGAN CHASE BANK NA	03/18/2026	04/28/2026	113.97	Open
Medical Gloves	CHOYT			
101-42260-50200 Medical Gloves			113.97	
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J.P. MORGAN CHASE BANK NA	03/19/2026	04/28/2026	132.00	Open
Officer Meeting Lunch	CHOYT			
101-42260-50207 Officer Meeting Lunch			132.00	
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J.P. MORGAN CHASE BANK NA	03/21/2026	04/28/2026	18.99	Open
Clearnce Marker Light	CHOYT			
101-42260-50220 Clearnce Marker Light			18.99	
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J.P. MORGAN CHASE BANK NA	03/21/2026	04/28/2026	13.69	Open
Amber Lense Cover	CHOYT			
101-42260-50220 Amber Lense Cover			13.69	
-----				
J.P. MORGAN CHASE BANK NA	03/21/2026	04/28/2026	24.37	Open
Small Notebooks	CHOYT			
101-42260-50200 Small Notebooks			24.37	
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J.P. MORGAN CHASE BANK NA	03/21/2026	04/28/2026	41.99	Open
Valve Extenders	CHOYT			
101-42260-50220 Valve Extenders			41.99	
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J.P. MORGAN CHASE BANK NA	03/24/2026	04/28/2026	44.32	Open
UNIFORM ALLOWANCE; B CURRENT	CHOYT			
101-42120-50217 Uniform Allowance			44.32	
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J.P. MORGAN CHASE BANK NA	03/23/2026	04/28/2026	75.00	Open
DMT Recertification	CHOYT			
101-42120-50208 DMT Recertification			75.00	
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J.P. MORGAN CHASE BANK NA	03/29/2026	04/28/2026	271.29	Open

Training		CHOYT			
101-42120-50208	Training			271.29	
J.P. MORGAN CHASE BANK NA		03/03/2026	04/28/2026	40.33	Open
PC mouse		CHOYT			
101-41710-50200	PC mouse			40.33	
J.P. MORGAN CHASE BANK NA		03/16/2026	04/28/2026	58.00	Open
SLUC Luncheon		CHOYT			
101-41710-50208	SLUC Luncheon			58.00	
J.P. MORGAN CHASE BANK NA		03/30/2026	04/28/2026	58.00	Open
SLUC Luncheon		CHOYT			
101-41710-50208	SLUC Luncheon			58.00	
J.P. MORGAN CHASE BANK NA		02/27/2026	04/28/2026	109.99	Open
UNIFORM ALLOWANCE; P ENGA		CHOYT			
101-42120-50217	Uniform Allowance			109.99	
J.P. MORGAN CHASE BANK NA		02/27/2026	04/28/2026	44.80	Open
UNIFORM ALLOWANCE; D JOHNSON		CHOYT			
101-42120-50217	Uniform Allowance			44.80	
J.P. MORGAN CHASE BANK NA		03/04/2026	04/28/2026	20.78	Open
Office Supplies		CHOYT			
101-42120-50200	Office Supplies			20.78	
J.P. MORGAN CHASE BANK NA		03/04/2026	04/28/2026	16.81	Open
Office Supplies		CHOYT			
101-42120-50200	Office Supplies			16.81	
J.P. MORGAN CHASE BANK NA		03/09/2026	04/28/2026	37.94	Open
UNIFORM ALLOWANCE; D JOHNSON		CHOYT			

101-42120-50217	Uniform Allowance			37.94	
J.P. MORGAN CHASE BANK NA		03/10/2026	04/28/2026	32.98	Open
Office Supplies		CHOYT			
101-42120-50200	Office Supplies			32.98	
J.P. MORGAN CHASE BANK NA		03/10/2026	04/28/2026	97.52	Open
UNIFORM ALLOWANCE; D JOHNSON		CHOYT			
101-42120-50217	Uniform Allowance			97.52	
J.P. MORGAN CHASE BANK NA		03/12/2026	04/28/2026	107.35	Open
Food for Going Away for Hayden		CHOYT			
101-42120-50331	Food for Going Away for Hayden			107.35	
J.P. MORGAN CHASE BANK NA		03/13/2026	04/28/2026	56.97	Open
Office Supplies		CHOYT			
101-42120-50200	Office Supplies			56.97	
J.P. MORGAN CHASE BANK NA		03/13/2026	04/28/2026	41.57	Open
Office Supplies		CHOYT			
101-42120-50200	Office Supplies			41.57	
J.P. MORGAN CHASE BANK NA		03/13/2026	04/28/2026	39.99	Open
Office Supplies		CHOYT			
101-42120-50200	Office Supplies			39.99	
J.P. MORGAN CHASE BANK NA		03/18/2026	04/28/2026	200.00	Open
Invesitgation Data Management Software		CHOYT			
101-42120-50308	Invesitgation Data Management Software			200.00	
J.P. MORGAN CHASE BANK NA		03/19/2026	04/28/2026	28.49	Open
UNIFORM ALLOWANCE; D JOHNSON		CHOYT			
101-42120-50217	Uniform Allowance			28.49	

J.P. MORGAN CHASE BANK NA	03/19/2026	04/28/2026	7.59	Open
UNIFORM ALLOWANCE; D JOHNSON	CHOYT			
101-42120-50217	Uniform Allowance		7.59	
<hr/>				
J.P. MORGAN CHASE BANK NA	03/27/2026	04/28/2026	2,427.73	Open
Lifeloc-Other Equipment	CHOYT			
235-42110-50580	Lifeloc-Other Equipment		2,427.73	
<hr/>				
J.P. MORGAN CHASE BANK NA	02/26/2026	04/28/2026	36.44	Open
Cleaning Supplies	CHOYT			
101-42260-50200	Cleaning Supplies		36.44	
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J.P. MORGAN CHASE BANK NA	03/04/2026	04/28/2026	26.34	Open
Engine Coolant	CHOYT			
101-42260-50220	Engine Coolant		26.34	
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J.P. MORGAN CHASE BANK NA	03/17/2026	04/28/2026	135.36	Open
Oil Change Chief Two Pickup	CHOYT			
101-42260-50220	Oil Change Chief Two Pickup		135.36	
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J.P. MORGAN CHASE BANK NA	03/18/2026	04/28/2026	261.14	Open
Drafting Adaptor for T-11	CHOYT			
101-42260-50200	Drafting Adaptor for T-11		261.14	
<hr/>				
J.P. MORGAN CHASE BANK NA	03/20/2026	04/28/2026	6.52	Open
Bolts for Attaching Extrication Tools	CHOYT			
101-42260-50200	Bolts for Attaching Extrication Tools		6.52	
<hr/>				
J.P. MORGAN CHASE BANK NA	03/24/2026	04/28/2026	14.15	Open
Self-Tapping Screws	CHOYT			
101-42260-50200	Self-Tapping Screws		14.15	
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J.P. MORGAN CHASE BANK NA	03/25/2026	04/28/2026	126.18	Open
Battery Tender	CHOYT			
101-42260-50200	Battery Tender		126.18	
-----				
J.P. MORGAN CHASE BANK NA	03/30/2026	04/28/2026	269.70	Open
Straw for Live Burn	CHOYT			
101-42260-50208	Straw for Live Burn		269.70	
-----				
J.P. MORGAN CHASE BANK NA	03/30/2026	04/28/2026	721.00	Open
Knox Box Annual License	CHOYT			
101-42260-50205	Knox Box Annual License		721.00	
-----				
J.P. MORGAN CHASE BANK NA	03/11/2026	04/28/2026	437.14	Open
Easter Egg Hunt Supplies	CHOYT			
101-41910-50210	Easter Egg Hunt Supplies		437.14	
-----				
J.P. MORGAN CHASE BANK NA	03/13/2026	04/28/2026	108.00	Open
replacement wetland buffer signs	CHOYT			
101-43100-50210	replacement wetland buffer signs		108.00	
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J.P. MORGAN CHASE BANK NA	03/13/2026	04/28/2026	15.00	Open
Name the snow plow decal	CHOYT			
101-41910-50210	Name the snow plow decal		15.00	
-----				
J.P. MORGAN CHASE BANK NA	03/13/2026	04/28/2026	155.00	Open
sams for all departments	CHOYT			
101-41420-50205	sams for all departments		155.00	
-----				
J.P. MORGAN CHASE BANK NA	03/16/2026	04/28/2026	24.53	Open
Employee breakfast supplies	CHOYT			
101-41910-50210	Employee breakfast supplies		24.53	
-----				
J.P. MORGAN CHASE BANK NA	03/16/2026	04/28/2026	117.53	Open

Easter Egg Hunt Supplies	CHOYT				
101-41910-50210	Easter Egg Hunt Supplies			117.53	
J.P. MORGAN CHASE BANK NA	03/18/2026	04/28/2026		53.97	Open
EASTER EGG HUNT GIFT BAGS	CHOYT				
101-41910-50210	EASTER EGG HUNT GIFT BAGS			53.97	
J.P. MORGAN CHASE BANK NA	03/18/2026	04/28/2026		870.00	Open
NINJA ANYWHERE FEE	CHOYT				
101-41910-50210	NINJA ANYWHERE FEE			870.00	
J.P. MORGAN CHASE BANK NA	03/23/2026	04/28/2026		216.00	Open
EASTER EGG HUNT SIGNAGE	CHOYT				
101-41910-50210	EASTER EGG HUNT SIGNAGE			216.00	
J.P. MORGAN CHASE BANK NA	03/03/2026	04/28/2026		1,680.15	Open
Elk River Utilities-Jan 2026	CHOYT				
101-41810-50381	Elk River Utilities-Jan 2026			1,680.15	
J.P. MORGAN CHASE BANK NA	03/20/2026	04/28/2026		394.80	Open
REPUBLIC 13700 FEB/MAR 2026	CHOYT				
101-42120-50384	REPUBLIC 13700 FEB/MAR 2026			394.80	
J.P. MORGAN CHASE BANK NA	03/20/2026	04/28/2026		394.80	Open
REPUBLIC 13700 FEB/MAR 2026	CHOYT				
101-43100-50384	REPUBLIC 13700 FEB/MAR 2026			394.80	
J.P. MORGAN CHASE BANK NA	03/20/2026	04/28/2026		400.31	Open
REPUBLIC-12260 FEB 2026	CHOYT				
101-41810-50384	REPUBLIC-12260 FEB 2026			400.31	
J.P. MORGAN CHASE BANK NA	03/20/2026	04/28/2026		163.87	Open
REPUBLIC-18461-FEB 2026	CHOYT				

101-41910-50384	REPUBLIC-18461-FEB 2026			163.87	
J.P. MORGAN CHASE BANK NA		03/20/2026	04/28/2026	245.48	Open
REPUBLIC-16471 FEB/MAR 2026		CHOYT			
101-43100-50384	REPUBLIC-16471 FEB/MAR 2026			245.48	
J.P. MORGAN CHASE BANK NA		03/21/2026	04/28/2026	42.00	Open
CULLIGAN-16471 MAR 2026		CHOYT			
101-43100-50220	CULLIGAN-16471 MAR 2026			42.00	
J.P. MORGAN CHASE BANK NA		03/21/2026	04/28/2026	49.00	Open
CULLIGAN 18461 MAR 2026		CHOYT			
101-41910-50220	CULLIGAN 18461 MAR 2026			49.00	
J.P. MORGAN CHASE BANK NA		03/21/2026	04/28/2026	170.25	Open
CULLIGAN-12260 FEB/MAR 2026		CHOYT			
101-41810-50220	CULLIGAN-12260 FEB/MAR 2026			170.25	
J.P. MORGAN CHASE BANK NA		03/21/2026	04/28/2026	59.00	Open
CULLIGAN-ZANZIBAR MAR 2026		CHOYT			
101-42120-50220	CULLIGAN-ZANZIBAR MAR 2026			59.00	
J.P. MORGAN CHASE BANK NA		03/21/2026	04/28/2026	59.00	Open
CULLIGAN-13700 MAR 2026		CHOYT			
101-42120-50220	CULLIGAN-13700 MAR 2026			59.00	
KWIK TRIP INC		04/20/2026	04/28/2026	80.80	Open
PD; 514204/ CARWASH MAR 2026		CHOYT			
101-42120-50220	PD; 514204/ CARWASH MAR 2026			80.80	
LANDFORM PROFESSIONAL SVCS, LLC		04/20/2026	04/28/2026	8,034.00	Open
PLANNING SERVICES; MAR 2026		CHOYT			
101-41710-50300	PLANNING; CITY BUSINESS			7,940.00	

411-43100-50303-6231		PLANNING FEES; PROJ 6231		94.00
LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13531 141ST AVE LANDSCAPE ESCROW RELEASE CHOYT				
420-00000-22100	13531 141ST AVE LANDSCAPE ESCROW REL		3,000.00	
LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13541 141ST AVE N LANDSCAPE ESCROW RELEA CHOYT				
420-00000-22100	13541 141ST AVE N LANDSCAPE ESCROW REL		3,000.00	
LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13551 141ST AVE N LANDSCAPE ESCROW RELEA CHOYT				
420-00000-22100	13551 141ST AVE N LANDSCAPE ESCROW REL		3,000.00	
LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13561 141ST AVE N LANDSCAPE ESCROW RELEA CHOYT				
420-00000-22100	13561 141ST AVE N LANDSCAPE ESCROW REL		3,000.00	
LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13571 141ST AVE N LANDSCAPE ESCROW RELEA CHOYT				
420-00000-22100	13571 141ST AVE N LANDSCAPE ESCROW REL		3,000.00	
LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13572 141ST AVE N LANDSCAPE ESCROW RELEA CHOYT				
420-00000-22100	13572 141ST AVE N LANDSCAPE ESCROW REL		3,000.00	
LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13612 141ST AVE N LANDSCAPE ESCROW RELEA CHOYT				
420-00000-22100	13612 141ST AVE N LANDSCAPE ESCROW REL		3,000.00	
LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13622 141ST AVE N LANDSCAPE ESCROW RELEA CHOYT				
420-00000-22100	13622 141ST AVE N LANDSCAPE ESCROW REL		3,000.00	

LENNAR	04/13/2026	04/28/2026	3,000.00	Open
13632 141ST AVE N LANDSCAPE ESCROW RELEA CHOYT				
420-00000-22100	13632 141ST AVE N LANDSCAPE ESCROW REL		3,000.00	
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LEXIS NEXIS	04/22/2026	04/28/2026	200.00	Open
PD; CONTRACT SERVICES-MAR 2026	CHOYT			
101-42120-50308	PD; CONTRACT SERVICES MAR 2026		200.00	
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LYNDE'S RESTAURANT & CATERING	04/15/2026	04/28/2026	149.90	Paid
EMPLOYEE APPRECIATION PROGRAM APRIL	CHOYT			
101-41910-50213	EMPLOYEE APPRECIATION PROGRAM		149.90	
<hr/>				
MACQUEEN EMERGENCY GROUP	04/20/2026	04/28/2026	31,773.17	Open
OTHER EQUIPMENT; UNIT 2616	CHOYT			
401-42120-50580	OTHER EQUIPMENT; UNIT 2616		31,773.17	
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METROPOLITAN COUNCIL	04/13/2026	04/28/2026	59,228.54	Paid
204.87 MILLION GALLONS WASTE WATER SERVIC CHOYT				
602-49400-50313	WASTE WATER SERVICE; MAY 2026		59,228.54	
<hr/>				
MN DEPT OF REVENUE	04/22/2026	04/28/2026	448.41	Open
WITHHOLDING TAX-PEN	CHOYT			
101-41500-50309	WITHHOLDING TAX-PEN		448.41	
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MN UNEMPLOYMENT INSURANCE	04/22/2026	04/28/2026	658.18	Open
GENERAL & WKR COMP INS	CHOYT			
101-45200-50361	GENERAL & WKR COMP INS		604.00	
101-41500-50361	GENERAL & WKR COMP INS		54.18	
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MORRIS LEATHERMAN COMPANY	04/21/2026	04/28/2026	14,000.00	Open
PROFESSIONAL SRVS-SURVEY RESEARCH	CHOYT			
101-41710-50300	PROFESSIONAL SRVS		9,000.00	

601-49400-50300	PROFESSIONAL SRVS			4,000.00	
602-49400-50300	PROFESSIONAL SRVS			1,000.00	
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RAY SMITH INS AGENCY, INC		04/15/2026	04/28/2026	3,000.00	Paid
SERVICE AGREEMENT EFF.; 1/1/2026-1/1/2027	CHOYT				
101-41810-50300	SERVICE AGREEMENT EFF; 1/1/2026-1/1/2027			3,000.00	
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TRANSPORT GRAPHICS		04/22/2026	04/28/2026	2,131.26	Open
PD; OTHER EQUIPMENT	CHOYT				
401-42120-50580	PD; OTHER EQUIPMENT			2,131.26	
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TRITECH SOFTWARE SYSTEMS		04/20/2026	04/28/2026	1,800.00	Open
PD; FIRSTTWO ANNUAL SUBSCRIPTION FEE Q-25	CHOYT				
101-42120-50308	PD; FIRSTTWO ANNUAL SUBSCRIPTION FEE			1,800.00	
-----					
VERIZON WIRELESS		04/20/2026	04/28/2026	150.12	Open
PW;CELL SERVICE;MCM SEWER MAR-APR 2026	CHOYT				
602-49400-50321	PW;CELL SERVICE;MCM SEWER			150.12	
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WATER LABORATORIES, INC		04/13/2026	04/28/2026	925.20	Open
WATER TESTING; MAR 2026	CHOYT				
601-49400-50300	WATER TESTING; MAR 2026			925.20	
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XCEL ENERGY		04/13/2026	04/28/2026	1,921.63	Paid
51-0013565432-4; 14695 RIVER/WELLHOUSE	CHOYT				
601-49400-50381	51-0013565432-4; 14695 RIVER/WELLHOUSE			1,921.63	
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XCEL ENERGY		04/13/2026	04/28/2026	3,465.66	Paid
51-0011857801-8;PD/PW BLDG MAR-APR 2026	CHOYT				
101-43100-50381	51-0011857801-8;PD/PW BLDG			3,465.66	
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XCEL ENERGY		04/13/2026	04/28/2026	24.05	Paid
51-0014423188-8;14678 146TH AVE ST LGT MAR	CHOYT				

101-43100-50230	51-0014423188-8;14678 146TH AVE ST LGT			24.05
XCEL ENERGY		04/13/2026	04/28/2026	0.16 Paid
51-0014712973-2; 18160 SIREN MAR-APR 2026 CHOYT				
101-41810-50381	51-0014712973-2; 18160 SIREN			0.16
XCEL ENERGY		04/13/2026	04/28/2026	38.89 Paid
51-0013923150-3;HOLLY LN MAR-APR 2026 CHOYT				
101-43100-50230	51-0013923150-3;HOLLY LN			38.89
XCEL ENERGY		04/13/2026	04/28/2026	24.45 Paid
51-0015591826-7; 14642 146TH/IRR MAR-APR 2026 CHOYT				
601-49400-50381	51-0015591826-7; 14642 146TH/IRR			24.45
XCEL ENERGY		04/13/2026	04/28/2026	26.09 Paid
51-0014444656-9;14748 CHESHIRE CT S.L. MAR-APR 2026 CHOYT				
101-43100-50230	51-0014444656-9;14748 CHESHIRE CT S.L.			26.09
XCEL ENERGY		04/13/2026	04/28/2026	30.56 Paid
51-0013211437-0;SDL TRAIL LIFT MAR-APR 2026 CHOYT				
601-49400-50381	51-0013211437-0;SDL TRAIL LIFT			30.56
XCEL ENERGY		04/13/2026	04/28/2026	34.09 Paid
51-0013985527-8; CHESHIRE LGT MAR-APR 2026 CHOYT				
101-43100-50230	51-0013985527-8; CHESHIRE LGT			34.09
XCEL ENERGY		04/13/2026	04/28/2026	23.95 Paid
51-6970693-8;17320 DAYTON SHED MAR-APR 2026 CHOYT				
101-41810-50381	51-6970693-8;17320 DAYTON SHED			23.95
XCEL ENERGY		04/13/2026	04/28/2026	26.09 Paid
51-0014444653-6;14666 146TH AVE S.L. MAR-APR 2026 CHOYT				
101-43100-50230	51-0014444653-6;14666 146TH AVE S.L.			26.09

XCEL ENERGY	04/13/2026	04/28/2026	33.67	Paid
51-0014297205-1;14641 U.PASS W/RH PKWY MA CHOYT				
101-43100-50230	51-0014297205-1;14641 U.PASS W/RH PKWY		33.67	
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XCEL ENERGY	04/13/2026	04/28/2026	57.34	Paid
51-0013433451-8;BROCKTON LGT MAR-APR 202 CHOYT				
101-43100-50230	51-0013433451-8;BROCKTON LGT		57.34	
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XCEL ENERGY	04/13/2026	04/28/2026	56.95	Paid
51-0014473382-9; 12000 1/2 W FRENCH MAR-AF CHOYT				
101-43100-50230	51-0014473382-9; 12000 1/2 W FRENCH		56.95	
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XCEL ENERGY	04/13/2026	04/28/2026	118.23	Paid
51-0013433364-2; 18404 DAYTON ST LGT MAR-A CHOYT				
101-43100-50230	51-0013433364-2; 18404 DAYTON ST LGT		118.23	
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XCEL ENERGY	04/13/2026	04/28/2026	80.85	Paid
51-0013433327-7;18396 DAYTON/SIGNAL MAR-A CHOYT				
101-43100-50230	51-0013433327-7;18396 DAYTON/SIGNAL		80.85	
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XCEL ENERGY	04/13/2026	04/28/2026	51.50	Paid
51-0013433188-8; 18432 UNIT SIGNAL MAR-APR CHOYT				
101-43100-50230	51-0013433188-8; 18432 UNIT SIGNAL		51.50	
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XCEL ENERGY	04/13/2026	04/28/2026	26.37	Paid
51-0013433412-1; HWY 94 LGT MAR-APR 2026 CHOYT				
101-43100-50230	51-0013433412-1; HWY 94 LGT		26.37	
-----				
XCEL ENERGY	04/13/2026	04/28/2026	44.55	Paid
51-0014158934-9; 11501 DAYTON/S.L MAR-APR : CHOYT				
101-43100-50230	51-0014158934-9; 11501 DAYTON/S.L		44.55	
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XCEL ENERGY	04/20/2026	04/28/2026	109.43	Open
51-0013348079-5;14430 DAYTON RIVER MAR-AP CHOYT				
101-45200-50381	51-0013348079-5;14430 DAYTON RIVER		109.43	
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XCEL ENERGY	04/20/2026	04/28/2026	14.59	Open
51-0015605920-3 11301 DAYTON PKWY TRAFFIC CHOYT				
101-41810-50381	51-0015605920-3 11301 DAYTON PKWY		14.59	
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# of Invoices:	199	# Due: 164	Totals:	717,916.83
# of Credit Memos:	1	# Due: 1	Totals:	(261.49)
Net of Invoices and Credit Memos:				717,655.34

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--- TOTALS BY PAYMENT CARD ACCOUNT ---

0843	177.61
0983	5,311.41
2363	2,125.05
3028	3,658.66
3212	390.61
3240	1,997.17
3356	2,328.68
3926	4,120.80
4473	216.99
4971	156.33
4983	1,042.41
5639	3,270.51
9053	1,596.83

--- TOTALS BY FUND ---

101 - GENERAL FUND	96,928.78
225 - EDA	2,500.00

235 - POLICE FORFEITURE	2,427.73
401 - CAPITAL EQUIPMENT	284,342.99
409 - TEMPORARY FINANCING	235,000.00
411 - DEVELOPER ESCROWS	94.00
420 - LANDSCAPE ESCROWS	27,000.00
601 - WATER FUND	8,133.11
602 - SEWER FUND	61,228.73

--- TOTALS BY DEPT/ACTIVITY ---

00000 -	27,000.00
41110 - Council	624.26
41310 - Administration	37.99
41420 - City Clerk	255.00
41500 - Finance	1,039.38
41610 - Assessing Services	430.00
41620 - Audit Services	9,922.50
41660 - Inspection Service	28.75
41710 - Planning & Economic Dev	22,453.33
41810 - Central Services	12,320.02
41820 - Information Technology	5,800.33
41910 - Activity Center	3,029.29
42110 - Police Administration	2,427.73
42120 - Patrol and Investigate	53,748.62
42260 - Fire Suppression	489,440.59
43100 - Public Works	16,935.64
45200 - Parks	1,394.65
49400 - Utilities	69,361.84
49999 - Contingency	1,405.42

**ITEM:**

Approval of 2026 Strategic Plan

**PREPARED BY:**

Zach Doud, City Administrator

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Approval of 2026 Strategic Plan

**BACKGROUND:**

Council Goals were discussed at both the March 10<sup>th</sup>, 2026 and April 14<sup>th</sup>, 2026 council meeting. The initial discussion in March documented items that the City Council felt the City of Dayton was doing well, not well, and options to improve those. As a result of that conversation, there was one goal that emerged which included changes or adjustments to the Agenda Preparation and Information.

Following that meeting, a second work session was scheduled for April 14<sup>th</sup> to discuss further that that goal entailed and information was shared with City Staff on how to make adjustments to that (some of which have already been implemented). Additional discussion at the April 14<sup>th</sup> work session noted that City Leadership had completed those same 3 questions that were asked of Council and were sent out to the Council following that work session.

Finally, the April 14<sup>th</sup> work session had additional time to discuss the 2025 Strategic Plan and provide updates to the Council on what has happened or been completed on that adopted plan. Feedback from the Council was given and updates were made for an adoption of the 2026 Strategic Plan. The 2026 Strategic Plan updates focused on the Actions Items which are known to be the 1-2 year projects/direction that the Council would really like to have Staff's time focused on.

**CRITICAL ISSUES:**

There are no outstanding issues.

**RELATIONSHIP TO COUNCIL GOALS:**

This action is to adopt these council goals.

**RECOMMENDATION:**

Staff's recommendation is to adopt the 2026 Strategic Plan as presented.

**ATTACHMENT(S):**

2026 Strategic Plan with Redline Revisions

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Items
Build and Maintain Quality Infrastructure	Provide a safe and reliable water supply	- Testing for Primary and Secondary Standards by MDH	- Equitable water across the City	A) <del>Historic Village Water Plan</del> A) Seek out Grant Opportunities - <del>Post these to Website</del>
	Establish comprehensive roadway system	- Number of major North/South connections	- Roundabout on Fernbrook and Rush Creek Parkway - Corridor and Road Plan accepted by Council	B) Meet with County for more City/County Coordination regarding Fernbrook C) Public Facilities Assessment D) <del>Maple Grove Water Conversation/Direction</del>
	Address public facilities to meet city's growth and needs	- Space for all current staff - Equipment stored securely	- Completed and adopted plan by Council for facilities	E) <del>Review options for Dayton Parkway</del>
	Maintain quality local street system	- Pavement Grade Quality	- Average Pavement Grade of 70% or higher (PQI)	E) If EIS Funding is Approved - Create a Coop/JPA F) <del>Corridor Study - Fernbrook</del>
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	-Review housing type and lot size by %'s	- Proportionate housing types available	A) <del>A-3 District</del> A) Begin work on Comp Plan - <del>Create Timeline for Completion</del>
	Encourage healthy lifespan of both residential and commercial operations	- Total amount of Funding provided - Number of rentals available and where they are located	- Maintain grant program - Manage number of rentals	B) Develop Rental Housing Ordinance C) Seek out businesses more often D) Work with EDA to find niche businesses that are not in surrounding communities E) Complete Large Area Plan - <del>Breakdown of Comp Plan Decades</del>
	Healthy Commercial Sector with services and job growth	- Net difference of businesses movement including their employment	- Maintain a positive difference in business movement	F) <del>Review Parking Code Requirements</del>
Maintain and Enhance the Natural and Rural Community Connection	Facilitate an interconnected trail system	- Number of miles of trails - Number of Resident Homes connected to Elm Creek	- Gaps in trails connected - Work towards one connection on the comprehensive trail plan	A) Acquire Trail Right of Way B) Water Trails Phase 1 and 2 C) <del>Informational</del> Environment Signage on Parks and Trails D) Diamond Lake Improvements Master Plan
	Provide and enhance public recreation space	- Acreage of available green space	- Acquire land for community park with athletic fields of 40+ acres	E) Actively seek opportunities for community park with athletic fields
	Promote Dayton's unique identity and community cohesion	- Participation level in Events and Programs	- Continuation and Expansion of Recreation Programming	F) Increase Recreation Events and Programming
	Promote awareness of our natural resources	- Resident Response for Park Usage on Community Survey	- Establish and Maintain a 60% Favorable Rating from Residents	
Foster a Safe and Welcoming Community	Communicate transparently and effectively	- Citizen participation and feedback	- Increased website visits - Increased app usage and downloads	A) Public Spaces Compliance Assessment - Grants? B) Digitize files for accessibility and discovery
	Promote public safety engagement	- Resident Reponse for Police and Fire on Community Survey	- Establish and Maintain a 90% Favorable Rating from Residents	C) Explore Zoning Code Enforcement Options - <del>Progressive Fining</del>
	Maintain well-trained workforce	- Training Targets (licenses, certs, performance evals)	- 100% staff meet City-Wide required training	D) Host public safety events E) Maintain City-Wide training coordination F) <del>Continuation of work on app</del>
	Create accessible and inclusive parks & facilities	- ADA compliance	- Continued work towards ADA compliance requirements in parks and facilities as much as feasible	F) Investigate Public Safety Committee G) All Staff and City Officials complete NIMS 100, 700, and 800

**ITEM:**

Consideration of AT&T Lease Renewal for Water Tower

**PREPARED BY:**

Zach Doud, City Administrator

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Consider Amending the City's Water Tower Lease with AT&T

**BACKGROUND:**

City Staff was approached by AT&T to renegotiate the lease that the City currently has with them on the Water Tower. The current lease agreement is valid until 2038. The proposed contract will extend that lease until 2053, so a 15-year extension.

Changes to the current contract are as follows:

- Extension of current contract for another 15 years.
- Reduction of the 2026 rent from \$34,633.53 to \$27,275.90; a reduction of \$7,357.63
- Reduction of the annual inflator from 4% to 3%; a reduction of 1%

City Staff has completed research into surrounding communities for the AT&T lease along with other water tower leases that those surrounding communities have. This research showed that an inflator of 3-4% is roughly average for these types of leases. The average amount of the leases have an average of roughly \$39,XXX and the specific AT&T leases have an average of \$48,893.60.

**CRITICAL ISSUES:**

There are no outstanding issues.

**RELATIONSHIP TO COUNCIL GOALS:**

Build and Maintain Quality Infrastructure

**RECOMMENDATION:**

Staff's recommendation is to review the surrounding city's water tower leases and negotiate with AT&T based on their proposal received.

**ATTACHMENT(S):**

Other Comparable City Info for Cell Leases

Current vs. Proposed Payment Schedule with Present Value Calculator

AT&T Term Sheet

City	Location	Increase Annually	Termination Date	Amount for 2026	Carrier	Notes
Andover	Water Tower	3%	2029	34,882.68	Verizon	5 year extensions allowed, max of 3
Andover	Water Tower	3%	2026	31,922.64	T-Mobile	5 year extensions allowed, max of 3
Andover	Water Tower	3%	2035	33,600.00	AT&T	5 year extensions allowed, max of 3
Andover	Water Tower	3%	2029	29,899.44	Verizon	5 year extensions allowed, max of 3
Andover	Siren	\$1,000	2028	19,000.00	T-Mobile	5 year extensions allowed, max of 3
Hutchinson	Water Tower	2%	2028	24,705.19	Verizon	5 year extensions allowed, max of 4
Hutchinson	Water Tower	0%	2030	26,400.00	T-Mobile	5 year extensions allowed, max of 3
Hutchinson	Water Tower	1,800	2027	37,479.62	Verizon	5 year extensions allowed, max of 3
Otsego	Water Tower	4%	2028	39,440.16	T-Mobile	5 year extensions allowed, max of 4
Otsego	Water Tower	4%	2029	39,440.16	Verizon	5 year extensions allowed, max of 4
Big Lake	Water Tower	3.1%	2027	7,245.96	SBA Netwo	5 year extensions allowed, max of 5
Coon Rapids	Water Tower	4%	2027	61,075.37	AT&T	5 year extensions allowed, max of 3
Coon Rapids	Water Tower	5%	2031	57,047.92	AT&T	5 year extensions allowed, max of 3
Coon Rapids	Water Tower	4%	2039	42,109.82	AT&T	5 year extensions allowed, max of 3
Coon Rapids	Water Tower	4%	2045	54,528.51	AT&T	None
Coon Rapids	Water Tower	2.a. CPI [3% - 10%]	2044	43,470.00	T-Mobile	5 year extensions allowed, max of 3
Coon Rapids	Water Tower	4%	2027	9,739.50	T-Mobile	6 year extensions allowed, max of 3
Coon Rapids	Water Tower	2.a. >5% or CPI	2027	53,424.84	T-Mobile	5 year extensions allowed, max of 3
Coon Rapids	Water Tower	3%	2031	34,343.52	Verizon	5 year extensions allowed, max of 3
Coon Rapids	Water Tower	3%	2043	42,769.33	Verizon	5 year extensions allowed, max of 3
Coon Rapids	Water Tower	4%	2042	29,246.46	DISH Wirel	5 year extensions allowed, max of 3
Buffalo	Water Tower	4%	2028	74,000.00	Charter	None
Buffalo	Water Tower	1%	2043	29,000.00	T-Mobile	None
Buffalo	Water Tower	4%	2039	66,000.00	Sprint	None
Elk River	Water Tower	4%	2035	45,000.00	T-Mobile	There are 3 of these
Elk River	Water Tower	4%	2039	45,000.00	Verizon	There are 2 of these
Elk River	Water Tower	2%	2045	45,000.00	Verizon	There are 2 of these
Elk River	Water Tower	4%	2050	45,000.00	AT&T	

Current Agreement		
# of Years for PV	Year	Amount
0	2025	33,301.47
1	2026	34,633.53
2	2027	36,018.87
3	2028	37,459.62
4	2029	38,958.01
5	2030	40,516.33
6	2031	42,136.98
7	2032	43,822.46
8	2033	45,575.36
9	2034	47,398.38
10	2035	49,294.31
11	2036	51,266.08
12	2037	53,316.73
	2038	55,449.40
Future Total Dollars (2026 to End)		<u>575,846.06</u>
Present Value		\$325,038.22

Amended Agreement		
# of Years for PV	Year	Amount
0	2026	27,275.90
1	2027	28,094.18
2	2028	28,937.01
3	2029	29,805.12
4	2030	30,699.27
5	2031	31,620.25
6	2032	32,568.86
7	2033	33,545.93
8	2034	34,552.31
9	2035	35,588.88
10	2036	36,656.55
11	2037	37,756.25
12	2038	38,888.94
13	2039	40,055.61
14	2040	41,257.28
15	2041	42,495.00
16	2042	43,769.85
17	2043	45,082.95
18	2044	46,435.44
19	2045	47,828.50
20	2046	49,263.36
21	2047	50,741.26
22	2048	52,263.50
23	2049	53,831.41
24	2050	55,446.35
25	2051	57,109.74
26	2052	58,823.03
27	2053	60,587.72
Future Total Dollars (2026 to End)		<u>1,170,980.45</u>
Present Value		\$499,886.28



950 West Bethany Drive  
Suite 700  
Allen, TX 75013



April 2, 2026

ZACH DOUD  
12260 S. Diamond Lake Road  
Dayton , MN 55327

Re: AT&T Communications Facility  
FA #: 10147532 / Lease ID: 152649  
Site Address: 13161 PINEVIEW LANE, DAYTON, MN 55327

Dear Landlord

As you are aware, AT&T Mobility (“AT&T”) has partnered with MD7, LLC (“MD7”) to work with you to facilitate certain modifications to the cell site lease on your property. These modifications will allow AT&T to meet current business requirements and enhance your site’s value to the network.

### **Changes in the Wireless Industry**

Recent industry developments are changing how wireless telecommunications carriers operate. In the past, carriers focused on rapidly building out their networks in order to provide the best coverage. Today, while consumers are enjoying greater services and better coverage than ever before, operating costs continue to escalate. As a result, the wireless industry is also focusing on operating networks as efficiently as possible.

### **Eliminating Risk and Increasing Value**

AT&T is addressing this shift by reviewing its cell site portfolio. AT&T has partnered with MD7 to offer selected landlords like you the opportunity to minimize the business risks associated with industry uncertainties and to increase the value of your cell site lease.

### **Criteria for Cellular Site Retention**

#### **Option 1:**

AT&T is willing to offer the following option to secure a longer-term lease with you:

- **\$27,275.90** per year, commencing **6/1/2026**.
- **3%** rent increase every year, commencing **1/1/2027**.
- Extension of Lease through **9/25/2053**.

## Option 2:

- **Lump Sum Payment Option:** Provide a one-time lump sum payment of **\$620,375.89**. In return, you will grant a perpetual easement on your property and assign the lease rights and rental income under your lease with AT&T to MD7 or an affiliate of MD7.

It is important for you to know that the pre-payment does not change the ownership or control of the rest of your property in any manner.

In order to maintain its long-term flexibility, AT&T will also require the following lease provisions to address future technological and network changes:

- **Expansion of Permitted Use**

“Tenant, its personnel, invitees, contractors, agents, subtenants, or its authorized subtenants, or assigns may use the Premises, at no additional cost or expense, for the transmission and reception of any and all communications signals and to modify, supplement, replace, upgrade, expand, including but not limited to the number and type(s) of antennas, or refurbish the equipment and/or improvements thereon or relocate the same within the Premises at any time during the term of the Agreement for any reason, or in order to be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services, or for any other reason. Landlord shall reasonably cooperate in obtaining governmental and other use permits or approvals necessary or desirable for the foregoing permitted use. If Landlord does not comply with the terms of this section, in addition to any other rights it may have at law, Tenant may terminate the Agreement and shall have no further liability to Landlord. If Landlord does not comply with the terms of this section, Tenant will have the right to exercise any and all rights that may be available to it under law and equity, including the right to cure Landlord’s default and to deduct the costs of such cure from any monies due to Landlord from Tenant.”

- **Termination**

“In addition to any rights that may exist in the Agreement, Tenant may terminate the Agreement at any time with thirty (30) days prior written notice to Landlord for any or no reason.”

- **Right of First Refusal**

“Notwithstanding any other provisions contained in the Agreement, if at any time after the Effective Date, Landlord receives a bona fide written offer from a third party seeking any sale, conveyance, assignment or transfer, whether in whole or in part, of any property interest in or related to the Premises, including without limitation any offer seeking an assignment or transfer of the Rent payments associated with the Agreement or an offer to purchase an easement with respect to the Premises (“Offer”), Landlord shall immediately furnish Tenant with a copy of the Offer. Tenant shall have the right within ninety (90) days after it receives such copy to match the financial terms of the Offer and agree in writing to match such terms of the Offer. Such writing shall be in the form of a contract substantially

similar to the Offer, but Tenant may assign its rights to a third party. If Tenant chooses not to exercise this right or fails to provide written notice to Landlord within the ninety (90) day period, Landlord may sell, convey, assign or transfer such property interest in or related to the Premises pursuant to the Offer, subject to the terms of the Agreement. If Landlord attempts to sell, convey, assign or transfer such property interest in or related to the Premises without complying with this Section \_\_, the sale, conveyance, assignment or transfer shall be void. Tenant shall not be responsible for any failure to make payments under the Agreement and reserves the right to hold payments due under the Agreement until Landlord complies with this Section \_\_. Landlord's failure to exercise the right of first refusal shall not be deemed a waiver of the rights contained in this Section \_\_ with respect to any future proposed conveyances as described herein."

- **24/7 Access**

"Landlord hereby grants to Tenant, its authorized subtenants, and to any public or private utility serving Tenant's Communications Facility or related equipment, access to the Premises and to and over the Property twenty-four hours per day, seven days per week (24/7), including but not limited to, access from an accessible, open and maintained public road to the Premises, for the installation, maintenance, repair, modification, alteration, or refurbishment of the Communications Facility or any equipment related to such Communications Facility as such access is deemed necessary by Tenant, in its sole discretion, without the requirement of notice by Tenant to Landlord. In the event that any public or private utility serving Tenant's Communications Facility is unable to use the access provided to Tenant, the Landlord hereby agrees to grant additional access to Tenant or to such public or private utility, for the benefit of Tenant, at no cost to Tenant and pursuant to the same terms and conditions as noted above. The terms and conditions regarding access in the Agreement remain in full force and effect, except as modified by this paragraph."

- **Sale of Property**

- a. "Landlord shall not be prohibited from the selling, leasing or use of any of the Property or the surrounding Property except as provided below.

- b. If Landlord, at any time during the Term of the Agreement, decides to rezone or sell, subdivide or otherwise transfer all or any part of the Premises, or all or any part of the Property or surrounding Property, to a purchaser other than Tenant, Landlord shall promptly notify Tenant in writing, and such rezoning, sale, subdivision or transfer shall be subject to the Agreement and Tenant's rights hereunder. In the event of a change in ownership, transfer or sale of the Property, within ten (10) days of such transfer, Landlord or its successor shall send the documents listed below in this subsection (b) to Tenant. Until Tenant receives all such documents, Tenant shall not be responsible for any failure to make payments under the Agreement and reserves the right to hold payments due under the Agreement.

- i. Old deed to Property
- ii. New deed to Property
- iii. Bill of Sale or Transfer
- iv. Copy of current Tax Bill
- v. New IRS Form W-9
- vi. Completed and Signed AT&T Payment Direction Form

vii. Full contact information for new Landlord including phone number(s)

c. Landlord agrees not to sell, lease or use any areas of the Property or surrounding Property for the installation, operation or maintenance of other wireless communications facilities if such installation, operation or maintenance would interfere with Tenant's Permitted Use or communications equipment as determined by radio propagation tests performed by Tenant in its sole discretion. Landlord or Landlord's prospective purchaser shall reimburse Tenant for any costs and expenses of such testing. If the radio frequency propagation tests demonstrate levels of interference unacceptable to Tenant, Landlord shall be prohibited from selling, leasing or using any areas of the Property or the surrounding Property for purposes of any installation, operation or maintenance of any other wireless communications facility or equipment.

d. The provisions of this paragraph shall in no way limit or impair the obligations of Landlord under the Agreement, including interference and access obligations."

- **Removal/Restoration**

In addition to the terms set forth in the Agreement, Landlord agrees that the Communications Facility and any related equipment brought to the Premises by Tenant, its agents, contractors, predecessors in interest or subtenants, shall be and remain Tenant's personal property or the personal property of its subtenant(s), as the case may be. Landlord waives any and all rights it may have, including any rights it may have in its capacity as Landlord under the Agreement to assert any liens, encumbrances or adverse claims, statutory or otherwise, related to or in connection with the Communications Facility or any portion thereof. Tenant, in its sole discretion, may remove the Communications Facility or any portion of the Communications Facility at any time during the Term of the Agreement, without notice to Landlord and without Landlord's consent. Notwithstanding any terms to the contrary, Tenant will not be responsible for the replacement of any trees, shrubs or other vegetation, nor will Tenant be required to remove from the Premises or the Property any foundations or underground utilities. Tenant, may, in its sole discretion, transfer any improvements or alterations to the Premises to Landlord at any time during the Term of the Agreement without notice to the Landlord and without the Landlord's consent.

AT&T values its affiliation with you and hopes to continue a long and mutually profitable relationship for years to come. Participation in this program is optional and AT&T will continue to abide by the terms of the existing agreement, including AT&T's rights to not extend the existing lease agreement. After having reviewed this proposal, please contact me within 10 business days to discuss further.

Thank you for your consideration.

Sincerely,

TeRae Williams

***Lease Consultant***

d: (469) 854-1890

e: twilliams@md7.com



**MD7 | Authorized Agent for AT&T Mobility**

Submission of this letter does not constitute a modified agreement and is only a proposal. The parties acknowledge and agree that they intend to be bound only upon the execution of an amendment detailing the provisions herein.